

From: Amanda Scholes on behalf of Planning.Responses
Sent: 08 June 2020 11:07
To: Planning Scanning
Subject: FW: BN/18/20/PL - Barnham condition 15 - Sewage
Attachments: Southern Water 27.6.2013.pdf; 12.12.2013 cond 15 discharge.pdf

Amanda Scholes | Receptionist, Department, Arun District Council | Location: Ground Floor, Arun Civic Centre, Maltravers Road, Littlehampton, BN17 5LF

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Save the environment - think before you print.

From: Maria Tomalova <Maria.Tomalova@arun.gov.uk>
Sent: 05 June 2020 18:23
To: Planning.Responses <Planning.Responses@arun.gov.uk>
Subject: FW: BN/18/20/PL - Barnham condition 15 - Sewage

Please upload the below and both attachments to the above application; The reason of variation of condition

Maria Tomalova | Senior Planning Officer, Directorate of Place, Arun District Council | Location: First Floor, Arun Civic Centre, Maltravers Road, Littlehampton, BN17 5LF

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From: Gateley, Jon [REDACTED]
Sent: 05 June 2020 16:29
To: Maria Tomalova <Maria.Tomalova@arun.gov.uk>

Cc: Webster, Gary <[REDACTED]>; Jones, Julian D <[REDACTED]>
Subject: BN/18/20/PL - Barnham condition 15 - Sewage

Dear Maria

I understand from my colleague Gary that you need further reasoning / explanation of these proposals to inform your committee report / presentation.

Background

The underlying planning application for this development is EG/29/13 (40 residential dwellings with associated access, landscaping and ancillary works). Southern Water had made representations on the application (attached) stating that there was inadequate capacity in the local network to provide foul and surface water sewage disposal, and requesting a pre-commencement condition for approval of the means of doing so. The permission, granted by ADC on 26 September 2013, included this requirement as condition no.15. This was discharged in full on 12 December 2013 (ref EG/53/13/DOC, see attached), after the Council's Drainage Engineers confirmed they were satisfied that the discharge rates from the onsite Sewage Treatment Plant would be acceptable. The Environment Agency had also confirmed that they had no objection to the Council discharging the planning condition.

Purpose and rationale of the application

The application seeks to vary Condition 15, that the existing approved Sewage Treatment Plant can be replaced by a Pumping Station. The alteration is sought in response to advice from Southern Water, who have confirmed that the network no longer has capacity issues. Whilst they would not look to adopt the existing Sewage Treatment Plant, they could adopt a standard pump station. Undertaking the proposed change, and having this adopted by Southern Water, would provide a comprehensive position in the long term and would enable resolution of some issues with the existing plant and resident complaints regarding occasional smells.

Factors to consider in this application

It is important to keep in mind that the decision on this Variation of Condition application, being within the planning system, must hinge on whether the development is an acceptable use of the land. Permitting decisions, in contrast, determine whether an operation can be managed on an ongoing basis to prevent or minimise pollution. So I would highlight:

1. That Paul Cann (ADC Principal Drainage Engineer), in his consultation response dated 31 March, noted that the principle of connecting foul drainage to the public foul sewer *"is purely a matter for Southern Water to consider"*
2. Southern Water have processed a Section 98 application for the proposed connection through 3rd party land (i.e. not in BDW ownership) as this is nearest and acceptable location. They have legal rights to make this connection with new pipework in a private road.
3. In Paul Cann's subsequent response of 2 June 2020, after more information was provided, he confirmed that he is *"happy with the proposals in terms of the impacts on the suds and land drainage"*.

We are acutely aware of the representations made on the application, but I must reinforce that this is a proposal of a technical nature and the relevant consultees with specialist expertise are satisfied with what we have proposed. The proposals will provide a sound, satisfactory and permanent solution to foul drainage on the site, placed on a permanent footing with Southern Water. Hence I am not aware of any conflict with Local Plan policy W DM1 (Water Supply and quality) which concerns foul drainage, nor any other policy.

I hope this helps, but if there's anything else do let me know.

Kind regards,

Jon Gateley | Head of Planning | BDW Southampton (a trading name of BDW Trading Ltd)

 Tollbar House, Tollbar Way, Hedge End, Southampton, Hampshire, SO30 2UH



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Barratt & David Wilson Homes Southampton
Tollbar House
Tollbar Way
Hedge End
Southampton
SO30 2UH

Your Ref: EG/53/13/DOC

Please ask for:

Mr P Cleveland

12 December 2013

Dear Sir/Madam

Article 21 of the Town and Country Planning (General Development Procedure) Order 1995
Application for approval of details reserved by conditions 3, 5, 7, 8, 9, 10, 13, 15, 16, 17, 18, 19, 25, and
28, following a grant of planning permission EG/29/13.
Former Brooks Nursery Eastergate,,

Notification regarding the above application:

Condition Number 15

The development shall not commence until full details of the proposed foul water drainage scheme have been submitted to and approved in writing by the Local Planning Authority. (Including details of its routing, design, and subsequent management/maintenance).

No building shall be occupied until the foul water drainage scheme has been implemented in accordance with the approved details.

Reason: To ensure that the proposed development is satisfactorily drained in accordance with policies GEN7 and GEN9 of the Arun District Council Local Plan.

Decision:

Arun District Council have decided to **APPROVE details reserved by this condition**

The Councils Drainage Engineers are satisfied that the discharge rates from the proposed on-site sewage treatment plant are acceptable. The EA have also confirmed that they have no objection to the Council discharging the planning condition on this basis. However they have confirmed that an Environmental Permit will be required for the treatment plant, whilst this is closely linked with the planning permission it falls under separate legislation and is not a requirement of the planning condition. As such the condition is discharged in so far as the submission of detail relates.

docdeci

Please do not hesitate to contact the above officer if you require any further assistance.

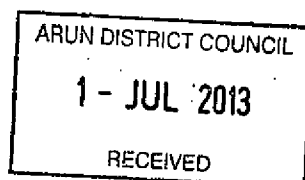
Yours faithfully



Karl Roberts
Assistant Director Planning & Economic Regeneration

Atkins Limited
Anglo St James House
39A Southgate Street
Winchester
Hampshire SO23 9EH

Planning and Development Services
Arun District Council
Arun Civic Centre
Maltravers Road
Littlehampton
West Sussex
BN17 5LF



Your Ref
EG/29/13/
Our Ref
PLAN-003323
Date
27/06/2013

Dear Sir

Proposal: Residential development for 40 dwellings, including 30% affordable, with associated access, landscaping and ancillary works. Re-Submission following EG/73/12. Departure from the Development Plan.
Site: Former Brooks, Nursery, Eastergate PO22 0ED.
EG/29/13/

Thank you for your letter of 03/06/2013.

Following initial investigations, there is currently inadequate capacity in the local network to provide foul and surface water sewage disposal to service the proposed development. The proposed development would increase flows to the public sewerage system, and existing properties and land may be subject to a greater risk of flooding as a result. Additional off-site sewers, or improvements to existing sewers, will be required to provide sufficient capacity to service the development. Section 98 of the Water Industry Act 1991 provides a legal mechanism through which the appropriate infrastructure can be requested (by the developer) and provided to drain to a specific location.

Should this application receive planning approval, please include, as an informative to the permission, the following requirement:

"The applicant/developer should enter into a formal agreement with Southern Water to provide the necessary sewerage infrastructure required to service this development. Please contact Atkins Ltd, Anglo St James House, 39A Southgate Street, Winchester, SO23 9EH (), or www.southernwater.co.uk".

The Environment Agency should be consulted directly regarding the use of a private wastewater treatment works which disposes of effluent to sub-soil irrigation. The owner of the premises will need to empty and maintain the works to ensure its long term effectiveness.

The planning application form makes reference to drainage using Sustainable Urban Drainage Systems (SUDS).

Under current legislation and guidance SUDS rely upon facilities which are not adoptable by sewerage undertakers. Therefore, the applicant will need to ensure that arrangements exist for the

long term maintenance of the SUDS facilities. It is critical that the effectiveness of these systems is maintained in perpetuity. Good management will avoid flooding from the proposed surface water system, which may result in the inundation of the foul sewerage system.

Thus, where a SUDS scheme is to be implemented, the drainage details submitted to the Local Planning Authority should:

- Specify the responsibilities of each party for the implementation of the SUDS scheme
- Specify a timetable for implementation
- Provide a management and maintenance plan for the lifetime of the development.

This should include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

The application details for this development indicate that the proposed means of surface water drainage for the site is via a watercourse/pond/lake. The Council's technical staff and the relevant authority for land drainage consent should comment on the adequacy of the proposals to discharge surface water to the local watercourse.

We request that should this application receive planning approval, the following condition is attached to the consent: "Construction of the development shall not commence until details of the proposed means of foul and surface water sewerage disposal have been submitted to, and approved in writing by, the Local Planning Authority in consultation with Southern Water."

Southern Water's current sewerage records do not show any public sewers to be crossing the above site. However, due to changes in legislation that came in to force on 1st October 2011 regarding the future ownership of sewers it is possible that a sewer now deemed to be public could be crossing the above property. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its condition, the number of properties served, and potential means of access before any further works commence on site.

The applicant is advised to discuss the matter further with Atkins Ltd, Anglo St James House, 39A Southgate Street, Winchester, SO23 9EH [REDACTED]

Yours faithfully [REDACTED]

De [REDACTED] ices