Northamptonshire County Council
Development Control
PO Box 163
Northampton
Northamptonshire
NN1 1AX

FAO Peter Moor

Dear Sir,

Outline planning application for the erection of all-through academy, demolition of existing school, retention of existing sports centre, provision of new and improved sports facilities.

Weekley Glebe playing fields, Weekley Glebe Road, Kettering, NN16 9NS.

We have received directly from Mott MacDonald a revised Flood Risk Assessment (FRA, dated March 2010, Revision C) in support of the above application and have advised that this FRA be formally submitted to your Authority.

There is a large amount of land available for attenuation on site therefore we consider that any surface water scheme can realistically be achieved on site and that the site can cope with any additional surface water created as part of the development. Accordingly, we remove our previous objection, subject to the inclusion of the following planning condition on any subsequent planning permission granted:

**Condition 1:**
Prior to any Reserved Matters application, a detailed surface water drainage scheme for the site in accordance with the amended Flood Risk Assessment undertaken by Mott MacDonald (dated March 2010, Revision C) shall be submitted to and approved in writing by the Planning Authority. The detailed scheme shall be designed in accordance with and subsequently implemented and maintained in accordance with the approved details before the development is occupied.

**Reasons:**
To prevent the increased risk of flooding and ensure future maintenance of the surface water drainage system.

Please note that our advice has not considered the risk of flooding from other sources, such as ground water, drainage systems, reservoirs, canals or ordinary watercourses.
Your Authority will therefore need to be satisfied that the proposed development is also in accordance with other requirements of Planning Policy Statement 25 (see Annex C).

**Groundwater and Contaminated Land**

We have also received directly from Mott MacDonald a Phase 1 Preliminary Risk Assessment (dated March 2010, Revision A) in support of this application and have again advised that this report be formally submitted to your Authority.

As per my letter of 26 February 2010 (reference AN/2010/109070/01-L01), part of the site (to the west boundary) was a previous landfill and the site over lies groundwater vulnerability zones. We previously reviewed the Geo-Environmental Fact Sheet reference 258960/ENV/01 dated April 2009 by Mott MacDonald and have now reviewed the recently submitted Preliminary Risk Assessment. Based on both of these documents and with regard to the potential risk posed to controlled waters on site, we require the following conditions to be appended to any planning permission granted:

**Condition 2:**

Prior Reserved Matters (or such other date or stage in development as may be agreed in writing with the Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the planning authority:

1) A preliminary risk assessment which has identified:
   - all previous uses
   - potential contaminants associated with those uses
   - a conceptual model of the site indicating sources, pathways and receptors
   - potentially unacceptable risks arising from contamination at the site.

2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

3) The site investigation results and the detailed risk assessment (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express consent of the Planning Authority. The scheme shall be implemented as approved.

**Reason:**

We consider that intrusive site investigation is required to assess the potential risk posed to controlled waters as per the recommendations made in the Geo-Environmental Fact Sheet. Soil and groundwater samples should be tested for each contaminant of concern including potential contaminants associated with landfill leachate which include ammonia and chloride. Any further investigations and reporting should be done in accordance with CLR11 'Model Procedures for the Management of Land Contamination' and Planning Policy Statement 23 'Planning & Pollution Control'.

Cont/d..
Condition 3:
No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

Reasons:
To ensure that infiltration systems such as soakaways do not increase the potential for contaminant migration. Soakaways should not be located in areas of potential contamination.

Please note that the risk assessment required under Condition 2 should be used to identify areas which may not be suitable for infiltration, and this should be further used to inform the surface water drainage scheme for the site required under Condition 1. This will ensure that surface water management by infiltration is not proposed in areas of contamination, therefore meeting the requirement of Condition 3.

Condition 4:
If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Planning Authority for, an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with.

Reason:
To ensure that if previously undetected contamination is encountered during the redevelopment, it is dealt with in an appropriate manner.

Condition 5:
We also require that a condition be imposed on any planning permission granted, removing Local Authority permitted development rights under Part 12 of the Town & Country Planning GDPO 1995, within any areas of contaminated land identified within Condition 2. This would allow the County Council, as Local Planning Authority to have greater control over future building proposals that may pose a risk to controlled waters. We suggest condition wording as follows:

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking, re-enacting or modifying that Order), no development (other than that expressly authorised by the Planning Authority) shall be constructed on sites known to be at risk from contamination.

In summary, to ensure development at this site does not pose an unacceptable risk to controlled waters, there is a clear requirement for the submission of suitably timed further information which can be used to inform further aspects of the application, secured by way of planning conditions. As you are aware the discharge of planning conditions rests with the Planning Authority. It is therefore essential that you are satisfied that our proposed draft conditions meet the requirements of Circular 11/95 ‘Use of Conditions in Planning Permission’. Please notify us if you are unable to apply our suggested conditions, as we may need to tailor our advice accordingly.

Should you require any additional information, or wish to discuss these matters further, please do not hesitate to contact Lesley Tims on the number below.
Yours faithfully

Ben Thornely
Team Leader Planning Liaison
Please ask for Lesley Tims
Planning Liaison Officer

Direct dial 01536 385159
Direct e-mail lesley.tims@environment-agency.gov.uk
From: Finch, Catriona  [mailto:catriona.finch@environment-agency.gov.uk]
Sent: 22 October 2010 08:45
To: Matthew Ford

Hi Matt,

The drainage strategy for Kettering Buccleuch Academy is acceptable in principle with regards to risk to groundwater quality.

As we discussed, where roof water drains to soakaway via cellular storage, downpipes will need to be sealed to ground to prevent ingress of contamination. Also as you said, where porous paving isn’t appropriate for steeper hardstanding areas, oil interceptors will need to be installed on the drainage channels.

Thanks for keeping me informed,

Catriona

From: Matthew Ford  [mailto:Matthew.Ford@ctm-uk.com]
Sent: 20 October 2010 16:59
To: Finch, Catriona
Subject: 10-348 Kettering Buccleuch

Hi Catriona

We can confirm that we are proposing to utilise borehole soakaways as the method of stormwater drainage as there are no stormwater sewers within the locality of the site for connection, traditional soakaways are also not feasible due to poor permeability.

As mentioned earlier the existing site discharges directly into borehole soakaways, we will be providing water treatment to hardstanding areas by way of porous paving or swales.

Could you please confirm by return that we have satisfied your concerns regarding groundwater pollution.

As mentioned earlier we will keep you informed of the drainage design as it progresses.

Many Thanks for all your assistance

Matt

Regards,

Matthew Ford
Civil Technician

Cox Turner Morse
Suite 211 Fort Dunlop Tel. 0121 776 5760
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