	Our ref:	UT/2020/118866/01-L01
The Infrastructure Planning Commission	**Your ref:**	TR010054
Temple Quay House		
Temple Quay	**Date:**	03 November 2020
Bristol		
BS1 6PN		

Dear Sir/Madam

INSPECTORS FIRST WRITTEN QUESTIONS

M54-M6 / M6 TOLL LINK ROAD PROJECT, FEATHERSTONE, SOUTH STAFFORDSHIRE

I write in response to your request for answers to the Inspector's initial questions (PD-010) issued on 20 July 2020. The following questions were addressed to the Environment Agency (amongst others):

1.11.1. Climate Change
a) Paragraph 13.6.84 of Chapter 13 of the ES [APP-052] indicates that the EA is updating the assessment of climate change for flood risk to new developments. Has this work been published?
b) If so, what are the implications of this for the Proposed Development.

Climate change guidance for peak river flows have not yet been updated, and is expected in late 2020. Further information is available here https://www.gov.uk/guidance/flood-risk-assessments-climate-change-allowances

1.11.2. Fluvial Flood Risk
a) Table 3.1 of the Flood Risk Assessment [APP-200] sets out the summary of fluvial flood risk by watercourse. Do the EA and SCC as LLFA agree with the flood risks set out in this Table?
b) If not, what should they be? Please justify your answer.

We will be providing comments on flooding with regards to the Latherford Brook (Watercourse 5) only as this is the only watercourse which has a mapped floodplain and as such falls within our remit. We note that this table classifies Watercourse 5 as having a low risk. We recommend this risk is better reflected as medium/high risk as acknowledged within paragraph 3.8.1 for reasons discussed within paragraph 3.2.13

and as shown Figure 3.4. The proposed works will affect existing levels of risk to an area of woodland. We have no objections to this subject to the land being purchased by the applicant as proposed, as this would ensure there would be no increase in risk to third party land.

1.11.4. Lower Pool

In paragraph 13.8.6 of Chapter 13 of the ES [APP-052] the Applicant sets out some of the difficulties to emptying Lower Pool into Watercourse 3. Is the EA satisfied that appropriate mechanisms can be found so that the relevant part of Lower Pool can be emptied?

The Environment Agency is of the opinion that as the pool is essentially being drained of uncontaminated pond water, and as the draining would be a one-off activity to facilitate the link road, these works so not appear fall into the definition of a Water Discharge Activity. As such they would therefore likely be covered under a Local Area Agreement, rather than a formal environmental permit which would assess the mitigation measures and make suggestions if required. The applicant has suggested mitigation measures which appear to be consistent with this type of dewatering activity, and as such we are satisfied that appropriate mechanisms can be found. It should be noted these works would also require Land Drainage Consent from Staffordshire County Council.

1.11.7. Groundwater Flood Risk

Paragraph 3.6.9 of the Flood Risk Assessment [APP-200] in that the results of the borehole for BH12 show groundwater levels higher than the level of construction in close proximity. The Applicant considers that this does not result in a risk to the scheme as Lower Pool, which is nearby, is to be lost. Do the EA and SCC agree with this analysis?

The Environment Agency's groundwater specialists have reviewed the proposals and have advised SCC as the lead on flood risk that we agree with this analysis.

1.11.8. Borrow Pit

Are there any likely impediments to the Applicant obtaining Abstraction Licences and Water Activity Permit for dewatering and discharge of water from the borrow pit from the EA if required?

If the abstraction rate is less than 20 m3/d, an abstraction licence will not be required. If the rate is greater than that, we would ask for a hydrological risk assessment (HRA) as part of a permit application and would take into account the data obtained from the adjacent groundwater level monitoring boreholes that will be installed to ensure there will be no adverse impacts to any nearby receptors (e.g. Watercourse 3 and/or Kings Pool Fisheries). As the borrow pit will be relatively shallow and of limited volume and with any actual groundwater abstractions (protected rights) in the development area tapping into the underlying bedrock aquifer, there are unlikely to be any such impacts.

In terms of discharge from the borrow pit, outfall monitoring from any excavation, settlement pond or treatment plant will have to ensure the water quality, but as this is generally not expected to be contaminated, a permit to discharge or recirculate these waters back into the ground or surface water environment will most likely be readily issued, albeit with suitable conditions on flow rate, quality, turbidity etc. We understand that the main works contractor will produce a Water Management Plan to include identification of all surface water and groundwater bodies, and that this Plan will include measures for the management of water removed from cuttings and the borrow pit for

Cont/d..

construction dewatering activities (including compensatory surface water flow if / when needed to Watercourse 3 and/or the Kings Pools fishing pools).

1.11.13. Greenfield run-off rate

a) Can the EA and SCC confirm whether they are content with the 5 l/s/ha for the greenfield run-off rate as set out in paragraph 4.4.6 of the Flood Risk Assessment [APP-200]?

b) If not, what rate should be utilised? Can this alternative figure be justified?

As the lead on surface water flooding, we defer to SCC as the LLFA in this regard.

1.11.14. Cutting under Hilton Lane Overbridge

a) Paragraphs 4.5.4 to 4.5.8 of the Flood Risk Assessment [APP-200] conclude that the risk of groundwater flooding from the cutting is low? Do the EA and SCC concur with this analysis?

b) If not, please explain your reasoning.

The Environment Agency's groundwater specialists have reviewed the proposals and have advised SCC that we agree with this analysis. The drainage runs will have to be designed to allow for maximum groundwater levels measured to date plus future climate change impacts, so that at all times the system will cope and no groundwater will ever flood the highway.

Yours faithfully

Ms Jane Field
Planning Specialist

Direct dial 020 3025 3006
Direct fax
Direct e-mail swwmplanning@environment-agency.gov.uk

End