42/20/0042

TAYLOR WIMPEY UK LTD, BOVIS HOMES LTD, SUMMERFIELD DEVELOPMENTS (SW) LTD

Erection of a foul pumping station, water booster station and gas pressure reducing station to serve the permitted 2000 dwellings under outline application 42/14/0069 on land at Comeytrowe/Trull

Location: STREET RECORD, COMEYTROWE RISE, TAUNTON

Grid Reference: 320507.123255 Full Planning Permission

Recommendation

Recommended decision: Conditional Approval

Recommended Conditions (if applicable)

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

   (A1) `DrNo BRL_PL007 Rev F Landscape Proposals, as amended by the email 05/02/2021
   (A3) DrNo BRL_PL008 Rev D Site Location Plan
   (A1) DrNo 46006/2014/SK12 Rev J Layout, as amended by the email 05/02/2021
   (A1) DrNo 46006/2014/SK13 Rev F Tracking Sheet 1
   (A2) DrNo 46006/2014/SK14 Rev A Tracking Sheet 2
   (A1) DrNo 46006/2014/SK15 Surface Water and Overland Flow Path
   Planning Statement – Pumping Station Application (Ref: 42/20/0042), received 04/02/2021

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

2. No development shall take place (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan has been submitted to and approved in writing by the local planning authority. In discharging this condition the following information shall be supplied:
   a) Locations for the storage of all plant, machinery and materials including oils and chemicals to be used in connection with the construction of that phase or sub phase;
   b) Construction vehicle routes to and from site including any off site routes for the disposal of excavated material;
   c) Construction delivery hours;
   d) Expected number of construction vehicles per day;

e) Car parking for contractors;
f) A scheme to encourage the use of Public Transport amongst contractors; and
g) Measures to avoid traffic congestion impacting upon the Strategic Road network.
h) Details of all bunds, fences and other physical protective measures to be placed on the site including the time periods for placing and retaining such measures;
i) The control and removal of spoil and wastes;
j) Measures to prevent the pollution of surface and ground water arising from the storage of plant and materials and other construction activities;
k) The proposed hours of operation of construction activities;
l) The frequency, duration and means of operation involving demolitions, excavations, drilling, piling, and any concrete production;
m) Sound attenuation measures incorporated to reduce noise at source;
n) Details of measures to be taken to reduce the generation of dust; and
o) Specific measures to be adopted to mitigate construction impacts in pursuance of the Environmental Code of Construction Practice

The agreed Construction Environmental Management Plan shall thereafter be implemented in full unless otherwise agreed in writing by the Local Planning Authority.

REASON: In the interests of highway safety, to protect the amenities of nearby properties during the construction of the Development and to protect the natural and water environment from pollution in accordance with National Planning Policy Framework and Policies CP8 and DM1 of the Taunton Deane Core Strategy.

3. No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the Local Planning Authority. The CEMP (Biodiversity) shall include the following:
a) Risk assessment of potentially damaging construction activities.
b) Identification of "biodiversity protection zones".
c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
d) The location and timing of sensitive works to avoid harm to biodiversity features.
e) The times during construction when specialist ecologists need to be present on site to oversee works.
f) Responsible persons, lines of communication and written notifications of operations to the Local Planning Authority
g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person
h) Use of protective fences, exclusion barriers and warning signs.
i) Ongoing monitoring, including compliance checks by a competent person(s) during construction and immediately post-completion of construction works

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.
Reason: In the interests of European and UK protected species. UK priority species listed on s41 of the Natural Environment and Rural Communities Act 2006 and in accordance with Policies CP8 and DM1 of the Taunton Deane Core Strategy.

4. No lighting shall be installed in connection with the development hereby approved until details of such has been submitted to and approved by the Local Planning Authority. Any such submitted details shall include a "lighting design for bats" shall be submitted to and approved in writing by the Local Planning Authority. The design shall show how and where external lighting will be installed (including through the provision of technical specifications) within a 25m radius of the application red line so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory or having access to their resting places. All external lighting shall be installed in accordance with the specifications and locations set out in the design, and these shall be maintained thereafter in accordance with the design. Under no circumstances should any other external lighting be installed without prior consent from the Local Planning Authority.
Reason: In the interests of the 'Favourable Conservation Status' of populations of European protected species and in accordance with Policy CP8 of the Taunton Deane Core Strategy.

5. The landscaping/planting scheme shown on the approved plans shall have been completely carried out by the end of the first available planting season after the commencement of the development hereby approved.
After the completion of the development, the trees and shrubs shall be protected and maintained and any trees or shrubs that cease to grow, shall be replaced by trees or shrubs of similar size and species or other appropriate trees or shrubs as may be approved in writing by the Local Planning Authority.

Reason: To ensure that the proposal benefits from the approved landscaping scheme in the interests of visual amenity, ecological enhancement and the landscape character of the green wedge in accordance with Policy CP8 of the Taunton Deane Core Strategy.

6. No development shall take place until a detailed scheme for surface water drainage with regards to the hardstanding areas has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be fully completed prior to first use of any element of the scheme and thereafter be managed and maintained in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.
Reason: To adequately respond to the risk of flooding to accord with Policy CP1 of the Taunton Deane Core Strategy.

7. The development shall not be brought into use until the access and highway works shown on drawings DrNo 46006/2014/SK12 RevJ and DrNo BRL_PL007 Rev F has been provided, in accordance with details approved in writing by the Local Planning Authority (in consultation with Somerset County Council). There shall be no on-site obstruction exceeding 600mm above ground level within the visibility splay. The visibility splay shall be retained permanently thereafter. Thereon the vehicular access shall only be used by service vehicles in connection with the Sewerage Pumping Station, Water Booster, Gas Reducing Station, Horts Bridge Park or the continued use of the field for agricultural purposes only (as well as cycles and pedestrains) and shall be retained and controlled as such at all times by means of lockable bollards as shown on drawing DrNo 46006/2014/SK12 RevJ.
Reason: To ensure that the development is served by an adequate means of access and in the interests of highway safety in accordance with Policy DM1 of the Taunton Deane Core Strategy. The access off Comeytrowe Lane has not been applied for and assessed for use by all types of traffic, but it is accepted that access by cycles and pedestrians is allowed by the outline application 42/14/0069 and this application seeks access only for service vehicles in connection with the Sewerage Pumping Station, Water Booster, Gas Reducing Station, Horts Bridge Park or agricultural vehicles in accordance with Policy DM1 of the Taunton Deane Core Strategy.

8. Within 3 months of a commencement of works on the development hereby approved a review mechanism for independently assessing noise and odour from the sewerage pumping station, water booster and gas reduction station over the lifetime of the Comeytrowe Garden Community build process shall be submitted to and approved in writing by the Local Planning Authority. Unless otherwise agreed in writing by the Local Planning Authority the review mechanism shall include noise and odour surveys at 50, 250, 750 and 2000 occupations at the Comeytrowe Garden Community and also an operational health-check of the sewerage pumping station if operated by a NAV (New Appointments and Variations). The assessments shall be carried out in accordance with British Standard BS4142:2014 (+A1 2019). If the survey results show non-compliance with British Standard BS4142:2014 (+A1 2019) then suitable mitigation shall be submitted to and agreed by the Local Planning Authority along with a timescale for that remediation to take place. The remediation shall thereafter be carried out in full accordance within the agreed timescale.
Reason: In the interests of residential amenity and the safe, pleasant and efficient use of Horts Bridge Park in accordance with Policy CP8 of the Taunton Deane Core Strategy.

9. There shall be no physical piped connection directly or indirectly between the sewerage pumping station and the Galmington Stream.
Reason: In the interests of pollution control and environmental protection in accordance with Policy CP8 of the Taunton Deane Core Strategy.

Notes to Applicant

1. The applicant is advised to engage with the Highway Authority to enter into an appropriate legal agreement to facilitate works on the highway. Given the confined nature of Comeytrowe Lane it is possible that a temporary road closure may be required for a short duration, and due to the wider implications of this, it would need to be agreed well in advance of any intended works.

2. In accordance with the National Planning Policy Framework the Council has worked in a constructive and pro-active way with the applicant to find solutions to problems in order to reach a positive recommendation and to enable the grant of planning permission.

Proposal

Full planning permission is sought for the installation of a foul pumping station, gas pressure reducing plant and water pressure boosting plant.

This plant and equipment is required to serve the Comeytrowe Garden Community; the foul pumping station as part of Condition 13 of the outline consent related to the foul sewerage strategy for the site.

A previous application, 42/20/0024 was previously submitted for this proposal in April 2020 but procedurally could not be technically determined by the authority in the form it had been submitted (as a reserved matters application). This application effectively replaces that previous application (albeit that application had not been withdrawn at the time of writing this report).

It is perhaps useful to outline the role of each element of plant and equipment (taken from the planning statement):

<u>What is a Pumping Station?</u>
A Pumping Station consists of a large tank constructed beneath the ground, known as a Wet Well, which receives the sewage from homes in the locality. The sewage is conveyed
by gravity to the wet well and underground storage. From there it is pumped via a rising main to a point where it enters the main sewer. All this process takes place underground.

All that will be seen above ground is a green control kiosk and the compound is enclosed by fencing and landscaping, which allows an operator from Wessex Water to safely inspect and control the system.

<u>What is a Water Booster Station?</u>
A Water Booster Station increases the pressure of potable (drinking) water for homes in the locality to ensure a safe and dependable supply.

<u>What is a Gas Pressure Reducing Station?</u>

Utility companies supply Natural Gas at high pressure to keep the size of the transmission lines as small as possible. Before it reaches peoples' homes, the pressure must be reduced to be compatible with heating systems, or any other equipment requiring Natural Gas. This is what the Gas Pressure Reducing Station does.

The accompanying Planning Statement goes onto say *"the requirement for the construction of a Foul Pumping Station to serve the Urban Extension is at the request of Wessex Water, who require an on-site location, which is accessible from the adopted highway. As the lowest part of the overall site, this is the optimal and most effective position for drainage to connect with the sewage network".*
"We [the development consortium] are required to work alongside Wessex Water to determine the best location for the facility that meets Wessex Water's standards and those of their Regulators. This location meets those requirements".

Above ground the visible plant and equipment is largely contained with green kiosks, the water booster and gas reducer within kiosks 2.5m high and the foul pumping equipment within a 1m high kiosk. In the case of the foul pumping station and water booster both are contained within a palisade fenced compound, with the wet well of the pumping station located outside the compound underground.

Vehicular access is achieved via the existing field gateway off Comeytrowe Lane. Hardstanding is proposed to allow HGV and service vehicles to access the plant and machinery. A landscaping scheme is also proposed that integrates with the wider fields' future use as the Horts Bridge Park; an area of Public Open Space and play approved as part of the Garden Community.

Site Description

Outline consent with reserved matters approval exists for the use of the host field as Public Open Space and the siting of a NEAP (neighbourhood equipped area of play), known as Horts Bridge Park, as part of the Comeytrowe Garden Community.

This section of field is bound by the Galmington Stream to the east, Comeytrowe Lane to the west and residential development along the northern boundary and northwest corner. One outlier property, Honeysuckle House is located off Comeytrowe Lane adjacent to the existing field gate from where access to this parcel of land is derived. To the south is currently agricultural land, due to form part of the wider garden community in time.

The host field is currently in agricultural use, and appears to have been used for arable purposes in recent times. The contours are such that the land rises by nearly 2m from the application site area to the southern boundary of the field.

As previously described the proposed plant and machinery has been designed to integrate as much as possible into the approved public open space designs with additional landscaping. The siting of this proposal is closest to Honeysuckle House, with the gas pressure kiosk located (all measurements are approx.) 2.6m from the hedged boundary (10m from a habitable room) and the foul sewerage compound located approx. 15m from the rear hedged/fenced boundary (18m from a conservatory). The water booster is further away at approx. 23m from the hedged boundary (29.5m from a habitable room) with Honeysuckle House and approx.

21.5m from the boundary with Roundwood (28.5m from a habitable room).

There is currently no public right of access over the land, the Galmington Stream supports a group Tree Preservation Order and parts of the field are in Flood Zones 2 and 3 although the site of the three elements are within Flood Zone 1. The site is not near any Conservation Area and the nearest listed building is located approx. 115m to the north/north-west, Comeytrowe Manor.

Relevant Planning History

There is no specific planning history relating to this field except the previous application 42/20/0024.

Ref. 42/20/0024 - Application for approval of reserved matters following outline application 42/14/0069 for the erection of a foul pumping station, water booster station and gas pressure reducing station to serve the permitted 2000 dwellings on land at Comeytrowe/Trull - Currently deemed invalid.

Comeytrowe Garden Community planning history:

Ref. 42/14/0069 - Outline planning permission with all matters reserved (except access) for a residential and mixed use urban extension at Comeytrowe/Trull to include up to 2,000 dwellings, up to 5.25ha of employment land, 2.2ha of land for a primary school, a mixed use local centre and a 300 space 'park and bus' facility - Approved 8 August 2019.

Ref. 42/14/0042 – Demolition of a section of wall on the western side of Honiton Road for creation of the access to the south west Taunton Urban Extension (Under Planning Application No. 42/14/0069) on Honiton Road, Trull – Approved 9 August 2019

Ref. 42/19/0053 - Application for approval of reserved matters following outline application 42/14/0069 for construction of the strategic infrastructure associated with the Western Neighbourhood, including the spine road and infrastructure roads; green infrastructure and ecological mitigation; strategic drainage, earth re-modelling works and associated retaining walls on land at Comeytrowe/Trull - Approved 18 March 2020.

Ref. 42/20/0005/DM - Prior notification of proposed demolition of chicken coops on land south west of Taunton - No objection subject to conditions 21 February 2020.

Ref. 42/20/0006 - Application for approval of reserved matters following Outline Application 42/14/0069 for the appearance, landscape, layout and scale for the erection of 70 No. dwellings, hard and soft landscaping, car parking including garages, internal access roads, footpaths and circulation areas, public open space and drainage with associated infrastructure and engineering works (Phase 1a Parcel H1b) on land at Comeytrowe/Trull - Approved 22 July 2020.

Ref. 42/20/0043 - Non-material amendment to application 42/19/0053 for the relocation of the approved sub-station on land at Comeytrowe/Trull – Approved 19 October 2020.

Ref 42/20/0031 - Application for approval of reserved matters in respect of appearance, landscape, layout and scale, following outline application 42/14/0069, for Phase H1A for the erection of 76 No. dwellings, hard and soft landscaping, car parking including garages, internal access roads, footpaths and circulation areas, public open space and drainage with associated infrastructure and engineering works on land at Comeytrowe/Trull – Pending consideration

Ref. 42/20/0056 - Approval of reserved matters in respect of the appearance, landscape, layout and scale, pursuant to planning permission reference (42/14/0069) for the erection of 64 dwellings, hard and soft landscaping, car parking including garages, internal access roads, footpaths and circulation areas, public open space and drainage with associated infrastructure and engineering works at Phase H1c on land at Comeytrowe/Trull – Pending.

Ref. 42/21/0004 - Application for approval of reserved matters following outline application 42/14/0069 in respect of the appearance, landscape, layout and scale for the erection of 166 No. dwellings, hard and soft landscaping, car parking including garages, internal access roads, footpaths and circulation areas, public open space and drainage with associated infrastructure and engineering works on land at Parcel H1d, Comeytrowe/Trull – Pending.

Consultation Responses

A summary is given, all consultee responses are available to read in full on the council's website, www.somersetwestandtaunton.gov.uk.

TRULL PARISH COUNCIL – Objection:
This is a full planning application for a pumping station for the whole site. A Reserved Matter Application came forward for this site 42/20/0024 in April but was deemed 'invalid' due the fact there was no permitted access to the site from the public highway. This location is entirely inappropriate for three reasons:

1. *Due to the risk of flooding and the risk of contaminating the Galmington Stream and land further downstream which forms an attenuation pond. The risk of flooding has been well demonstrated by the photographs shown by one of the other representations. The previous application was objected to by the Somerset Drainage Board and whilst it has been moved, a small amount within the field it is essentially in the same place as before. The LLFA is yet to respond to this application.*
2. *The site is ridiculously and unnecessarily close to neighbouring properties and risks being a nuisance both in terms of noise and odour. This is a large site of 286 acres and the pumping station could be sited on the other side of the plot at a distance from residential properties.*
3. *Unsuitable highway access. When the main application for this housing development was given permission the only permitted access to the main site from Comeytrowe Lane is a bus/emergency vehicle route due to its unsuitability for the type of large vehicles that would need to visit this pumping station. In addition the Highways Authority has many points for which they require clarification and the Transport Development Group have yet to add their comments.*

The applicants must resite this infrastructure on the other side of their plot far from any properties and in an area with a low risk of flooding.

We also object to the District Council's continued confusing arrangement of application numbers and documents online (including recently adding several recent representations to the previous application for this site despite it now being 'invalid'.

Further objections to consider are;

1. *There is no CEMP Biodiversity to support the application*
2. *No mention has been made of the need for a Habitats Regulations Assessment*
3. *No mention made of the impact of the key cycle route through the site*
4. *The claim that the site has a very low risk of flooding from either rivers or surface water flooding is not correct. The area floods regularly and there is no surface water flood drainage scheme available for public scrutiny*
5. *The proposal does not factor in the impact on local residents from noise, smell and maintenance actions.*

COMEYTROWE PARISH COUNCIL (Adjoining PC) – Objection

1. *Concerns over Impact of the noise of the pumping station and smell from the waste water tanks on existing residents in close proximity to proposed site, what are the mitigation measures that will offset it's nuisance and local environmental impact?*
2. *Concerns over reliability of pumping station - We have concerns for any environmental impact of any failure of the facility and would want a guarantee that it is completely fail proof."*
3. *Will it have the capacity to service all 2000 homes or are there more pumping stations proposed?*
4. *Are there any other utilities supply facilities and issues needed to be addressed on the site we've yet to be informed of?*

Further comments:
With no material reasons to amend previous objections and request siting is moved further away from residential dwellings.

BISHOPS HULL (Adjoining PC) – Objection

1. Concerns that the pumping station is located too close to residential properties - causing safety concerns.
2. Concerns about noise from the pumping station affecting local residents.

ENVIRONMENT AGENCY – No objection.
The Environment Agency would not be adversely affected by this proposal providing there is no fencing or any ground raising within the Flood Zone 3 area, as indicated within the planning documents. Although Flood Zone 3 falls just inside the red line boundary this area will remain undeveloped.

Further comments received:

1) If the pumping station includes an emergency overflow it will require an Environmental Permit under the Environmental Permitting (England & Wales) Regulations 2016, from the Environment Agency, unless an exemption applies. Whether or not the pumping station is adopted or not by Wessex Water, the operator of the pumping station will be responsible for obtaining an Environment Permit from the Environment Agency. The applicant would be advised to contact

the Environment Agency on 03708 506 506 for further advice and to discuss the issues likely to be raised. You should be aware that there is no guarantee that a permit will be granted. Additional 'Environmental Permitting Guidance' can be found at: https://www.gov.uk/environmental-permit-checkif-you-need-one.
2) This site falls within Flood Zone 1 which is at the lowest flood risk. The water vulnerabilities classification would be a Local Planning Authority decision, but I would agree that "sewage transmission infrastructure and pumping stations" fall within water compatible development.
3) Please consult your Environment Health Officer concerning odour.
4) No objection to this location.
5) The access is outside the planning applications redline boundary. It is understood that the flooding is caused by restricted flows through the bridge. This bridge would fall under Highways responsibility. Any work to the bridge would need to ensure there is no additional risk to third parties. However, the pumping station will not make the risk of flooding any worse.

LEAD LOCAL FLOOD AUTHORITY – No objections
Our role in the planning process is to provide advice to the Local Planning Authority only in respect of local flood risks - predominantly flooding from ordinary watercourses, surface water, groundwater. Our remit does not include assessing other aspects of the site suitability – for example noise, visual impact associated with the development etc. We also do not specifically comment on the foul drainage arrangements, and ask the Local Planning Authority to confirm the design of the infrastructure with Wessex Water, and any mitigation that may be required to account for any failure of the system. The proposed development is for a pumping station, water booster station and gas pressure reduction station. These are classified in national planning policy as 'Water Compatible' infrastructure, and therefore are considered appropriate to be located in flood risk areas. We are aware that there have been flood events within the vicinity of the proposed development, and that this has caused anxiety within the community. The developer has shown that all the infrastructure, whilst close, is located outside of the flood risk areas including the 100 year + 85% climate change scenario. We note however, that local residents have submitted photographs of flooding on Comeytrowe Lane where we understand the proposed access is located. Therefore, an assessment of the flooding mechanisms here should be undertaken to determine if the site can be accessed and operated effectively under flood conditions. Any sunken infrastructure will need to be designed with respect to local groundwater levels. We are unclear how the surface water from any hardstanding areas for the development will be managed to ensure these do not exacerbate local flood risk. For comfort, some indication of the construction drainage arrangements, including any silt pollution measures, would be helpful prior to permission being granted.

WESSEX WATER – No objections:
"I refer to the application in respect of the above and can advise the following on behalf of Wessex Water.

The promoted foul drainage strategy for the Comeytrowe development involves development parcels draining by gravity to a pumping station situated in the low part of the overall site. An underground pumped main from the pumping station will connect to the existing public foul sewer network within Queensway. This is different from the original draft proposal submitted with the outline planning application describing a new gravity sewer laid adjacent to the Galmington Stream

and connecting to the sewer network north east of the site in College Way. The original option also required construction of a large underground tank in the vicinity of College Way to attenuate foul flows from the development and protect downstream customers from sewer flooding.

Wessex Water reviews sewerage options in view of time elapsed and ensuing updates to our sewer network computer model. We also commence more detailed design as proposals move through the planning system. Within the last year we have discounted the original option due to concerns with working in continued and close proximity to Galmington Stream and the disruption to residents caused by construction in this area and at College Way.

The current proposed option identifies an alternative point of connection minimising work close to Galmington Stream and negating the need for an additional storage tank in the downstream network.

The proposed foul pumping station serving the entire Comeytrowe development will primarily comprise of a wet well, pumping set and emergency storage. The majority of apparatus are below ground with control kiosks and compound above ground. When flows from the new sewers entering the wet well reach a set level the pumps will operate pumping the flows forward in the pumping main to the existing foul sewer in Queensway. The route of the underground rising main is not currently fixed but the pipe will run through the development site close to Comeytrowe Lane before cutting east to the existing sewer network.

The pumping station design includes an underground emergency tank sized to accommodate flows from the entire development for 6 hours in the event of an emergency. The pumping station will have a number of alarms connected to our 24 hour control room alerting operational staff to any issues. The pumping station will normally have a duty and assist 2 pump arrangement. The pumping station will have space and connection for a mobile generator in the event of any planned or unplanned power outages to maintain service.

New pumping stations are not designed with sewer overflows. There will be no direct connection from the pumping station to the Galmington Stream. In the unlikely event that both the wet well and emergency storage are overwhelmed the flows will back up into the development site. If the situation is permitted to continue eventually the upstream system will become full and customers may not be able to flush toilets. Wessex Water is an environmental and highly regulated company treating sewage at Taunton sewage treatment works to comply with consents prior to return to the environment. Sewer networks are constructed and designed to industry standards. The Sewerage Sector Guidance; Design & Construction Guidance (DCG available on Water UK's website) ensures networks are designed to be watertight, of appropriate capacity, maintainable and at an appropriate distance to avoid impact from noise, vibration and odour.

Wessex Water is obliged to adopt networks which are in compliance with the DCG. The pumping station is located away from flood risk areas and 15 metres from habitable buildings required by the DCG. Where there is a perceived risk of flooding the developer can incorporate further protection measures including raising electrical controls and sockets and constructing landscape bunding. The application shows additional landscaping and we understand will include higher quality fencing and

fabrication than dictated by the code to better blend with the surrounding environment. The majority of the apparatus are underground and at a distance where noise and odour should not be discernible from residential dwellings. A lighting column will also support an odour vent allowing odours to dissipate at a higher level than standard. Lighting on site will only be operational during site visits. Once adopted from the developer the pumping station will be visited proactively bi-yearly for standard checks (small van) and wet well clean annually (tanker). Any issues can also be reported via our 24 hour emergency phone line.

The sewer system is designed to carry domestic waste water and the threes Ps – paper, poo and pee. Non disposable items such as wet wipes, sanitary items and fats, oils and grease can damage pumps and cause blockages in sewers. New and existing customers can assist in ensuring a free running system by adhering to guidelines available here. Sewer flooding can also be caused by the cumulative connections of surface water to the sewer network; the connection of rainwater pipes and drains from new impermeable driveways and roofs. The new development will have separate drainage systems of surface and foul water with no surface water connections permitted to the foul system.

The utilities compound includes a water supply booster and gas pressure reducing station. The developer's design will need to ensure that the services are kept separate and the individual needs of the service providers are met. We are satisfied that the arrangements for water supply and foul sewerage are in accordance with water industry guidelines. The decision for a combined compound rests with the developer to realise efficiencies and maximise land use. The foul pumping station must be at a low point within the site; the water supply boosting station has a wider scope for locating. The booster station is required to provide water pressure on site to first floors at the high points on site and in line with our guaranteed standard. The demand has been assessed through computer modelling with no detriment predicted to existing customers subsequent to new connections. Initial phases are to be serviced via the existing water main in Comeytrowe Lane.

On Monday 11th January myself and Wessex Water's Development Engineering Manager attended a "Virtual" Members briefing with representatives from the Comeytrowe Consortium. A video of the presentation can be found here. In response to follow up questions since the briefing I can advise:

The first was about the 'alternative location' which would be on higher ground requiring a bespoke engineering and construction solution. Could you comment on this from WWs perspective, incl. health and safety, operating costs, any additional operational difficulties etc.

The ground level contours shown on Wessex Water's (WW) mapping system indicate that the pumping station has been positioned at the lowest point on site, which is the norm with pumping stations. If it the sewage pumping station (sps) were to be moved from the existing properties then the ground level of the station would rise around 5m minimum. This means that the depth of the station would increase by 5m to ensure it drained the site. For the developer this would mean additional expense during construction, and possibly different, more complex construction methods and increased Health and Safety risk. For WW once adopted it would mean the annual maintenance costs would increase, there would be greater Health and Safety issues, and increased energy costs. Larger pumps would be required to

lift the additional head of sewage which equals more energy. The industry guidelines dictate that where a sps is to be used, it should be as economically viable as possible over its 'whole life', and therefore the above points matter. Where WW is asked to adopt a sps we would look for it to be at the lowest point of the site so it can be as shallow as possible. It's also possible that larger tankers and general maintenance equipment would also be required to maintain a deeper station.

Additional information regarding noise and odour and conformity with published guidance (and what guidance that is – WW's own or industry).

SPS - The current position meets all the industry guidelines, and WW would have no reason to move it. If odour issues did occur once it was public, we would look to mitigate these, but we would not look to add positive odour removal.

Water Booster – In the presentation it was stated from our design standards that: "The internal noise in any building or kiosk shall not exceed 80 dbA (that means inside the booster station). A target < 70 dbA shall be set − The perceived noise at a distance of 1m from the outside of the building containing the pumps, shall not exceed 75 dbA"

To elaborate:
75 dbA is the limit set at 1 metre from outside the booster building. The dbA level will reduce with distance from the station. British Standard 8233: Sound Insulation and Noise Reduction for Buildings – Code of Practice indicates a level of 30 dbA as "good" inside living rooms and bedrooms and 35 – 40 dbA as "reasonable". We have previously carried out Noise and Vibration studies to support our own booster planning applications. These are site specific and take into account other factors such as existing background noise and ground conditions and can not be used in comparison. Wessex Water will adopt booster stations where the risk of noise and vibration is mitigated to acceptable levels.

Would a Weldmesh type of fencing would be acceptable over the currently specified palisade?
WW view on the fencing is flexible. If a different style is more suitable to soften the look, then we would be happy to adjust our requirements as long as the site security is maintained. WW do accept certain types of weldmesh style fencing if as part of the planning approval, our standard palisade fencing is not acceptable.

Questions have been raised on the safety aspect of the gas pressure reducing station – proximity to housing and the foul pumping station can you advise any comments?
Wessex Water has assessed the risk of explosions and fire occurring within pumping stations and sewer networks. Such hazards are rare but risk factors can exist in older systems. No such risk factors are applicable at Comeytrowe. Wessex Water do not consider the foul or supply pumping station as posing a risk to the gas governor station.

Could the Services Compound be requisitioned by the developer and constructed by Wessex Water under Permitted development rights?
The sewage pumping station and booster station can be requisitioned by the developer. Wessex Water will consider whether it is appropriate to gain permission for development by planning application or permitted development rights.

If the pumping station were to fail – which upstream manhole would the tanker require access to?
This has yet to be determined. We will select the upstream manhole to ensure minimum disruption to customers.

Should the application be approved I can advise we have no objection to condition 11 of the original application being discharged for the phases where reserved matters have been submitted".

Officer Note: Wessex Water attended a SWT Councillor briefing on 11th January 2021 where a significant number of questions largely raised by local people were addressed. This briefing is viewable to view on YouTube via this link https://youtu.be/DrTTazx9h9Q . Slides from the briefing are viewable on the online case file via www.somersetwestandtaunton.gov.uk, ref 42/20/0042.

ENVIRONMENTAL HEALTH – No Objections:
"I refer to my previous memo dated 17th December 2020, and some additional information that was received yesterday regarding potential noise and odour issues from the above development.

- *Summary note from applicant "What is a pumping station"*
- *Comeytrowe presentation answers*
- *Accompanying photographs*

This information refers to the "Design and construction Guidance for foul and surface water sewers offered for adoption…." It is stated that this guidance provides industry standards for the location, design and construction of pumping stations and has been prepared to mitigate any impacts on residential amenity. The proposed pumping stations are to be built in accordance with this document before it is adopted by Wessex Water, who are supportive. This guidance gives minimum distances from the wet wells to habitable buildings, and for this type of plant it would be 15m, and it states that the proposed pumping station is 18m from the nearest residential property.

It states that the pumps will not be in use all the time, and that the pump in the sewage pumping station is submerged and there will be almost no noise emanating from the pumping station.

Regarding the water booster station, the information says that water will be boosted by pumps according to demand, and that the kiosks are designed to keep noise to a minimum to reduce impact on surrounding dwellings. There is reference to the design standards used for the booster station.

> *"The internal noise in any building or kiosk shall not exceed 80 dbA. A target < 70 dbA shall be set − The perceived noise at a distance of 1m from the outside of the building containing the pumps, shall not exceed 75 dbA"*

The statement gives information on the location of numerous other pumping stations in the Taunton area (including plans and photographs).
It is also noted that SWT Council has a policy requirement for a 15m cordon sanitaire for pumping stations.
Comment
The only detail that has been provided on noise levels are for levels for the water booster station (external level of 75dBA). However, there is no information how often

or how long the pumps will be in action, or at what time of day. (or whether the dBA levels are for sound pressure level or sound power level). Therefore, it is hard to assess the impact of this.
There is no other detail on the potential noise levels or odour from the other plant on the site, or a noise assessment that would predict the noise levels at any nearby properties. Therefore, there is no information that will allow me to give an objective comment on the potential for noise or odour to cause any disturbance.
It is noted that there are a number of pumping and booster stations within the Taunton area. I can confirm that Environmental Health do not have records of complaints about any of these, which would indicate that they can operate in proximity to dwellings without disturbing any nearby residents.
Your email suggested using a condition to require the developer/operator to assess noise and odours once the stations are in operation. This would be a good idea. Regarding guidance: for noise the guidance normally used to asses noise for planning purposes is British Standard BS4142:2014 (+A1 2019). The Defra Code of Practice on odour nuisance from sewage treatment works has been withdrawn, however, there is some industry guidance, although I am not up to speed on the latest versions (as we've not had to deal with any complaints about odours from sewage works). I would also recommend that the operator carry out a more basic assessment, i.e. when the equipment is running can they hear or smell anything at nearby premises, and if this identifies problems then steps should be taken to resolve the issue.
As mentioned, the Council does have powers to investigate complaints about noise or odour nuisance under the Environmental Protection Act 1990. Statutory nuisance is a subjective assessment, based on the severity, time, frequency and duration of the noise/odour, and how it is affecting people in their properties. A business does have a defence in nuisance of "best practicable means", which means that the local authority can only require them to take all reasonable steps to abate a nuisance; once something has planning permission to operate the nuisance legislation cannot be used to stop the lawful use".

Previous memo of 17 December 2020:

"Discharge to the Galmington Stream.
I note that the Environment Agency and Wessex Water have been contacted about this. They would be the best agencies to give an opinion, the Environment Agency deal with the pollution of controlled waters, and Wessex Water have experience of managing pumping stations.

Noise.
The Planning Statement with the application states that "the design and location of the pumping station will need to comply with Wessex Water's requirements. These are in-line with the Sewers for Adoption guidance which considers the impact of noise and odour on neighbouring properties." It also says that the pumps will not be in use most of the time and will be (partially) submerged and that "unacceptable noise levels are not expected to impact neighbouring properties"
Comment. There is no detail on the potential noise levels from the site, or a noise assessment that would predict the noise levels at any nearby properties. Therefore, there is no information that will allow me to give an objective comment on the potential for noise to cause any disturbance.
Odour
The Planning Statement says that the pumping station will comply with Wessex

Water guidance and that the design will be reviewed by Wessex Water, and that "a properly functioning pumping station will not create any odour."
Comment
There is no odour assessment with the application, therefore, no information that will allow me to give an objective comment on the potential impacts. There is no detail on the guidance that is being referred to or the standards that would need to be met. It is not clear if the developer has already contacted Wessex Water with details of the design so that Wessex Water would be able to confirm that the system could operate without causing an impact on nearby properties.
Health and safety issues
With utility companies any safety issues are overseen by the Health and Safety Executive. The operation of sewage pumping stations and gas and water stations is not something that Environmental Health would have any experience of, and so we are not in a position to make a professional comment. You may wish to contact the HSE if there are any specific concerns.
Additional information
The developer could provide some additional information that would help the planning authority determine the potential impact of the development.

- *A noise assessment that determines the noise levels from the sewage pumping station, the water booster and the gas pressure reducing station (for example a BS4142:2014+2019 assessment). This should assesses the potential impact on any nearby properties and make recommendations for any mitigation that may be required.*
- *An odour assessment for the sewage pumping station to determine the potential effect on nearby properties.*
- *Correspondence between the developer and Wessex Water about the design of the pumping station so that Wessex Water can confirm that they system will be able to operate without causing an impact on nearby properties?*
- *It is likely that there are similar sewage, water and gas stations in the area. It would be useful if the applicant could provide details of these, as it may be possible for the planning authority to review these sites to see if they have been the source of any noise or odour problems whilst operating (and people may be able to visit them to see what the new development would be like)".*

SCC - TRANSPORT DEVELOPMENT GROUP – No objections:
It has been confirmed by the applicant that the site would only need to be visited on an occasional basis by engineers. Further, it would be expected that visits by larger vehicles would only be needed in emergencies or when maintenance at the site was required. Following the construction period, it is accepted that there should not be a significant number of traffic movements associated with the operation of the site, and this would certainly not occur on a daily basis. Should planning permission be granted and to manage impacts through any construction phase, a Construction Management Plan would need to be agreed and implemented before any works would commence on site.
Additional swept path information was provided on 15th December 2020, and this shows vehicles turning in and out of the proposed site access. It is anticipated that the vast majority of the movements will be to and from the north, and this would become the only movement if Comeytrowe Lane was stopped up as proposed by the wider residential development proposals. The updated swept path analysis shows that all of the required manoeuvres could be undertaken as required, and that vehicles will be able to turn within the site. The position of the proposed bollards will allow vehicles to safely wait off the highway without interrupting other

traffic movements on Comeytrowe Lane.
The applicant has provided an updated drawing that shows the availability of visibility at the proposed site access. To the north, the visibility is unconstrained and the highway authority is content that there would be good lines of sight between motorists travelling on Comeytrowe Lane and those exiting the site. To the south, the existing hedge will be amended to expand visibility and this will be an improvement as compared to the existing arrangement for the field access. Having reviewed the submission, the available visibility would actually continue for a significant distance beyond that shown on the submitted drawing. Given the levels of traffic that would be associated with the proposed scheme, the highway authority has no objection to the access position and visibility as shown.
A revised landscape drawing has been submitted, and this provides more details regarding the materials that would be used and also the specification of the bollards that would be incorporated within the site. The detail of the use of the bollards close to the adopted highway (and it is possible that some are shown to be within the highway) will need to be considered when the applicant submits the detail of the highway works at a later date, see below.
Whilst the extent of the existing highway adoption would not need to change, there would be a requirement for minor surfacing works to be implemented within the public highway. Should planning permission be granted, the applicant will need to enter into an appropriate legal agreement with the highway authority to facilitate such works. To be clear, the access shall not be brought into use until the details of the access have been approved and constructed in accordance with the highway authority requirements. Given the confined nature of Comeytrowe Lane it is possible that a temporary road closure may be required for a short duration, and due to the wider implications of this, it would need to be agreed well in advance of any intended works.
The proposed site will form a critical part of the wider pedestrian / cycle network for the proposed Comeytrowe residential development site, and the implementation strategy for the network was secured by planning condition (Condition 26 of planning application 42/14/0069). As previously stated, as the detail of infrastructure serving the proposed wider development are now being presented, the highway authority suggests that it would now make sense to agree the detail of the condition requirements at this time. This would avoid any further amendments to the proposed infrastructure being required at a later date.
Subject to the above, the highway authority would not now object to the application, although it is recommended that the following planning conditions are attached to any planning permission.

Conditions proposed concerning Construction Management Plan and Highway Access Works.

LANDSCAPE – Comments.

- *The area lies within the Comeytrowe Green Wedge and therefore is subject to meeting appropriate policy requirements to have particular regard to the landscape and landscape setting of the Green Wedge.*
- *The proposed development, although low key in visual terms, uses up valuable open space and I'm not aware that any compensatory space will be provided as part of this application.*
- *If the proposals are approved I would recommend substituting Prunus padus for Prunus avium and Acer pseudoplatanus for Acer campestre as these are the locally indigenous tree species.*

CP8 says for green wedges: "protect, conserve or enhance landscape and townscape character whilst maintaining green wedges and open breaks between settlements;" so one then has to look at the criteria for defining them which include:

- *Prevent the coalescence of settlements and maintain a sense of place and identity for neighbourhoods;*
- *Maintain the open character of a green lung contributing to health and wellbeing for residents;*
- *Bring the countryside into the heart of town;*
- *Provide accessible formal and informal recreation, sport and play;*
- *Provide valuable wildlife corridors and habitat;*
- *Protect areas of landscape importance and visual amenity; and*
- *Provide a positive approach to land use.*

Comments that it could be argued that the proposals will detract from some of the above but it is the degree to which they detract that is less clear as an argument given the pumping station structures are very low key. The development is contrary to the policy but given suitable landscape mitigation and some additional open space provision it's difficult to make a sustainable objection.

ECOLOGIST – No objections

"An Ecological Appraisal for the application was carried out by EDP (not dated, author unknown). This found that the proposed site consisted of part of an arable (wheat at the time of survey) field and a short section of species poor hedgerow along Comeytrowe Lane. Galmington Stream, a Local Wildlife Site, about 65m away, is present on the eastern boundary of the arable field in which the site is located. Based on the habitats present within and around the Site, and the cumulative baseline for the wider site collected over the past 12 years, the following protected and priority species are pertinent to these proposals:

- *Birds (various – largely common and widespread species) – potentially nesting in the hedgerow and, to a lesser extent, at ground level in the arable field;*
- *Bats (various – largely common and widespread species) – likely foraging or commuting along the hedgerow on Comeytrowe Lane but no potential roosting habitat is present;*
- *Dormice– potentially nesting, foraging or dispersing in the hedgerow;*
- *Badger (– setts not currently within or near to the development footprint but potential to be so in the future; and*
- *Reptiles (slow-worm (Anguis fragilis) and grass snake – potentially dispersing through the hedge and arable habitat owing to the presence of more suitable habitat (tall ruderal and stream) nearby.*

Method statements to prevent harm to these species need to be set out in a Construction Environmental Management Plan which needs to be condition as follows [see conditions section].

As light averse bat species are present in the locale the following condition is required [see conditions section].

It assumed that the landscape plan would be conditioned as part of the condition for compliance with plans and that the site would be managed in accordance with the Landscape and Ecology Management Plan for the whole Comeytrowe development. The pumping station will connect to the existing foul sewer and will comprise sealed and/or underground structures, such that no effluent will be discharged into the Galmington Stream or any other local watercourse. Furthermore, following recent advice from Natural England planning applications may now require a Habitats Regulations Assessment (HRA) due to the recent CJEU Dutch Nitrogen case law.

This is where the application site falls within the catchment flowing into the Somerset Levels and Moors Ramsar, designated for its rare aquatic invertebrates. There is a major issue with nutrients entering watercourses which adversely changes environmental conditions for these species. Any new housing, including single dwellings, will result in an increase in phosphates contained within foul water discharge. As the designated site is in 'unfavourable' condition any increase, including from single dwellings, is seen as significant, either alone or in combination with other developments. However, as the pumping station itself will not produce wastewater no Habitats Regulations Assessment for the application is necessary. However, individual housing developments within the Comeytrowe site will require Habitats Regulations Assessment as applications come forward".

SOMERSET WILDLIFE TRUST – Objection.
Noted the comments of the County Ecologist and support his recommendations. Concerns remain regarding flooding and the impact of possible problems with the Galmington Stream Local Wildlife Site. Strongly object on these grounds.

SOUTH WEST HERITAGE TRUST – No archeological implications.

Representations Received

A site notice has been posted and neighbours notified of the application. The council is in receipt of approximately 82 representations from members of the public (some residents have sent multiple representations) and local Councillors. All object to the proposal.

A summary is given, all responses from the general public are available to read in full on the council's website, www.somersetwestandtaunton.gov.uk.

The comments made can be summarised as follows:-

- The information provided is not sufficient for safe decision making – validation requirements, flood risk assessment, lighting assessment, noise assessment and an incorrect description.
- The application is premature – phosphates
- Spatial and locational requirements – storage, gas pressure compound size, proximity to residential properties, impact of development of adjacent land, no pipelines to and from compounds are shown, pipework will need to cross Galmington Stream.
- Please produce the pre-app notes for this proposal.
- Please post the Environmental Screening opinion.
- Please advise of the conflation with the outline approval. Two inconsistent approvals.
- The area floods, which will cause foul sewerage to overflow and leach into the Galmington Stream which is a nature reserve and locally valued amenity. Attention is pointed towards Wessex Water's use of combined sewer overflows (CSO's) which release highly diluted sewerage into rivers during extreme rainfall to prevent flooding.
- SWT has declared an ecological emergency.
- Lack of information from the applicant on Noise from the booster station – links to YouTube videos provided demonstrating what 75 dbA sounds like over the distance between the water booster and Roundwood.

- The Planning Committee has never been given the opportunity to scrutinise an Application governing the selection of the site for the strategic infrastructure for the entire Urban Extension concerning its foul-water drainage, its freshwater supply, or its gas-supply.
- Challenge the assertion made on the call that the construction methodology of a slightly deeper well than the one proposed would necessitate a significantly more complex and costly construction.
- The procedures surrounding the access to the pumping station in the event of flood on Comeytrowe Lane has not been provided. How can this comply with 'Sewers for Adoption' guidance?
- The potential use of a NAV is of concern. Each of these multi stations need to be at least 100 metres away from the nearest resident's homes so that residents have a reasonable level of protection against an incompetent or under resourced NAV.
- There are no multi stations like the one proposed anywhere nearby.
- The pumping station can be moved south on the existing contour.
- Gas represents a different type of threat to sewage and water and must be assessed properly.
- No consideration has been made of the noise effects by the developer or SW&T council – comparison to a site in Norfolk are given.
- A BS4142 noise assessment should be carried out.
- An odour assessment should be carried out.
- The gas reduction station poses a risk of explosion.
- The development is impacted by the Natural England prohibition of planning permission for any new applications with unmitigated downstream effects on the levels.
- There are no details of the onward connection of the foul sewerage infrastructure.
- No updated surface water strategy required by Condition 12 of the outline permission.
- The assertions regarding flooding and pollution are not evidenced.
- The wet well construction reduces ground capacity to absorb water meaning greater flow into the Galmington Stream.
- There is a detailed representation from H.Jaeschke (dated 17 Nov on the online file) raising specific operational and management issues and how these may impact on residential amenity and pollution control.
- There will be impacts on residents by odour and noise.
- There are suggestions that the wet well has to be vented in order to 'prevent a toxic or explosive atmosphere from developing' and the view that 'septic sewage has a strong hydrogen sulphide smell' and there will be 'malodorous emissions'.
- A new EIA is required, this facility was not mentioned at the outline stage.
- Increase in service vehicles posing safety concerns to children playing and walking to school.
- The facility will clash with the use of the field as public park with cyclists and pedestrians and is not appropriate next to a play park.
- An alternative location should be found.
- It will be a blot on the landscape and a hedge has been removed.
- Better engagement by the developers with the local community would be welcome.
- Material omissions on the application form and missing documents.
- There is an error with the blue line.

The following comments have been received from local councillors:

Cllr Hunt -
The only obvious difference between this and the original application, is that the proposed foul pumping, water booster and gas pressure reducing stations, have simply
been moved a little further up the road, directly outside the dwelling next door. Therefore, I offer you similar objections to the original application. It is clear that the positioning of these stations will be far too close to the properties of residents living in Comeytrowe Road and Comeytrowe Lane. The probable noise generated by the pumps is of particular concern to those living close by. The location, very close to the Galmington stream, is renowned for flooding annually and it is not so long ago that Lloyd Close situated nearby was flooded. Surely this facility can only add to the probability of this reoccurring. The risk of contamination to the Galmington Stream will of course be a very real one, along with the unpleasant odours which will surely follow. This will not only affect those close by, but
others downstream in Queensway, Glasses Mead, Burgess Close, Claremont Drive and throughout the Comeytrowe, Newbarn Park and Galmington area. This needs to be
moved, and I am yet to hear a good reason why it can not be located within the new development itself. Clearly, this would make the selling of those properties situated close to this facility rather more difficult and not something the developer would like. Quite why the developers thinks it is okay to move the problem close to already established
properties escapes me. I anticipated those making the decision on this application will see it for what is and refuse it.

Cllr Farbahi
Over the last 8 months our community have had to endure an enormous amount of anxiety and concern about the potential of building multi station in flood zone 3 with risk of pollutions to the nearby Galmington Stream. Up to very recently the communications with residents have been minimal.
There are still a lot of concerns about the location of the current multi station. I am pleased that some amendments have been made to move the stations away from the flood zone 3, however I am still concerned that it is next to another property namely Honeysuckle and nearby Lloyds Close.
Therefore the new proposal is not designed with the people living nearby in mind.
I understand that the pumping station will connect to the existing foul sewer and is sealed with no physical connection between the foul pumping station and Galmington Stream, but the existing foul sewers can and will leak into the Galmington Stream in high seasons.
I am yet to receive a Habitats Regulations assessment report as this site falls within the catchment draining into the protected Moors Ramsar area of Somerset levels, without which this application cannot be determined. I will be interested to obtain details and the measures being proposed by the Wessex Waters to control the amount of phosphate being discharged in to watercourse including any mitigation plans.
I object to the current proposal as it stands. I strongly request that the planning committee looks at positioning the multistation some 50 meters away from the current proposed site and nearby residents' homes and seek to minimise any contamination into nearby Galmington Stream. It is important to note that if the

developers wish to create a vision to define a green lung within Hort Bridge Park, they should really engage
and communicate better with the very people that live and breathe the air in the nearby vicinity.

Cllr Nicholls
I strongly object to application 42\20\0042. The proposal is broadly the same as the previous application, with the relocation of the pumping station being moved only a matter of metres. Residents and myself remain extremely concerned about the noise levels, odours, poor narrow access for HGVs, and the increase of flooding. All the above concerns are clearly and comprehensively documented on the planning portal, and I strongly encourage planners, developers, and members of the planning committee to read and scrutinise the comments ahead of any decision. Appropriate alternatives do
exist in terms of other locations or smaller stations strategically placed around the development. I urge the planning committee to seriously explore all options and not to accept any proposals which unfairly impact on current residents, the ecology of Galmington stream, or safety {flooding events} of the area. Application 42\20\0042 poses
a threat to the existing ecological balance of Galmington stream, and will also reduce rain water retention, thereby giving rise to flooding of Lloyd Close, other properties
further downstream, and also the highway. The flooding concerns are not simply forecasts or predications. . . it has happened before. And many local people including myself have experience of this. Lastly, you will be aware of the strength of public feeling that exists about this. It was reported in the local press and radio during the summer. The
planning portal has no shortage of comments that reinforce this message. They are all worthy of reading and convey our feelings about this proposal, and in particular some of these submissions are factual and very comprehensive. I urge you to read and strongly consider. I would like to finish with a question. . why has a large section of hedgerow been removed at the top of Comeytrowe Lane, presumably at the point where access would be required for this site, before a decision has been made? In previous correspondence I have been assured that all hedgerow removal has taken place
strictly within developers parameters. Assuming this is correct, why therefore has this stretch been removed so early on? It is a presumptuous act is it not?

Cllr Hill
You will be aware of the concerns of local residents about the proposed location of the pumping station and the potential contamination of Galmington Stream. I appreciate that amendments have been made to the location but there remains a perceived risk that foul water will on occasion leak into the stream , a stream that you know is a valued and loved community asset. There is no need for this conflict- better engagement with the community would result in a better solution and I object to the current proposal.

Planning Policy Context

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications are determined in accordance with the development plan unless material considerations indicate otherwise.

The development plan for Taunton Deane comprises the Taunton Deane Core Strategy (2012), the Taunton Site Allocations and Development Management Plan-SADMP (2016), the Taunton Town Centre Area Action Plan (2008), Somerset Minerals Local Plan (2015), and Somerset Waste Core Strategy (2013). Both the Taunton Deane Core Strategy and the West Somerset Local Plan to 2032 are currently being rolled forward with the aim of producing one new Local Plan covering the entire administrative area.

Relevant policies of the development plan are listed below.

SD1 - Presumption in favour of sustainable development,
CP4 - Housing,
CP7 - Infrastructure,
CP8 - Environment,
SP1 - Sustainable development locations,
SP2 - Realising the vision for Taunton,
SS7 - Comeytrowe / Trull - Broad Location for Growth,
DM1 - General requirements,
ENV1 - Protection of trees, woodland, orchards and hedgerows,
ENV2 - Tree planting within new developments,
ENV5 - Development in the vicinity of rivers and canals,
I3 - Water management,
I4 - Water infrastructure,
D9 - A Co-Ordinated Approach to Dev and Highway Plan,
TAU1 - Comeytrowe / Trull,

The Trull Neighbourhood Plan is part of the development plan and a material consideration. The Trull Neighbourhood Plan includes policies that are aligned with the adopted policies in the Taunton Core Strategy and Site Allocations and Development Management Plan (SADMP), and provide for sustainable development in the parish.

- Policy E2: Woodland, Trees and Hedgerows, supporting broadleaved tree planting and hedgerow enhancement.
- Policy F1: Reducing Flood Risk

The Final Green Wedge Assessment, 2015

The National Planning Policy Framework (NPPF) and National Planning Policy Guidance are material considerations.

Local finance considerations

Community Infrastructure Levy
There is no CIL liability related to this development.

Determining issues and considerations

The principle of development of a Garden Community on this site was agreed by way of an outline planning permission. This was supported by polices SP2 and SS7 of the core Strategy and policy TAU1 of the SADMP. The utilities to be provided

would ensure the development is sustainable and supports new housing in the right locations in the district in accordance with policies SD1, SP1 and CP1 of the Core Strategy.

This full application sits within the area to be laid out in future as Horts Bridge Park, one of the principle public open space areas of the emerging Comeytrowe Garden Community.

The application comprises three elements of vital infrastructure for the effective servicing of the site with potable water, sewerage disposal and a gas supply.

A previous application 42/20/0024 is held in abeyance, the Council unable to determine it do to a procedural matter in the manner the application has been submitted.

Although some level of pre-application discussion took place with the now departed planning officer at the time, there are no formal notes on the advice given. This has been answered via an FOI request.

This full application is a new application and must be considered on its own merits.

Procedural matters have been raised as outlined in the representations section of the report.

- The Council was satisfied that the application met validation requirements. Additional information has been requested since. The Council is also satisfied with the description of development.
- There is no significant lighting proposed for the application that warrants a lighting assessment.
- Noise impact is addressed later in this report.
- The matter of ecology is addressed later in this report.
- The matter of phosphates in addressed later in the report.
- The Council takes the view that the works in connection with 42/20/0042 would not inhibit or obstruct in any way the carrying out of the wider development under the outline consent.

It is evident that the principal issues locally revolve around the perceived environmental and residential amenity issues of the sewerage pumping station, although concerns do also exists regarding the gas reducing station and water booster.

Concerns persist through representations from parish councils and local residents that an EIA has not been undertaken to support this full application.

<u>Environmental Impact Assessment (EIA) / Environment Statement (ES)</u>

Upon receipt of an application the Council has to consider if the development falls into Schedule 1 or 2. The Council concludes it falls into neither.

Then the Council must consider if the application is:

(i) a subsequent application in relation to Schedule 1 or Schedule 2 development

(ii) has not been subject to a screening opinion and

(iii) is not accompanied by an ES (under Reg 9 of the EIA regulations).

In this case the Garden Community development fell within Category 10b (Urban Development Projects) of Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 and was accompanied by an ES so this application is a subsequent application under (i), but is not subject to its own a screening opinion and not accompanied by its own ES under (ii) and (iii).

The Council therefore has to assess whether the information it has within the outline ES is sufficient to determine the application now before it. The Council is of the view that based on the information submitted with and subsequently acquired in connection with the application is adequate to form the view that the application would not have any further environmental effects. As such no formal request under Reg 25 of the EIA regulations has been necessary.

To demonstrate this a review has been undertaken of the original ES:

- *Landscape and Visual Amenity*

The ES which accompanied the outline included an assessment of the likely significant effects of the then proposed development on landscape character and the visual amenity of the area from surrounding public and private viewpoints for the demolition and construction and completed development phases.
This assessment concluded that, from a landscape and visual perspective, the wider application site is suitable for the proposed development. The proposed development was assessed to have a limited effect on views from the surrounding areas as it would be perceived in the context of the existing urban areas of Comeytrowe and Trull to the east, and within the longer term would represent a well-designed and sensitive extension to the wider settlement.
There is no reason to think differently given the application before us. A specific assessment of the green wedge and visual amenity will follow later in this report, but it has not been necessary to require any more information regarding landscape impact to enable a recommendation and the overall impact is not considered adverse.

- *Ecology and Nature Conservation*

The ES contained an assessment of the likely ecological effects of the then proposed development on the application site and its surroundings. The assessment included a review of the current conditions found within the area and identifies measures to avoid, mitigate and/or compensate where appropriate for significant effects that may arise as part of the project.
The assessment observed habitats within the wider application site are generally of low ecological value, reflecting its predominantly agricultural land use, however some habitats of higher value were identified, namely the Galmington Stream (which is part of a locally designated Local Wildlife Site and connects with a Local Nature Reserve), hedgerows, trees and ponds.
The relationship with the Galmington Stream is an important consideration for this application for utility infrastructure. The Ecologist has been consulted and raised no objection nor required any more information to enable a recommendation.
Conditions are proposed to avoid, mitigate and/or compensate where impacts may occur. The overall impact is not considered adverse.

- *Transport and Access*

The ES contained an assessment to determine the likely significant effects of the then proposed development in relation to traffic and access. Mitigation measures were proposed to mitigate any adverse effects.
A specific assessment of the transport and accessibility aspects of this application for utility infrastructure will follow later in this report, but additional information has been submitted and the overall impact is not considered adverse.

- *Air Quality*

An air quality assessment was undertaken to identify the likely significant effects of the proposed development during demolition, construction and operation. The application site lies approximately 3km away from an Air Quality Management Area (East Reach) declared for exceedences of national objectives for nitrogen dioxide (from road traffic). It was found the development would bring a negligible effect on air quality.
This application does not raise significant air quality concerns, no additional information has been necessary to secure and the overall impact is not considered adverse.

- *Noise and Vibration*

An assessment was made of the likely significant noise and vibration effects of the then proposed development. The assessment considered the current baseline noise climate and the suitability of the application site for the proposed development as well as describing the effects of the proposed development arising from construction activities and traffic generation. This included the identification of mitigation measures to reduce any noise effects. This related largely to road traffic noise and fixed plant at the employment area but not any perceived noise from utilities. Those impacts could be mitigated.
A specific assessment of the noise aspects of this application will follow later in this report, but there is no objection from SWT Environmental Health, additional information has been submitted by the applicant and Wessex Water, mitigating conditions are proposed and overall impact is not considered adverse.

- *Water Resources and Flood Risk*

An assessment was made of the likely significant effects of the proposed development on the environment in relation to water resources and flood risk. This was informed by available environmental information, from sources including the Environment Agency, Wessex Water and from other available data sets.
The outline application was supported by a drainage strategy and mitigation measures to ensure potential effects remain at negligible levels.
A specific assessment of the flood risk aspects of this application will follow later in this report, but there is no objection from the LLFA, no additional information has been required and a mitigation condition is proposed so overall impact is not considered adverse.

- *Cultural Heritage*

An assessment was undertaken to establish the likely significant effects of the proposed development with respect to archaeology and built heritage. This assessment included analysis of the Somerset Historic Environment Record, aerial photographs and historic maps.
The assessment concluded that there are no significant effects on either designated or undesignated assets either within the Application Site or in the surrounding area. Comeytrowe Manor is the closest Listed Building to the application site but is at a

distance with no inter-visibility and intervening residential development to conclude that no adverse harm would result, nor any additional information is required.

- *Ground Conditions and Contamination*

An assessment was undertaken of the likely significant effects of the proposed development on the environment in relation to ground conditions and contamination. The application site is previously undeveloped agricultural land. This application has raised issues of potential contamination of the Galmington Stream and groundwater and additional information has been sought from the applicant and Wessex Water. It is considered no additional information is required beyond that. Overall the impact is not considered adverse.

- *Socio Economics*

An assessment was made of the likely significant effects of the then proposed development with respect to socio economics. It is not considered this application represents any issues in this regard and no additional information has been sought. Overall the impact is not considered adverse.

- *Agricultural Land*

An assessment was undertaken to identify the quality of agricultural land on the application site within the context of the national resource, and of other areas around Taunton.
The land subject to this application was already to be lost from agriculture by reason of the outline application and its designation as a public park (Horts Bridge Park). It is not considered this application represents any issues in this regard and no additional information has been sought. Overall the impact is not considered adverse.

The Council has consulted all relevant parties from the outset of the application.

The conclusions hereon are such that the Council considers the application will not have significant environmental effects as a result of the change to the overall development and a further environmental statement is not required.

Councillor Briefing

Throughout the assessment of this application it has been necessary to seek a lot more information from the Comeytrowe Development Consortium than was original submitted to ensure all concerns, fears and objections are suitably addressed. This was aided by a Briefing to Councilors during January 2021 with the involvement of the Development Consortium and Wessex Water which focused mostly on the water based activities. This briefing is viewable to view on YouTube via this link https://youtu.be/DrTTazx9h9Q . Slides from the briefing are viewable on the online case file via www.somersetwestandtaunton.gov.uk, ref 42/20/0042.

It remains therefore to consider the material considerations raised by this application:

Highways Access
The three elements will sit as three separate enclosures towards the periphery of the existing agricultural field near the field's only vehicular access off Comeytrowe Lane. In future the field will be combined with others to create Horts Bridge Park.

This will be a large recreation area with a play area, allotments and cycleways/footways. The outline application for the Comeytrowe Garden Community shows the field gateway used as part of the site wide cycle and pedestrian network. This application modifies that access arrangement to allow for service vehicles. The vehicular use will only be for such uses, and controlled by lockable bollards, themselves controlled by a proposed condition.

It should be noted that the highway arrangement in this vicinity will change significantly as a result of the Garden Community. Comeytrowe Lane will be closed to through traffic at a point south of Honeysuckle House to where the spine road cuts across at grade, just north of the lane to Higher Comeytrowe Farm (where hedgerow clearance has been carried out recently). As such the area of Comeytrowe Lane fronted by the service vehicle access will only be passed by vehicles accessing Honeysuckle House. Vehicular movements to and from the south of the closure will need to do so via the spine road. Comeytrowe Lane (at the point of Honeysuckle southwards) will be downgraded for use by cyclists and pedestrians only to access the spine road cycleway and footway.

Some have commented on the potential conflict of the cycleway and pedestrian pathways weaving through the plant and equipment installations and the presence of service vehicles. This is noted as a fair concern but it is felt the instances of service vehicles being present will be limited and akin to any other pavement or cycleway where utilities run under them (on occasion next to major roads) and statutory undertakers have to close or divert access for Health and Safety reasons. H&S will dictate appropriate safety barriers and signage will be used to direct cyclists and pedestrian to other entry points to the park (in its future state).

Concern has also be raised regarding access by service vehicles when Comeytrowe Lane is flooded and several photographs have been supplied showing low level flooding instances from the past as the lane is lower than the application site. The concern being that service vehicles would not be able to access to solve emergency situations. Wessex Water indicate that if an emergency that required the wet well and overflow to be pumped out did coincide with flooding then a manhole ‘upstream’ (as yet unspecified) would be used by the tanker to suck out material. There is also the option of using access points off the spine road that will be available for maintenance vehicles serving Horts Bridge Park.

The Highway Authority has no objections and it is considered that insofar as the highway access, cycle and pedestrian aspects the developments complies with policy CR7 of the Core Strategy and policy D9 of the SADMP.

<u>Visual Amenity and Landscape Considerations</u>
The site lies within the Comeytrowe Green Wedge located alongside the Galmington Stream. The wedge is at is narrowest at its most northern point, which is the field within which the application site lies.

The glossary to the SADMP defines Green Wedge as *“A multi-functional area of land assisting towards a number of objectives including the protection of an area of landscape importance and visual amenity, the prevention of coalescence of settlements, the provision of a 'green lung' for the health and wellbeing of residents, and a valuable wildlife corridor and habitat”.*

Given a recreational park with play equipment, footways and cycleways, plus the spine road for the development has already been approved in the Green Wedge it is not considered this proposal is at odds with the definition of what a Green Wedge is supposed to achieve

As explained previously the three elements will sit as three separate enclosures towards the periphery of the existing agricultural field near the field's only vehicular access off Comeytrowe Lane. In future the field will be combined with others to create Horts Bridge Park.

The most visual aspects of the three elements are the fenced enclosures and the additional hardstanding areas, the plant and equipment itself comprising low level kiosks akin to telephony/traffic light cabinets seen across the country, and underground installations which in time will only disclose their existence due to visible manhole covers.

The fencing comprises 1.8m black Weldmesh fencing. It was previously palisade but the less industrial and fortress looking Weldmesh will be a more sensitive treatment given the longer term use of the surrounding area. An alternative would to have employed cabins akin to those seen used for electricity sub-stations but that would have made the overall effect more bulky and visible.

The application is also supported by a landscaping plan showing additional landscaping over and above that secured in connection with the longer term use of the site as a recreation park. This includes more hedging and trees supported by the SADMP and NP. In the case of the hedging material this will be instant hedging adjacent to the compounds to provide an immediate semi-screening function.

The additional handstanding for service vehicles extends that tarmac surfacing already approved for the Horts Bridge Park cycleway and footways. The additional area is typically shown as granular.

Whilst clearly this application erodes the quality of the approved Horts Bridge Park to some extent, that overall extent is borne out of necessity and is mitigated as far as it possible and reasonable to do so. The fencing and landscaping treatment will ensure that the developments integrate and so do not appear any more out of place than the same types of installation elsewhere in the vicinity.

It is considered the development will maintain the visual amenity of the area and as such complies with policies CP8 and DM1 of the Core Strategy, policies ENV1 and ENV2 of the SADMP and policy E2 of the NP.

<u>Flooding</u>
The three elements subject to this application lie within Flood Zone (FZ) 1. FZ 1 is defined as having a low probability of flooding. This zone comprises land assessed as having a less than 1 in 1,000 annual probability of river or sea flooding (<0.1%). It is considered all uses of land are appropriate in this zone.

The wider field in which the application lies, has areas of FZ 2 and FZ 3. It should be noted that if land isn't within FZ 2 or FZ 3 then it will sit within FZ 1.

FZ 2 is where there is a medium probability of flooding. This zone comprises land

assessed as having between a 1 in 100 and 1 in 1,000 annual probability of river flooding (1% – 0.1%), or between a 1 in 200 and 1 in 1,000 annual probability of sea flooding (0.5% – 0.1%) in any year. Appropriate uses in FZ 2 include essential infrastructure and the water-compatible less vulnerable and more vulnerable uses (in accordance with the guidance).

FZ 3 are areas of high probability and functional floodplain, where development should be avoided.

As would be expected the area nearest the Galmington Stream is FZ 3 and then as the land rises it changes to FZ 2 and again as the land rises to FZ 1 where the application site is located.

Technical guidance refers to water compatible development being acceptably located within FZ 2. Sewage transmission infrastructure and pumping stations are listed within water-compatible development. As such even had this development been wholly located within FZ 2 there would not have been a technical planning reason to refuse on flooding grounds.

It is considered therefore that there is no flood risk to the development or grater flood risk to others caused by the development; a view shared by the Lead Local Flood Authority (LLFA) and the Environment Agency. Subject to a suitably worded surface water drainage condition requested by the LLFA it is considered the development complies with policy CP7 and CP8 of the Core Strategy and policy ENV5 of the SADMP, policy F1 of the NP and the objectives of the NPPF.

Water Pollution – Galmington Stream

There is no dispute with the view held locally that the Galmington Stream is a valuable ecological and environmental asset. That local value is recognised by the Comeytrowe Garden Community development by designating the land around it as a public park (Horts Bridge Park), to be brought forward in the coming years.

The principle local concern regarding polluting the Galmington Stream stems from a fear based on assumption that the sewerage pumping station will discharge directly into it. No water pollution concerns have been raised regarding the water booster or gas reduction facility.

Wessex Water has confirmed that whilst some historic sewerage pumping stations are connected to watercourses, in line with permits granted and monitored by the Environment Agency, they are so for overflow scenarios caused by storm surges where pumping stations are inundated by surface water during storms in developments where combined sewers are operational (that take surface water as well as sewerage).

In the case of the Comeytrowe Garden Community which benefits from a comprehensive surface water management strategy it will not need to discharge surface water into the sewer meaning the load at the pumping station is more predictable and therefore preventing any instances of overflowing for this reason. Wessex Water are keen to stress that operationally there are safeguards and management protocols to ensure the sewerage pumping station operates without impacting on local amenity and within pollution regulations, however the use of

non-flushables in the form of wet wipes and fats, oils and grease deposal down kitchen sinks are the kryptonite to any pumping station and misuse of the system might lead to one of the instances where a maintenance crew is called.

Local residents have pointed to the existing New Barn Sewerage Pumping Station at Queensway (which Wessex Water say serves in the region of 200 homes) and the fact it does have such an overflow into the Galmington Stream reflective of the approach at the time that development was built. The assumption and theory of local residents is that this application must propose to do the same. As stated that is not the case and to provide additional comfort a condition is suggested to prevent any connection now or in the future.

To be clear the Water Authorities are subject to stringent environmental regulations with the threat of prosecution should an incident occur. As such the industry as a whole has an active interest in ensuring such incidents don't occur. The detailed response from Wessex Water set out in this report, plus the information given at the briefing and summarised at Appendix A, set out more about how the pumping station will be commissioned, connected and operated all in line with industry standards in line with relevant regulations.

The NPPF definition of water compatible development includes sewerage pumping stations and so there is a clear allowance that sewerage pumping stations can be legitimately located in FZ2 where there is a greater likelihood of flooding than the proposed siting in FZ1, and therefore some acceptance of some material exchange from the sewerage pumping station to the watercourse in those situations. The siting of this application in FZ1 means that eventuality will not likely occur.

If there is no connection there can be no pollution and as such it is not necessary to consider, yet mitigate, any impact on wildlife. There remains no substantive evidence to indicate the proposal would, with certainty, create a pollution hazard to the Galmington Stream or local environment and thereby substantiate a reason for refusal.

<u>Residential Amenity – Sewerage Pumping Station</u>

The principle issues raised with regard to this application in terms of amenity fall into three categories – noise, odour and health and safety.

Noise with regards to the water booster and sewerage pumping station, odour from the sewerage pumping station and the health and safety aspects of the gas reducing station and sewerage pumping station.

A number of queries were raised by local people that related to noise, odour and disturbance, these mostly fall into the operational management aspects of the facilities when built. A table setting out the questions and the answers to these points (not a transcript) is appended (Appendix A).

With regards to the sewerage pumping station the starting point is the development plan, and relevant policies. In this case Policy I4 of the Taunton Site Allocations and Development Management Plan (SADMP) (2016).

It states:

Policy I4: Water infrastructure

> *Adequate foul drainage/sewage treatment facilities and surface water disposal shall be provided for all new development. Separate systems of drainage with points of connection to the public sewer system or outfalls will be required.*
> *Surface water shall be disposed of by Sustainable Urban Drainage Systems (SUDS) unless it is demonstrated that it is not feasible.*

The supporting text explains:

> *Policy I4 ensures developers have a robust drainage strategy to reduce the risk downstream of pollution and flooding, furthermore, it is recognised that the provision of adequate foul infrastructure is vital to protect the environment and public health.*

This policy can be interpretation to command developers to provide suitable foul drainage infrastructure to protect the environment and public health.

Policy DM1 of the SADMP states (extract):

e. *Potential air pollution, water pollution, noise, dust, lighting, glare, heat, vibration and other forms of pollution or nuisance which could arise as a result of the development will not unacceptably harm public health or safety, the amenity of individual dwellings or residential areas or other elements of the local or wider environment;*

f. *The health, safety or amenity of any users of the development will not be unacceptably harmed by any pollution or nuisance arising from an existing or committed use;*

g. *The site will be served by utility services necessary for the development proposed…*

Policy I3 sets out Council policy on the provision of sewerage pumping stations.

Policy I3: Water management

> *Proposals for residential or commercial development within the consultation zone of a sewage treatment works or within 15 metres of a standard pumping station must demonstrate through an impact assessment that they are not adversely affected by odour, noise or vibration. Proposals that are affected will not be agreed without adequate mitigation.*

The supporting text explains:

> *The amenity of residents and occupiers of any proposed development may be negatively impacted by existing operational wastewater or water supply infrastructure, due to odour emissions, noise or pollution. The operational ability of essential infrastructure could also be compromised. Wessex Water require consultation for proposals within a sewage treatment works consultation zone and/or* 15m of a sewage pumping station to ensure that the proposed development can co-exist [case officer emphasis]. *Consultation*

zones range from 250m to 400m from the boundary of the sewage treatment works, the radius depends on population/traders served and the nature of processes on site.

From this one can deduce that 15m is a critical distance in maintaining amenity and that whilst the emphasis in the policy is about locating houses near an existing sewerage pumping station, the opposite scenario of placing sewerage pumping stations near to existing houses must also be applicable.

So where does 15m come from as a threshold?

The Council's Sustainability Appraisal to the SADMP says the purpose of the policy is to *"ensure residents are not affected by odour, noise and vibration."*

It then goes on to say: *"By preventing unmitigated development in areas affected by sewage works or standard pumping stations, this policy will reduce unneighbourly uses and ensure that residents are not affected by odour, noise or vibration* [case officer emphasis]. *This will maintain the quality of life for residents, which is also likely to benefit their mental and physical wellbeing."*

The Development Consortium maintain the application proposal is in accordance with Policy I3, as the proposed pumping station is more than 15 metres from the nearest habitable dwelling. As a result, no impact assessment for noise, odour or vibration has been submitted to accompany the application as compliance with Policy I3 will mean that "*residents are unaffected by odour, noise and vibration."*

In order for TDBC to include such a threshold it would have engaged at the plan making stage with the statutory undertaker Wessex Water whom would have had regard to industry standards. Wessex Water refer to The Sewerage Sector Guidance; Design and Construction Guidance (or DCG), which is available to view on Water UK's website. This guidance ensures networks are designed to be watertight, of appropriate capacity, maintainable and at an appropriate distance to avoid impact from noise, vibration and odour. Wessex Water state they are obliged to adopt networks which are in compliance with the DCG. Given the industry guidance and standards are well known all engineers and equipment providers design their part of the facility to accord.

Mitigating factors other than distance include the fact the proposal is underground and so not disturbed by wind strength or direction, the pump system is design to move effluent before it could become septic and venting to a high level is provided by a vent stack (with the appearance of a standard lighting column). Temporary chemical dosing in the early stages whilst flows through the pumping station is also an option. The overriding message from Wessex Water is:

- Pumping stations are common infrastructure,
- Wessex Water are accustomed to operating such infrastructure effectively,
- If built to industry standards and maintained and operated effectively there should be no odour and noise issues,
- The facility is monitored remotely by telemetry,
- That Wessex Water have a 24 hour phoneline where issues can be reported (although complaints relating to pumping stations are few),
- Complaints will be investigated and mitigated,
- That misuse of the system should be avoided by customers,

- Complaints can also be reported to SWT Environmental Health, and
- Industry standards are in place to protect the environment and local residents.

It is acknowledged that this aspect of the proposal is most of concern to those residents whom live nearest. Honeysuckle House is 18m from the Pumping station and Roundwood is 70m distant. Both are in excess of the industry and SADMP requirements. There will be intervening planting and the mitigation measures explained previously. Nevertheless the concerns of those residents permeates local ward councilors and will be amplified to members of the planning committee. As such a condition is proposed to require future assessment of odour and noise throughout the construction period of the Garden Community as flow rates increase as occupations occur. To be clear this in no way is an admission or prediction that such issues will result, merely a belt and braces approach and in order to give planning committee members comfort that they may grant planning consent. The condition includes a mitigation requirement should any issue be uncovered by the surveys. This approach supplements the existing nuisance reporting options to Wessex Water or SWT Environmental Health.

It is noted that SWT Environmental Health would have preferred surveys at the application stage but based on the application information that has been submitted and the views of Wessex Water, there is no objection raised.

It must also be noted that any noise assessment would start with the baseline existing noise environment. It is evident that the noise environment around the immediate area will change considerably over the next 20 years. The approval of the outline application already means through traffic on Comeytrowe Lane will cease and be replaced by a spine road some 100m to the south, that the employment area near Comeytrowe Manor some 100m from the site will be demolished, that a public park with neighbourhood play area will be located immediately adjacent to the application site and within view and earshot of those same residential neighbours, and that footways and cycleways will run behind those same properties and finally that a primary school with be located adjacent to Horts Bridge Park. There is of course construction noise from across the site. As such the surveys undertaken throughout the life of the development in accordance with the proposed condition will reflect this change in the overall noise environment.

Health and Safety has been raised as an issue, the perceived explosion risk from gas generated by the sewerage. Wessex Water carry out such risk assessments and suggest there is a low risk factor in this situation.

It is therefore considered that the sewerage pumping station would not cause demonstrable harm to the residential amenity of adjacent neighbouring properties by noise, odour or disturbance.

<u>Residential Amenity – Water Booster</u>

The primary concern here is the potential for noise. Honeysuckle House is 29.5m from the Booster Station and Roundwood is 28.5m distant.

Wessex Water has commented on the matter of noise from the Booster Station:

> "The internal noise in any building or kiosk shall not exceed 80 dbA (that means inside the booster station). A target < 70 dbA shall be set − The

perceived noise at a distance of 1m from the outside of the building containing the pumps, shall not exceed 75 dbA.
75 dbA is the limit set at 1 metre from outside the booster building. The dbA level will reduce with distance from the station. British Standard 8233: Sound Insulation and Noise Reduction for Buildings – Code of Practice indicates a level of 30 dbA as "good" inside living rooms and bedrooms and 35 – 40 dbA as "reasonable". We have previously carried out Noise and Vibration studies to support our own booster planning applications. These are site specific and take into account other factors such as existing background noise and ground conditions and can not be used in comparison. Wessex Water will adopt booster stations where the risk of noise and vibration is mitigated to acceptable levels".

On the basis of this information, the lack of objection from Environmental Health and the proposed monitoring condition it is therefore considered that the water booster station would not cause demonstrable harm to the residential amenity of adjacent neighbouring properties.

Residential Amenity/Health and Safety – Gas Reduction Station

The primary concern here is the potential for noise and health and safety concerns. Honeysuckle House is 10m from the gas station or governor and Roundwood is 44.5m distant.

Wessex Water do not consider the sewerage pumping station or water booster to be a risk to the gas reduction station.

Unlike the pumping station for the foul network the works to the Gas main themselves and the valves around them will not be installed by the developer, who will only construct the plinth and compound. Bringing the two mains systems together, the valve works and the enclosure are all completed by the Gas Supplier. As you can imagine by the nature of the works this is strictly controlled by the Gas industry to their own national standards

Relevant standards are an IGEM (Institution of Gas Engineers and Managers) document IGE/TD/13 Edition 2. This document is part of a wider suite of documents and specifically covers design, operation, maintenance and safety considerations of Pressure Regulation installations, PRI's also known as Gas Governors. It is an industry wide recognised document. It is understood this particular installation will be installed operated and maintained from day one by the nationally registered energy supplier GTC.

The operator will be heavily regulated in terms of health and safety and it should be noted that a similar installation is located just up the road on Comeytrowe Lane, approx. 50m north of Queensway, closer to a residential property and public highway than the one proposed here. The planning system is not the health and safety authority but as a responsible authority it should ensure risks are not heightened by any planning decision.

It is therefore considered that the gas reduction station would not cause demonstrable harm to the residential amenity of adjacent neighbouring properties or posed an obvious health and safety matter that in itself would not be regulated by

other legislation.

‘Why can this development not be put somewhere else?’

The primary objection to the application is the perceived pollution to the Galmington Stream. That attracted a lot of objections to this application and the setting up of a local action group to ‘save the stream’. The other main objection to this application is that the development is too close to residential properties based on noise and odour. The shortcut in that argument has transpired as ‘why cant you just put it elsewhere, anyway just so long as it isn’t near us’ type argument. The fact of the matter is that the application has to be considered on its own merits. That does not include a sequential test type approach, merely an assessment of whether the chosen location accords with relevant policies. The assessment in this report concludes it does accord with policy and as such, as harsh as it sounds, it is academic to the determination whether there is another location or not. If the chosen location does not accord with policy then the application should be refused on clearly evidenced and demonstrable reasons. The Development Consortium is very clear that the chosen location is the one that works best from an engineering perspective whilst according with the relevant industry standards and guidance and local planning policy and as such do not feel it is necessary to propose another location.

Comments they also make regarding another site –

- It would have to meet DCG for pumping stations,
- It would need to be accessed via public highway,
- The chosen strategy means less work in proximity to the Galmington Stream, if another site is chosen this work may be required again,
- The chosen site is demonstrated as the lowest part of the Garden Community site and as such aids gravitation drainage to the pumping station,
- Maintenance costs and issues over the lifetime of the pumping station will be reduced by locating in the optimal engineering position,
- A bespoke design at a higher elevation will mean a deeper well rising additional health and safety issues for maintenance crews,
- A deeper well elsewhere on site would require a greater amount of pumping to take place increasing energy consumption, and
- A bespoke solution raises potential adoption issues.

Ecology

The ecological appraisal include a field-based investigation and this has informed that no specific mitigation is required and only method only statements are required in relation to nesting birds, dormice and reptiles together with a pre-commencement survey for badgers. The information has been reviewed by the Councils’ Ecologist and no objections are raised.

Impact of Heritage Assets

The nearest Conservation Area is located to the south in Trull some considerable distance from the site. The nearest Listed Building is Comeytrowe Manor located approx. 115m to the north/north-west. It is not considered neither heritage asset is impacted by the proposal, indeed neither the Conservation area nor Listed Building are particularly visible from the site, nor vice versa.

It is considered the development will safeguard the setting of heritage assets in the locality and as such complies with the objectives of protecting heritage assets in the NPPF.

Other Matters

Whilst not directly applicable to the determination of this application it has been asked whether additional sewerage pumping stations, gas reducing stations and water boosters will be required to serve the site.

The Development Consortium has indicated they do not anticipate any further gas reducers or water boosters within the site to supply the full development. They are currently reviewing the drainage for the eastern neighbourhood and there may be a need for a secondary pumping station to overcome the need for some overly deep drainage through this section of the site. This will be contained with the site (location to be determined), and they are trying to design out the requirement. If needed it would pump to the top of the hill and then gravitate down to the pumping station subject to this application.

The Development Consortium has also indicated there are no other utility supply issues that need to be addressed beyond this, other than the standard inclusion of distribution substations within the Reserved Matters applications for the subsequent parcels.

The Requisition Process and Permitted Development

In making any decision the decision-maker must be appraised of as much information as possible and any fallback positions. As such it is necessary to be aware of the requisition process. A developer can instruct the Sewerage Undertaker to requisition a sewer pipe across third party land. Under the Water Industry Act Sewerage Undertakers have special powers to do this by formal notice.

This could also extend to the sewage pumping station and booster station by utilising permitted development rights afforded to statutory undertakers. In this case Part 13 of the General Permitted Development Order is applicable (https://www.legislation.gov.uk/uksi/2015/596/schedule/2) .

Part 13 provides rights for sewerage and water works that fall within certain criteria. Rights exist for water boosters and sewerage pumping stations to be constructed using permitted development rights. The applicant is at liberty to request a planning permission even if the proposed could be considered permitted development. It is not for the Council at this time to conclude whether what has been proposed in this application would otherwise be permitted development. That can only be established formally via a Certificate of Lawful development, a legal interpretation of the compliance with the order, not a merit based assessment and not subject to public consultation.

That situation may only materialise if the application was refused. If the development was constructed under permitted development rights there wouldn’t be the potential to impose the conditions proposed in this recommendation.

To be clear Councillor's have sufficient grounds to approve this application based on its merits assessment. However if they were to refuse the Consortium would look at the reasons for refusal and may appeal, resubmit another application tackling those stated reasons and/or consider a Certificate of Lawfulness, if only to secure a fallback position.

Councillor's can be forgiven therefore for thinking how can a proposal that has attracted this many objections and concerns be considered in any form as permitted development.
There lies the principle point throughout this whole application is that this is a standard type of infrastructure which is evident across Taunton and the country, that will be built to industry guidelines that protects residential amenity and the environment and will be managed by appropriate statutory undertakers.

Habitats Regulation Assessment
Since the granting of outline planning permission in August 2019 there has been a material change in circumstances which has required the Council, as the competent authority, to reassess a matter in relation to the Conservation of Habitats and Species Regulations 2017 (as amended) ('the Habitats Regulations') and the lawful approach to the determination of planning applications in light of recent advice from Natural England ('NE').

In its letter, dated 17 August 2020, NE advised the Council that whilst the Somerset Levels and Moors Special Protection Area ('SPA') could accommodate increased nutrient loading arising from new development within its hydrological catchment that the Somerset Levels and Moors Ramsar Site ('the Ramsar Site') could not. The difference, NE state, is that whilst such increased nutrient deposition is *"…unlikely, either alone or in combination, to have a likely significant effect on the internationally important bird communities for which the site is designated"* as regards the SPA such a conclusion cannot be drawn in relation to the Ramsar Site.

The issue in terms of the Ramsar Site is that the conservation status of the designated site is 'unfavourable' in consequence of eutrophication caused by excessive phosphate levels.

The typical consequence of such excessive phosphate levels in lowland ditch systems is *"the excessive growth of filamentous algae forming large mats on the water surface and massive proliferation of certain species of Lemna"*.

This excessive growth *"adversely affects the ditch invertebrate and plant communities through… shading, smothering and anoxia"* which in turn allows those species better able to cope with such conditions to dominate. The result is a decline in habitat quality and structure. NE state that *"The vast majority of the ditches within the Ramsar Site and the underpinning SSSIs are classified as being in an unfavourable condition due to excessive P and the resultant ecological response, or at risk from this process"*.

NE identify the sources of the excessive phosphates as diffuse water pollution (agricultural leaching) and point discharges (including from Waste Water Treatment Works ('WWTWs')) within the catchment noting that P levels are often 2-3 times higher than the total P target set out in the conservation objectives underpinning the Ramsar Site. In addition NE note that many of the water bodies within the

Ramsar Site have a phosphate level classed as significantly less than ‘Good’ by reference to the Environment Agency’s Water Framework Directive and that the river catchments within the wider Somerset Levels are classed as having a *“Poor Ecological Status”*.

NE have advised the Council that in determining planning applications which may give rise to additional phosphates within the catchment they must, as competent authorities, undertake a Habitats Regulations Assessment and undertake an appropriate assessment where a likely significant effect cannot be ruled out. NE identify certain forms of development affected including residential development, commercial development, infrastructure supporting the intensification of agricultural use and anaerobic digesters.

The Council and the Development Consortium has sought advice from Somerset Ecology Services (the Councils’ retained Ecologist’s) regarding the need for a HRA. The advice given can be seen in the consultees section of this report and concludes that because the sewerage pumping station does not actually produce the waste, and is merely a conduit from housing, that a HRA is not required in connection with this application. It remains the fact however that any future Reserved Matters applications considered hereon will need an HRA as the source of the waste/phosphorous.

Conclusion and planning balance

The delivery of the Garden Community will make a significant contribution towards meeting ‘transformational housing growth’ in Taunton and the wider council area. This is given significant weight in the planning balance.

The principle of development of a Garden Community on this site was agreed by way of an outline planning permission. The development consortium is building momentum by opening up the site and seeking reserved matters approval for dwellings, even in increasingly uncertain times.

This additional utility requirement in the form of the sewerage pumping station has materialised through detailed design work that only comes at the implementation stage and has required a different approach to the foul drainage strategy.

Having had regard to the representations of objection and the advice of the various consulted parties, it is considered that with regard to the planning balance the need for the scheme outweigh the impacts. It has been concluded that the development will unlikely yield demonstrable harm argued by local residents.

Utility infrastructure, whether it be for sewerage, electricity, gas and/or telecommunications is never welcomed when it is visible and perceived as impactful to the host community, however it is imperative provision so that the community can all flip a switch, flush the loo, use mobile phones, and live the lives they have become accustomed to.

Whilst the reasons for concern, fear and objections are understood the planning committee will need to decide if any of those matters individually or collectively warrant withholding planning permission, and furthermore what the planning reasons would be and what demonstrable evidence would be provided and expert witness’ called should the matter be subject to a future appeal.

In preparing this report the planning officer has considered fully the implications and requirements of the Human Rights Act 1998.

Contact Officer: Simon Fox

Appendix A

Here are specific answers from Wessex Water to issues relating to the operation of the sewerage pumping station raised by local residents in connection with application 42/20/0042.

How is the facility managed? What are the common errors and faults during operation?	If the facility is managed by Wessex Water once adopted it will be operated remotely by telemetry. Actual site visits will be carried out twice yearly and in response to any telemetry alarms. The biggest cause of issues at pumping station are the impact of non-disposable items on pump performance. If upstream sewers are of poor construction groundwater can enter causing the pump to operate for longer and increase the risk of flooding. (as can urban creep)
If there are odour problems who do we call? Will they fix them?	Once the pumping station is adopted by WW our control centre on 0345 6003600. We will investigate and consider mitigation measures. The pumping station is designed to minimise septicity issues – which can sometimes occur at smaller stations where the sewerage is in the wet well for longer periods of time or small amounts pumped forward to the network (here complaints would be received from the connection point)
If the planner envisions installing chemical injection into the sewer system to mitigate odours, is Wessex Water actually obligated to do this? Who will pay for it?	Sometimes Chemical dosing is undertaken temporarily through initial phases where the build up of flows are slow. Our odour expert advises on this. We will undertake dosing only where necessary due to cost and environmental impact of the production of dosing chemicals.
If there is an equipment failure, what kind of alarms are sent? Does Wessex Water have an operator on call after hours? Is there a red light that will disturb nearby residents?	Our 24 hour control centre will be alerted remotely via telemetry. There are no on site operational alarms. Operators are on call locally and will be scheduled to attend.
What equipment will they bring in for maintenance: a crane, a tanker truck with a pump, a generator?	A lifting davit will be available on site to lift the pumps from the wet well so a crane will not be necessary. A small van will attend for scheduled maintenance visits. A generator will be required if there is a loss of power longer than 6 hours. A tanker truck will only be required in emergencies.

How often will they remove the cover from the wastewater wetwell for equipment maintenance? How long will this take on each occasion?	Twice a year - It will be a visual inspection – minimal time.
If the wastewater station overflows during a power outage, who will clean up the mess?	The station should not overflow due to the 6 hours storage; where this is exceeded the upstream system could surcharge – leading to restricted toilet use and eventually – although unlikely – to flooding. Where Wessex Water is the undertaker we will clean up and compensate.
Will there be a washroom facility at the station for visiting staff?	Visiting staff vans are equipped with clean water and washing facilities. Local operations depot have restroom facilities
Can stored sewerage waiting to be pumped go septic?	Only if it is retained longer than intended due to another issue.
What is the capacity of the existing system in the area and what additional capacity does this facility provide?	The existing system is limited the pumping station allows the flows to be regulated and pumped to the point in the network with the greatest capacity.
Why isn't there an on-site generator?	It would not be cost effective. But facilities on site to accommodate a temporary generator.
What are the chances of sewage leaks that will end up contaminating the ground water?	Rare – it is up to all of us not to abuse the system (non flushables) Measures are in place to ensure an air tight system is provided that will work effectively and attended to in the event of an emergency. There is no risk to drinking water
What are the risks of failure of seals and joints, especially in the rising main?	The rising main will be constructed by Wessex Water.
How do you access the compound during an emergency if Comeytrowe Lane is flooded?	We can look at a point upstream if necessary to tanker from.
Will any of the infrastructure be enhanced above standard design e.g. extra linings, covers, enhanced joints and seals?	The Design and Construction Guidance is the water industry standard and deemed sufficient.