

27 February 2019

Mr S Berkley (Inspector)
North Hertfordshire Local Plan Examination
C/O Louise St John Howe (Programme Officer)
PO Services, PO Box 10965
Sudbury
Suffolk
C010 3BF

Dear Mr Berkley,

Re: North Hertfordshire Local Plan Examination

We are writing on behalf of some 150 residents who raised objections regarding a site in Royston, planning reference 18/00747/OP Land Opposite Heath Farm, Briary lane, for 107 dwellings (Site). This site was refused planning permission by planning committee as recommended by North Hertfordshire District Council (NHDC) on 16 January 2019.

We have not previously issued comments to the council during the Local Plan examination process due to our very recent activities regarding the above application. We therefore would be grateful if you could include our suggestions to the Schedule of Modifications currently being consulted for the emerging North Hertfordshire Local Plan. Our suggestions follow our recent experience associated with the above Site and is in accordance with the following key change and theme in the Schedule of Modifications, as follows:

Setting more requirements in policies that developments on the Plan's proposed housing sites will need to meet before planning permission for new homes be granted.

We have highlighted the specific modifications reference and associated policy which we would wish to see further adjustments made (**bold red text**) and suggested supplementary words (**red text**). Our evidence and rationale as to why we would like to see this change is also provided.

The changes we have requested are directly driven by the need to add precision to the council's policies to ensure full compliance with the required test of soundness, as defined in the National Planning Policy Framework Document (NPPF) dated February 2019.

MM028 Page 43 - Policy SP6: Sustainable transport

We will deliver accessibility improvements and promote the use of sustainable transport modes insofar as reasonable and practicable. We will:

- a) Comply with the **NHDC Transport Strategy and the** provisions of the, the Local Transport Plan and other supporting documents as **relevant** considered necessary;
- b) Encourage development in locations which enable sustainable journeys to be made to key services and facilities;
- c) Work with Hertfordshire County Council, **neighbouring authorities**, Highways England and service providers to ensure that a range of sustainable transport options are available to all potential occupants or users. This may involve new or improved pedestrian, cycle and passenger transport (including rail and/or bus) links and routes;

- d) Seek the **earliest reasonable opportunity to implement** early implementation of sustainable travel infrastructure on Strategic Housing Sites **and other development sites** in order to influence the behaviour of occupiers or users, along with supporting Travel Plans in order that sustainable travel patterns become embedded at an early stage;
- e) Assess development proposals against the parking standards set out in this Plan and **having regard to** relevant supplementary advice;
- f) Require applicants to provide assessments, plans and supporting documents to demonstrate the safety and sustainability of their proposals. **Ensuring development proposals which involve direct access, or the intensification of the use of an existing access onto a public road is only granted permission where such access will not prejudice road safety or significantly inconvenience the flow of traffic; and**
- g) Protect existing rights of way, cycling and equestrian routes and, should diversion be unavoidable, require replacement routes to the satisfaction of the Council; **and**
- h) Safe Access and Egress is to be assessed and provided.**

Suggested Supplementary Text to follow modifications to MM028 and MM031

Use of an Existing Access

In circumstances where an existing access is available to facilitate development proposals, this will generally be expected to be used, unless there is an opportunity to provide a more acceptable access arrangement, having regard to both road safety, network capacity and amenity considerations. Where an existing access and associated route is to be used, but is sub-standard, we will require the production of an independent road safety audit, and where necessary supporting technical documentation illustrating the recommended improvement. This will be required prior to a grant of planning permission.

Access for Emergency Services

The suitability of access arrangements for the fire service and ambulance service is an important consideration in the layout and design of development, particularly in relation to development or sites with restricted access. Designers should therefore consider the needs of the emergency services early in the design process and where necessary will be required to submit information to accompany their proposals. This information should indicate how the matter has been addressed, with approval sought direct from the highway authority (or the emergency planner) and the emergency services who will be required to serve the site. This should be supplied as a minimum, at outline planning stage on sites where the use of an existing access exceeds the number of dwellings threshold, in accordance with the Hertfordshire County Council Roads in Hertfordshire: A Design Guide' (and any subsequent updates).

Amplification and Justification for including this modification

The planning system has an important role to play in promoting road safety and ensuring the efficient use of the public road network, as new development will often affect the public road network surrounding it. It is part of the function of planning control to ensure new developments avoid or mitigate any potential adverse impacts. In assessing development proposals, the council should therefore seek to ensure that access arrangements for development proposals are safe and will not unduly interfere with the movement of traffic.

Our site required the use of an existing access which already exceeded the recommended limit of 300 dwellings as detailed in the Hertfordshire County Council (HCC) Roads in 'Hertfordshire, A Design Guide'. The existing highway network has a history of becoming blocked, preventing residents and potentially emergency services from gaining access to the estate. Please see evidence in Attachment A.

The access for the site was on the assumption existing common land would be developed and deregistered, with the existing parking area associated with the common land and used to access the neighboring SSSI also relocated.

The deregistration of this common land (including parking area) was refused by the Secretary of State*¹ as part of another recent application*² and is now registered by NHDC as an asset of the community.

Even with the deregistration of common land dismissed the site access was still pursued by the applicant. This would have resulted in the removal of an existing well used bridleway, a strip of common land and would have also impacted on the neighboring SSSI. Residents therefore raised a series of concerns regarding this access, including poor visibility at existing junctions and substandard pedestrian provision, which were all shown to not conform to design guidance and best practice.

Residents also provided significant evidence on the failure to provide a safe access route to the site. With the access failing to meet the design requirements of The Manual for Streets (Communities and Local Government, Department for Transport 2007) and *The Building Regulation requirement B5 (2000) 'Access and Facilities for the Fire Service', Section 17, 'Vehicle Access*, as stipulated within the Roads in Hertfordshire: A Design Guide. Please refer to evidence in Attachment B.

Stakeholders responses regarding safe access, were as follows;

HCC Fire & Rescue

"Based on the information provided to date we would seek the provision of fire hydrant(s), as set out within HCC's Planning Obligations Toolkit. The operational fire crew from Royston went to go and have a look as to whether they are happy with the access and they have not raised any concerns to us regarding the access."

HCC Fire Protection Unit

"Access for fire fighting vehicles should be in accordance with The Building Regulations 2000 Approved Document B (ADB), Section B5, Sub-section 11.

Access routes for Hertfordshire Fire and Rescue Service vehicles should achieve a minimum carrying capacity of 19 tonnes

Turning facilities should be provided in any dead-end route that is more than 20 m long. This can be achieved by a hammer head or a turning circle designed on the basis of Table 8 in Section B5"

The above responses were used as evidence by the NHDC planning officer as approval on safe access.

We believe HCC Highways failed to ensure the adverse impact to existing users and traffic flow was adequately assessed and safe access provided. The lack of current supporting local policy further prevented the appropriate responses by stakeholders being represented at committee and therefore NHDC could not raise safe access and highway safety as grounds for refusal. We would therefore like to see the policy on this strengthened and updated as we have shown, ensuring reference is made to HCC's own highway guidance document Hertfordshire County Council Roads in Hertfordshire: A Design Guide'.

*¹ Appeal reference COM/3170236.

*² Common land of Therfield Heath and Green, Planning Application 14/02341/1

Contamination – Protecting Drinking Water, High Risk Aquifers and Source Protection Zones

MM188 Page 124 Policy NE11: Contaminated Land and Groundwater Protection

Planning permission for development affecting or **affected by** contaminated land, **high-risk aquifers, source protection zone 1, drinking water protection zones**, will be granted provided that where:

- a) a contaminated land study/ contaminated land risk assessment **or hydrogeological risk assessment**, is submitted as part of the application;
- b) appropriate mechanisms are in place to investigate, **characterise the risks** and where necessary remediate the **contamination to remove the risks or reduce the risk to an acceptable level**; and
- c) the site is suitable for the new use taking account of ground conditions, **groundwater vulnerability** and pollution arising from previous **land use, proposed land use** and land remediation in reference to relevant guidance (and any subsequent updates)

Footnote:

~~[x] Groundwater Protection: Principles and practice (GP3),
<https://www.gov.uk/government/publications/groundwater-protection-principles-and-practicegp3>~~
(x) The Environment Agency's approach to groundwater protection
<https://www.gov.uk/government/publications/groundwater-protection-position-statements>

(Please note our suggested correction to the footnote in MM188 as the document stated in the local plan was withdrawn on 14 March 2017 and therefore is out of date guidance).

Suggested Supplementary Text to MM189

11.xx Where risks from landfill gas are likely to arise, where land contamination may be reasonably suspected, ~~or~~ particularly environmentally sensitive developments (e.g. petrol filling stations), **or new developments requiring the infiltration of highway drainage are proposed** for **groundwater** sensitive sites, developers are encouraged to hold pre-application discussions. A Preliminary Risk Assessment (PRA) should be undertaken as the first stage in assessing these risks and is a requirement for validating relevant planning applications.

Amplification and Justification for including this modification

The Water Framework Directive (WFD) (Commission of the European Communities, 2000) established a framework for a European wide approach to water policy. Its aim is to ensure all inland and near shore watercourses and water bodies (including groundwater) are of 'Good' status or better, in terms of ecology, and chemical, biological and physical parameters. Therefore, any activities or developments that could cause detriment to a nearby water resource or prevent the future ability of a water resource to reach its potential status, must be mitigated to reduce the potential for harm and allow the aims of the Directive to be realised. Local Planning Authorities therefore have a duty to ensure the WFD is enforced through appropriate policy.

During determination of planning applications, local authorities rely heavily on the expertise of relevant stakeholders, who will help guide officers on the technical elements of an application. For groundwater protection this falls to the Environment Agency (EA) and for Surface Water Drainage strategies this will fall under the jurisdiction of the Lead Local Flood Authority (LLFA). There will often be some cross over in this advice from each stakeholder.

In accordance with the NPPF, Sustainable Drainage Systems (SuDS) are required to provide both the necessary surface water drainage attenuation for new developments but also the necessary water quality treatment. This is enshrined in both national policy and local guidance produced by Hertfordshire County Council, which is the LLFA for North Hertfordshire. The correct guidance document to assess the risk to groundwater is the EA's approach to Groundwater protection (EA, 2018a). The position statement reference on SuDS within this document states:

“Where infiltration SuDS are proposed for anything other than clean roof drainage ... in a SPZ1, a hydrogeological risk assessment should be undertaken, to ensure that the system does not pose an unacceptable risk to the source of supply””Unless the supporting risk assessment show SuDS schemes in SPZ1 will not pose an unacceptable risk to the drinking water abstraction, the Environment Agency will object to the use of infiltration SuDS under position statement G10.”

Our site is in Source Protection Zone 1, with water abstraction boreholes supplying drinking water to the Royston area located within 50m of the site. The drainage proposals for the site recommended the use of infiltration basins to discharge the surface water runoff (including highway drainage). This water would therefore be discharged directly into the ground located within the Source Protection Zone 1 extent.

The EA acknowledged during the application process that although the site is within an area of High Risk the use of SuDS at the site was enough and informed NHDC the hydrological risk assessment can be undertaken at the detailed design stage. This is despite the recommendations within their own guidance on groundwater policy and the CIRIA SuDS Manual (C753), the industry guidance document used for the design of SuDS.

Whilst we understand the hydrogeological risk assessment could be conditioned for some sites, we campaigned for the need for this at the outline stage due to the high risk to drinking water supplies and their being no alternative surface water drainage strategy available for this site. Refer to evidence in Appendix C.

By not acknowledging this risk within the emerging local plan would still leave the interpretation of groundwater policy to individual officers and for questionable sites such as ours could result in difficulties at a later planning stage. Subsequently applying pressure on other infrastructure, such as local sewers, if a sustainable drainage solution cannot be found. This would be a failure of local policy to ensure the WFD is being followed and would not align with the requirements of the NPPF.

Closing Statement

RSNtG do not oppose housing but identify with the NPPF that development needs to be in sensible and sustainable locations. Our recent experience with the local authority and their supporting stakeholders highlighted some of the short comings during the planning application process and therefore the need to add precision to the council's own policies. We therefore hope our recent experience will give significant weight to the changes we would like to see at this modification stage and to strengthen the local plan policy to align with both national policy and design best practice.

We would be happy to clarify any of the points raised or answer any questions you may have.

Thank you for your time in looking at this matter.

Yours Faithfully

Royston Says No to Gladman

<https://www.roystonsaysnotogladman.co.uk/>

Appendix A – Briary Lane Closure



Appendix B – Letter on Highway issues

Planning ref: 18/00747/OP

11 October 2018

Ms M Tyler
Planning Control
North Hertfordshire District Council
Town Lodge
Gernon Road
Letchworth Garden City
Herts
SG6 3HN

Dear Ms Tyler

Re: Planning Application 18/00747/OP Land Opposite Heath Farm, Briary Lane, Royston Hertfordshire – Emergency Access

Thank you for sending to me the Highway officers response on 28 August 2018, which for your ease of reference I have highlighted below.

***“The enquiry in regard to the max 300 dwelling rule for a single point of access in this situation is for emergency purposes, if an emergency service is blocked by an incident on Briary Lane, in an emergency situation for continuity of access the Police have the powers to traffic manage the one-way street onto Sun Street, enabling emergency access.*”**

The Fire and Rescue Service however would need to have their own access strategy which would need their own consideration throughout this process.”

The use of Sun Hill as a safe access for the Fire and Rescue Service, and all emergency vehicles, does not meet planning design criteria. Therefore, this proposal is a safety risk which needs to be specifically addressed by both the emergency services and HCC. I therefore ask NHDC to ensure liaison with both parties is undertaken to specifically address this issue and to ensure the proposals meets all necessary safety regulations and current guidelines.

Planning policy with regard to Emergency Access is as follows, but is not exclusive to:

Page 75 section 6.7, from The Manual for Streets:

- *a 3.7m carriageway (kerb to kerb) is required for operating space at the scene of a fire. Simply to reach a fire the access route could be reduced to 2.75m over short distances, provided the pump appliance can get to within 45m of dwelling entrances;*
- *if an authority or developer wishes to reduce running carriageway with to below 3.7m they should consult the local Fire Safety Officer;*
- *the length of cul-de-sacs or the length of cul-de-sacs or the number of dwellings have been used by local authorities as criteria for limiting the size of a development served by a single access route. Authorities have often argued that the larger the site, the more likely it is that a single access could be blocked for whatever reason. The fire services adopt a less numbers-driven approach and consider each application based on a risk assessment for the site, and response time requirements. Since the introduction of the Fire and Rescue Services Act 2004, all regions have had to produce an Integrated*

Management Plan setting out response time targets (Wales: Risk Reduction Plans). These targets depend on the time required to get fire appliances to a particular area, together with the ease of movement within it. It is therefore possible that a layout acceptable to the Fire and Rescue Service (FRS) in one area, might be objected to in a more remote location; and

- *parked cars can have a significant influence on response times. Developments should have adequate provision for parking to reduce its impact on response times.*

The Building Regulation requirement B5 (2000) 'Access and Facilities for the Fire Service'. Section 17, 'Vehicle Access', includes the following advice on access from the highway:

- *there should be a minimum carriageway width of 3.7 m between kerbs;*
- *a vehicle access route may be a road or other route; and*
- *fire service vehicles should not have to reverse more than 20 m.*

I believe the proposed emergency access fails to meet the above requirements for the following reasons:

1. The proposed emergency access route along Sun Hill is less than 3.7m wide. The width, kerb to kerb, varies between 3.1 to 3.4 in most parts. Please see attached photographic evidence reference 1 to 4. The width of the road is not for short distances as recommended but some 180m at least.
2. Sun Hill is one way only, with vehicles exiting the estate direct onto the A10. Any emergency vehicles therefore entering Sun Hill from the A10 would have to await traffic management prior to use, as mentioned in HCC's response.
3. Vehicles are not allowed to turn right onto the A10 from Sun Hill. There is a proposal from HCC and locally for the existing island located opposite the A10/ Sun Hill junction to be extended. This proposal, supported by HCC Highways, is to prevent vehicles from making illegal manoeuvres. The extension of the island would likely prevent or hinder any turning movements from emergency services travelling southbound along the A10 into Sun Hill. Please see photo reference 5.
4. The requirement for an emergency vehicle swept path is 24.6m as stated in the Fire Department Note Standard Form 2/1/1 App.2 (7). Fire vehicles cannot make a manoeuvre into Sun Hill travelling northbound along the A10 due to the tight junction radius. Therefore, in addition to point 3 above I fail to see how fire service vehicles will actually be able to make a turn into Sun Hill without HCC making the decision to not extend the island. If this decision is taken by HCC this would be specifically for the reason of allowing the proposed development and not for the reason of highway safety.
5. There is a blind spot whilst travelling along Sun Hill, if an emergency vehicle where to enter Sun Hill from the A10 without any form of traffic management this could result in a potential collision with a motorist or pedestrian. See attached photographic evidence reference 6.
6. There are parked vehicles all along Sun Hill, making the road a single carriageway width in most parts. This would likely hinder an emergency vehicles response time. Please see attached photographic evidence reference 3.
7. There are no turning areas available along Sun Hill which would enable any vehicles to pass each other safely or for a Fire Engine to turn. The nearest suitable junction is some 180m from the junction of the A10/Sun Hill. This could result in a fire engine having to reverse back onto the A10. We cannot legislate a motorist travelling along Sun Hill being able to quickly reverse instead of a fire engine.

8. If the emergency service vehicles require traffic management, then this should be accounted for in the emergency response time assessment for the proposed development.

I am aware of a letter from NHDC to the developer of this site listing benefits and harm/risks. Safe access for emergency vehicles was surprisingly not listed as a risk and therefore I can only assume a safety audit covering emergency access has been undertaken and the emergency services have given their full consent?

If not, given the proposed emergency access fails to conform to planning design guidance and the significant risks to the current users of Sun Hill, an independent safety audit should be undertaken. If not already done so the emergency services should also be made fully aware on the risks of the proposed safe access arrangement.

Thank you for your time in regard to this matter and should you have any further queries then please do not hesitate to contact me.

Yours Sincerely

Mrs S Sale

19 Echo Hill, Royston, Hertfordshire, SG8 9BB

CC

Royston Says No to Gladman – Steering Group

Kathleen Montgomery – Fire Safety Inspector



Photo 1 and 2: Sun Hill at 3.1m Width



Photo 3 and 4: Sun Hill at 3.3m Width and parked vehicles



Photo 5: Junction of Sun Hill/ A10 - Existing Island to be extended to prevent right turn onto A10



Photo 6: Blind spot on Ridge of Sun Hill preventing view of any oncoming vehicles

Appendix C – Letter on Groundwater protection

Planning ref: 18/00747/OP

07 August 2018

Ms M Tyler

Planning Control
North Hertfordshire District Council Town Lodge
Gernon Road
Letchworth Garden City
Herts
SG6 3HN

Dear Ms. Tyler,

Re: Planning Application 18/00747/OP Land Opposite Heath Farm, Briary Lane, Royston Hertfordshire – Hydrogeological Risk Assessment

Thank you for taking the time to send to me the recent Environment Agency(EA) response. Unfortunately, the EA have issued unsound advice to justify not undertaking a ground water risk assessment at this stage. I would therefore be very grateful if you could please pass this letter to the EA.

I have highlighted in italic the key statements by the EA, with my response to each following on:

- 1. The proposed development is residential which is considered a low risk land use. In addition, there are existing residential houses between the proposed development site and the groundwater abstraction boreholes, and we have no evidence to suggest they adversely affect the quality of abstracted water. We consider the application site to be suitable for the proposed residential development with respect to the protection of controlled waters.*

Response to point 1:

The existing residential properties which surround the borehole abstraction locations were all constructed before the introduction of the Water Framework Directive (WFD). This is an EU Directive enshrined in UK Law. The protection of groundwater and the EA's own groundwater protection policy (which I have referenced on numerous occasions) came in force long after the construction of these existing properties. The latest guidance and national policy should be what the EA refer to when making a judgement on a new development, not the presence of existing development.

The Source Protection 1 (SPZ1) catchment applicable to this site shows less than 50% is covered by existing development, most of the catchment is associated with Therfield Heath (SSSI) and existing farmland (encompassing this proposed site). Therefore, water quality is likely to benefit significantly due to the existing undeveloped nature of the SPZ1 extent. Please also refer to my letter dated 28 June 2018 for further information.

The majority of existing residential development is also situated within the further reaches of the SPZ1 catchment and therefore sited further from the abstraction location. Those existing properties which are within close proximity to the boreholes are of a very low density. The proposal of 120 units is of a higher density, with the proposed surface water discharge in a concentrated location, therefore this will only increase the risk to the groundwater supply.

The residential properties constructed within proximity to the abstraction are also pre-1990 developments, which include separate roof drainage (individual house soakaways) and separate highway drainage arrangements. The highway drainage is discharged via a piped drainage network to offsite areas. Therefore, the vast majority of highway runoff discharges to an offsite location, outside of the SPZ1 extent. Does the EA have evidence to confirm existing highway runoff from these areas are discharging direct at source?

As detailed in my letter dated 28 June 2018, the risk to groundwater cannot be derived based on development-type alone. The risk posed to groundwater is a function of a combined series of factors, as listed in the EA's own groundwater protection policy and section 26.7.2 of the SuDS manual, please refer to my response to point 3 of this letter for further details.

2. *With regard to the requirement for a hydrogeological risk assessment, it should be noted that the risk assessment has to be proportionate to the perceived level of risk. A different level of hydrogeological risk assessment is required for different scenarios, proposed land use changes or proposed activities as each of them will present a different level of risk to controlled waters.*

Response to point 2:

Highway runoff is being discharged direct to structureless, potentially highly fractured, chalk in SPZ 1, within very close proximity to a borehole abstraction.

I agree that a hydrogeological risk assessment could show the risk from highway runoff to the local abstraction location is acceptable, I have never presumed otherwise. However, we do not yet know this for certain as we do not have a suitable evidence base to support this conclusion, despite what the EA claim. If, however, the risk assessment does show infiltration of highway runoff does pose a risk to groundwater and the future chalk density testing¹ concludes the use of proposed infiltration basins, also poses a significant risk, then there appears to be no alternative surface water drainage strategy at the site. The site could therefore pose a significant flood risk. It cannot be left to baseless assumptions as being made by the EA.

Given the EA's complete lack of understanding on this matter, perhaps the best is to ask the applicant to respond to the following:

- a) If highway runoff via infiltration was to be confirmed as a risk to the local water abstraction, which would be determined as part of a future risk assessment - or if chalk density testing was to conclude the use of infiltration cannot be supported at the site - Is there an alternative, viable, and sustainable surface water drainage strategy for this site?

¹ Density testing on chalk and risks I have raised in my previous correspondence. The SuDS Manual 8.6.1 and 8.6.2 details the risks from infiltration in chalk. CIRIA Guidance Engineering in Chalk C574 should also be applied to this site.

- b) Can the applicant also provide the necessary acceptance from stakeholders for the alternative discharge of surface water runoff for both the highway and roof runoff? And will this ensure the drainage proposals do not cause a detriment to offsite areas?

I think we would agree this would be a proactive approach, showing there is a viable solution in the absence of any risk assessments and density testing at this stage.

Stakeholders and NHDC should, however, be aware that all sewers in the locality of the site are foul and therefore cannot accept surface water runoff. In addition, the highway drains already flood and highway authorities should not accept additional drainage into their systems unless it can be proven there is sufficient capacity and a right to connect (i.e. the highway drainage already accepts runoff from the existing drainage catchments associated with the site). Any alternative strategy must provide a robust and clear evidence base to show a drainage solution for this scheme is viable. By showing a viable drainage solution at this stage is in accordance with the second edition of the NPPF dated July 2018 and supporting practice guidance dated 2014. Currently this site fails to show a viable drainage solution given the potential risks.

3. *We have undertaken a preliminary assessment of the potential risks to controlled waters prior coming to our decision. According to the SuDS Manual (CIRIA C753), the industry guidance document providing technical advice on surface water drainage system design incorporating research, industry practice and guidance, the potential risks to water quality from run-off from residential development are classed as 'low' while the risks from run-off from highway associated with this residential development would be classed as 'medium' as found in page 63 of the above document. As noted above, these risks will be mitigated through the design of the surface water drainage system.*

Response to point 3:

The SuDS Manual states as follows:

- I. Table 4.3 on Page 63, as referenced in the EA's response, also states extra measures may be required for discharges to protected resources (Source Protection Zones). This would apply to this site.
- II. Section 2.7.2 States "A risk screening is required by the environmental regulators in England and Wales for medium hazard sites (Table 4.3)". As confirmed by the EA they list the highway runoff from this site as medium hazard. Therefore, a risk screening is required.
- III. The Risk screening allows assessment of scenarios where infiltration of water from surface water runoff may require detailed risk assessment. The risk matrix used in HA (2009b), as updated by Scott Wilson (2010) provides a method for assessing the acceptability of Interception and Infiltration SuDS components at a site. The matrix is based on the understanding that the risk posed by the runoff is a function of:
 - a. The likely contamination hazard posed by the land use;
 - b. The amount of water likely to be infiltrated
 - c. The attenuation potential of the soil or unsaturated zone for reducing the risk associated with pollutants present in highway runoff that may pose a risk to groundwater.

Table 26.5 of the SuDS Manual gives the Risk Screening Matrix and I have applied this to this site, using the baseline information available from the applicants reports. This is to highlight the likely risk score applicable.

1. Pollution Hazard is Low Score 1 = WF 15
2. Standard Average Annual Rainfall depth is Low Score 1 (587mm from HR Wallingford) = WF 15
3. Type of SuDS is Medium Risk Score (Proposed basins) = WF 30
4. Unsaturated Zone is currently unknown therefore best case and assumed of either Low or Medium Risk = WF of 20 or WF of 40.
5. Predominant flow type through soils is High Risk derived from Table C1.3 of Annex 1, part C, of HD 45/09 Volume 11 section 3 (Chalk is high risk) = WF 60
6. Unsaturated Zone Clay content is High risk (Chalk) = WF 15
7. Unsaturated Zone organic carbon content is High Risk (Chalk) = WF 15
8. Unsaturated Zone material soil PH (Chalk typical range of 5-8) = WF 10

The total risk score therefore ranges between 180 and 190. Based on Table 26.6 of the SuDS manual this would place the Risk to groundwater as High and states a risk assessment is therefore likely to be required.

Conclusion

It is noted the scale of risk assessment should be appropriate to the scale of risk posed by a site, as confirmed by the EA. The risk from this site is High, as confirmed using the Risk Screening Matrix from the SuDS Manual. The scale of risk assessment should therefore be in accordance with the EA groundwater protection policy guidance document, which states the infiltration of highway runoff into SPZ1 should be assessed as part of a groundwater risk assessment. In addition, the concentrated infiltration to Structureless chalk is also a significant concern when there is no viable alternative drainage solution being promoted for this site.

The EA's recent response has determined the risk requirement on a crude review of the facts, this is not good practice and undermines the regulatory purpose of the EA which is to protect the environment from unnecessary risks.

Given my continual requests for best practice and regulatory guidance be applied to this site, which for some unexplained reason is being ignored by stakeholders, I would ask NHDC requests the applicants to confirm a viable alternative drainage solution. If they cannot do this, then a groundwater risk assessment and chalk density testing must be undertaken at this outline stage. To not do so will open stakeholders to a judicial review.

I would therefore be grateful for the immediate attention to this letter. I will be forwarding my response to my local MP, Sir Oliver Heald, who I know has also raised concerns on the recent responses from the EA regarding this site.

Should in the meantime you have any queries, then please do not hesitate to contact me.

Yours sincerely

Mrs S Sale

Cc:

Sir Oliver Heald – MP

Steering Group – Royston Says No to Gladman