

[REDACTED]

From: Simon Davis
Sent: 08 September 2020 13:03
To: Natalie Fellows [REDACTED]
Cc: Ian Johnson [REDACTED]
Subject: RE: Y/59/20/DOC- Bonhams Field

Dear Natalie,

I have now discussed this with our Engineer and with my Team Leader.

We can agree to opinion 2 (submission of a variation to the wording of conditions 12 & 14). However, regarding the current application to discharge the condition, we agree that you have met the stated requirements of the condition but if we agree to discharge the condition (note our drainage engineer objects to this action) then there would be no reason for you to then submit the variation application. It would be preferable instead if this particular condition is withdrawn and resubmitted once the S.73 has been approved.

Kind Regards

Simon J Davis MRTPI
Principal Planning Officer
Directorate of Place



[REDACTED]

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From: Natalie Fellows [REDACTED]
Sent: 21 August 2020 16:00
To: Simon Davis [REDACTED]
Cc: Ian Johnson [REDACTED]
Subject: Y/59/20/DOC- Bonhams Field

Dear Simon,

Thank you for the update below.

As you can appreciate, we are trying to keep the permission 'alive' and actively seeking to discharge all the pre-commencement conditions in readiness to start on site asap.

Whilst a number of conditions have been discharged already, the main stumbling block appears to be drainage related. We would like to run through the others outstanding too, perhaps separately.

My client will ensure that infiltration testing will be carried out in accordance with BRE this year and this will be carried out during the winter months. As explained on the phone, we thought that this was underway, but later transpired towards the end of the winter season that this was not the case. CEP will ensure that the remaining site investigations are agreed with Laura prior to them taking place so we are clear what is needed going forward. However, given the time to do this additional testing is very tight and achieve a discharge of condition, we are exploring other options concurrently.

To ensure the scheme can be implemented prior to the expiry date, we have two additional options:

1. **Seek the Council's Approval of Drainage Condition 12 and 14.** We do not agree that the current application to discharge this condition should be refused, **only that supplementary percolation testing should be submitted.** This is because, if you look closely at the wording of the condition it states *"Winter groundwater monitoring to establish highest annual ground water levels and Percolation testing to BRE 365, or similar approved will be required to support the design of any infiltration drainage."* Strictly speaking we have provided Ground Water Monitoring during the winter months and this is in accordance with this condition. We are just required to provide infiltration testing in accordance with BRE 365 which does not necessarily need to be done during the winter months. The condition is not precise in this regard and we believe we should not be delayed if the proposed drainage strategy applies a factor of safety. This would mean that infiltration testing carried out during August / September could be used which could be supplied in a few weeks' time. The strategy would be updated to reflect this data/ approach. We would welcome the Council's thoughts on this.
2. **A s73 application is submitted to amend the trigger point for Condition 12 and 14.** Whilst we understand the Council's initial reluctance, we think there is an opportunity re-word this condition to make it more precise to allow just limited highway access / bell-mouth works to be constructed only rather than using a 3 month from commencement or DPC trigger for this information to be discharged. We suggest the condition states *"Development shall not commence, with the exception of the highlighted site access works shown in accordance with plan 23018/102 (identified in blue and pink), until full details of the proposed surface water drainage scheme have been submitted to and approved in writing by the LPA."* We can make this plan more simplified by identifying this area in one colour when it is formally submitted. It is important to note that the access only affects the first 3.9m into the site and therefore should not prejudice the implementation of the drainage scheme (to be approved). The outline permission also agreed the access arrangements as per dwg 01 Rev D at this stage, so we hope the Council will look favourably at this option.

As you are aware, the Government is very much trying to keep permissions alive and this includes outline permissions. We fall slightly outside of the extension of time provisions in place, albeit it will be interesting to see if this is extended in due course.

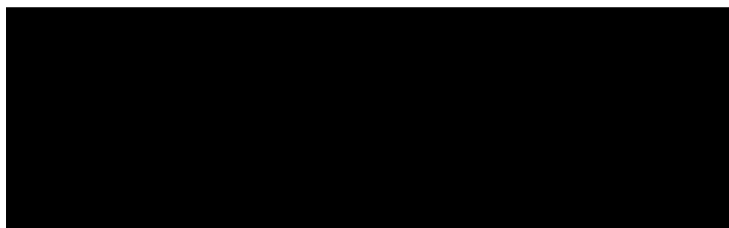
I also note that the outline permission only gives one year for implementation following Reserved Matters approval, rather than two years which is usually the case. I suspect the reasons for this may be due to the lack of 5 year land supply which is still an issue. Equally the Council will want to try and hopefully offer some assistance to ensure the scheme is built out. My client is very unfortunate in the fact that there was always good intentions to commence rapidly but for very good reasons linked partly to Covid19 has been unable to do so.

I look forward to hearing from you. If you would like to discuss on the phone, my mobile number is 07375 490164. We may even decide that an online meeting, including the drainage engineers, would help move this project forward.

Kind regards, Natalie.

Natalie Fellows BA (Hons) MSc MRTPI

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