

Christopher Williamson

From: Christopher Williamson
Sent: 22 July 2026 18:20
To: 'Chief Officer'
Cc: 'cso@gnosallparishcouncil.gov.uk'
Subject: The Parish Council's Misleading 20th July Public Meeting Statements re Flooding Impact
Attachments: Flood risk assessment.pdf; Gnosall Parish Council response.pdf; Severn Trent 233_08_SD30 Environmental Permitting_variation notice.pdf; Gnosall Parish Council Doley Brook and the Acres Floodplain.pdf

Dear Jennifer Marshall,

We note that the slides presented on Monday night have now been uploaded to the parish council's website and the notes of the meeting will be uploaded as soon as practicable.

Surface Water Flooding

The report from Travis Baker has been in the council's possession for 6 months. However, it was not presented during the public meeting on Monday, and the slides do not make reference to that report.

The original flood risk assessment for the Tulip & Daffodil (T&D) estate is attached along with the parish council's comments.

The reserved matters application for T&D specified an 800m³ attenuation pond. However, as built, this was undersized by 40%. This is stated in Travis Baker's report, and it was known to the parish council before the council decided to support the Knightley Road planning application.

The minutes of the meeting that Gnosall Parish Council representatives attended with the developer, Central & Country Developments Ltd, on the 4th December 2025 state:

"the attenuation basins (Tulip & Daffodil) have not been adopted and STW do not control these. The basins fill as water backs up from the weir wall in the hydrobreak chamber, with the design showing the basins to have a capacity of 800m³. The survey carried out of the as built system shows that the attenuation basins have an actual capacity of 472m³. This is because the western side of both basins are too low and hence in an extreme flood event surface water would overflow from the basins towards Hollies Brook without passing through the hydrobreak chamber. The suggested solution (subject to detailed design) is to build up the northern sides of both basins so that the storage capacity increases from 472m³ to 800m³. C&CD agreed that surface water from the Knightley Road development could **NOT** drain into the T&D system until this issue of storage capacity has been addressed. A private company currently owns the basins; therefore we have no right to the land. Stafford BC can enforce them to resolve the issue under the original planning agreement".

During that meeting, all parties present were informed that due to the statute of limitations and the change of ownership for the land containing the attenuation ponds, Stafford BC are now unable to enforce.

Nevertheless, the planning application proposes that under specified conditions the outflow from the 1,884m³ attenuation ponds on the Knightley Road site would fill the little 472m³ attenuation pond on the Tulip & Daffodil estate within 24 hours, **but that assumes it is not raining on the Daffodil Road side of Knightley Road!** In reality, it is conceivable that the discharge rate from the Tulip & Daffodil estate to Hollies Brook would at least double. On the basis that flooding in the downstream Acres flood plain and Doley Brook has significantly worsened since the T&D estate was built, it is reasonable to suggest that the situation would get much worse.

Downstream Impacts

I have attached an extract from the parish council's website, which states that the **"Parish Council has never impeded drainage nor encouraged flooding and is the only landowner that has actively taken appropriate steps to alleviate flooding problems along the Doley Brook"**.

When the parish council decided to unequivocally support the proposed development on Knightley Road, did the committee members consider, in accordance with their **Code of Conduct**, the statements on the council's own website?

During the last few years there has been lots of press coverage about water companies pumping sewage into rivers and coastal waters during periods of heavy rainfall. Stories usually hit the press when a group of swimmers encounter something they shouldn't in a major river or in the sea.

Sewage being pumped into a watercourse must also happen in Gnosall; the only difference is there are probably no swimmers around!

Hollies Brook flows into Doley Brook just before it passes beneath Station Road. The flood plain swells, after Hollies Brook and Doley Brook burst their banks, flooding the area west of Brookhouse Road in the vicinity of Forresters Lane and then down to Station Road and Wharf Road. Flood water eventually builds up around the electrical substation – which can be dangerous!

However, most people may not notice or even know that there is a sewage pumping station near to the allotments. When surface water drains cannot discharge to a watercourse because the flood plain has risen above the level of the surface water drain inflow, surface water finds its way into the foul sewers, mixing with sewage. This results in pumping stations like the one near the allotments, within the flood plain, pumping sewage into Doley Brook, thereby polluting the watercourse.

More surface water flowing into Hollies Brook from the Knightley Road development via the T&D attenuation ponds (instead of flooding Knightley Road) will increase the frequency of the Hollies Brook / Doley Brook flood plain problem and increase the frequency for sewage discharge into Doley Brook.

Large residential developments consisting of more than 150 dwellings automatically require an environmental impact assessment, which must consider many issues including the impact of downstream flooding. Smaller developments fall through the cracks unless the planning authority produces a screening opinion that considers all the relevant facts. In planning terms, this issue has been overlooked.

I have attached the permit issued to Severn Trent. **The discharge to Doley Brook is shown on page 17 of 25 – highlighted in yellow and circled in red.** The full location address for the sewage pumping station is GNOSALL SEWAGE PUMPING STATION CSO, STATION ROAD, GNOSALL, STAFFORD, ST20 0BF with Grid Reference SJ8252920556.

The Law

The right to decide whether or not to accept a discharge into a watercourse is based on land ownership. It is a trespass to discharge surface water onto the land of another person without their permission. In other words, even if Severn Trent gave consent for the Knightley Road development to connect their attenuation pond outflow into the surface water drain on the T&D estate, this would not legally allow that development to allow its surface water to flow into the attenuation ponds on private land on the T&D estate.

Page 18 of the applicants own Flood Risk Assessment and Drainage Strategy Report states: **"Commitment that the shortcoming in the T&D storm drainage attenuation ponds should be remedied before Knightley Rd connects into that system"**.

As determined in the case of ***Grampian Regional Council v City of Aberdeen District Council (1984)*** the planning authority cannot impose a positive condition requiring the applicant to carry out works on land they do not control, which would be unenforceable. This would require a negative condition preventing the development from commencing until specified external actions have been taken, which would be reasonable and enforceable.

Will the parish council now withdraw its support for this development or at least caveat their support by seeking a Grampian Condition?

The council's website alludes to the Acres floodplain problem as being solely a matter for the Environment Agency. However, as the owner of the Acres, the council is able to take a much more proactive stance by contributing to the cost of a flood defence system to protect those properties that may be impacted and by applying for an environmental permit to construct a flood defence wall.

As Lord Justice Mann said with the agreement of the other members of the Court of Appeal in North Wiltshire District Council v Secretary of State for the Environment (1993) 65 P & CR 137:

"One important reason why previous decisions are capable of being material is that like cases should be decided in a like manner so that there is consistency [...]. **Consistency is self-evidently important to both developers and development control authorities. But it is also important for the purpose of securing public confidence in the operation of the development control system.**"

Will the parish council now reconsider its position before the 12th August 2026?

Yours sincerely,

Chris Williamson
Co-Founder
For and on behalf of
Gnosall Planning Challenge

E: join@gnosallplanningchallenge.org
W: www.gnosallplanningchallenge.org



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