

FULFORD PARISH COUNCIL

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Mrs Hannah Blackburn
City of York Council
West Offices
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11th Feb 2015

Dear Hannah,

Re: AOD/14/00419 | Details required by Condition 23 (Foul and Surface Water Drainage) and Condition 25 (compensatory flood storage works) (01/01315/OUT)

Fulford Parish Council wishes to make comments and seek safeguards as set out below.

Condition 23 – drainage

1. The information supplied indicates that run off from each of the outlets will be limited to 1.4 litres/sec/ha and the drainage system will handle the usual 1 in 30 year and 1 in 100 year rainfall events. We are concerned whether these standards can be met. It can be seen that each of four catchments have attenuation devices – restricted flow manholes and storage tanks to limit the outgoing flow. The outlets each have a flap valve (though this has been omitted from the drawing for the spine road outlet), to restrict water backing up the pipework when the level in the Beck rises. With an invert level only a short elevation above "normal water level" the valves are likely to operate very frequently causing the water in the pipes to back up. Although once the water in the pipes gets above that in the Beck there will then be an outward flow, we cannot tell what effect this has on the flow characteristics of the surface water system, and foresee the possibility of water being unable to escape from the site whenever a flood on the Beck corresponds with an intense rainfall event, so causing surface flooding at a frequency more often than the once in 30 and 100 year periods. It may be that this has been allowed for in the calculations and we ask for reassurances that this is so.
2. We note there is to be a large precast concrete tank on outlet 1 and are unsure how this will operate. It has incoming IL of 8.473, and outgoing IL 7.503 yet the tank has a height of 2 m, leaving around 1 metre of elevation outside of these two levels. Will you please ensure that the tank is sized appropriately to meet its intended function?
3. The flood meadow inlet and outlet plans are referred to in the overall strategy plan, but these are not in the pack of plans sent to us. The references are 11644-5007-1-140 and 141. We are particularly interested in the aesthetics of the design for these devices.
4. It is noted that the flood compensation meadow is not to be wetland but will dry out when not in use. It would be our preference to retain the series of pools with shallow water in at all times as illustrated in the Updated Development Principles Report (page20) rather than the narrow channel as proposed. The UDPR states:

“...water will be channelled from the Beck into a series of pools, the water levels of which will be controlled by weirs. The flood meadow will be modelled to create a range of wet and marginal habitats”.

The 2006 ES Non-Technical Summary states:

‘Ponds in the new flood basin will in normal flow conditions, be supplied by river water diverted from the existing watercourse. Flows will be controlled to ensure that the main channel maintains a continuous supply’. (para 7.3)

We would also wish to see an appropriate mix of seeding for a water meadow habitat.

Condition 25 (compensatory flood storage works)

5. The flood compensation volume figures appear to be acceptable and plans show numerous sections through the site. The western sections also show the elevation of the new road and in several instances the road surface is below the 10.06 m level and not protected from flooding. See for example sections 20 – 26, 32 – 36 and 41 - 42. These presumably need to be adjusted on the plans. When so done will you ensure that the compensation value remains acceptable.

6. Also, as previously mentioned will you ensure that the lack of flap valve on the drawings is corrected if this is deemed to be appropriate.

7. According to the ground profile and section plans, the areas north of the junction and spine road will continue to act as flood storage areas following development, with flood relief pipes under the road. However, inquiry evidence indicated that the access road would form a barrier that would hold all future floodwater south of the road. The 2006 ES states:

“The road will act as a barrier and will form the northern edge to any flood water accumulating in the Germany Beck channel. It will therefore protect the land to the north of it from the effects of floodwaters. Earthworks will be undertaken to obtain a natural land profile on the northern side of the road”. (para 2.18)

No information at all is provided in the updated ES that the principle of a road barrier has been discarded and residents living nearby will be unaware that anything has changed. We ask that potentially affected residents be informed.

8. **Flood defence works at the A19.** Plan 1164/5007 – 361 Rev B, ‘Works to be undertaken by Highway Authority to Complete Flood Defence to A19’.

This drawing shows the additional flood walling along the A19 west plus ground profiling at Landing Lane and we note that the plan’s status is *“For Approval”*. The flood wall is significantly higher than originally intimated, presumably because the defences were originally proposed for a level of 9.65AOD (1:50 years), rather than to 9.81AOD (1:100 years) as currently drawn. The increase in height will necessarily alter the previous impact assessment made in 2006, which in any event was just a preliminary landscape appraisal of a scheme that was not actually approved as part of the planning permission. Derek Masters confirmed in evidence that the A19 proposals: *“.....fall outside this application.....”* and that a financial contribution would be made to the

Council in order that the additional lengths of highway can be adjusted. (PH/DKM/1.00, para 9.23)

Although the drawing states that the work will be undertaken by the Local Highway Authority, we have been repeatedly informed by transport officers that the work is being undertaken by Persimmon Homes and forms part of the planning process for Germany Beck. We would be strongly opposed to the approval of this drawing until the proposals have been fully assessed in a FRA to ensure that the defences will operate effectively into the future and only when the full visual, ecological and environmental impact has been considered, taking into account the fact that the area is now contained within a conservation area.

Revision B dated 23 July 2015: *“Retaining works to the A19 East extended”*. The drawing clarifies the older eastern side of the stone bridge will be entirely subsumed by the extended works, despite the following assurance in the 2013 Committee Report: *“The developers have committed to retaining the older section of the existing brick arch under the raised highway and to providing interpretation”*. (para 3.7)

Please provide clarification on how the bridge will be retained and recorded. In addition, the applicant must now disclose which trees will be lost on the east side of the A19 as a direct result of the retaining works.

From the plans it appears that the A19 will continue to flood even after these additional defences (as shown) are constructed because water contained to the south of the beck will flow from the parish playing field back towards the A19, causing it to flood as at present. The S106 agreement sets out what is needed to protect the A19 from closure and includes: *“c) provision of a cut-off wall on the east side of the A19 to stop floodwater from flowing back onto the A19”*. It is presumed that such a wall would be provided but this is not shown in the drawing.

9. Tunnel Drain

This culverted branch of Germany Beck flows under the parish playing field to the outfall near the A19 and drains a large area, including parts of the A64 and the Fordlands Road neighbourhood. The drain is commonly considered to be the main cause of historic flooding of properties in Fordlands Road Crescent and West Moor flats and there are concerns that the altered land profiles at the A19 may aggravate existing problems of back-flow from the drain during flood events. In addition, the flap valve is now faulty and we would like to see a drawing of the proposed replacement.

10. Tunnel Dyke

Plan 1164/5007/1-150 Rev B Principle Drainage Strategy at Outfall No.3.

The central dyke (Tunnel Dyke) is visible on this drawing and seen to be culverted along the majority of its length and indeed running underneath buildings. This steep-sided ditch with hedgerow drains surface water from the area to the north and directly connects the pond within the school nature reserve southwards to Germany Beck. We have previously expressed objections to the culverting of this watercourse and consider it to be a needless loss of a visually important landscape feature that will be detrimental to the ecology and hydrology of the site. We ask that this aspect be reconsidered.

EIA Regulations:

11. The information comprises very substantive new environmental information that should properly be submitted as an update to the 2012 ES with a Non-Technical Summary. This is especially important because the proposals differ from those described in inquiry evidence both in principle and detail. Changes include:

- Because the volume of required flood storage has increased, the depth and scale of excavations in the flood meadow is greater than envisaged, requiring higher mounding.
- Land levels will be raised within the housing site necessitating additional earth banking and retaining walls.
- A narrow semi-dry channel is proposed in the flood meadow rather than the wetland pools previously proposed.
- Finished floor levels in low lying areas are higher than those approved through reserved matters.
- The principle of the access road serving as a flood barrier has been discarded.
- The height of the additional flood defence walling on the A19 west has been raised from “*approximately 675mm*” to what seems to be more than 1 metre above the footpath level.

We do not consider that such changes are acceptable for an EIA development without a further environmental assessment to evaluate the impacts on flood risk, hydrology, visual amenity, ecology and public rights of way.

It also remains our opinion that, as an EIA application, site notices should have been erected in order to inform residents of its existence. This is crucial when the new information relates to residential properties that will be physically and/or directly affected by the proposals (for example no 142 Main Street).

Fulford Parish Council trusts that you will take these concerns into account and would welcome an opportunity to discuss the issues with relevant officers.

Yours sincerely,

J M Fletcher

Jeanne Fletcher
Clerk to Fulford Parish Council.