

Planning Committee

Wednesday 29 July 2020

Late Observations Schedule

Schedule Items

<u>Item</u>	<u>App No</u>	<u>Observations</u>
-------------	---------------	---------------------

1	17/0779	
---	---------	--

Consultee Update - Environment Agency

The Environment Agency have contacted the council to confirm that they have received the information requested from the applicants' drainage consultant on 21 July, and are likely to be able to provide an interim response by the Committee. However the information provided is complex and will require detailed assessment and so a full response will take longer to provide.

Officer Response to EA Position

The officer recommendation ensures that the decision will not proceed favourably unless the EA are able to withdraw their objection, and that cannot occur until they have had the chance to review the applicants' information. As such this position is accommodated within the officer report in the agenda papers and it is not necessary to amend the recommendation.

Consultee Update – LCC Highways

The comments set out in the officer report in the agenda are a draft version of their final position. The final comments have now been received and essentially are as set out in the draft comments reported in the agenda but with a number of changes of emphasis and suggested additional conditions. They also highlight that the lack of objection to the development is based on the delivery of the through access route, and if this was not available they believe the site access would be deficient and so would wish to revise their position with additional requirements necessary to facilitate sustainable development.

Their final comments include the following summary statement:

“With consideration for all the information now provided, I consider that the proposal can be made acceptable, however this is subject to the agreed scheme of highway improvement and delivery of infrastructure to facilitate a through access road and therefore delivery of the wider site in line with the agreed Masterplan.

LCC Highways positive comments on the applications on Local Plan site HSS5 and the position we have taken in regard to, for example, not requesting funding for sustainable transport and other s106 requirements is because site delivery (HSS5) relies entirely on the delivery of the through access route, which will be funded and delivered through this and the adjacent application. To be clear any change to the through access route delivery/phasing would require LCC Highways to revise and update our position having regard to site deficiencies and additional requirements necessary to facilitate sustainable development such as PT provision.

I consider delivery of necessary infrastructure in line with the Masterplan and a number of other matters can be suitably addressed and secured by condition and therefore I would offer no objection to the proposed development providing suitable conditions including Grampian type conditions are put in place to ensure these necessary measures

are delivered in line with agreed trigger points.”

With regards to the conditions there are several key elements to their suggested changes:

- C17 should include ‘Local access works at Cropper Road/Lea Green Lane’ as an element of these works
- C18 should be revised to include clarification that the developer is to fund the speed limit review
- C20 should be clarified with reference to the drawings which indicate those works
- An additional condition should be included to provide a 180 dwelling limit on the development without the connection between School Road and Lea Green Drive being in place
- An additional condition should be included to provide a 80 dwelling limit on the development without the construction of the access across the site by 250m and a 100 dwelling limit for its construction by 400m to ensure that the road construction progress with the residential development

Officer Response to LCC Highways position

The officer recommendation accommodates the points made by LCC Highways in the draft version of the final comments, and as these have not changed then there are no revisions necessary to the officer recommendation.

However, they suggest that there are revisions made to the highway conditions to strengthen and clarify the scope of works that are to be undertaken. These are all logical and appropriate and so should be taken forward in the final decision.

Revised Condition

The officer report contains an error in the suggested condition 4 which refers to the scheme being for upto **250** dwellings whereas it is in fact for upto **350** dwellings. This is a typographical error that officers request is corrected in the Committee resolution.

Revised Recommendation

The recommendation is appropriate as set out in the agenda papers with the final decision delegated to the Head of Planning and Housing, but Committee are requested to support the revisions to the scope of conditions as set out in this late observations schedule relating to highways matters and the correction of the number of units that can be built, along with the drainage and other issues in the agenda papers.

2 19/0284 Consultee Update - Environment Agency

The Environment Agency have contacted the council to confirm that they have received the information requested from the applicants' drainage consultant on 21 July, and are likely to be able to provide an interim response by the Committee. However the information provided is complex and will require detailed assessment and so a full response will take longer to provide.

Officer Response to EA Position

The officer recommendation ensures that the decision will not proceed favourably unless the EA are able to withdraw their objection, and that cannot occur until they have had the chance to review the applicants' information. As such this position is accommodated within the officer report in the agenda papers and no change to it is required.

Consultee Update – United Utilities

They have provided comments on the 99 dwelling scheme. They highlight that the

development should have the foul and surface water drained separately, and that the submitted Flood Risk Assessment covers a larger area than just the area of this site (i.e. the two sites together). To address this they request that prior to development commencing a site specific surface water drainage scheme should be submitted and approved related to the drainage hierarchy in the NPPF and the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015).

They also highlight the need for appropriate provision to be made for the future maintenance of the drainage arrangements on site, including and SUDS facilities, and that there are likely to be significant costs involved in providing a water supply to the site.

Officer Response to UU Position

The comments confirm a lack of objection and so have no bearing on the overall recommendation to Committees. The officer recommendation recognises that a series of drainage conditions will be required to meet the requirements of the various drainage authorities and so these are to be drafted and imposed under that existing recommendation.

Consultee Update – Lead Local Flood Authority

They have provided comments on the 99 dwelling scheme. They state: *“The Lead Local Flood Authority has no objection to the proposed development subject to the inclusion of the following condition”*. They then request a condition that requires the submission and agreement of the final details of the surface water drainage scheme for the site including controls over the rate of run-off, the measures to be taken to prevent pollution, the management and maintenance arrangements for the drainage system, and details of how the surface water will be controlled during construction. They also request that an informative be added to any planning permission to highlight that should the site drain to an ordinary watercourse there will be a need to secure Land Drainage Consent under that legislation.

Officer Response to LLFA Position

The comments confirm a lack of objection and so have no bearing on the overall recommendation to Committees. The officer recommendation recognises that a series of drainage conditions will be required to meet the requirements of the various drainage authorities and so these are to be drafted and imposed under that existing recommendation.

Consultee Update – LCC Highways

The comments set out in the officer report in the agenda are a draft version of their final position. The final comments have now been received and essentially are as set out in the draft comments reported in the agenda but with a number of changes of emphasis and suggested additional conditions. They also highlight that the lack of objection to the development is based on the delivery of the through access route, and if this was not available they believe the site access would be deficient and so would wish to revise their position with additional requirements necessary to facilitate sustainable development.

They also include the following summary statement:

“With consideration for all the information now provided, I consider that the proposal can be made acceptable, however this is subject to the agreed scheme of highway improvement and delivery of infrastructure to facilitate a through access road and therefore delivery of the wider site in line with the agreed Masterplan.

LCC Highways positive comments on the applications on Local Plan site HSS5 and the

position we have taken in regard to, for example, not requesting funding for sustainable transport and other s106 requirements is because site delivery (HSS5) relies entirely on the delivery of the through access route, which will be funded and delivered through this and the adjacent application. To be clear any change to the through access route delivery/phasing would require LCC Highways to revise and update our position having regard to site deficiencies and additional requirements necessary to facilitate sustainable development such as PT provision.

I consider delivery of necessary infrastructure in line with the Masterplan and a number of other matters can be suitably addressed and secured by condition and therefore I would offer no objection to the proposed development providing suitable conditions including Grampian type conditions are put in place to ensure these necessary measures are delivered in line with agreed trigger points.”

With regards to the conditions there are several key elements to their suggested changes:

- C5 should be revised to include clarification that the developer is to fund the speed limit review
- C7 should be revised to extend the extent of road to be constructed by 30 dwelling occupation from 100m as set out in the agenda condition to 175m so that it is immediately north of house 16.
- C15 to be clarified to set the timing of the travel plan to commence from first occupation

Officer Response to LCC Highways position

The officer recommendation accommodates the points made by LCC Highways in the draft version of the final comments, and as these have not changed then there are no revisions necessary to the officer recommendation.

However, they suggest that there are revisions made to the highway conditions to strengthen and clarify the scope of works that are to be undertaken. These are all logical and appropriate and so should be taken forward in the final decision.

Revised Recommendation

The recommendation is appropriate as set out in the agenda papers with the final decision delegated to the Head of Planning and Housing, but Committee are requested to support the revisions to the scope of conditions as set out in this late observations schedule relating to highways matters and the drainage and other issues in the agenda papers.