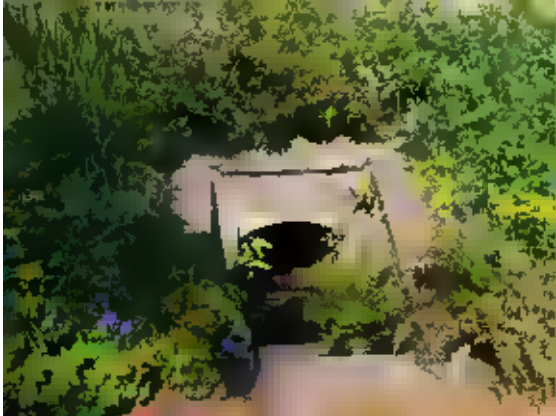




Damp ground above retaining wall at the bottom of Billys croft garden above Leek Old Road, water soaks through to culvert



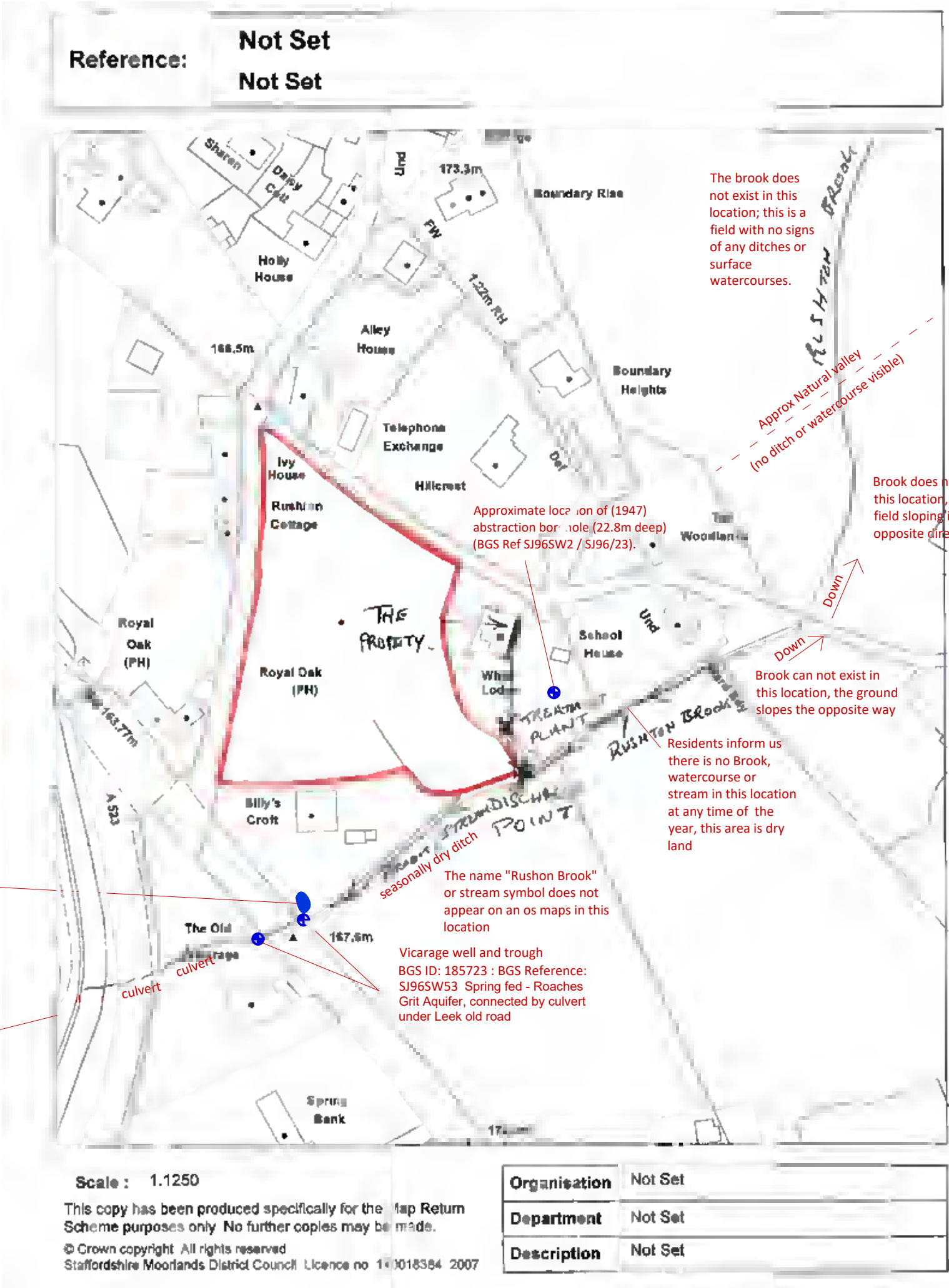
Damp ground above retaining wall at the bottom of Billys croft garden above Leek Old Road, water soaks through to culvert



The Old Vicarage Spring fed Well

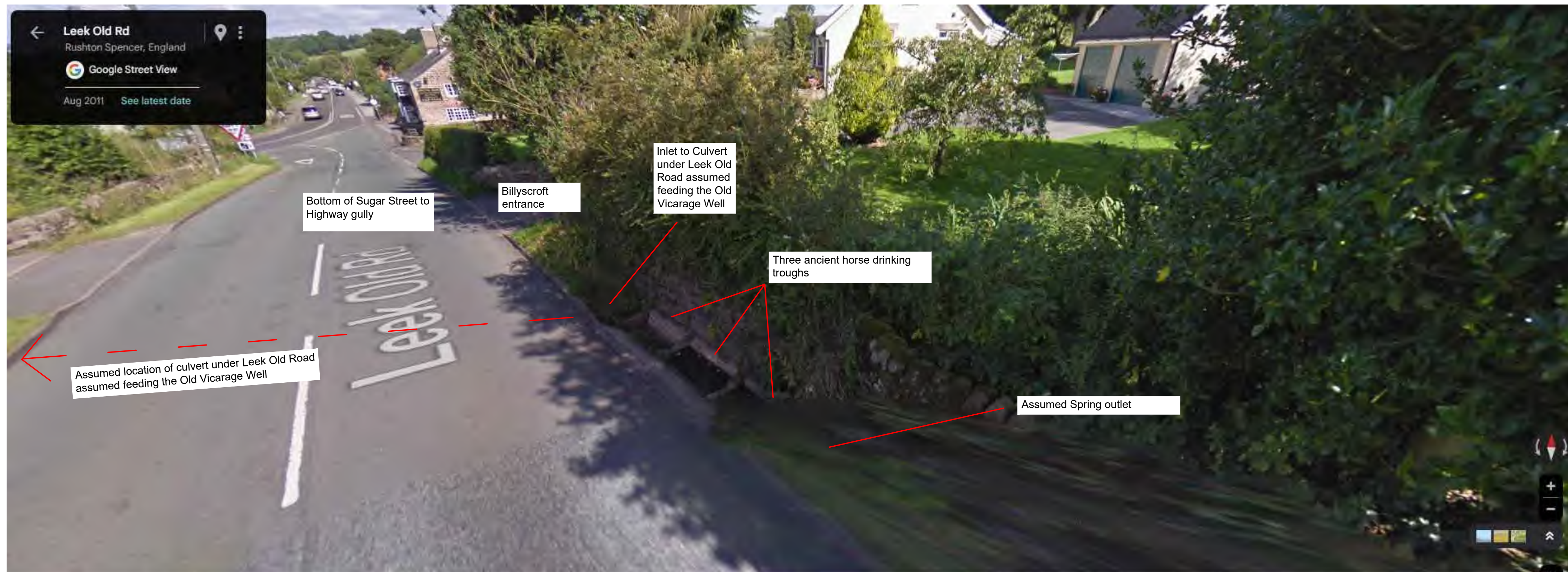
The route of the stream appears in a different location at the bottom of Billyscroft . The stream forms a bog at the bottom of Billyscroft. The water appears to soak through the ground and emerge at the base of the wall (the emergence location is also different than before; previously, the point was higher up in line with the top of the three drinking troughs).

When the Old Vicarage Well is full, water flows into an overflow culvert. The culvert (approx / assumed location) joins the discharge from the highway drains at the bottom of Leek Old Road and Sugar Street before passing under the A523 and the feeder canal. This is confirmed in the applicant's own drainage report (GWK, Section 2.3).



View down alley lane (view 01) field to the right slopes away from the lane. The brook does not exist in this location; this is a field with no signs of any natural ditches or surface watercourses.

03 Route of stream appended by applicant to 2008 EA permit application NPSWQD001444/001 (different location to the 2025 application) with our comments noted in red

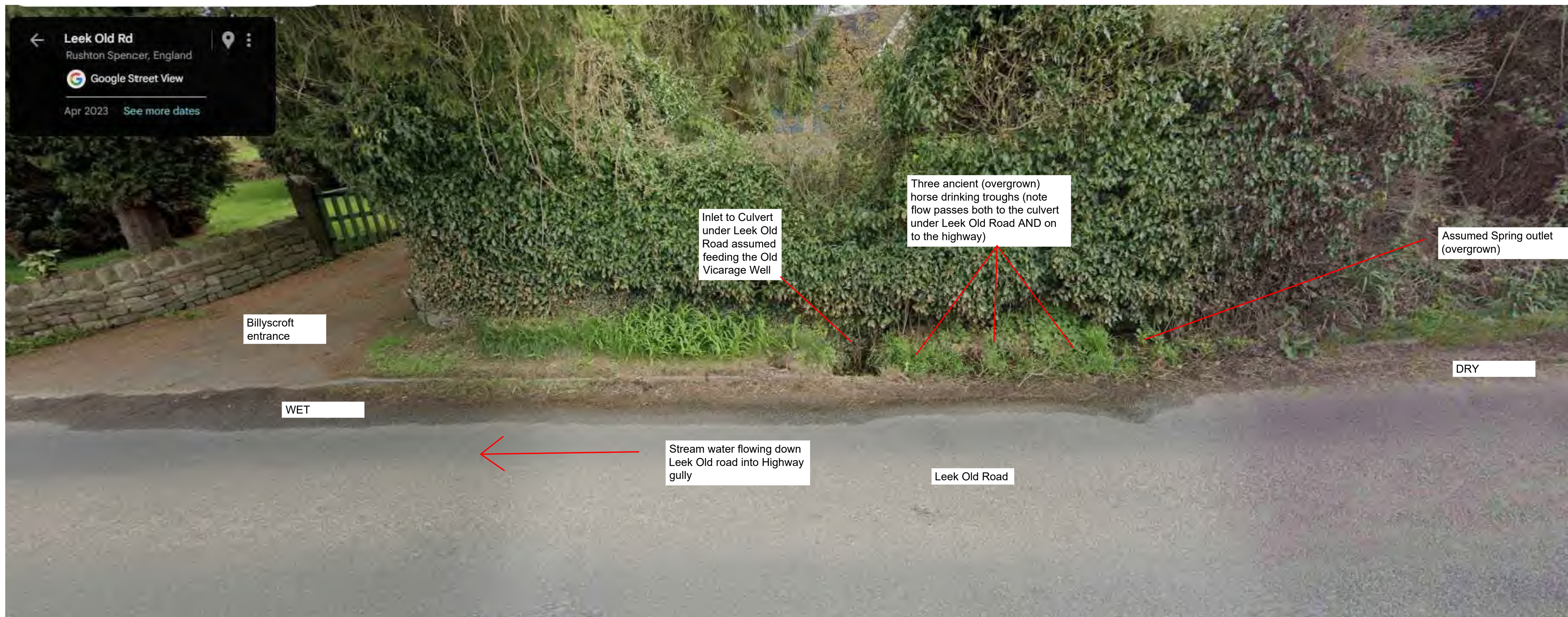


Google Street View Image August 2011



Google Street View Image April 2021

04 Historic street views of stream / spring on Leek Old Road 2011 and 2021



Google Street View Image April 2023



View of inlet to Culvert under Leek Old Road assumed feeding the Old Vicarage Well July 2025 (dry)



Old Vicarage Well July 2025 (dry)



Close up view of Old Vicarage Well and inlet July 2025 (dry)

05 Historic street views of stream / spring on Leek Old Road 2011 and 2021 and additional photos

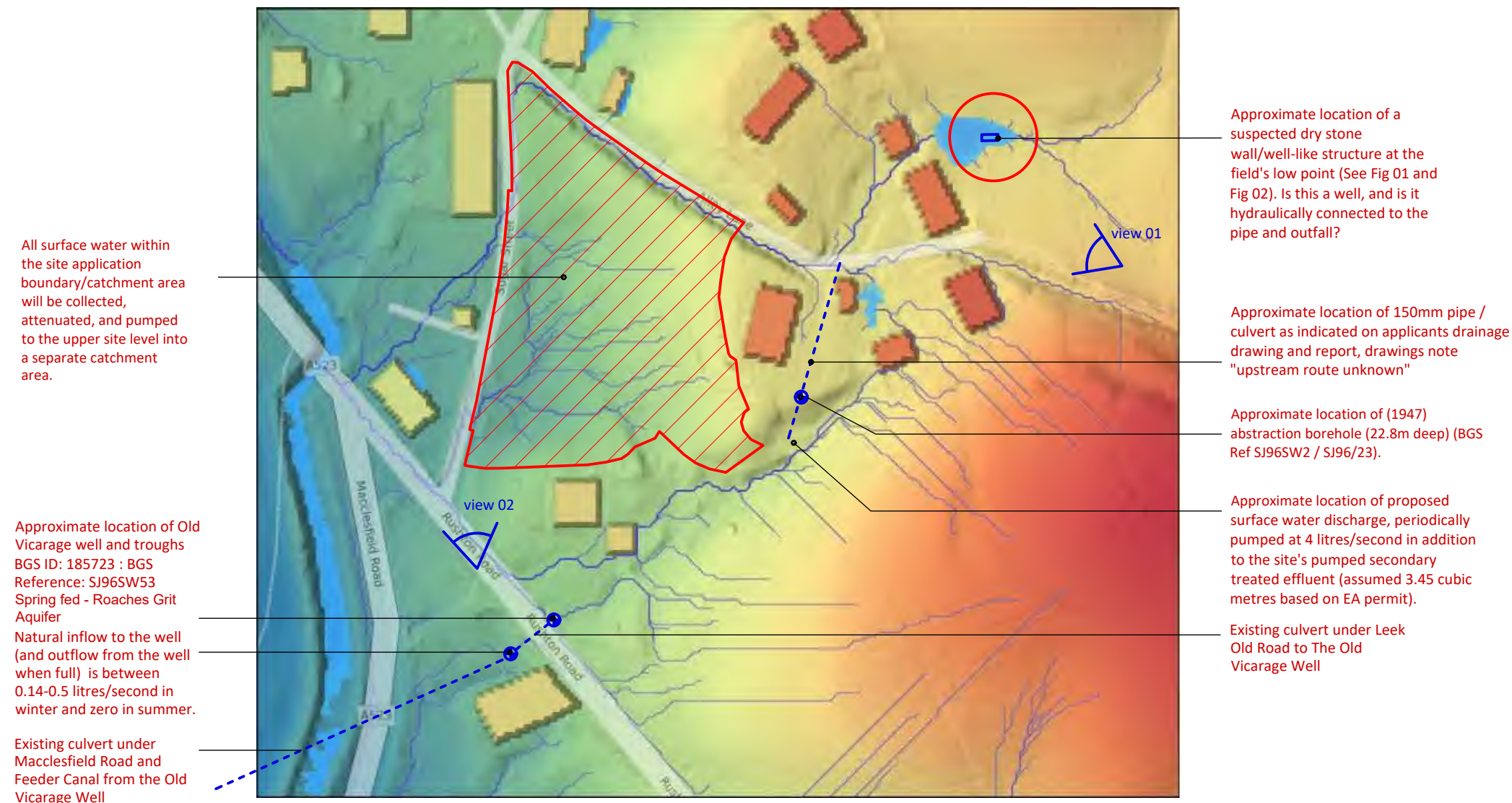


Fig 01 / View 01 Dry stone wall/ possible well-like structure at the field's low point. Is this a well, and is it hydraulically connected to the pipe and outfall?



Fig 02 / View 01 Close up view of dry stone wall/ possible well-like structure at the field's low point. Is this a well, and is it hydraulically connected to the pipe and outfall?

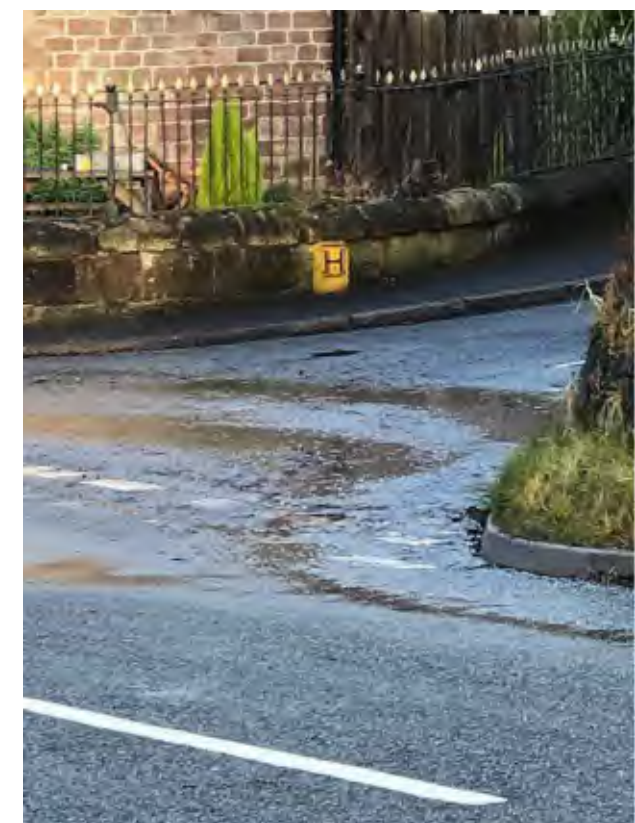


Fig 03 / View 2 - Flood / Stream at base of sugar street when culvert under Leek Old Road breached



Fig 04 / View 2 - Flood / Stream at base of sugar street when culvert under Leek Old Road breached

06 Flood Risk Map sent by Staffordshire County Council, Flood Risk Management Team via email on the 24/07/2025 with **our comments noted in red**

Residents inform us there is no stream here, and the land is dry at all times of the year

Route of 'stream' shown on applicants' 2008 permit application route

DRAINAGE NOTES & SPECIFICATIONS

[illegible]

CRYSTAL 1504



EXISTING
SEPTIC
TANK

DRAWING MATERIALLY
INCORRECT AS IT
OMITS REFERENCE TO
THE PROPOSED
PARTIAL DRAINAGE
FIELD / 10m
PERFORATED PIPE
REQUIRED BY THE EA

A NOTE MATERIALLY
INCORRECT AS IT
OMITS REFERENCE
THE OLD VICARAGE
WELL, AND
HIGHWAYS DRAINS

WITCH CHANGES TO
GULFVERT AND
PASSES BENEATH
BOTH HIGHWAYS AND
FEEDER CHANNEL
BEFORE OUTFALLING
TO RUSHTON BROOK

Approximate relative location of spring fed horse troughs

Approximate relative location of
Old Vicarage Spring Fed Wells

50m radius of
spring fed trough

BGS ID: 185723 BGS Reference:
SJ96SW53 Spring fed well

The revised permission SMD/2022/0532 no longer references this requirement, presumably because the revised approved drainage plan does not show effluent discharging to ground. However, the obtained Environment Agency permit requires a 10 m perforated pipe / partial soakaway.

13. BGS Reference: ALL THE DRAINS SHALL BE CLEARED
BY JETTING, PUMPING ALL DEBRIS FROM SITE. HO DRAINS SHALL BE
ENTERED ENTER THE EXISTING DRAINAGE SYSTEM.

20. UPON COMPLETION OF THE WORKS THE CONTRACTOR SHALL SURVEY THE
WORKS AND PROVIDE A SUITABLY MARKED-UP DRAWINGS FOR
RECORD PURPOSES.

continues adjacent residential
 ted ground / pond at the base of
 ars to **soak through the**

ground and emerge into an open gutter on the northern side of Leek Old Road. The flow then passes down the Leek Old Road for some distance and then splits into a succession of three ancient horse troughs. The flow then passes into a small stone culvert and beneath Leek Old

Road, **into the open garden well** of a residential property (The Old Vicarage). The well is approx. 2ft wide x 2ft length x 2ft deep. When the well is full it then overflows the well into another culvert (via a small steel perforated grate) under the garden and **joins with highways storm water**

drain before passing under the A523 highway, the Canal & River Trust Feeder Channel, and a field where it then outfalls to Rushion Brook, and eventually to the River Dane.

ALL PIPEWORK TO BE
100% UNLESS NOTED
OTHERWISE

C	01.05.26	PG	SWK	GENERAL UPDATES
B	03.02.25	PG	GMW	SITE PLAN UPDATED
A	01.03.24	PG	GMW	PRELIMINARY ISSUE
Rev	DATE	BY/APPV	REV#	DESCRIPTION



GWK STRUCTURAL SOLUTIONS LTD
CONSULTING CIVIL & STRUCTURAL ENGINEERS
3 MILTON DRIVE FOUNTON STOCKPORT SK 2 5EJ
Email: george.fairbrother@gwksolutions.co.uk
Website: www.gwkstructural.co.uk

CLIENT **RIDER ENTERPRISES**

SUGAR STREET
RUSHTON SPENCER

CHAPTER	PG	
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DRAINAGE GA

SCALE	INSTRUMENT NO.	DATE	AMOUNT
1000	GK4270-C 001	01 03 24	C

Request for Further LLFA Technical Input – DOC/2026/0057 (Land East of Sugar Street, Rushton Spencer)

1st June 2026

Dear Planning Officer,

I note the recent consultation response from the Lead Local Flood Authority (LLFA) stating that Conditions 20 and 21 did not originate from them and that they would not ordinarily comment on this discharge of condition application.

Whilst I appreciate the LLFA's statutory position, I respectfully request that the Local Planning Authority seek further discretionary technical input from the LLFA. The applicant's revised submission introduces a materially different hydraulic arrangement from that previously approved and raises technical issues which extend beyond a straightforward discharge of condition application.

I understand that the LLFA's previous informal comments of 24 April 2025 suggested that a restricted discharge of 4 l/s was unlikely in itself to create flood risk at the Old Vicarage and that exceedance flows would likely follow an existing pathway to the base of Sugar Street. However, those comments pre-dated the current revised submission and were provided without the benefit of a detailed review of the now-proposed perforated pipe arrangement, infiltration component, unknown upstream pipe connection, or the combined pumping of attenuated surface water and treated effluent. These revisions raise additional technical matters which, in my view, would benefit from specialist flood-risk review before the application is determined.

Furthermore, the earlier comments appear to have been based principally on desktop mapping and available information at that time. Whilst such assessment provides a useful overview, the revised drainage strategy now raises a number of site-specific issues that may warrant further technical consideration.

In particular, I would draw attention to the following matters:

1. Environment Agency Capacity Concerns

Internal Environment Agency correspondence dated 28 January 2025, obtained through a Freedom of Information request, states:

"The culvert under Leek Old Road is probably too small and needs making bigger but that is of course a local authority issue."

This appears to indicate that concerns already exist regarding the capacity of the downstream drainage infrastructure receiving flows from the wider system.

2. Unknown Upstream Infrastructure

The applicant's own drainage plan identifies the source of an existing pipe within the drainage network as "unknown".

Without establishing the origin, catchment area, flow characteristics and capacity of this pipe, it is difficult to understand the baseline hydraulic conditions of the receiving system or the cumulative impact of introducing additional pumped discharges.

3. Interpretation of the Environment Agency Permit Requirements

The revised submission proposes a short section of perforated pipe before flows reach the feature described as the receiving watercourse.

The applicant's report states that the receiving watercourse commences at the outfall of an existing culvert. However, the submitted arrangement appears to rely upon a section of intervening ground between the perforated pipe and the commencement of that feature.

The implications of this arrangement for infiltration performance, flood risk, groundwater interaction and downstream flow behaviour have not been assessed and may benefit from technical review.

4. Artificial Transfer of Water Between Drainage Systems

The revised submission appears to collect surface water from one part of the site, attenuate it, and then mechanically pump it together with treated effluent towards a different receiving environment located at higher ground.

No assessment has been provided regarding whether this alters the natural distribution, timing or location of runoff entering the downstream drainage network. Given that flood-risk assessments are ordinarily based upon existing catchment behaviour, this aspect of the proposal would benefit from technical review by the LLFA.

5. Capacity of the Proposed Infiltration Arrangement

The revised proposal appears to direct both treated effluent and attenuated surface water through the same discharge arrangement.

The submission does not explain how the proposed infiltration component is intended to operate during periods of heavy rainfall, whether infiltration capacity has been demonstrated, or how the arrangement would function under saturated ground conditions.

6. Potential Downstream Flood Risk

The applicant's own report acknowledges that downstream flows ultimately interact with the culvert network and highway drainage infrastructure serving the Sugar Street area.

The earlier desktop assessment suggested that exceedance flows would follow an existing route towards the junction of Sugar Street. However, no assessment has been provided regarding the consequences of such exceedance flows for the public highway or nearby properties, particularly given the introduction of additional pumped discharges into the wider drainage system.

7. Altered Flow Behaviour

The revised strategy introduces attenuation, pumping, infiltration and revised routing arrangements which may alter the timing, concentration and location of discharges compared with existing conditions.

No assessment has been provided demonstrating that the revised arrangement replicates pre-development flow behaviour or avoids increasing flood risk elsewhere.

8. Groundwater and Receptor Considerations

The revised submission introduces infiltration infrastructure in close proximity to known groundwater features, including the Old Vicarage well.

Whilst the environmental permitting aspects fall outside the LLFA's primary remit, the interaction between infiltration, groundwater pathways and local drainage behaviour may nevertheless be relevant to understanding the wider flood-risk implications of the proposal.

9. Adequacy of Flood Risk Information

The revised submission introduces infiltration infrastructure, revised discharge arrangements, artificial pumping of attenuated surface water, and potential interaction with an existing culverted drainage network. Despite these changes, no proportionate flood risk or hydraulic assessment appears to have been submitted to demonstrate the effects of the revised strategy on downstream capacity, exceedance flow behaviour, or flood risk to surrounding land and infrastructure.

Whilst I recognise that a formal Flood Risk Assessment may not be a statutory requirement for this application, it is unclear how the flood risk implications of the revised drainage proposals have been assessed. At a minimum, further technical evidence would appear necessary to demonstrate that the revised arrangements will not increase flood risk elsewhere.

I fully appreciate that the LLFA is not a statutory consultee for this application. However, the issue is not whether consultation is mandatory, but whether the revised drainage strategy has been subjected to adequate technical scrutiny. If the LLFA does not consider it appropriate to comment, I would respectfully ask the Local Planning Authority to identify which technical body has assessed the revised infiltration proposals, pumped surface water discharge, downstream culvert capacity, exceedance flow behaviour, and interaction with highway drainage infrastructure.

Given the scale of public concern, the materially revised nature of the drainage proposals, the introduction of infiltration infrastructure, the mechanical pumping of both surface water and treated effluent, the absence of any apparent hydraulic assessment of the revised scheme, and the Environment Agency's expressed concerns regarding downstream infrastructure capacity, I respectfully request that the Local Planning Authority seek further discretionary technical input from the LLFA before determining the application.

I would be grateful if this request could be placed on the planning file and considered alongside the submitted objections.

Kind regards,

Steve Russell

On behalf of Mr and Mrs Russell,

The Old Vicarage,

Rushton Spencer

Objection – Revised Drainage Submission – DOC/2026/0057 (Discharge of Conditions 20 and 21 pursuant to SMD/2022/0532) – Land East of Sugar Street, Rushton Spencer

31st May 2026

Dear Sir/Madam,

I write to submit an objection in relation to the revised drainage details submitted under DOC/2026/0057 concerning Conditions 20 and 21 attached to planning permission SMD/2022/0532.

The revised submission confirms that the drainage strategy approved under DOC/2024/0027 did not reflect the infrastructure required under Environment Agency Permit EPR/NB3349KM.

The revised submission therefore represents a substantive alteration to the drainage strategy and raises additional issues which have not been properly assessed within the current submission.

The revised drainage information remains materially inaccurate, incomplete, and internally inconsistent for the following reasons:

1. Material Change to the Approved Drainage Strategy

The revised submission introduces infiltration infrastructure which was absent from the previously approved drainage drawings. The Environment Agency permit expressly requires discharge via a perforated pipe arrangement.

This alters the functional operation of the drainage system and introduces direct interaction with ground conditions and groundwater pathways. These are material considerations which were not assessed within the original approval of Conditions 20 and 21.

The revised submission therefore represents more than clarification or minor amendment to previously approved details and requires full technical reassessment and consultation and raises serious doubt as to whether a discharge of condition application provides an appropriate mechanism for determining the revised drainage proposals.

2. Failure to Properly Reflect the Requirements of EA Permit EPR/NB3349KM

The revised drawing appears to indicate only a short section (approximately 2m) of perforated pipe between the brake chamber and existing open chamber.

However, the Environment Agency permit states:

"The discharge must be made via a perforated pipe. Any section of that pipe which lies within 10 metres of the bank of any watercourse shall be perforated..."

The submitted details do not clearly demonstrate compliance with this requirement, nor do they explain how the revised arrangement aligns with the permitted discharge methodology.

The revised report also continues to describe discharge to an "open watercourse" despite acknowledging that the feature originates from the outfall of a 150mm culvert pipe and follows a heavily engineered and culverted drainage route.

If the stream commences from the outfall of the culvert, all pipe within a 10m radius will have to be perforated to comply with the EA condition.

3. No Assessment of Ground Conditions or Infiltration Feasibility

The applicant's own ground investigation identifies clay conditions and records that BRE365 soakaway testing produced no result due to clay subsoils.

Despite this, the revised scheme introduces infiltration infrastructure without providing:

- percolation testing at the perforated pipe location;
- infiltration assessment;
- groundwater interaction assessment;
- explanation as to how infiltration will function under the identified ground conditions.

The submission therefore fails to demonstrate that the proposed drainage arrangement is technically viable.

In addition, together with localised saturated conditions. Introducing infiltration infrastructure at higher ground has the potential to alter local groundwater pathways and may influence the location and timing of groundwater emergence at lower elevations where preferential pathways exist. No assessment has been provided regarding whether the proposed infiltration arrangement could alter existing groundwater movement, emergence points, or downstream flow behaviour.

4. Interaction Between Pumped Surface Water and Treated Effluent Not Assessed

The revised submission appears to propose that both treated effluent and attenuated surface water discharge via the same perforated pipe arrangement.

However, the submission does not explain or assess:

- how the combined system is intended to operate hydraulically;
- whether periodic pumped surface water flows could affect infiltration performance;
- whether pumped flows could reduce retention time within the perforated section;
- how the proposed arrangement would function during seasonal wet or dry conditions;

- whether the proposed infiltration section is intended to accommodate foul flows, surface water flows, or both.

No explanation is provided regarding the separation (or lack of separation) between surface water management and foul drainage infrastructure.

Furthermore, the relationship between the proposed perforated pipe and the receiving environment remains unclear. The submitted drawing appears to provide approximately 2m of perforated pipe only, whereas the Environment Agency permit requires perforation within 10 metres of the bank of the receiving watercourse.

The applicant's report states that the receiving watercourse commences at the outfall of a 150mm culvert. However, if the submitted arrangement relies upon an additional section of land between the perforated pipe and the commencement of this feature, no explanation has been provided regarding the hydraulic function of this intervening area.

It remains unclear whether this section represents infiltration ground, overland flow, saturated land, seepage pathways, or part of the receiving environment itself.

Clarification is therefore required regarding how the 10m perforation requirement has been interpreted and how the receiving environment has been defined.

In addition, the submitted information indicates that both pumped surface water and treated effluent may ultimately pass across the same section of land before entering the downstream ditch or culvert network. However, no explanation has been provided regarding the hydraulic function of this area or whether it forms part of the drainage system itself.

If this area is relied upon to convey pumped flows toward the downstream ditch or culvert network, it represents an active component of the drainage strategy rather than incidental land between the discharge point and receiving environment. No assessment has been provided regarding:

- saturation effects;
- overland flow behaviour;
- groundwater interaction;
- retention characteristics;
- the effects of periodically pumped flows on downstream hydraulic behaviour.

This omission is significant because the proposed arrangement appears to rely upon an undefined section of ground as part of the overall drainage system whilst providing no assessment of its function or performance.

5. Failure to Assess Downstream Receptors and Flow Path

The revised submission continues to omit proper assessment of the downgradient receptor, namely the Old Vicarage well.

The British Geological Survey record 185723 (SJ96SW53) identifies the Old Vicarage well as a spring-fed feature, indicating a groundwater-fed receptor rather than a simple surface drainage feature. Despite this, no assessment of potential interaction between the proposed infiltration arrangement and this receptor has been provided.

The drainage route description also remains materially incomplete.

The discharge pathway does not simply pass directly to Rushton Brook. Flows first appear to pass through saturated ground at the lower end of Billys Croft garden before emerging through a series of historic trough features (now overgrown) adjacent to Leek Old Road. Flow then enters a culvert beneath Leek Old Road before emerging within the Old Vicarage well. When the well reaches capacity, overflow enters a separate downstream culvert network.

The applicant's own hydrology report (sections 2.2 and 2.3) indicates that this downstream network ultimately interacts with highway drainage infrastructure before discharging to Rushton Brook approximately 170m to the south-west.

The approved drawings and drainage reports do not identify the Old Vicarage well as part of the receiving environment or downstream flow pathway. Consequently, no assessment appears to have been undertaken regarding interaction between the proposed discharge and this receptor.

Prior to 1 October 2024, green dye was observed within the Old Vicarage well. This observation was subsequently brought to the attention of the applicant and the well was physically shown to them on site. Whilst the point of introduction of the dye has not been independently verified, the observation indicates a potential hydraulic connection requiring assessment.

Despite this information having been drawn to the applicant's attention, the revised submission continues to omit the well from the receiving environment description.

The receiving watercourse is seasonal, with no flow for approximately three months each year, and the well flow is intermittent in spring and autumn.

During seasonal low-flow or dry conditions, it remains unclear whether the well may act as a temporary retention feature prior to onward overflow. During prolonged dry periods:

- the ditch / well functions as an infiltration feature, not a receiving stream;
- the Old Vicarage Well becomes the primary receptor; and
- any discharge reaching the well will be effectively 100% treated effluent, with no dilution.

No assessment has been provided regarding:

- water quality;
- retained flows (Stagnation Risk);
- residence times;
- receptor impacts.

No:

- receptor assessment;
- water quality assessment;
- baseline hydrological assessment;
- retained flow assessment

has been provided.

Without this information Conditions 20 and 21 cannot reasonably be discharged.

6. Groundwater Sensitivity and Proximity to Historic Borehole

The site lies within a designated Source Protection Zone, indicating sensitivity in relation to groundwater.

In addition, there are known historic borehole (BGS Ref SJ96SW2 / SJ96/23) and well features in close proximity to the proposed drainage and infiltration infrastructure.

The revised submission does not identify or assess these features, nor does it demonstrate how the proposed discharge arrangement (including the perforated infiltration element) has been considered in relation to groundwater protection.

In the absence of this information, it is not clear how potential interactions with nearby groundwater receptors have been assessed, particularly given the sensitivity of the location and the proposed introduction of infiltration to ground.

7. Surface Water Treatment Requirements Still Not Addressed

Condition 21 specifically requires treatment of runoff from gravel and permeable surfaced areas before discharge.

The applicant's previous correspondence referred to a surface water interceptor. However:

- no interceptor is shown;
- no treatment specification is provided;
- no maintenance details are included.

Accordingly the submission fails to demonstrate compliance with Condition 21.

8. Downstream Capacity Issues Not Assessed

The submission does not adequately assess:

- downstream culvert capacity;
- interaction with highway drainage infrastructure.

The applicant's own report (section 2.3) acknowledges that downstream flows ultimately interact with the same culvert network serving highway drainage infrastructure near Sugar Street, despite connection to the highway drainage network having previously been refused.

In addition, previous Environment Agency consultation identified potential downstream culvert capacity concerns beneath Old Leek Road. At periods of heavy rainfall, when the capacity of the culvert beneath Leek Old Road is exceeded, flows are understood to overtop and travel down Leek Old Road toward the highway gullies at the bottom of Sugar Street.

Internal EA correspondence dated 28 January 2025, obtained via a Freedom of Information (FOI) request, explicitly states:

“The culvert under Leek Old Road is probably too small and needs making bigger but that is of course a local authority issue.”

In addition, the revised submission appears to propose collection of attenuated surface water from the development site and its subsequent mechanical pumping, together with secondary treated effluent, toward an elevated receiving feature and associated downstream drainage pathway. The submission does not assess the implications of mechanically redistributing surface water and treated effluent in this manner, nor does it explain whether the receiving environment has capacity to accommodate these additional pumped flows.

Whilst attenuation may reduce peak discharge rates from the development site, attenuation does not remove water from the system. The attenuated volume must ultimately be discharged to the receiving environment. The submission does not assess whether the receiving drainage network has sufficient capacity to accommodate the cumulative effects of these delayed but additional discharges, particularly during prolonged storm events when downstream infrastructure may already be operating at or near capacity.

The submission also provides no assessment of pump operating regimes in relation to downstream hydraulic conditions. A pumped discharge system is capable of introducing flows into the receiving environment independently of natural runoff processes. Consequently, during periods of heavy rainfall, when downstream culverts, ditches and drainage infrastructure may already be approaching capacity, operation of the pumping station could continue to introduce additional flows into the system. No

assessment has been provided regarding the interaction between pump operation, attenuation storage levels, downstream capacity constraints or exceedance events.

Unlike natural runoff conditions, this arrangement appears to introduce additional flows into a hydraulic system at controlled discharge rates and at a different location from where runoff would naturally emerge. No assessment has been provided regarding:

- cumulative flow behaviour;
- interaction with existing groundwater emergence points;
- effects on downstream receptors (can the 170 year old well accommodate the additional intermittent flow rates, will this impact on the amenity of the Old Vicarage, the well is open to the garden) ;
- consequences for culvert capacity and exceedance flows;
- potential downstream effects arising from this altered drainage regime.

No downstream hydraulic assessment or exceedance flow assessment has been provided.

9. Unknown Source, Catchment, and Baseline Flow Rates

The applicant report states that the watercourse "*commences from the outfall of a 150mm diameter culvert located on higher ground to the east*" but ignores where that water originates stating "upstream route unknown".

Without knowing the upstream catchment area or what feeds that 150mm culvert, the applicant cannot accurately calculate the baseline flow of the stream during a storm. If a major storm hits, that existing 150 mm pipe might already be running at 100% capacity.

Adding a further pumped discharge of up to 4.0 l/s from the development into the same downstream system has the potential to alter flow characteristics and capacity requirements. Without identification of the upstream catchment, baseline flow regime, or available capacity within the receiving network, it is not possible to determine whether the proposed discharge represents a material increase in flows during storm conditions.

No assessment has been provided regarding:

- existing peak flows within the receiving system;
- the contributing catchment feeding the 150 mm culvert;
- available downstream capacity;
- cumulative effects of the proposed discharge during storm events.

Accordingly, the baseline receiving environment has not been adequately characterised.

10. Inconsistency in Drainage Routing and Receiving Environment Identification

Two Environment Agency permit submissions relating to the same receiving environment appear to depict materially different routes and characteristics:

- EA Permit Application Ref I/NPSWQD001444/001 (2008);
- EA Permit Ref EPR/NB3349KM (2025).

The earlier submission appears to show a route labelled Rushton Brook extending across land where:

- no clearly defined watercourse is visible;
- observed landform appears inconsistent with the route shown;
- no corresponding named watercourse appears on mapping.
- residents confirm no stream exists in the location suggested by the applicant.

The revised submission instead describes:

- discharge toward a feature originating from a 150mm culvert;
- routing through a ditch and culverted network;
- omission of the saturated area at Billyscroft and the Old Vicarage well.

These inconsistencies create uncertainty regarding:

- the identity of the receiving environment;
- downstream hydraulic continuity;
- groundwater interaction.

Clarification is therefore required.

The receiving environment appears to comprise a combination of culverts, ditches, spring emergence points and other heavily modified drainage features rather than a clearly defined natural watercourse. The revised submission assumes that this system is capable of receiving additional pumped discharges without providing evidence regarding its origin, capacity, hydraulic function or status.

Where a drainage strategy relies upon discharge into an engineered or modified drainage network, it is necessary to demonstrate that the receiving system has been correctly identified and that its capacity and behaviour have been properly assessed. The submitted information does not provide this evidence.

11. Topographical Constraints and Potential Tree Impacts Not Assessed

The revised submission provides no assessment of physical site constraints.

The applicant identifies the receiving feature at higher ground.

The Environment Agency permit requires perforated pipe within 10m of the watercourse bank.

The submitted drawing appears to show only approximately 2m.

The feasibility of achieving this arrangement remains unclear due to:

- site topography;
- elevated receiving location;
- pumped discharge requirements;
- mature tree constraints.

The applicant's arboricultural report identifies a large Tree T6 (Sycamore, Category A1) close to the proposed discharge location.

No assessment has been provided regarding:

- root protection areas;
- effects on installation;
- future maintenance access;
- interaction between roots and the proposed drainage field.

The submission provides no assessment of the potential effects of periodically discharging the site's foul and surface water flows across land within the root protection area of Tree T6, nor whether this could affect root health, future maintenance requirements, or long-term operation of the proposed drainage infrastructure.

12. Existing EA Discharges Are Not Shown on Plans and Cumulative Impact Has Not Been Assessed

Condition 22 of SMD/2022/0532 required submission of detailed information regarding the existing off-site private wastewater discharge from Alley House, including routing, discharge type and groundwater risk assessment.

Alley House holds an Environment Agency discharge permit (Ref: NW/016890332/001) authorising discharge at grid reference SJ94036238.

This location appears closely aligned with the location shown on the approved drainage drawing as the proposed pumping station.

The submission does not clearly demonstrate:

- whether the permitted discharge remains at its authorised location;
- whether it is intended to connect into the proposed foul network;
- how this arrangement aligns with the terms of the existing permit;
- whether cumulative discharge effects have been assessed.

Similarly, Environment Agency permit I/NPSWQD001444/001 for White Lodge authorises discharge close to the proposed perforated pipe location but is not shown on the revised drawing or discussed within the report.

The proximity of multiple permitted discharges within the same receiving environment necessitates cumulative assessment.

13. Suitability of the Condition Discharge Process

The revised submission appears to extend beyond the scope of a simple discharge of conditions application.

The original drainage details approved under DOC/2024/0027 did not include the infiltration infrastructure now proposed in response to Environment Agency Permit EPR/NB3349KM. The revised submission introduces:

- a new perforated discharge arrangement;
- direct interaction with groundwater pathways;
- revised downstream flow assumptions;
- potential interaction with additional receptors including the Old Vicarage well;
- changes affecting hydraulic operation of the wider drainage strategy.

These are not matters of detail alone but appear to alter the operation and environmental context of the approved drainage scheme.

Given the substantive nature of these changes, together with the introduction of new technical considerations and consultees, it is unclear whether a condition discharge application provides an appropriate mechanism for consideration of the revised proposals.

A more comprehensive planning process may be required to ensure that the impacts of the revised drainage strategy are properly assessed and consulted upon.

14. Consultation Deficiencies

Given the revised introduction of infiltration infrastructure and the outstanding issues identified above, consultation should include:

- Environment Agency;
- Local Flood Authority;
- Environmental Health;
- Ecology / Staffordshire Wildlife.
- Highway Authority;
- Tree / arboriculture officer

These consultees do not currently appear within the published consultation list (with the exception of the LLFA) despite the revised submission raising matters directly

relevant to groundwater protection, public health, drainage capacity and ecological impacts.

Additionally, the LLFA's latest comment on the application:

"The original application for this site was under SMD/2021/0784 (a variation was submitted under SMD/2022/0532).

The LLFA responded to original application to state that as non-statutory consultees, we would have no comments to make.

As such, the LLFA believes that Conditions 20 and 21 did not originate with ourselves and as a non-statutory application, we would not comment upon the discharge of the conditions proposed."

In summary the LLFA have never viewed or commented on the scheme due to statutory threshold. Given the scale of public concern, the fundamentally revised nature of the drainage proposals, and the explicit warning from the Environment Agency regarding local infrastructure capacity, a formal technical review informed by actual site conditions and the EA's feedback is essential before determination.

15. Enforceability and Land Control

The revised drainage arrangement appears to rely upon infrastructure located outside the applicant's ownership and beyond the application boundary.

No evidence has been provided demonstrating:

- ownership;
- maintenance rights;
- access rights;
- long-term maintenance arrangements.

As such, it is unclear how the proposed drainage strategy could be properly enforced or maintained, or whether the Local Planning Authority could reasonably secure future maintenance obligations.

Conclusion

The revised submission does not merely clarify previously approved details. It introduces substantive changes to the drainage strategy whilst continuing to omit critical information regarding infiltration, receptors, groundwater interaction, downstream impacts, maintenance, and compliance with Conditions 20 and 21.

The submission therefore fails to provide sufficient and reliable information to enable lawful discharge of the conditions and cannot reasonably be relied upon for the purposes of condition discharge.

Accordingly, the application should be refused unless and until a complete and technically coherent drainage strategy is submitted, accompanied by appropriate consultation with all relevant technical bodies.

Yours faithfully,

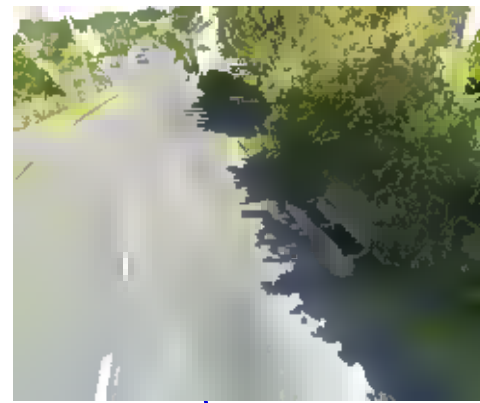
Steve Russell
On behalf of Mr and Mrs Russell
The Old Vicarage
Rushton Spencer

Attachments:

1. 01 - GWK drainage plan extended to show assumed relationship to the Old Vicarage well
 2. 02 - GWK drainage plan with our comments
 3. 03 - Route of stream appended by applicant to 2008 EA permit application (different location to 2024/5 application) with comments in red
 4. 04 - Historic street views of stream / spring on Leek Old Road (2011 and 2021)
 5. 05 - Historic street views of stream / spring on Leek Old Road (2011 and 2021) with additional photographs
 6. 06 LLFA LiDAR map with our comments
 7. BGS borehole log 185723 (SJ96SW53) – Old Vicarage spring-fed well/trough
- Examples of previously submitted public representations:
8. 291699 Public comment J Davies – drainage / flooding concerns
 9. 292124 Public Comment - Robin Foschtinski – drainage / flooding concerns
 10. 292906 Public comment P Russell – drainage / flooding concerns
 11. 292910 Public comment Sam Hughes – drainage / flooding concerns
 12. 292939 Public comment Graham Betton – drainage / flooding concerns
 13. 302304 Public comment Jo Davies – drainage / flooding concerns

The stream (seasonally dry ditch) route shown here differs from that depicted in the earlier EA 2008 permit application (NPSWQD001444/001), which indicates the watercourse flowing in a south westerly direction across the field outside the applicant's land (shown dotted). The natural topography does not appear to support that alignment. The currently indicated route shows the flow travelling south via a culvert. This discrepancy raises uncertainty regarding the true origin, continuity, and historic routing of the watercourse, including potential interaction with the historic abstraction borehole (SJ96SW2 / SJ96/23) or subsequent diversion.

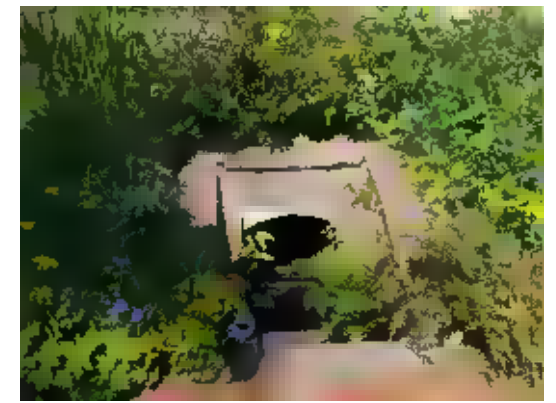
Residents inform us there is no stream here, and the land is dry at all times of the year



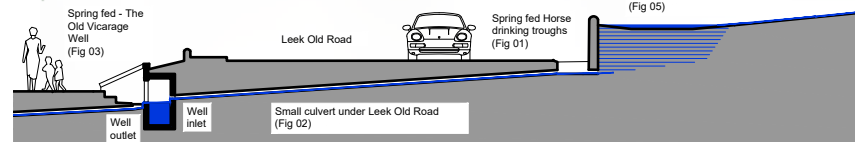
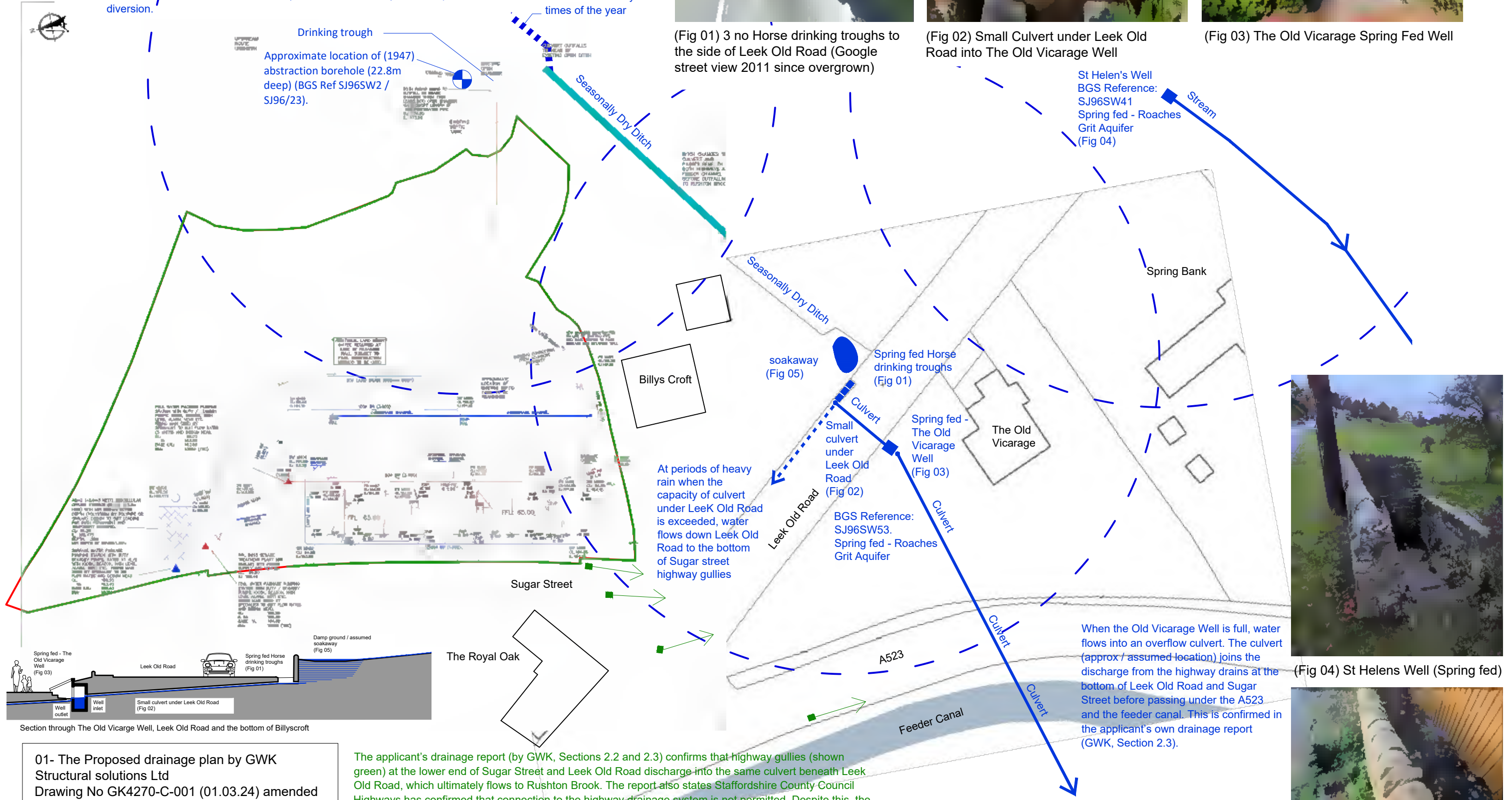
(Fig 01) 3 no Horse drinking troughs to the side of Leek Old Road (Google street view 2011 since overgrown)



(Fig 02) Small Culvert under Leek Old Road into The Old Vicarage Well



(Fig 03) The Old Vicarage Spring Fed Well



Section through The Old Vicarage Well, Leek Old Road and the bottom of Billys Croft

01- The Proposed drainage plan by GWK Structural solutions Ltd
Drawing No GK4270-C-001 (01.03.24) amended and corrected to show assumed route of stream 31/05/2026

The applicant's drainage report (by GWK, Sections 2.2 and 2.3) confirms that highway gullies (shown green) at the lower end of Sugar Street and Leek Old Road discharge into the same culvert beneath Leek Old Road, which ultimately flows to Rushton Brook. The report also states Staffordshire County Council Highways has confirmed that connection to the highway drainage system is not permitted. Despite this, the proposals show surface water and treated effluent being pumped into a ditch that flows by gravity into the same culvert system, to which the applicant has no permission to connect.

St Helen's Well
BGS Reference:
SJ96SW41
Spring fed - Roaches
Grit Aquifer
(Fig 04)

soakaway
(Fig 05)

Spring fed Horse
drinking troughs
(Fig 01)

Small culvert
under
Leek Old
Road
(Fig 02)

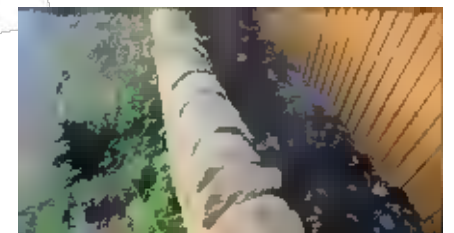
BGS Reference:
SJ96SW53.
Spring fed - Roaches
Grit Aquifer

At periods of heavy
rain when the
capacity of culvert
under Leek Old Road
is exceeded, water
flows down Leek Old
Road to the bottom of
Sugar street
highway gullies

When the Old Vicarage Well is full, water flows into an overflow culvert. The culvert (approx / assumed location) joins the discharge from the highway drains at the bottom of Leek Old Road and Sugar Street before passing under the A523 and the feeder canal. This is confirmed in the applicant's own drainage report (GWK, Section 2.3).



(Fig 04) St Helen's Well (Spring fed)



(Fig 05) Saturated ground above retaining wall at the bottom of Billys Croft garden above Leek Old Road, assume water soaks through to culvert