

Mr Hamish Laird
Dorset Council - North
Development Control
Nordon Salisbury Road
Blandford Forum
Dorset
DT11 7LL

Our ref: WX/2018/132250/02-L01
Your ref: 2/2018/1437/FUL
Date: 04 September 2019

Dear Mr Laird

FURTHER INFORMATION - ERECT EXTRA CARE RESIDENTIAL BUILDING COMPRISING 59 RESIDENTIAL UNITS, SHARED COMMUNAL AREAS AND ANCILLARY FACILITIES. MODIFY VEHICULAR ACCESS, FORM PEDESTRIAN ACCESSES, PARKING, SERVICING, COURTYARD & LANDSCAPING, CARRY OUT ASSOCIATED WORKS ST MARTINS, QUEEN STREET, GILLINGHAM, DORSET

Thank you for consulting the Environment Agency on the above mentioned planning application.

We can **withdraw our objection** to the proposed development subject to the following **conditions and informatives** being included in any planning permission granted.

Flood Risk

NOTE TO LPA

We have not undertaken a detailed technical review of the hydraulic assessment, hydraulic model, model report or FRA submitted as evidence under this planning application. We have been completely reliant on the details contained within the submitted Modelling Report (Waterco, 12 April 2019, First Issue) and Flood Risk Assessment and Drainage Strategy (WYG, 30 July 2019, Seventh Issue) in undertaking our review, and can take no responsibility for incorrect data or interpretation made by the authors. The responsibility for the checking of all designs, calculations and details contained therein remains with the developer, or agents acting on his behalf. We have therefore only undertaken a basic level review of the above reports.

We note that the consultant's hydraulic assessment has resulted in a significant reduction in flows, and subsequent flood levels, compared to our existing hydraulic assessment and hydraulic model data. The submitted reports above provide very little explanation or justification for this difference, and there is a lack of verification and calibration, although sensitivity testing is evident.

Due to the significant degree of difference between our existing data and that submitted we are unable to verify the applicant's submitted information. We would therefore recommend that the developer either make his hydraulic study and modelling more robust, including calibration and detailed explanation and justifications for the differences, or adopt the Environment Agency's 0.1% flood level 72.06mAOD as a precautionary estimate of the design flood level including climate change for development design purposes.

The proposed finished floor level of the care home building shown in the submitted documents to be set at 73.20mAD would provide sufficient freeboard above this precautionary figure.

Any resultant detrimental impact on flood risk elsewhere due to encroachment into the floodplain must be avoided. If seeking to adopt the same principles as above, as a precautionary approach we would wish to see no encroachment into the floodplain on land below a design flood level of 72.06mAOD. Any loss of floodplain storage below this level would need to be fully compensated for on a level-for-level basis within the site. A detailed floodplain compensation scheme would be required.

We would also advise that the developer takes the opportunity to provide a betterment in flood risk terms within the floodplain (for example, include a 2 stage channel arrangement within the site design), so long as any betterment within the site can be demonstrated to not increase flood risk either upstream or downstream.

CONDITION:

The development permitted by this planning permission shall only be carried out in accordance with the following measures:

1. Finished floor levels must be set no lower than 73.20m above Ordnance Datum (AOD).
2. There shall be no structures, ground-raising or other encroachment into the floodplain on existing land below the level of 72.06mAOD. Any ground raising or encroachment on land below this level must be fully compensated for on a level-for-level basis within the site.

REASON:

1. To reduce the risk of flooding to the proposed development and future occupants.
2. To prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided.

INFORMATIVE:

In addition to any other permission(s) that may have already been obtained, e.g. planning permission, an Environmental Permit for flood risk activities may be required to carry out work in, under, over or near (within 8m of) a main river (including where the river is in a culvert), on or near (within 8m of) a flood defence on a main river, in the floodplain of a main river, on or near (within 8m of) a sea defence.

For further information and to check whether a permit is required please visit:

<https://www.gov.uk/guidance/flood-risk-activities-environmental-permits>

For any further advice, please contact your local Environment Agency FRA Permitting Officer, daniel.griffin@environment-agency.gov.uk / yvonne.wiacek@environment-agency.gov.uk

Biodiversity

We are disappointed that the submitted proposals do not include sufficient gains for biodiversity and provide little in the way of green space. As the proposal put forward

could be considered a net loss in biodiversity which is contrary to the National Planning Policy Framework (NPPF), we require the applicant to address this through the following conditions.

Protected Species

The River Shreen and its tributaries are an important watercourses for the water vole. Water Voles are a protected species under the Wildlife and Countryside Act and are listed as a Biodiversity Action Plan (BAP) priority species. They require a large uninterrupted river corridor to thrive. It is unclear from the proposed site plan Drawing No: S003 exactly how close the development will be from the watercourse.

The plan suggests only a minimum of 5m buffer to protect this species. This would be insufficient to protect the existing water vole population and prevent any expansion in its range.

The proposed development will be acceptable if a planning condition is included requiring a scheme to be agreed to protect a 10m metre wide buffer zone around the Shreen tributary.

CONDITION

No development shall take place until a scheme for the provision and management of a 10 metre wide buffer zone alongside the Shreen tributary shall be submitted to and agreed in writing by the local planning authority. Thereafter the development shall be carried out in accordance with the approved scheme and any subsequent amendments shall be agreed in writing with the local planning authority. The buffer zone scheme shall be free from built development including lighting, domestic gardens and formal landscaping; and could form a vital part of green infrastructure provision. The schemes shall include:

- plans showing the extent and layout of the buffer zone.
- details of any proposed planting scheme (for example, native species).
- details demonstrating how the buffer zone will be protected during development and managed/maintained over the longer term including adequate financial provision and named body responsible for management plus production of detailed management plan.
- details of any proposed footpaths, fencing, lighting etc.

REASON.

In accordance with National Planning Policy Framework (NPPF), paragraph 109 which recognizes that the planning system should aim to conserve and enhance the natural and local environment by minimizing impacts on biodiversity and providing net gains in biodiversity.

The proposed development will be acceptable if a planning condition is included requiring a scheme to be agreed to ensure that the landscape within the site is managed in such a way as to protect and enhance the ecological value of the site including the Shreen tributary.

CONDITION

No development shall take place until a landscape management plan, including long-term design objectives, management responsibilities and maintenance schedules for all landscaped areas (except privately owned domestic gardens), shall be submitted to and approved in writing by the local planning authority. The landscape management plan shall be carried out as approved and any subsequent variations shall be agreed in writing by the local planning authority.

The scheme shall include the following elements:

- detail extent and type of new planting (NB planting to be of native species)
- details of maintenance regimes
- details of any new habitat created on site (including recommendations for mitigation and enhancements outlined in the Ecological Appraisal and Phase 2 Survey Report 2018).
- details of management responsibilities

REASON

In accordance with National Planning Policy Framework (NPPF), paragraph 109 which recognizes that the planning system should aim to conserve and enhance the natural and local environment by minimizing impacts on biodiversity and providing net gains in biodiversity.

Surface Water Outfalls

We note the applicant has proposed a new surface water outfall point that will discharge into the stream (Appendix K – Indicative Drainage Strategy).

Any new outfall designs should utilise bio-engineering techniques where feasible and take into account best practice outlined in the Fluvial Design Guide and SEPA guidance (see links below).

The Fluvial Design Guide (Chapter 8.5) outlines best practice for outfalls:

<http://evidence.environmentagency.gov.uk/FCERM/en/FluvialDesignGuide/Chapter8.aspx?pagenum=5>

Contaminated Land

We have reviewed the Ground Investigation Report (Ground and Water Ltd, April 2018) submitted in support of the application and are in general agreement with the conclusion that the risk posed to controlled waters is low.

However, due to the presence of granular made ground on the site, there remains the possibility that previously unidentified contamination remains that could migrate through these deposits and cause pollution of the adjacent Shreen Water. We therefore recommend the following condition is included in any consent granted for development at the site:

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 a remediation strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be implemented as approved.

REASON

To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site in line with paragraph 109 of the National Planning Policy Framework.

Pollution Prevention during Construction

INFORMATIVE

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 of plant and machinery, oils/chemicals and materials; the use and routing of heavy plant and vehicles; the location and form of work

and storage areas and compounds and the control and removal of spoil and wastes. We recommend the applicant refer to our Pollution Prevention Guidelines, which can be found at:

<https://www.gov.uk/guidance/pollution-prevention-for-businesses>

Waste Management

Should this proposal be granted planning permission, then in accordance with the waste hierarchy, we wish the applicant to consider reduction, reuse and recovery of waste in preference to offsite incineration and disposal to landfill during site construction.

INFORMATIVE

If any controlled waste is to be removed off site, then site operator must ensure a registered waste carrier is used to convey the waste material off site to a suitably authorised facility. If the applicant require more specific guidance it is available on our website <https://www.gov.uk/how-to-classify-different-types-of-waste>

Sustainable Construction

Sustainable design and construction should be implemented across the proposed development. This is important in limiting the effects of and adapting to climate change. Running costs for occupants can also be significantly reduced.

INFORMATIVE

Water efficiency measures should be incorporated into this scheme. This conserves water for the natural environment and allows cost savings for future occupants. The development should include water efficient systems and fittings such as: dual-flush toilets; water-saving taps; water butts; showers and baths. Greywater recycling and rainwater harvesting should also be considered.

Please send us a copy of the decision notice issued for this application for our records.

Please contact us if you have any queries.

Yours sincerely

MICHAEL HOLM

Planning Advisor - Sustainable Places

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cc WYG Planning & Environment