

REPORT FOR STRATEGIC PLANNING COMMITTEE

Date of Meeting	11 December 2024
Application Number	PL/2022/04875
Site Address	Land at Salisbury Retail Park, London Road, Salisbury, SP1 3YX
Proposal	Adjusted BNG areas in association with - Proposed commercial development comprising a Use Class E foodstore (including the sale of non-food goods) and 'drive thru' coffee shop unit; petrol filling station; provision of open space / landscaping including a new pedestrian and cycle link between London Road and Green Lane; access, parking, and associated infrastructure and development.
Applicant	Asda Stores Ltd
Town/Parish Council	SALISBURY CP and LAVERSTOCK & FORD CP
Ward	SALISBURY MILFORD – Cllr Charles McGrath LAVERSTOCK – Cllr Ian McLennan
Type of application	Full Planning
Case Officer	Richard Hughes

Reason for the application being considered by Committee

Members will recall that the attached officer report for a new supermarket was considered by the Strategic Planning Committee on 17 April 2024, and was approved subject to a S106 being completed and suitable planning conditions being imposed. The S106 is in the process of being agreed and completed between the parties, and the applicants have asked to make adjustments to the location of the provision of the biodiversity net gain within the adjacent Castle Hill Country Park.

1. Purpose of Report

The Council's Scheme of Delegation states that the Head of Development Services has the delegated power to adjust legal agreements and planning conditions. Thus, this report is for Members to note the adjustment to the biodiversity provisions within the adjacent Country Park area, and hence officers confirm that the planning permission be APPROVED subject to conditions and a suitable S106 legal agreement as adjusted.

2. Report Summary

The main issues remain as explained in the attached report. This report is related solely to the adjustment to the Biodiversity Net Gain provision within the adjacent Country Park land.

3. Site Description

The site remains as described in the attached report.

4. Planning History

As attached officer report

5. The Proposal

As attached officer report. The only adjustment is the provision of an adjusted location for the biodiversity net gain within the adjacent Country Park. Essentially, the northern most parcel of land would no longer be used, and both BNG parcels would be located in the southern part of the adjacent Country Park. This is because it has become apparent that the ground conditions within the area originally outlined are not suitable for the provision of the new habitat

6. Planning Policy

As attached reports.

7. Summary of consultation responses

As attached report. Members will note that previously. WC Ecology had no objections to amended layout and additional information and off-site mitigation, and subject to suitable conditions and a S106.

Further to the applicants request to adjust the BNG location within the adjacent Country Park, WC Ecology has again reiterated that it has no objection.

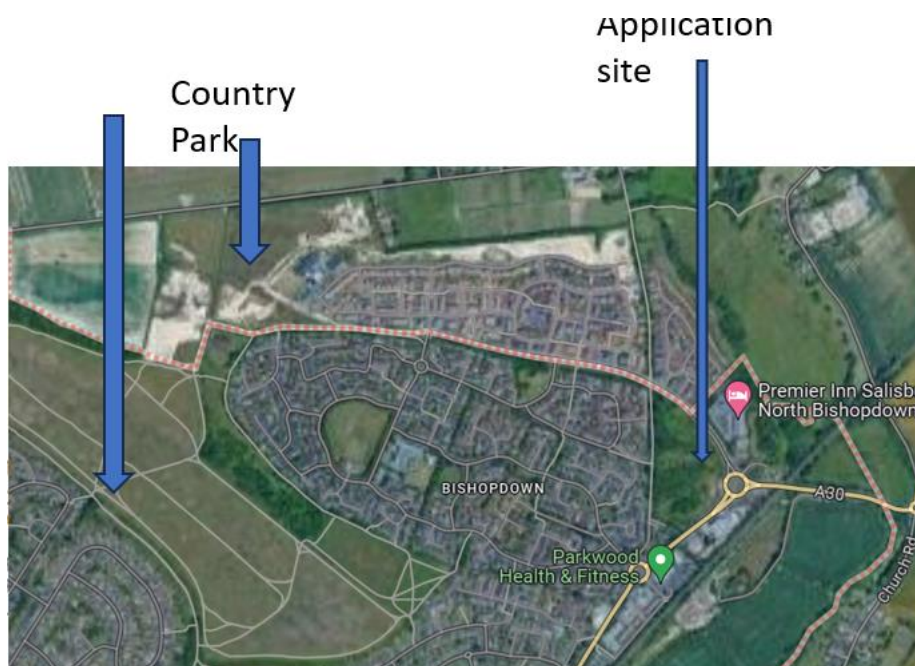
8. Publicity

As per attached officer reports

9. Planning Considerations

Adjustment to Biodiversity Net Gain location

Members will recall that the previously considered scheme offered both Bio-diversity Net Gain provision within the application site around the planned store and car park, and also within two areas within the adjacent Country Park. The previous attached officer report explains these matters and indicates that following areas for BNG provision on the Country Park. The close relationship between the application site and the adjacent Country Park is shown below:



Original location of BNG land at Country Park



The layout and biodiversity net gain (BNG) for the ASDA store remains as previously considered. However, Members should note that the off-site BNG Plan / Reports are being changed slightly to secure the new habitat at a different parcel within Castle Hill Country Park. Essentially, the northern most parcel of land would no longer be used, and both BNG parcels would be located in the southern part of the Country Park. This is because it has become apparent that the ground conditions within the area originally outlined are not suitable for the provision of the new habitat. See revised parcel locations below:

Location of revised parcels of BNG



Larger scale plan of revised BNG parcels



WC Ecology has discussed this adjustment with the applicants and the changes have been agreed. It should be noted that that this planning application came in before 10 percent BNG was made mandatory on all large scale applications from 12th February 2024. Consequently, there is no strict requirement for 10% BNG provision as part of this planning application scheme.

Officers position is that we had encouraged developers to provide at least some biodiversity to compensate for what would be lost by the proposal, which satisfies the requirements of policy CP50 of the WCS and the NPPF.

However, like the scheme Members previously approved, this revised proposal provides 10 percent biodiversity, well in excess of current Local Plan policy, and in line with national policy. The adjustment to the BNG land within the Country Park does not affect the functioning of the Country Park or its users, and has been agreed to by the Land Trust, which manage the Country Park.

The section 106 agreement heads of terms will need to be adjusted slightly to refer to the adjusted BNG scheme, namely criteria D) which should read:

“D) Off site biodiversity mitigation

A scheme to secure the off site ecological mitigation/biodiversity land at the adjacent Riverdown Park/Castle Hill site identified in the submitted Off-site Biodiversity Net Gain report, and the Management and Maintenance Plan dated 19th November 2024 by Land Trust, report reference 22714”

There will also need to be consequential adjustment to the planning conditions as outline in the attached officer report. In particular condition 02, which will need to be adjusted (as below) to include the reference Biodiversity Metric 3.1 Version 6

Consequently, as before, subject to suitable planning conditions and S106, the scheme is therefore considered to accord with National planning guidance, and adopted local planning policies, in particular CP50 & 52, & 69

9.2 Other matters

All other matters and issues remain as indicated by the attached report.

Members will note that the attached previous report indicated that the matter would be subject to call in by the Secretary of State. This has already occurred, and the Secretary of State indicated that they would not wish to call in the application. It is considered that the change proposed to the BNG location within the adjacent Country Park would have no material planning impacts, and would in any event provide over and above the BNG required by national planning policies. Thus, a further referral to the secretary of state is not considered to be required.

Members should also note that the draft Salisbury City Neighbourhood Plan has now gone through examination, but that this does not impact on this application or decision.

Summary

The Council’s Ecologist supports the adjusted biodiversity enhancements to the scheme and has previously indicated that it is unlikely that the scheme would adversely affect the SAC, given its distance from the river system, subject to suitable conditions controlling the works, including provisions within any legal agreement related to the future maintenance of the off-site land as areas for biodiversity mitigation. A positive Habitats Regulations Assessment has been concluded.

Consequently, Members should note that it remains as summarized in the attached officer report that the retail scheme improves on the previously consented schemes as it offers improved and replacement ecological mitigation on and off site. Consequently, subject to suitable planning conditions and S106, the scheme is therefore considered to accord with National planning guidance, and adopted local planning policies, including policies CP50 & 52, & 69 of the WCS.

RECOMMENDATION: THAT MEMBERS NOTE THE REPORT AND ADJUSTMENTS TO THE BIODIVERSITY NET GAIN PROVISION, AND APPROVE THE CHANGE TO THE 106 AGREEMENT HEADS OF TERMS CRITERIA D AND CONSEQUENT CHANGE TO CONDITION 2 (HIGHLIGHTED):

D) OFF SITE BIODIVERSITY MITIGATION

A SCHEME TO SECURE THE OFF SITE ECOLOGICAL MITIGATION/BIODIVERSITY LAND AT THE ADJACENT RIVERDOWN PARK/CASTLE HILL SITE IDENTIFIED IN THE SUBMITTED OFF-SITE BIODIVERSITY NET GAIN REPORT, AND THE MANAGEMENT AND MAINTENANCE PLAN DATED 19 NOVEMBER 2024 BY LAND TRUST, REPORT REFERENCE 22714

AND SUBJECT TO THE FOLLOWING ADJUSTED CONDITIONS:

01 The development hereby permitted shall begin no later than three years from the date of this decision.

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

Approved details

02 Unless otherwise specified by the subsequent conditions, the development shall be carried out in accordance with the following approved plans and details:

Ref: 0000_01 Rev P8- Location Plan
Ref: 0000_02 Rev P8- Existing Site Plan
Ref: 0000_04 Rev P20 Proposed site layout
Ref: 0000_05 Rev P6- Asda Store- Ground Floor Layout
Ref: 0000_06 Rev P7- Asda Store- Proposed Roof Plan
Ref: 0000_07 Rev P4- Proposed Site Sections
Ref: 0000_08 Rev P7- Asda Store- Elevations
Ref: 0000_09 Rev P5- Asda Store- Elevation Callouts
Ref: 0000_10 Rev P4- Click and Collect structure
Ref: 0000_30 Rev P3- Petrol Filling Station floor Plan
Ref: 0000_31 Rev P2- Petrol Filling Station Elevations
Ref: 0000_32 Rev P2- Petrol Filling Station Roof Plan
Proposed Landscaping Scheme Drawing No. 04 Rev L

Biodiversity

Biodiversity Metric 3.1 V6

Biodiversity Net Gain Plan Rev F. 5th December 2023.

Highways Plans - Proposed modifications to site access and Pearce Way:

Drawing 001 Rev A (Site Plan showing all areas of works)
Drawing 002 Viewport 01
Drawing 003 Viewport 02
Drawing 004 Viewport 03
Drawing 005 Rev A Viewport 04

REASON: In order to ensure that the scheme is constructed in accordance with the details previously agreed.

Materials and landscaping

- 03 No external materials or external facade works shall take place/be applied until full details or samples of the materials for the external elevations of the buildings and walling, have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

No landscaping works shall take place until a scheme detailing the hard and soft landscaping has been submitted to and approved by the LPA. This should include details of surface materials; shrub and tree planting including details of tree pits confirming that such pits will be adequate to allow the trees to flourish; and details of times of planting, species and size. The landscaping shall be carried out and maintained in accordance with the approved scheme.

REASON: In the interest of visual amenity of the site and surrounding area.

Restrictions on operation of use

- 04 The retail supermarket store shall not be open to the public (trading hours) other than between the hours of Monday to Saturday: 0700 hrs to 2300 hrs and Sunday: a maximum six-hour period between 0900hrs to 1700hrs

REASON: In the interests of amenity.

- 05 The drive-through coffee shop shall not be open to the public (trading hours) other than between the hours of Monday to Saturday: 0700 hrs to 2300 hrs and Sunday: 0900hrs to 2000hrs

REASON: In the interests of amenity.

- 06 Petrol filling station tanker deliveries will only take place between 0700hrs and 2100hrs Monday to Sunday. There shall be no tanker deliveries outside of these times.

REASON: In the interests of amenity.

- 07 The jet wash, air, water and vacuum units associated with the petrol filling station shall only operate between 0900hrs and 1800hrs Monday to Sunday. They shall not be operational outside of these times.

REASON: In the interests of amenity.

- 08 No deliveries shall be made to, or waste collections made from, the petrol filling station or coffee drive through hereby approved except between the hours of 0800hrs and 2100hrs Monday to Sunday.

REASON: In the interests of amenity.

- 09 No construction or demolition work shall take place on Sundays or Public Holidays or outside the hours of 0800hrs to 1800hrs Monday to Friday and 0800hrs to 1300hrs on Saturdays.

REASON: In the interests of the protection of amenity.

- 10 No development shall commence on site including demolition, ground works/excavation, site clearance, vegetation clearance and boundary treatment works, until a Construction and Environmental Management Plan has been submitted to and approved in writing by the local planning authority. The plan shall include details of the measures that will be taken to reduce

and manage the emission of noise, vibration and dust during the demolition and/or construction phase of the development. It shall include details of the following:

- i. The movement/routing of construction vehicles;
- ii. Construction staff parking
- iii. The cutting or other processing of building materials on site;
- iv. Wheel washing and vehicle wash down facilities;
- v. The transportation and storage of waste and building materials;
- vi. The recycling of waste materials (if any)
- vii. The loading and unloading of equipment and materials
- viii. The location and use of generators and temporary site accommodation
- ix. Where piling is required this must be Continuous flight auger piling wherever practicable to minimise impacts
- x. Details of the avoidance, mitigation and protective measures to be implemented before and during the construction phase, including but not necessarily limited to, the following:
 - a. Identification of ecological protection areas/buffer zones and tree root protection areas and details of physical means of protection, e.g. exclusion fencing. This is particularly pertinent to the hedgerow, trees and buffer area along the western edge of the site and the southern and eastern areas set aside for grassland creation and enhancement.
 - b. Working method statements for protected/priority species, such as nesting birds and reptiles.
 - c. Mitigation strategies already agreed with the local planning authority prior to determination, such as for great crested newts, dormice or bats; this should comprise the pre-construction/construction related elements of strategies only.
 - d. Work schedules for activities with specific timing requirements in order to avoid/reduce potential harm to ecological receptors; including details of when a licensed ecologist and/or ecological clerk of works (ECoW) shall be present on site.
 - e. Key personnel, responsibilities and contact details (including Site Manager and ecologist/ECoW).
 - f. Timeframe for provision of compliance report to the local planning authority; to be completed by the ecologist/ECoW and to include photographic evidence.

The exact prescriptions of the CEMP should be drawn from the submitted Ecological Assessment Report by Encon Associates (Revision E) dated 20/12/23 and based on the Tree Survey Report and AIA Method Statement Rev B Dated 12/5/2022 By Encon.

The construction/demolition phase of the development will be carried out fully in accordance with the construction and environmental management plan at all times.

REASON: In the interests of the protection of amenity and to ensure adequate protection and mitigation for ecological receptors prior to and during construction, and that works are undertaken in line with current best practice and industry standards and are supervised by a suitably licensed and competent professional ecological consultant where applicable.

11. Prior to the installation of any air extraction system which discharges air that is likely to be odorous, including from food or drink preparation rooms, a scheme of works for the control and dispersal of atmospheric emissions, and in particular odours has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full before the development is first brought into use and shall be maintained in effective working condition at all times thereafter.

REASON: In the interests of the protection of amenity. In discharging this condition, the applicant should ensure that the ventilation system discharges vertically at a height of at least 1m above the height of any nearby sensitive buildings or uses and not less than 1m above the eaves. We also recommend the applicant consults EMAQ ref "Control of odour and noise from commercial kitchen exhaust systems.

12. No building shall be occupied until an assessment of the acoustic impact arising from activities within the enclosed warehouse and any fixed plant associated with main supermarket, Petrol Filling Station shop and the Coffee Drive Through is undertaken in accordance with BS 4142: 2014 +A1:2019, and that assessment has been submitted to the Local Planning Authority together with a scheme of attenuation measures to demonstrate the rated level of noise shall not exceed background and is protective of local amenity.

The assessment is to be based on the background levels (LA90T) recorded in the predevelopment noise survey, as provided in Table 1 of the submitted Acoustic Consultancy Partnership Ltd report ref 11679, dated 16th May 2022.

The scheme shall be submitted to and approved in writing by the Local Planning Authority. A post installation noise assessment shall be carried out within 3 months of completion of the development to confirm compliance with the noise criteria and additional steps required to achieve compliance shall be taken, as necessary. The assessment shall provide confirmation of the as installed details, with calculated noise levels updated as necessary. The details as approved shall be implemented prior to occupation of the development and thereafter be permanently retained.

REASON: Core policy 57, Ensuring high design and place shaping such that appropriate levels of amenity are achievable.

Customer trolleys

13. Before the retail use hereby permitted first comes into operation, a scheme to restrict the removal of customer trolleys from the retail park site shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved scheme.

REASON: To limit the impact of the development on adjacent residential amenity

Landscape and Ecological Management Plan (LEMP)

14. Prior to the start of construction, a Landscape and Ecology Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. The LEMP will include long term objectives and targets, management responsibilities and maintenance schedules for each ecological feature within the development, together with a mechanism for monitoring success of the management prescriptions, incorporating review and necessary adaptive management in order to attain targets.

The LEMP shall be implemented in full and for the lifetime of the development in accordance with the approved details.

REASON: To ensure the long-term management of landscape and ecological features retained and created by the development, for the benefit of visual amenity and biodiversity for the lifetime of the scheme.

Lighting

15. Notwithstanding the information and details within the submitted Lighting Statement by DDA dated 25th March 2022, prior to the installation of any lighting, a complete Lighting Strategy for the site, which contains lux contour plots demonstrating that light levels of 0.5 Lux or less can be achieved at the edges of key habitat features, together with location, type and model of all lighting units to be installed, shall be submitted to and approved in writing by the Local Planning Authority. The lighting scheme shall be carried out in accordance with the agreed scheme.

REASON: In the interests of conserving biodiversity.

Contamination

- 16 In accordance with conclusions of the submitted Preliminary Risk Assessment report, (Preliminary Risk Assessment by DTS Raeburn Ltd November 2021), no development shall commence on site until a more detailed site investigation and risk assessment has been carried out in accordance with DEFRA and Environment Agency's "Model Procedures for the Management of Land Contamination CLR11" and other authoritative guidance and a report detailing the site investigation and risk assessment shall be submitted to and approved in writing by the Local Planning Authority.

If the report submitted pursuant to above indicates that remedial works are required, full details must be submitted to the Local Planning Authority and approved in writing and thereafter implemented prior to the commencement of the development or in accordance with a timetable that has been agreed in writing by the Local Planning Authority as part of the approved remediation scheme. On completion of any required remedial works the applicant shall provide written confirmation to the Local Planning Authority that the works have been completed in accordance with the agreed remediation strategy.

REASON: Core policy 56, To reduce the risks associated with land contamination

Retail use restrictions

17. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), the retail store shall be used solely for purposes within Class(es) E (a) retail and (b) food and drink, of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended)(or in any provisions equivalent to that class in any statutory instrument revoking or re-enacting that Order with or without modification). There shall be no subdivision of the main retail unit (with the exception of the internal café/restaurant) hereby approved, or any additional internal floor space created (including any insertion of mezzanine floors) for the purposes of additional net retail sales area, not covered by this permission.

REASON: The proposed use is acceptable but the Local Planning Authority wish to consider any future proposal for a change of use, other than a use within the same class(es), having regard to the circumstances of the case and in order to limit the impact of the development on the vitality and viability of Salisbury city centre, including the planned Maltings and Central Car Park development.

18. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any Order revoking or re-enacting or amending that Order with or without modification), there shall be no additions to, or extensions or enlargements of any building forming part of the development hereby permitted for the purposes of the creation of additional net retail sales floor area.

REASON: In the interests of the amenity of the area and to enable the Local Planning Authority to consider individually whether planning permission should be granted for additions,

extensions or enlargements and in order to limit the impact of the development on the vitality and viability of Salisbury city centre, including the planned Maltings and Central Car Park development.

Highways and parking

19. The main retail unit and the drive through unit shall not be occupied (open for trading) until the vehicular access has been amended as outlined on drawing ref: 'Proposed Modifications to Site Access and Pearce Way Viewpoint 04' drawing number: 005 Rev A. This includes widening of the lane to provide a two-lane entry onto Hampton Park Roundabout, provision of a traffic calmed pedestrian/cycleway crossing of the access and alterations to street lighting.

REASON: To ensure that adequate pedestrian and cycle routes are provided to the site in the interests of highway safety.

20. The main retail unit and the drive through unit shall not be occupied (open for trading) until the new shared use footway/cycleways on Pearce Way and London Road and the upgrade of the existing footways to shared use footway/cycleways on Pearce Way and London Road as outlined on drawing ref: 'Proposed Site Layout' rev P20, together with associated lining and signing, and street lighting alterations over the entire site frontage are provided.

REASON: To ensure that adequate pedestrian and cycle routes are provided to the site in the interests of highway safety. Note the above details will need to be agreed as part of a separate S278 Agreement with the Council as Highway Authority.

21. The main retail unit and the drive through unit shall not be occupied (open for trading) until details of the direct pedestrian/cycle links from Green Lane into the western boundary of the site have been submitted to and approved in writing by the Local Planning Authority. No part of the development hereby approved shall be first brought into use until the links have been completed in accordance with the approved details.

REASON: To ensure that adequate pedestrian and cycle routes are provided to the site in the interests of highway safety.

22. No part of the development of hereby permitted shall be first brought into use until the access, and turning areas, servicing area, internal pedestrian and cycle paths, parking spaces and cycle spaces have been completed in accordance with the details shown on the approved plans, including surfacing and demarcation of parking spaces. The areas shall be maintained for those purposes at all times thereafter.

REASON: In the interests of highway safety and to ensure that satisfactory facilities for the parking of cycles are provided, and to encourage travel by means other than the private car.

23. Within 6 months of the development hereby approved opening for trading, a Full Travel Plan based on the submitted framework travel plan (ref GB01T21E36/002/V4 by Systra) shall be submitted to and approved in writing by the Local Planning Authority. The full travel plan when approved shall be implemented (including the appointment of a travel plan co-ordinator) from the date of approval.

REASON: In the interests of promoting sustainable patterns of travel to and from the development.

Drainage

24. Notwithstanding the details shown on the Proposed Schematic Drainage Option 03 – Infiltration and SUDS dated September 2022 by MJM ref 7163-MJM-01-00- DR-C-15204 Rev P03, no development shall take place regards the drainage scheme/works for the site, until a scheme for the discharge of surface and foul water from the buildings hereby permitted has been submitted to and approved in writing by the Local Planning Authority. The scheme submitted shall provide the following:

- Geotechnical factual and interpretive reports, including infiltration tests in accordance with British Research Establishment (BRE) Digest 365 – Soakaway Design.
- Demonstrate 20% betterment has been achieved on post-development discharge rates for both peak flow and volume on existing greenfield rates for all storm events between the 1 in 1 year and the 1 in 100 year return period storm events.
- Drawings which demonstrates mitigation of potential pollutants from the proposed petrol station, and calculations which demonstrate the drainage design provides a sufficient level of water treatment to prevent pollution of groundwater.
- Detailed cross and long section drawings of the proposed attenuation pond and its components.
- Detailed calculations for the attenuation pond, and demonstrate a freeboard has been applied.

and the drainage scheme shall be carried out and retained in accordance with the approved details.

REASON: To limit the impact of the scheme on the drainage system and surrounding natural habitats.

Archaeology

25 No development shall take place within the application area until the applicant has secured and implemented a programme of archaeological field evaluation in accordance with a written scheme of investigation, which has been submitted by the applicant and approved in writing by the Local Planning Authority. The results of the evaluation will inform the preparation of a mitigation strategy which will be submitted by the applicant and approved in writing by the Local Planning Authority prior to the commencement of the development. The mitigation strategy will provide for:

i) A programme of site investigation and recording, or alternative appropriate mitigation, within any areas of archaeological interest. Development will not commence within any area of archaeological interest until the site investigation has been satisfactorily completed.

ii) A programme of post investigation assessment, analysis, publication, dissemination and archiving. This part of the condition shall not be discharged until these elements of the programme have been fulfilled in accordance with the programme set out in the mitigation strategy or unless otherwise agreed in writing by the Local Planning Authority.

REASON: To enable the recording of any matters of archaeological interest.

Sustainable design

26. The main retail unit hereby permitted shall achieve a BREEAM (Building Research Establish Environment Assessment Method) rating of 'Excellent'. Unless otherwise agreed in writing with the Local Planning Authority, the retail unit shall not be occupied until the post-construction state assessment and subsequent BREEAM Certificate certifying that 'excellent'

status has been achieved has been submitted to and agreed in writing by Local Planning Authority.

REASON: In order to produce a scheme with a high level of sustainable design in accordance with adopted Wiltshire Core Strategy Policy CP41.

INFORMATIVES

S106

The development shall be carried out in accordance with the S106 dated ****

Highways

The applicant will be required to enter into a S278 Agreement with the Highway Authority before commencement of the works identified in conditions above.

Drainage

- If the applicant intends to offer SuDS features for adoption, their designs will need to be in accordance with Wessex Water's SuDS Adoption Guidance.
- The site is likely to be underlain by chalk. In chalk, or any other fill material prone to instability, soakaways should be sited in accordance with the chalk density in accordance with CIRIA C574 "Engineering in Chalk"; this may result in min 10m clearances being required from any building, road or structure foundations.
- The drainage strategy will need to consider the increased contamination risk to groundwater / surface waterbodies posed by the petrol forecourt, and propose suitable pollutant mitigation for this area of the site.
- The applicant is referred to Wiltshire Council's Surface Water Soakaway Guidance for the standards that must be met for planning approval and adoption of infiltration drainage features.
- The surface water disposal hierarchy is set out below (as per the Sewerage Sector Guidance, paragraph C.3.12):
 - Surface water runoff is collected for use.
 - Discharge into the ground via infiltration.
 - Discharge to a watercourse or other surface water body.
 - Discharge to surface water sewer or other drainage system, discharging to a watercourse or other surface water body.
 - Discharge to a combined sewer.