Land at Downlands Farm, Uckfield

Statement of Common Ground (SoCG) for Flood Risk & Drainage

20 October 2023

Introduction

1.1 A Flood Risk Assessment & Drainage Strategy (CD2/82 'FRA') was prepared to support the outline planning application (Ref. WD/2022/1637/MEA) for the Proposed Development on the Land at Downlands Farm, Uckfield, East Sussex.

1.2 The CD2/82 (dated May 2022) was carried out by Waterman which assessed the risk of flooding and proposed a strategy for draining the Development. The risk of flooding to the Development from all sources was assessed as predominantly low, the Appeal Site is within Flood Zone 1.

1.3 There are some areas at high risk of pluvial flooding which would be considered as similar to Flood Zone 3 within the woodland watercourses. Whilst these do not affect the Outline application and area proposed for residential development, they are within the part of the Appeal Site subject to the Full application and proposed SANG.

1.4 The area proposed in the Outline component of the Appeal Scheme for residential development is considered at low or very low risk of flooding from all sources.

1.5 The proposed drainage strategy was developed to restrict surface water discharge from the Development to the QBAR greenfield runoff rate. Treatment of surface water runoff is proposed through the use of SuDS. These are intended to manage contaminants and ensure water leaving the Development will not impact the sensitive downstream receptors such as the Ancient Woodland.

1.6 The proposed drainage strategy is illustrative, given the Outline nature of the residential development element of the application, and no final details of these SuDS has been submitted. These details will be prepared at detailed design stage. The parties disagree on the acceptability of this approach where it relates to irreplaceable habitat.

1.7 Subsequently, two Drainage Technical Notes (CD2/97 and CD2/112) and Drainage Strategy Drawing (CD2/113) were produced by Waterman (dated August 2022 and January 2023, respectively) to address comments received in 2022 from Wealden District Council (WDC) and East Sussex County Council (ESCC) in their capacity as the Lead Local Flood Authority (LLFA), with regards to flood risk & drainage.

1.8 WDC and ESCC subsequently confirmed in their letters (CD1/1) dated February 2023 that there was no planning objection to the flood risk & drainage principles whereby a more comprehensive drainage strategy can be presented at the reserved matters stage. However, this is with the exception that the drainage works associated with irreplaceable habitat is an issue that needed to be resolved.

1.9 If implemented as proposed the drainage proposals would not increase the risk of flooding though it is agreed the SuDS strategy will alter the current surface water drainage arrangements on site.

Reason for Refusal

1.10 Nine reasons for refusal (RfR) are described in the Decision Notice (Core Document CD5/1), with RfR 4 relevant specifically to Flood Risk & Drainage.

1.11 The purpose of this SoCG is to confirm matters of fact and agreement between the Appellant and WDC as LPA. WDC has liaised with ESCC as LLFA in respect of surface water flood risk & drainage matters. This SoCG also confirms the key areas of dispute.

Site Overview

1.12 There are several watercourses within and in vicinity of the Site. The Shortbridge Stream, denoted as a Main River, and its parallel tributary, are located to the west of the Site. In addition, there are four ordinary watercourses within or adjacent to the Site, as shown on the Environment Agency (EA) mapping, observed during various site visits, and set out in the site specific FRA. These ordinary watercourses connect into the Shortbridge Stream via culverts beneath the A22 highway.

1.13 The Site falls from east to west from approximately 57.0m Above Ordnance Datum (AOD) to approximately 33.0m AOD in the southern part of the Site and to

approximately 23.5m AOD in the northern corner of the Site.

1.14 Groundwater levels beneath the Site were typically recorded at depths of greater than 1.9m below ground level. Whilst the risk of groundwater flooding is therefore assessed as low, the borehole testing indicates that infiltration is not possible here. It is common ground that a different drainage technique is required as has been proposed through the illustrative drainage strategy.

Flood Risk & Drainage Matters Agreed

1.15 The following matters are agreed between the Appellant and LPA:

a. The Geological Map for the area is complex. The eastern side of the Site is on the Upper Tunbridge Wells Sand Formation of interbedded sandstones and siltstones whereby the north-western area is on the Ardingly Sandstone Formation of sandstones, and the south-western area is on the Grinstead Clay Formation of mudstones.

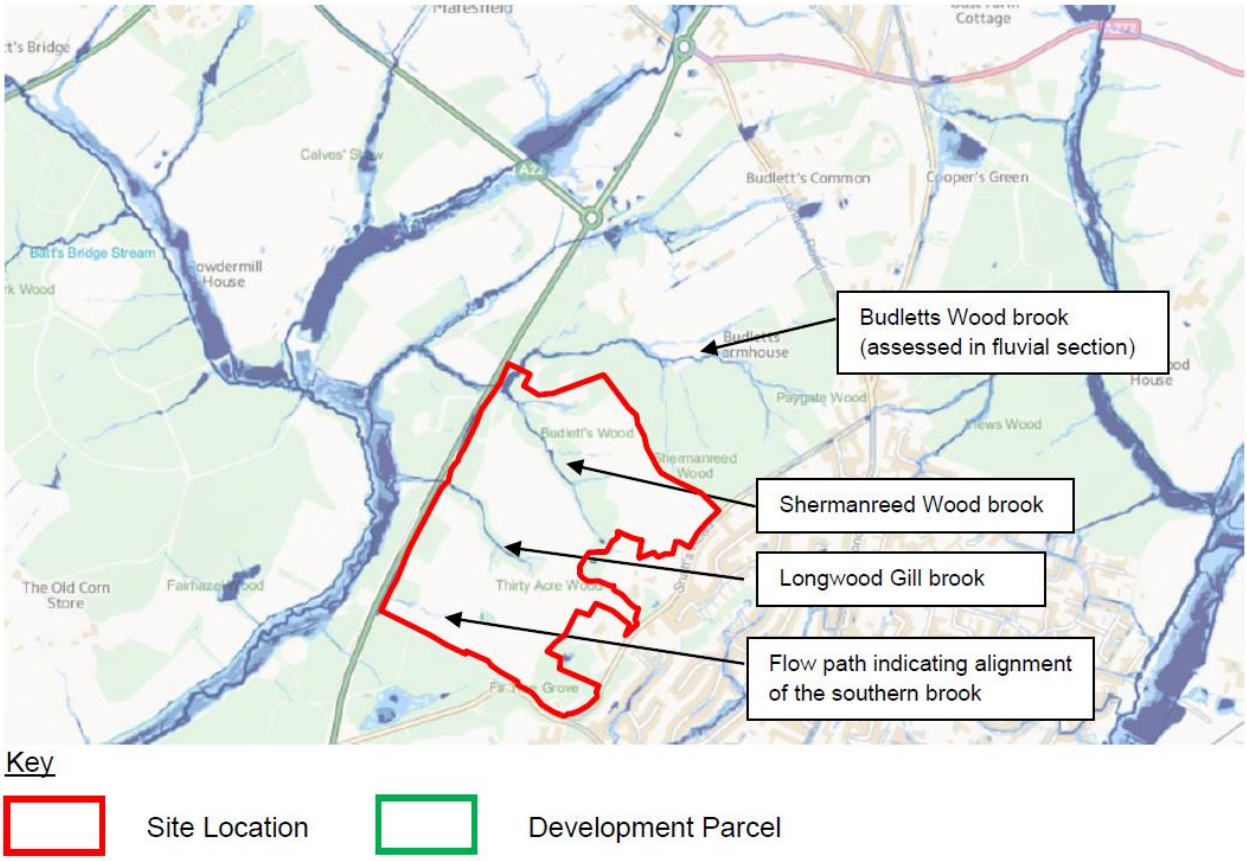
b. It is agreed that the majority of the site is at low risk of flooding from surface water but with high-risk flow paths associated with the watercourses within the Ancient Woodland (including areas proposed as SANG).

c. For Foul Drainage, it is agreed that whilst Southern Water has advised there is current inadequate capacity within the existing sewerage network, they have however confirmed this can be addressed through the provision of additional infrastructure to provide sufficient capacity to service the Development. Southern Water is obligated to accept foul flows and also reinforce its network should the need arise. Providing that network upgrade work is done in parallel to delivery of the Appeal Scheme, this matter does not pose a constraint to the Proposed Development.

d. Paragraph 5.5.1 to 5.5.5 of WDC SoC (CD1/6) describes the existing flood risk, watercourses, groundwater, flood records, geology, unfeasible infiltration, and existing public sewers. Work in this SoCG has drawn agreement on pluvial flood risk in the part of the site subject to the Full application.

e. It is agreed that risk to flooding on the Appeal Site is low. Figure 2 of the FRA (CD2/82) shows the Appeal Site and area subject to the Outline application for residential development being wholly within Flood Zone 1. Figure 3 shows the majority of the Appeal Site is at 'very low' risk of surface water flooding. There are however areas of medium-high surface water flood risk along and around existing watercourses within areas of woodland and low surface water flood risk along overland flow paths within the Appeal Site (shown in Figure 3).

Figure 3: Environment Agency Flood Risk from Surface Water Map



Source: https://flood-warning-information.service.gov.uk

f. These areas of pluvial flooding would be treated in the same fashion as Flood Zone 3 for the purposes of assessing flood risk.

g. Paragraph 5.5.6 and 5.62 of WDC SoC (CD1/6) relates to proposed drainage, SuDS, spatial planning, drainage routing to watercourses and levels from the Proposed Development. The parties agree that as per Tables 8.5 and 8.6 of the ES, (CD2.41) in excess of 9,000m3 of SuDS storage capacity is required to facilitate the Appeal Scheme.

h. It is agreed that all of that water is to connect into existing Ancient Woodland watercourses on the site via new directionally drilled piped connections rather than the current undeveloped situation where surface water naturally flows within and

around the site. Other options could be considered at the detailed design stage, but none are before the Inquiry nor been shared for the purposes of the SoCG.

i. The consultation responses from WDC Drainage and ESCC LLFA (CD1/1) dated January 2023 agreed that the proposed drainage strategy can drain via gravity.

j. Paragraph 5.5.7 of WDC SoC (CD1/6) describes that onsite soakage testing was assessed as too low to successfully support a proposed drainage infiltration system.

k. Paragraph 5.60 of WDC SoC (CD1/6) relates to the impacts of introducing hard surfaces, roads and other infrastructure all integral to the Appeal Scheme leading to concentrated water storage and urbanised flows and contaminants, and the consequences of SuDS failure, bearing in mind the volume of water to be stored here and the proposed locations. Although from a technical point of view, a scheme may be designed to de-risk this, no details have been submitted or are before the Inquiry.

l. Paragraph 5.61 of WDC SoC (CD1/6) relates to the impacts of increased flow rate, outfall erosion, and diverting the existing hydrological regime. The Appellants say this can be controlled by planning conditions, and draw support from the consultation responses from WDC Drainage and ESCC LLFA (CD1/1) dated January 2023.

Flood Risk & Drainage Matters Not Agreed

The Appellant and LPA are disagree on the following matters. The parties will respond to each point through its Proofs of Evidence, including, where necessary, with reference to further detail on the drainage proposals:

1. Whether the areas at high risk of pluvial flooding in the Ancient Woodland (considered as similar to Flood Zone 3) would affect the proposed SANG.
2. Potential impact on Ancient Woodland with elements of drainage infrastructure located within 15m buffer zones (Paragraph 5.58 of WDC SoC).
3. Potential impacts on the Ancient Woodland through directionally drilled connections and installation of prefabricated headwalls (Paragraph 5.59 of WDC SoC).
4. Potential impacts on Ancient Woodland arising from SuDS failure or exceedance.
5. Potential impacts on Ancient Woodland from altered hydrology
6. Whether further details can and ought to be left to Reserved Matters stage where this relates to irreplaceable habitat Whether further details can and ought to be left to planning conditions on the Full application for the SANG, where this relates to the

irreplaceable habitat.

The LPA asked the Appellants to agree that:

"Whilst all these matters 1 -6 will predominately be dealt with through arboriculture and ecology evidence, that the parties agree that Ancient Woodland are an irreplaceable habitat informed by the NPPF and the Natural England and Forestry Commission published 'Standing Advice' Ancient Woodland, Ancient Trees and Veteran Trees: advice for making planning decisions. It is further agreed that the Standing Advice tells decision makers how to assess a planning application when there are Ancient Woodland, Ancient Trees or Veteran Trees on or near a proposed development site".

The Appellants would not agree to that in this SOCG advising it did not relate to drainage matters.

Signed for and on behalf of WDC:



Stacey Robins
Head of Planning and Environmental Services

Signed for and on behalf of Gleeson Land and John Alison Land & Research Ltd:



Paul Jenkin
Abley Letchford Partnership Ltd