

Ecology response 20 11 24 for DC/24/98344 0 Happy Days Nursery, Nairn Road, Boorley Green, SO32 2SH

Application for discharge of conditions 3 (CEMP), 4 (Drainage), 5 (Drainage maintenance), 6 (Gas remediation), 7 (materials) and 12 (Ecological mitigation) of planning permission ref. F/23/96256 for: Erection of a single storey children's nursery with off road car parking.

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20/11/24

### **Condition 3 CEMP**

The CEMP site plan shows the site compound on land that is outside the red line boundary of the application site. The ecological implications of using this land as a site compound have not been assessed. The latest aerial photos of this site on Google Earth (September 2024) show that both the areas inside the red line boundary and the blue line boundary have been cleared of all vegetation, but there has been no discussion of removing vegetation in this area nor has any remedial landscaping plan been agreed for the area inside the blue line boundary. The exceedance flow arrows shown on the Surface Water Drainage Layout Rev B on page 65 of the Surface Water Drainage Strategy by aegaea (Third Issue November 2024) show that exceedance flows would drain to the south of the site, into the bare soil of the blue line area. This has the potential to cause surface water flooding in this proposed site compound and could affect the properties to the south of the site. Unvegetated soil can be washed away and building the site compound on this area would cause soil compaction making re-vegetation difficult. In addition, the location of contractor parking and the store, welfare and office might be within the root protection zone of the hedgerow on the southern boundary of the site.

The CEMP by NH Developments Ltd (Revision 2, November 2024 (although it is labelled 2025)) states that the site compound *will be set up within the site demise on a hard standing*. Section 5. New build states that *Hard standing will be formed to set up site compound and unloading of lorries and materials, this will avoid the transfer of soils onto the road network. This will also allow for car parking on site for all contractors. Permeable tarmac hardstanding will be formed.*

Paving this area within the blue line boundary would have further drainage implications and has not been permitted as part of the approved site landscaping plan. The location of the site compound in this area would also have noise implications for the residential properties to the south of the site. Refuelling would be carried out in this area. The hedgerow and its root protection zone must be protected from any impacts if this area is to be permitted to be used as a site compound.

Section 6 Landscaping states that *Hard and soft landscaping will be constructed as per the approved drawings / conditions*, however restoration of the site compound has not been included in the landscaping plan as use of this land was not mentioned in the original application F/23/96256.

### **Condition 4 Drainage**

We have reviewed the Surface Water Drainage Strategy by aegaea (Third Issue November 2024). The surface water drainage issues raised in the proposed location of the site compound on the area in the blue line boundary must be addressed before condition 4 can be discharged.

When the site compound is included in the SuDS pollution hazard indices the hazard risk goes from low to medium or high and as the *construction programme will be for 14 months* a surface water drainage plan for the site compound is required, with mitigation for all pollution hazards.

### **Condition 5 Drainage Maintenance**

The general maintenance of any proprietary device (which would include the downstream defender and silt traps) has been added in section 3.31.

Condition 5 can now be discharged.

29/10/24

None of these conditions can be discharged at this time for the reasons listed below.

### **Condition 3 CEMP**

We have reviewed the CEMP (no author, no date). A plan showing the location of temporary site buildings, compounds, construction material, and plant storage areas; is required.

Refuelling must be done on the tarmac to avoid any spillage on site. Waste containers must be kept covered. Chemicals must be kept in locked containers. Building materials must be kept on hard standing or on pallets so that small animals cannot burrow into them.

The specific precautionary working methods for protected species as outlined in the Preliminary Ecological Appraisal Report by KJF Consultancy Ltd must be written out and included in the CEMP as specified in the condition. This will include the mitigation measures for badgers, hedgehogs, nesting birds, slow worms, and hedgerow protection fencing.

Any lighting needed during the construction phase must be directed away from the hedgerows or other retained habitat.

Surface water management during construction has been included in section 3.36 (pages 20 and 21) of the Surface Water Drainage Strategy by aegaea (Issue 2 October 2024). This should be incorporated into the CEMP.

### **Condition 4 Drainage**

We have reviewed the Surface Water Drainage Strategy by aegaea (Issue 2 October 2024).

Infiltration tests have showed that infiltration is not possible on site. There is an agreement in principle to connect to the surface water sewer beneath Nairn Road. The total site area is approximately 0.29 ha. Permeable tarmac, a geocellular attenuation tank and a hydro brake are proposed to filter and attenuate surface water drainage.

Section 3.24 states that *Runoff from the patio areas and play area has been applied as lateral inflows into the associated permeable tarmac units.* is not shown on any of the drainage plans in Appendix A. *The proposed access road and carpark has been applied as point inflows into the underground drainage network.* This is shown on the drainage plan but there are notes that state *to mains drain (position TBC).* This condition cannot be discharged until the position of the mains drain and the connections are shown on the plan.

Also included in Appendix A is a Proposed Levels Strategy plan by Pinnacle Consulting Engineers dated March 2020, with a different layout than has been approved. This should be removed from the strategy document.

Section 3.41 states that *Runoff from a school roof and associated hardstanding are considered to have a low pollution hazard indices in the CIRIA SuDS Manual guidance. As they are considered low contamination risk, they do not usually warrant any significant treatment. All downpipes should be fitted with silt traps to reduce the amount of sediment entering the subsurface piped network.*

The CIRIA SuDS pollution and mitigation indices (p 568-56, part E tables 26.2 and 26.3) must be used to demonstrate that all pollution hazards from the roof and the school car park are sufficiently mitigated. In this case it appears that total suspended solids and metals would be mitigated, but hydrocarbons would require more mitigation than just the permeable pavement.

On the Surface Water Drainage Layout (Rev A, October 2024) it states *Firstly, surface water enters the proprietary treatment device before entering the geocellular storage tank,* but no proprietary treatment device has been mentioned in the report and none is shown on the plan. A proprietary treatment device which removes hydrocarbons from the surface water drainage of the car park would be appropriate. The maintenance requirements of whichever additional proprietary device is proposed must also be included in the maintenance plan.

Aco drains are shown at the edges of the driveway and in the car park in the Ecological Mitigation Plan but not in the drainage plan. Both plans should be consistent. If there are to be aco drains along the entrance drive, and given the slope of the site, this water would not flow up hill to the attenuation tank located under the car park and would not be filtered by the permeable tarmac.

The condition requires *a technical summary highlighting any changes to the design from that within the approved Flood Risk Assessment.* If there are no changes, this must be stated explicitly.

## **Condition 5 Drainage maintenance**

Table 5 in Section 3.29 of the Surface Water Drainage Strategy by aegaea (Issue 2 October 2024) lists the maintenance requirements for permeable tarmac and the geocellular storage attenuation tank. The hydrobrake maintenance is described in section 3.30. There is a general SuDS Operation and Maintenance Activities chart in Table 6, most of which is not applicable to this site. Any additional drains or gullies must be listed on the maintenance schedule.

The maintenance requirements of whichever additional proprietary device is proposed in Condition 4 must also be included in the maintenance plan.

## **Condition 12. Ecological mitigation**

Although hedgehog holes are mentioned in the Preliminary Ecological Appraisal Report they are not shown in the closed board boundary fence along the eastern boundary.

A SuDS planter is shown adjacent to the air conditioning and heat pump condenser units on the Proposed Site Plan submitted for condition 12. This should be moved to another location as the condenser units may affect both plants growing in this planter and any wildlife using these plants for feeding or shelter.

The tree species chosen for the Nature Educational Area seem to be mostly non-native species. Japanese maple, hybrid cherry, Tibetan cherry and Kashmir rowan may have been chosen because they are smaller trees. European crab apple is native and is appropriate for this area. The berries of Kashmir rowan are poisonous, so this tree should not be used on the grounds of a day nursery. The hybrid cherry and Tibetan cherry fruits are not listed as poisonous.