

Planning

From: FloodRiskManagement
Sent: 11 November 2020 17:04
To: Planning; Jerry Smith
Subject: RE: PLN20-069 - WP/20/00692/DCC - Portland Port, Castletown, Portland _ Consultation response

Follow Up Flag: Follow up
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Dorset Council, Flood Risk Management Team
Dorset Highways, County Hall, Dorchester

Lead FRM Officer: Rob Hanson
Direct Dial: [REDACTED]

Date: 11 November 2020

Internal LLFA Consultation – Surface Water (SW) Management

Our Ref: PLN20-069

Proposal: Construction of an energy recovery facility with ancillary buildings and works including administrative facilities, gatehouse and weighbridge, parking and circulation areas, cable routes to ship berths and existing off-site electrical sub-station, with site access through Portland Port from Castletown.

Your Ref: WP/20/00692/DCC

Location: Portland Port, Castletown, Portland DT5 1PP

Grid Ref: 368998, 74438

We write in response to the above consultation, sent to us as relevant Lead Local Flood Authority (LLFA), and statutory consultee for Surface Water (SW) management in respect of major development (as defined within Article 2(1) of the Town & Country Planning, Development Management Procedure, England Order 2015) and legislated for under The Town and Country Planning (Development Management Procedure) (England) Order 2015, schedule 4, paragraph (ze). Given that the proposal under consideration relates to a Waste / Minerals Site, we acknowledge that it qualifies as major development.

The brownfield site of the proposal is shown to fall largely within Flood Zone 1 (low risk of fluvial / tidal flooding), as indicated by the Environment Agency's (EA) indicative flood maps. Whilst according to the EA's Risk of Flooding from SW (RoFfSW) mapping there is no theoretical risk of pluvial flooding to the site up to the 1-in-100 year rainfall event with only some isolated ponding shown to develop during the 1-in-1000 year rainfall event.

Due to the proximity of coastal waters, the site is very close or directly adjacent to areas of Flood Zone 2 along both the north and east boundaries. Whilst, according to the EA's Risk of Flooding from SW (RoFfSW) mapping, the site is near to an additional small area of surface water ponding just outside the north boundary of the site during the 1-in-100 year rainfall event and above.

The risk to the site is considered low, however, regardless of prevailing risk, any development has the potential to exacerbate or create flood risk, if runoff is not appropriately considered and managed as evidenced by a substantiated SW strategy. Ordinarily therefore, and in keeping with the requirements of the National Planning Policy Framework (NPPF), all major development proposals must take due consideration of SW management and should offer a drainage strategy that does not create or exacerbate off site worsening and should mitigate flood risk to the site.

To this end, the information supplied in relation to SW management includes the following:

- Portland Energy Recovery Facility (Powerfuel Portland Limited) - *Flood Risk Assessment* by AWP – September 2020
- Coastal Flooding Assessment Report (June 2009) by RPS Consulting Engineers

The documents referenced above provide detail regarding drainage from the applicant's site. As a result, we can acknowledge the following:

- BGS data indicates that the site is underlain by a dominate bedrock of impermeable Mudstone (Kimmeridge Clay Formation) therefore infiltration methodologies are not proposed for surface water management.
- The applicant proposes to discharge surface water runoff at an unrestricted rate into the sea via two existing outfalls. The drainage strategy explains that surface water runoff from roof areas is proposed to be directed to an existing outfall at Balaclava Bay and runoff from the highway or yard areas are to be directed through a separate outfall at Portland Port.
- The applicant proposes to manage the risk of pollution of coastal waters from polluted surface water runoff from the highway and yard areas with rain gardens, a swale and an oil bypass separator.
- The applicant proposes that levels on site will be made to slope away from the built development in order to allow any water from wave overtopping to be redirected back towards the sea.

However, the following concerns need to be addressed / clarified further. At this time therefore, we recommend that a (Holding) Objection be applied to this proposal.

The applicant has not demonstrated the viability of the existing outfalls or how, legally and technically, a new outfall could be created. The following points need to be addressed:

- The applicant has not demonstrated in their application that the existing outfall pipes have adequate capacity for the unattenuated flows coming from the Waste Recovery Site.

Although a free discharge to the sea is allowable at this location, as it will have no discernible impact on downstream tidal flood risk, the conveyance of this free discharge needs to be sized accordingly. Where existing connections are to be used, this should consider, not only the size of the pipe but any contributions from development elsewhere. If a full, unattenuated discharge cannot be achieved due to capacity issues, then some attenuation might be needed to reduce peak flows.

- Also due to the lack of survey information there can be no certainty that the current condition of the existing network is suitable for discharge of surface water from the site.
- Surcharge of the system needs to be avoided during normal conditions as exceedance flows directly to tidal waters could conceivably convey contaminants off site.

For the above reasons a proper survey is needed to ascertain whether the discharge route is viable and whether attenuation on site will be needed, given the capacity and condition of the existing pipes.

If, the applicant is not willing to undertake a survey, or if a survey suggests that the existing system is compromised or not viable, then the applicant will need to demonstrate how a new outfall can be legally created and put into use. Where this will rely on third parties, in principle agreement(s) will need to be submitted in support of these proposals. For instance, a new discharge route to sea, may need regulatory approval from the Marine Management Organisation (MNO).

Further details / evidence will need to be submitted in order to address / clarify the above concerns and to show that the drainage proposals are feasible.

We are unable to ascertain, to our satisfaction, the appropriateness of any SW management in accordance with the Ministerial statement 'Sustainable Drainage System' 2014, chapter 14 of the NPPF and Planning Policy Guidance (PPG). As relevant LLFA in this matter we are unable to confirm that the applicant has met DEFRA's technical guidance or relevant local and national policies concerning drainage.

Our (Holding) Objection may be overcome via the submission of further or additional details outlining a site-specific SW management scheme. Accordingly, we ask to be re-consulted on the SW scheme if further information is supplied. Our objection will be maintained until an adequate a SW scheme has been approved in-principle. We may at that stage request suitable planning condition/s and informative/s to cover detailed design, future maintenance and potential requirement for other permissions.

INFORMATIVES

- Permissions from the EA or Marine Management Organisation (MMO) may be needed in respect of SW discharge(s) and any construction works. The applicant will need to ensure that they comply with any other legislation relevant to these proposals. We note that the EA and MMO have already been consulted.
- The applicant is advised to have early discussions with Wessex Water in relation to the possible adoption of SuDS features in order to ensure that the final designs are in line with their requirements.

Please do not hesitate to contact me should you require further clarification of our position or the scope of additional information that is required. To assist in this respect, I suggest the applicant review our generic guidance note, which can be found at: www.dorsetcouncil.gov.uk/localfloodrisk.

Yours Sincerely,

**Rob Hanson,
Flood Risk Engineer.**