

42/14/0010

WEST OF ENGLAND DEVELOPMENT

**FORMATION OF SURFACE WATER ATTENUATION POND AS PART OF THE SURFACE WATER DRAINAGE STRATEGY FOR ADJOINING RESIDENTIAL DEVELOPMENT AT AMBERD LANE, TRULL**

Location: LAND TO THE NORTH OF AMBERD LANE, TRULL, TAUNTON, TA3  
7HH

Grid Reference: 321624.121793

Full Planning Permission

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**RECOMMENDATION AND REASON(S)**

Recommended Decision: Conditional Approval subject to the further views of the Environment Agency

**RECOMMENDED CONDITION(S) (if applicable)**

1. The development hereby permitted shall be begun within three years of the date of this permission.

Reason: In accordance with the provisions of Section 91 Town and Country Planning Act 1990 (as amended by Section 51(1) of the Planning and Compulsory Purchase Act 2004).

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

(A3) DrNo 13.63.40 Site Location Plan  
(A1) DrNo 13.63.41 Rev A Proposed Site Layout  
(A1) DrNo 2029/505 Rev B Drainage Strategy Plan  
(A2) DrNo 2029/506 Rev A Attenuation Pond Details  
(A1) DrNo SPP.1706.6 Rev F Landscape Planting Plan

Reason: For the avoidance of doubt and in the interests of proper planning.

3. The development hereby permitted shall not be commenced until details of a management plan for the maintenance of the new habitats, including the attenuation pond has been submitted to and approved by the Local Planning Authority. Once approved the works shall be implemented in accordance with the approved details unless otherwise approved in writing by the Local Planning Authority.

Reason – To protect and enhance habitats on site.

## Notes to Applicant

It should be noted that the protection afforded to species under UK and EU legislation is irrespective of the planning system and the developer should ensure that any activity they undertake on the application site (regardless of the need for planning consent) must comply with the appropriate wildlife legislation.

## PROPOSAL

This is an application associated with the previous application for reserved matters consent for 30 dwellings at Amberd Lane. It seeks consent for the surface water attenuation pond required for the adjoining development.

The location of the pond has been slightly amended to ensure that it does not conflict with an existing surface water sewer. The surface water drainage system for the development is proposed to be adopted by Wessex Water and the pond has been designed to be off-line and mainly dry – other than during and immediately after storm events.

The pond would be accessed via a 3m wide hoggin path running along the western boundary of the field.

## SITE DESCRIPTION AND HISTORY

The site is to the east of the proposed development site at Amberd Lane. This parcel of land was put forward for public use as part of the outline planning application and immediately adjoins the Sherford Stream.

Outline planning permission was granted in April 2013 for residential development on the adjoining site.

A reserved matters application is also under consideration on the adjoining site and this application for the pond was submitted as part of that proposal.

## CONSULTATION AND REPRESENTATION RESPONSES

### Consultees

*TRULL PARISH COUNCIL* – no comments

*LANDSCAPE* – comments:

Subject to the grassland species being acceptable to the Biodiversity Officer, the proposals should have limited landscape impact

*BIODIVERSITY* – comments:

The proposal is for the formation of a surface water attenuation pond for the adjoining residential development at Amberd lane Trull,

MWA prepared a wildlife mitigation and enhancement strategy for the residential development and newly created habitats, including the attenuation pond in January 2014.

The protective measures recommended for residential development are also relevant to this application. A management plan should be prepared. Condition suggested.

*DRAINAGE ENGINEER* – Details of the access track construction and headwall details need to be agreed before any works commence on site. See previous comments with Agent s Spring Consultancy on application 42/12/0013

*SCC - FLOOD RISK MANAGER* – no comments received.

*WESSEX WATER* – no comments received.

*ENVIRONMENT AGENCY* –

Our original response to this proposal mentioned that the surface water discharge rate should be limited to the 1 in 2 year Greenfield rate and provide long term storage to deal with the additional volume of water generated by the development. If this cannot be achieved and infiltration is not a valid option, the surface water discharge rate would need to be limited to be 2 l/s/ha

The Greenfield runoff rate allowed to discharge from the pond should be calculated based on the impermeable area on the site after construction, unless the applicant can prove that the green area also drains to the pond via the drainage network.

For this site it means that Greenfield runoff rate from the pond after development should be 4.74 l/s (calculation based on impermeable area of 0.804 ha) with the provision of long term storage. Or the discharge from the pond should be 1.6 l/s.

The pond is designed to discharge at 10 l/s. The applicant states it is a 1 in 1 year discharge rate, however we believe this is the 1 in 30 year Greenfield discharge rate for an impermeable area of 0.804 ha.

However, it is understood that the drainage rates have been agreed with the Local Planning Authority's Drainage Engineer. Therefore, I can confirm that the Environment Agency would have no objection to this proposal, subject to agreement from the LPA's Drainage Engineer.

## **Representations**

2 letters of OBJECTION/CONCERN received which raise the following issues:

- Concern about location of pond alongside neighbouring boundary.
- Will this cause flooding of neighbouring land?
- Require access to neighbouring hedge for maintenance.
- There is a foul sewer pipe beneath the area of the pond.
- Please advise with SuDS scheme being introduced but there are inconsistencies with the submitted details.
- Understand that EA has a runoff limit of 2 litres per second whereas as agent states that a maximum of 10 litres per second has been agreed.
- These inconsistencies need to be eliminated.
- The local water table should be monitored for 12 months to ensure that the pond does not fill up with water (from the water table) as soon as it is built.

## **PLANNING POLICIES**

S7 - TDBCLP - Outside Settlement,  
DM1 - TD CORE STRATEGY - GENERAL REQUIREMENTS,  
DM2 - TD CORE STRATEGY - DEV,  
SP1 - TD CORE STRATEGY SUSTAINABLE DEVELOPMENT LOCATIONS,  
CP8 - TD CORE STRATEGY- ENVIRONMENT,

## **LOCAL FINANCE CONSIDERATIONS**

This development is not liable for CIL and would not result in the payment of New Homes Bonus

## **DETERMINING ISSUES AND CONSIDERATIONS**

This application is solely for the attenuation pond and associated access that is required by the adjoining development. It requires a separate planning consent as it is outside of the application site for the outline planning consent.

The Environment Agency are satisfied that the location of the pond is appropriate and is far enough away from the Sherford Stream so as not to fill up with water from the stream overtopping in the 1 in 1000 year flood event.

The pond would be mainly dry and have a capacity of 400 cubic metres to accommodate surface water flows the adjoining development in the 1 in 100 year event, plus a 30% allowance for climate change. The originally submitted details showed that the surface water drainage system would discharge into the Sherford stream at a rate of 10 litres per second. The scheme has been designed in accordance with SuDS design guidance and complies with run off rates set out in condition 5 of the outline planning consent:

*No development shall begin until a surface water drainage scheme for the site, based on sustainable drainage principles has been submitted and approved by the*

*Local Planning Authority, all as set out in the submitted Flood Risk Assessment by Three Counties dated 30 March 2012.*

*The scheme shall include full details of proposed on site storage where run off rates have been limited to those from a 1 in 1 year storm on the green field site. Calculations are to be provided showing this attenuation provided for all storms up to and including the 1 in 100 year plus climate change event. The details shall clarify the intended future ownership and maintenance provision for all drainage works serving the site. Details of exceedance flow paths and depths of flow shall be mapped and shown to be safe.*

Notwithstanding the above, on receipt of the comments of the Environment Agency on this application, a further amendment has been put forward which would reduce the discharge rate to 5 litres per second. This is clearly an improvement and the further comments of the Environment Agency will be updated at the Committee Meeting.

The design and appearance of the pond is considered to be acceptable with shallow sloping sides and it is in a location that would not conflict with the existing foul sewer or the ability to maintain boundary hedges.

Subject to the further comments of the environment agency, the proposed drainage pond is considered acceptable.

**In preparing this report the Planning Officer has considered fully the implications and requirements of the Human Rights Act 1998.**

**CONTACT OFFICER: Mr B Kitching Tel: 01823 358695**