

Ms Sarah James
Bath & North East Somerset Council
Planning Services
Trimbridge House Trim Street
Bath
Avon
BA1 2DP

Our ref: WX/2010/116570/02-L01
Your ref: 10/04015
Date: 03 November 2010

Dear Ms James

ERECTION 112 NO. DWELLINGS WITH ACCESS FROM WITHIES PARK (INCLUDING A NEW BRIDGE ACROSS THE RIVER SOMER), LANDSCAPING AND ASSOCIATED WORKS AT PARCEL 0058, CAUTLETTS CLOSE, MIDSOMER NORTON

I write further to our previous letter in which the Environment Agency objected to the above development proposal due to an inadequate Flood Risk Assessment (FRA). We have now received additional information via emails from Jubb and Bannersgate Limited seeking to address the issues raised regarding the new bridge, surface water drainage, and residual risk from the flood alleviation scheme (emails dated the 25th October, 28th October and 29th October 2010). These emails and the details enclosed must be provided to the LPA to ensure they form part of the planning application documents under consideration.

Following review of these revised and additional Flood Risk Assessment (FRA) details the Environment Agency is now able to **withdraw its objection** the proposal, subject to the following:

Condition(s):

We have no objection to the proposed development but recommend that if planning permission is granted the following planning conditions are imposed:

CONDITION: No development approved by this permission shall be commenced until a surface water run-off limitation scheme has been submitted to, and approved in writing by the Local Planning Authority. The submitted details shall clarify the intended future ownership and maintenance provision for all drainage works serving the site. The approved scheme shall be implemented in accordance with the approved programme and details.

REASON: To prevent the increased risk of flooding.

Environment Agency
Rivers House East Quay, Bridgwater, Somerset, TA6 4YS.
Customer services line: 08708 506 506
Email: enquiries@environment-agency.gov.uk
www.environment-agency.gov.uk

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CONDITION GUIDANCE: It is recommended that the developer investigates and specifies appropriate Sustainable Drainage Systems (SuDs) for surface water disposal from this site, in order to reduce the rate of run-off and to reduce pollution risks. These techniques involve controlling the sources of increased surface water, and include: a) Interception and reuse b) Porous paving/surfaces c) Infiltration techniques d) Detention/attenuation e) Wetlands. A copy of the Environment Agency's leaflet on SuDS is available on request. Swales can be used for conveyance without infiltration. For discharge of this condition we will need to see more detailed and comprehensive network simulations showing no flooding of the system during a 1 in 100 year plus climate change storm and a submerged outfall.

CONDITION: If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with.

REASON: To prevent pollution of controlled waters.

CONDITION GUIDANCE: We have reviewed T&P Regeneration's report no. CAU510.S/SI/001 "Caulett's Close, Midsomer Norton Desk Study & Interpretative Site Investigation Report" dated December 2009. We concur with the conclusion that the site is unlikely to represent a risk to controlled waters. We would however recommend the condition above to ensure any unsuspected contamination is adequately dealt with.

Where conditions have been imposed on our advice, details submitted in compliance with the conditions should be submitted to us for comment, before the conditions are discharged.

Planning Informative(s):

The following planning informatives should be attached to any planning permission granted:

Under the terms of the Water Resources Act 1991 and the Land Drainage Byelaws, the prior written consent of the Environment Agency is required for any proposed works or structures in, under, over or within 8.0 metres of the top of the bank of a designated 'main river'. In the event that any new surface water discharges will be made direct to a watercourse, the sewer/pipe should terminate in a properly constructed outfall for which the separate consent of the Environment Agency may be required. The applicant is advised to check with the appropriate Development Control section of the Environment Agency as to whether any Flood Defence Consents are required for your proposals.

Advice to Planning Authority/Applicant:

Ecology

The applicant should ensure that the recommendations detailed in the ecological reports and mitigation strategy are implemented and followed.

Pollution Prevention

Safeguards should be implemented during the construction phase to minimise the risks of pollution and detrimental effects to the water interests in and around the site. Such safeguards should cover the use machinery, oils/chemicals and materials, the routing of heavy vehicles, the location of work and storage areas, and the control and removal of spoil and wastes. We recommend the applicant refer to our Pollution Prevention Guidelines, which can be found at:

<http://www.environment-agency.gov.uk/business/topics/pollution/39083.aspx>

Construction Waste

In England, it is a legal requirement to have a site waste management plan (SWMP) for all new construction projects worth more than Â£300,000. The level of detail that your SWMP should contain depends on the estimated build cost, excluding VAT. You must still comply with the duty of care for waste. Because you will need to record all waste movements in one document, having a SWMP will help you to ensure you comply with the duty of care.

Further information can be found at <http://www.netregs-swmp.co.uk>

The agent for this application has been informed of our comments.

A copy of the subsequent decision notice would be appreciated.

Yours sincerely

Mr Andy Reading
Planning Liaison Officer

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cc PAD Design