

14.01.2024

REF: RM/24/98388

Rebecca Altman
Eastleigh Borough Council
Eastleigh House
Upper Market Street
Eastleigh
SO50 9YN

By email: rebecca.altman@eastleigh.gov.uk

Dear Rebecca,

RE: Natural England Comments Dated 18th December 2024 on Planning Application RM/24/98388

We are writing to you on behalf of our client Bargate Homes, in response to the comments made by Natural England, in relation to the proposed residential development at Land West of Allbrook Way, Knowle Hill, Eastleigh, SO50 4LZ.

For ease, this letter addresses the individual points raised in the same order as that contained within Natural England's letter dated 18th December 2024.

Maintenance & Monitoring of the proposed wetland

Estate Management

Natural England have raised concern regarding the maintenance of the developments SuDs system over the lifetime of the development, and specifically in relation to how this interlinks with the 'Management Company' once the development has been completed. It is understood that Natural England's concern is in relation to section 1.6 of the originally submitted Drainage Management and Mitigation Schedule, which states:

"In the event that the Management Company becomes unable to discharge its duties within two years of first appointment the Developer will endeavour to appoint an alternative on behalf of the Residents".

Natural England consider that this is not a precautionary approach and that a long-term funded maintenance and monitoring plan is in place and agreed with the LPA.

In response to this concern, we write here, to provide some further clarity in respect of the eventual management company, and how this will work in practice. In short, the future residents of the development will be the 'management company'. This is because all residents are compelled in the sale contract of the homes, to become a Director of the management company; the residents therefore act as the management company and are responsible for the ongoing management and maintenance of the development in accordance with all management maintenance plans approved by the local authority. The management company (the residents) will employ a managing agent, who will produce a service/estate charge schedule covering the development management and maintenance responsibilities including drainage. The management agent will carry out the maintenance and management responsibilities on behalf of the management company.

By having the residents in the position as the management company, this ensures that the residents are not locked into any poor managing agent situation and also, as Natural England points out, the management company cannot simply fall away and will be in place for perpetuity/lifetime of the development. Should the management company (the residents) not be satisfied by the service being provided by any managing agent, they can simply re-appoint.

To be clear, the developer in this instance (Bargate Homes) will arrange and take financial responsibility for all management and maintenance until the occupation/completion of the final home.

A copy of the Bargate Homes Management Company Procedure is attached for information as a separate appendix, appendix (1).

Based upon the above, it is considered that a precautionary approach has been taken, and that a long-term funded maintenance and monitoring plan will indeed be in place.

Frequency of Silt Removal

Natural England have requested justification that the frequency and method of silt removal stated within the Sediment Impact Assessment and Mitigation Strategy and the Drainage Management and Mitigation Schedule, is sufficient to prevent build up.

It is set out within the information submitted with the application, that silt traps (Downstream defender) and wetlands are inspected and silt removed periodically.

The Drainage Management and Maintenance Schedule proposes 6 monthly inspections of both the Wetlands and Downstream Defender, 6 monthly removal of sediment and debris from trapped gullies, silt traps, channel drains and inlet chambers. The Silt and Sediment Impact Assessment and Mitigation Strategy v1.1 submitted with the application calculated a robust total potential silt volume that the site could generate of 2.1m³ per annum or 1.05m³ every 6 months. The 46 road gullies on site are evenly spaced throughout the road network and each have a silt capacity of 0.08m³ totalling 3.68m³. There are 8 catchpits on site each with a minimum 500mm deep sum and are either 1200mm or 1350mm in diameter. Using the 1200mm diameter the catchpits each have a minimum of 0.56m³ of silt capacity a total of 4.52m³. The catchpits alone have 4 times the capacity required for the silt that could be generated by the site every 6 months.

The Silt and Sediment Impact Assessment and Mitigation Strategy v1.1 submitted with the application also noted that if all the silt entered the wetland the 2.1m³ annual amount could create 113mm depth of silt in the base of the two deep sump areas of the first wetland.

Given the annual volume of silt that can potentially be created and the volume of silt storage available within the drainage system and wetlands onsite, inspection every 6 months for silt traps / catchpits and annually for the wetland is reasonable, proportionate and justified.

CEMP

Natural England have highlighted that a Construction Environment Management Plan (CEMP) has not been submitted with this application. In particular Natural England have pointed out that the CEMP document should include plans to deal with erosion from flow 'escapes' during heavy and extreme rainfall events – e.g. biodegradable netting (erosion 'blankets') along ditch/swale/wetland edges before vegetation has established.

For clarity the submission of a CEMP is triggered by pre-commencement condition 6 of the Outline Planning Permission. Therefore, a CEMP will not be submitted as part of this ongoing application, but will be submitted as part of a separate discharge of condition application prior to the commencement of the development.

Phosphorus Mitigation

Natural England have stated that further information is required with regard to the mitigation of Phosphorus nutrient mitigation. Whilst this is acknowledged, this requirement is triggered by pre-occupation condition 33 of the Outline Planning Permission. As such, further information on this will be submitted as part of a separate application to discharge condition 33, prior to the occupation of the development. This information therefore will not be submitted as part of this ongoing application.

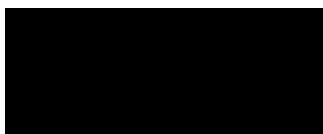
Conclusion

In conclusion, it is considered that:

- A precautionary approach has been taken, and that a long-term funded maintenance and monitoring plan will indeed be in place in regard to the maintenance and management of the development for perpetuity/lifetime of the development;
- The frequency and method of silt removal is justified, proportionate and reasonable;
- A CEMP will be submitted as part of a separate Discharge of Condition Application; and
- Further information regarding Phosphorus Mitigation will be submitted as part of a separate Discharge of Condition Application.

We trust that this sufficiently addresses the points raised by Natural England, however if there are any further queries, please do not hesitate to contact us.

Yours Sincerely



Jordan Wiseman

Senior Planner

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