



SUSSEX ORNITHOLOGICAL SOCIETY

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22 April 2022

By email only:

David.Easton@arun.gov.uk

Dear David,

P/155/21/RES

P/155/21/RES Approval of reserved matters (layout, scale, appearance and landscaping) following outline consent P/140/16/OUT for the 'local centre' parcel which comprises of retail, community and commercial uses, 20 No residential apartments and a 70 bed care home.

The SOS **objected** to this planning applications in our letter of 17 December 2021.
We maintain our objection.

Sewerage discharges

- 1) In their letter of 7 January 2022 in response to P/158/21/RES Southern Water have said that

“no discharge of foul sewerage from the site shall be discharged into the public system until offsite drainage works to provide sufficient capacity within foul network are complete”

Their letter then goes onto to say that “Southern Water is in the process of designing and planning delivery of offsite sewerage reinforcements” but then mentions that the applicant may be contemplating offering “a new on-site drainage and pumping station as part of the foul/surface water public sewerage system”

- 2) Our conclusion is that whilst ideas are being looked at to improve sewerage capacity no firm plans are yet being put forward for public inspection and comment.
- 3) For the reasons outlined in section 10 of our earlier response we believe it is vital that NO discharges of sewerage into Pagham Hbr SPA are caused by this or any other developments or combinations of developments. We therefore regard it as critical that full proposals are available that show exactly

the scale of capacity improvements that will be made to the Pagham WTW plant and to understand whether or not these will ensure that no discharges will occur in future – and for how long this capacity increase will be sufficient to ensure such a state of affairs is maintained.

- 4) These need to take into account the increased sewerage demands of all the new developments around South Pagham.
- 5) We note that planning application P/55/22/PL has now been lodged meaning that development of the P/140/16/OUT site will be further fragmented. We do not believe that the cumulative implications of small-scale developments on drainage and sewerage can be assessed in isolation, but feel they must be assessed in totality, and that until this is done no final planning approvals can reasonably be given to any development on the P/140/16/OUT site.

Surface Water drainage

- 6) The assumptions about sewerage volumes are directly linked to the assumptions about how much surface drainage water will run off the site, since excess volumes of surface water run offs mixing with sewerage water is the main cause of sewerage overflows.
- 7) We note that the applicants' surface water drainage assumptions have been called into question by a number of objectors, including Pagham Parish Council and the Drainage Engineer working for Arun and Adur. Volumes of surface water drainage mixing with foul water are a major cause of sewerage overflows from treatment plants, so doubts about the assumptions being made on what the surface drainage volumes will be are of real concern.
- 8) We note that Ridge in their 6 February 2022 response to the drainage concerns raised by the Drainage Engineer working for Adur and Arun Councils (filed in the Documents section of P/158/21/RES on 25 March 2022) state that WINTER groundwater monitoring was undertaken between December 2018 and May 2019.

We would make three points – firstly no one regards April and May as winter, so we don't see how this can be referred to as monitoring a winter period - ground water levels are considerably lower at this time of the year than in the November to March period.

Secondly in the SOS Report from July 2021 "*P/140/16/OUT – Evidence that the current mitigation proposals will not work*" it was noted that rainfall in the 6-month period September to February was 590mm in 2018/19, 904mm in 2019/20 and 662mm in 2020/21. 2018/19, the period when the groundwater monitoring was undertaken by Ridge, appears to have been much drier than the following year suggesting this was a poor year on which to base prudent drainage calculations.

Thirdly – monitoring current groundwater levels on the P/155/21/RES site takes no account of the effect that other nearby planned but as yet unbuilt developments upstream of the P/140/16/OUT site will have on this site, as any excess surface water runoff from these upstream sites will naturally flow into the P/140/16/OUT site.

- 9) This gives us no confidence that the applicants drainage calculations are based on worst case evidence, indeed this aspect of their calculations appear to be based on an untypically better case scenario. The fact that it includes measurements from April and May suggests it is really unrepresentative of the conditions on which evidence supporting drainage assumptions should be based.
- 10) We note that Nigel Mundy, who tends the horses in the field close to this development site and who is there every day, has provided photographic evidence of standing water around the P/140/16/OUT site, and we know that Jim Weston, who lives in a property immediately south of the P/140/16/OUT site in Church Lane already suffers from flooding due to surface water drainage problems, which would only likely get worse were the various developments on the P/140/16/OUT site and upstream of it to go ahead. These specific examples of current concerns back up the concerns expressed by Pagham Parish Council about the drainage assumptions, which we feel Ridge's response fails to recognise.
- 11) The fact that Ridge appear to take no account of other planned new developments upstream of the P/140/16/OUT site is also very worrying. We believe that there needs to be a masterplan for surface water drainage as the numerous developments in the South Pagham area invariably interrelate to each other where surface drainage is concerned.

Brent Geese mitigation

- 12) We have already provided ample evidence of how extensively the P/140/16/OUT site is used by foraging Brent Geese, so there can be no doubt that the whole P/140/16/OUT is a "core" site for foraging Brent Geese, one of the key species that underpins Pagham Harbour's designation as a Special Protected Area for birds. SOS have already provided evidence of Brent Geese foraging on either side of the concrete road that currently runs through the middle of the P/155/21/RES development site, so the mitigation conditions attached as condition 30 to P/140/16/OUT will have to be discharged before any development can commence. No new mitigation proposals have yet come forth.
- 13) Ecology Solutions in their response to the SOS's July 2021 paper "*P/140/16/OUT – evidence that the current mitigation proposals will not work*" indicated that they are now looking at planting their proposed mitigation site with permanent pasture, rather than the winter wheat crops that have so

spectacularly failed to attract Brent Geese in anything approaching the one for one numbers that the P/140/16/OUT site does. We remain deeply sceptical that their proposed mitigation site will ever work for the simple reason that it is in Flood Zone 3, whereas the P/140/16/OUT site is in Flood Zone 1. By definition Flood Zone 3 is a site which is expected to flood, and Brent Geese cannot forage for food on ground covered by water whatever it is planted with. It is our view that until the applicants identify a suitable mitigation site in Flood Zone 1 no one-for-one mitigation for Brent Geese can be delivered. It is also a matter of fact that many such apparently suitable fields exist close to the SPA in Flood Zone 1 areas that are regularly planted with winter wheat. Most of these could, in our view, provide suitable mitigation – albeit all currently have bird scarers (which would have to be done away with as part of acceptable mitigation proposals)

- 14) The absence of any progress to come up with a viable mitigation plan, let alone to implement one and demonstrate its effectiveness (as is a required precondition before development can commence) is notable. Without mitigation being implemented and demonstrated to work SOS will continue to oppose any development, including this one, on the P/140/16/OUT site going ahead.

Net biodiversity gain assessment

- 15) The planning application still contains no assessment as to whether the development will provide a net gain or a net loss in biodiversity. We do not believe that it should be considered for approval until such an assessment is provided.

Conclusion

- 16) Our conclusions are as follows:
 - we believe it is wrong that drainage and sewerage appear to be being considered on an application-by-application basis rather than being considered on the basis of all the applications for the whole P/140/16/OUT site. Drainage matters will all be interrelated to the other development sites on the P/140/16/OUT site, and we do not feel they can be assessed on an application-by-application basis. Indeed, given the current drainage issues we feel that a drainage masterplan is needed covering all the proposed developments in the South Pagham area, of which the developments on the P/140/16/OUT site are the most downstream and most likely to be at risk
 - Any surface run off problems created by any of the developments on the P/140/16/OUT site developments are likely to cause flooding to householders in Church Lane to the south of the P/140/16/OUT site, who already suffer flooding problems from surface drainage run offs.
 - We believe that the drainage assumptions accompanying this proposal are unrealistically optimistic and do not reflect the current flooding issues from

surface drainage that current homeowners downstream in Church Lane already face.

- Since a main cause of sewerage overflows is excess surface drainage water combining with sewerage, and since sewerage overflows into the Pagham Hbr SPA, SOS is very concerned that any development on the P/140/16/OUT does not generate overflows of surface water at any time.
- We note that no development should occur until sewerage capacity has been upgraded. However, whilst there appears to be intent to do this there appear to be no firm plans to do it.
- we also note that no proposals for effective Brent Geese mitigation yet exist
- and that there is still an absence of any net biodiversity gain/loss assessment

For these reasons we object to these proposals to discharge reserve matters pertaining to layout, scale, appearance and landscaping for the P/155/21/RES portion of the P/140/16/OUT site.

Yours sincerely,

Richard Cowser
(SOS Conservation Officer).