

Herefordshire Council
PO Box 4
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HR4 0XH

Our ref: SV/2022/111395/03-L01
Your ref: 222138
Date: 22 February 2023

F.A.O: Heather Carlisle

Dear Heather

OUTLINE PLANNING APPLICATION WITH ALL MATTERS RESERVED, EXCEPT ACCESS, FOR THE FIRST PHASE OF AN URBAN EXTENSION COMPRISING UP TO 350 HOMES (USE CLASS C3); PARK & CHOOSE INTERCHANGE; TOGETHER WITH OPEN AND PLAY SPACE, LANDSCAPING, INFRASTRUCTURE AND ASSOCIATED WORKS ON LAND AT THREE ELMS, NORTH EAST QUARTER, TO THE NORTH EAST OF HUNTINGTON AND BOUNDED, BY THREE ELMS ROAD AND ROMAN ROAD, HEREFORD, HEREFORDSHIRE HR4 7RA

I refer to additional information received in support of the above application; submitted with a view to addressing the outstanding matters in relation to flood risk and controlled waters. This submission follows discussions between Tetra Tech and the Environment Agency and subsequent review of the updated FRA, (Tetra Tech Ref: 784-A072489-2 revision 6 dated 18 November 2022). Whilst we note that a further revision to the FRA has been undertaken in the formal submission (Revision 7), to reflect changes to the Masterplan, this does not impact upon the comments provided below.

Based upon the information submitted we are in a position to remove our objection to the Outline application and would offer the following comments for your consideration at this time.

Flood Risk: As stated in our response to the EIA Scoping for the North East Quarter, dated 26 November 2021, we had previously accepted the Flood Risk Assessment (FRA), produced by White Young Green (now Tetra Tech), for the wider Three Elms site which demonstrated that the proposed development would be safe over its lifetime, would not act to increase flood risk elsewhere and would offer flood risk betterment downstream by providing additional flood storage on site. Extensive discussions had previously taken place to ensure that the FRA was sound and robust.

The FRA subsequently submitted with the current Outline application was not considered sufficient and did not provide the level of detail previously offered. The updated document addresses the issues raised in our response of 2 September 2022

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and we understand from Tetra Tech's correspondence dated 18 November 2022 also seeks to address concerns raised by the Lead Local Flood Authority (LLFA). A meeting was held on 18 October 2022 to discuss the FRA requirements (minutes of which are contained within Appendix G of the FRA). It is also noted that the comments of the Huntington Hamlet Association relating to drainage and run off have been considered within the latest submission.

Section 3.1.4 of the FRA confirms that the Yazor Brook model has now been run with the latest climate allowance of 37% (released in the Summer of 2021) which is the correct allowance for the Wye Management Catchment. This has been undertaken for both the defended (with the upstream Yazor Brook FAS at Credenhill in place) and undefended scenarios with Flood Maps contained in Section 3.1 and Appendix F so the flood risk to the site is fully understood.

Whilst there are some sections of Flood Zones 2 and 3, the medium and high risk Zones respectively, in the south eastern section of the site (R04) these areas are proposed for green space and not residential units. Section 3.1.12 of the FRA confirms that proposed site layouts will be set at a suitable freeboard above the undefended scenarios which we support as they are precautionary and consider a failure of the upstream FAS. Therefore, it is clear that the vast majority of the site falls within Flood Zone 1 and is developable.

Whilst we acknowledge that there are constraints within the North East Quarter, which are discussed within the updated FRA, we would still expect provision of some of the previously agreed additional flood storage areas to assist in the reduction flood risk downstream. This is a requirement for the various parcels within the wider development and in line with the Adopted Core Strategy (Policy HD5 – Western Urban Expansion). The constraints within the North East Quarter may mean that greater flood betterment is provided as part of subsequent development of the wider site. However, the need for such betterment is acknowledged in the letter from Tetra Tech, dated 18 November 2022 and we note from the Indicative Site Plan (dated 02/02/23) the inclusion of additional flood storage areas. Although they must be aligned with the constraints detailed below in relation to the excavation strategy we would support, as part of any Reserved Matters application, further consideration in the layout of opportunities to achieve flood risk betterment downstream via such areas.

Groundwater: As detailed in our previous response we have been involved in detailed discussions around the wider redevelopment of the Three Elms site which is highly sensitive with regard to groundwater and surface water quality and resources. These issues also apply to the North East Quarter of the site with a portion of the site falling within, Source Protection Zones (SPZ) 2 and 3. It should also be noted that the site also lies within proximity to the current SPZ 1 and also adjacent to further on-site boreholes which are in the process of having SPZs applied to them too. Whilst this latter work has yet to be completed an approximate location has been considered which indicates Parcel R04 within SPZ 2 and 3 but also potentially adjacent to a future SPZ1. We would however acknowledge that the southern portion of the site boundary has been left undeveloped, as shown on the site location plan and indicative Masterplan.

Section 2.5.12 details the requirements previously agreed with regards development in, or in proximity to, the SPZ1. As detailed above this strategy may limit the opportunities for flood storage excavations on the site.

Based on the potential sensitivity of the site it essential that all appropriate measures are taken to ensure the underlying aquifers are protected from development. Any

increased development has the potential to adversely impact upon groundwater quality due to the change in land use from agricultural greenfield to urban mixed use (e.g. disturbance during construction, sewer leaks or mis-connections, garden chemicals, highway runoff, leaks or spills of industrial chemicals/fuels/oils).

As stated in our previous response we recognised that this is an Outline planning application and that the current proposals, and associated plans, are indicative only and provided to demonstrate an acceptable approach and that the quantum of development proposed can be delivered within the site, taking account of the agreed aquifer protection measures, existing site constraints and the proposed parameters plan and indicative lay-out.

Further site specific details and geophysical surveys are still due and we would expect further detail as part of any Reserved Matters application. The scope of this is detailed within the Mitigation Plan) submitted with this Outline application.

We would expect adherence to the comments and conditions provided within the Mitigation Plan (ref: B031140, dated June 2022) to ensure the issues raised with regards flood risk, surface and foul water, and the presence of SPZ's, are fully considered prior to any development. We are satisfied with the proposed conditions within the document and would defer to your Council as to how best secure these; either individually or under the umbrella of the Mitigation Plan. Not all those listed within the Plan will require further consultation with the Environment Agency as some will fall under the remit of your Council, your internal drainage team and/or the utility provider.

Also, it is important to ensure that detailed design of the development will need to be finalised based on the newly modelled (and any other remodelled) SPZs once produced. We would therefore reiterate comments previously offered for completeness:

We are pleased to see that detailed consideration has now been afforded to the previous concerns raised by local objectors (principally the two adjacent groundwater abstractors) and the earlier comments raised by ourselves as part of the previous application. Clearly, our main interest in terms of protection of Controlled Waters, involves the site's underlying Secondary A groundwater aquifer, the Sun Valley and Cider Mills SPZs encroaching onto the site and the Yazor Brook bordering the site to the south. Whereas the present SPZ 2 and 3 designations relate to off-site abstractions, further on-site boreholes are in the process of having SPZs applied to them too, which will mean parts of the site will then fall within the most vulnerable SPZ 1 category too.

We agree with the assessment that, whilst development will cause a reduction in recharge rates on site, this is expected to be very small (at some 1% only, relative to the recharge to the overall aquifer system and also due to the low permeability of the boulder clay Till shown present across the site). The flow to local abstraction wells is thus not expected to be impacted either. In terms of water quality though, whereas no significant ground contamination has been encountered so far, protection measures will need to be put in place during the construction phase (to be outlined in the CEMP) and following the completion of the development.

Any contamination associated with the previous use of the land if / when found will need to be risk assessed and most likely treated or removed off site where necessary. Also, a drainage strategy has now been developed which restricts (and partially treats) the discharge of all surface water via a system of lined attenuation pools, swales and below

ground pipes to the Yazor brook only, as soakaway testing found very low infiltration rates within the Till layer.

As stated in our response to the previous application, given the dual problems in this catchment of low flows in the Yazor Brook and stressed groundwater resources in the aquifer, we would like to see some infiltration SuDS where possible, subject to the above constraints and suitable Till permeability. This may offer some balance between supporting aquifer recharge and flows in the brook. The intention should be to retain the natural drainage situation as far as possible where it is safe to do so. Features suggested to support low flows in the Yazor Brook such as the 'shallow dish' areas in SuDS basins should be included where possible.

We also note the design will adhere to our agreed excavation requirements (i.e. all basins and swales within SPZ 1 and 2 will be provided with an impermeable liner to prevent infiltration into the aquifer, with the depth of features located in SPZ 2 restricted to maintain 1.5 m of Till cover) and that it will include oil separators and interceptors to protect the brook itself from any spillages or leaks.

Foul Drainage: The LPA must ensure that the existing public mains sewerage system has adequate capacity to accommodate this proposal, in consultation with the relevant Sewerage Utility Company. Improvements to wastewater treatment works in Hereford may be required to accommodate the scale of development and discussions with Welsh Water should be progressed.

Yours faithfully

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