

## PLANNING COMMITTEE UPDATE SHEET

COMMITTEE DATE: 4 November 2015

APPLICATION NO.	TEAM LEADER	ITEM NO.	PAGE NOS.
15/00685/OUTMAJ	LYDIA HARPER	04	123-155

### Representations

An additional 8 representations have been received in respect of this application. Additional issues to those already raised and set out in the officer report are as follows (with the officer's response in italics below):

- Reliance on mini-roundabout proposal at corner of Breck Road / Moorland Road inappropriate, will lead to increased congestion, doubt whether this can be implemented correctly/safely and unclear whether the impact of resultant traffic flows have been assessed; impact on amenity of this roundabout including full neighbour notification of this additional detail which should have been done.

*A mini-roundabout plan has been provided (14.10.15) for illustrative purposes and is considered by LCC Highways to be appropriate in principle to mitigate the impact of the development on the local highway network. The LCC Highways response specifies that this proposal has been modelled and they are satisfied that it would increase junction capacity. Any off-site highway works such as this mini-roundabout are subject to a separate legal agreement between the developer and LCC and are not subject to third party consultation by the local planning authority. Whilst comments are noted here, it is for LCC to agree a detailed scheme with the developer.*

- Traffic Count carried out between 17:00 and 17:45 on 20.10.15 showed that by 17:10 traffic had backed up from A588 (Mains Lane / Amounderness Way) roundabout to Moorland Road junction

*Results noted, although LCC Highways are satisfied that the traffic speed / volume data used to assess the impact of the development on the local highways network is considered to be a reasonable representation.*

- Concerns about reliance of long straight road design within site which will encourage high traffic speeds approaching site junction

*This acceptability of the revised access plan in terms of showing that appropriate and acceptable traffic calming can be delivered at the Reserved Matters stage to address this issue has been considered in the LCC Highways response and is indicated on page 140 of the Officer's Report.*

- Further comments on the inadequacy of the Tree Report, including failure to adhere to relevant British Standard guidelines / reference to impact on potential important hedgerow (designated by the Hedgerow Regulations)

*The Tree Survey has been considered by the Council's Tree Officer in his consultation response (summary on page 132 of the officer report). Whilst the Local Planning Authority will always encourage applicants to undertake tree surveys in line with best practice guidance, it cannot insist on this being*

*followed because this is not a legal requirement. There is sufficient information to assess the impact of the proposed development in this instance, including the removal of trees and other features, as set out in the 'Visual impact, design and landscape' and 'Ecology, Nature Conservation and Trees' sections of the officer report (pages 137-138 and 142-144). No formal assessment of whether the existing hedgerows are classified as important under the Hedgerow Regulations is deemed necessary given there is no proposed removal of these.*

- Plans show building of houses on pond(s)

*As referenced in various sections of the officer report, this is an indicative site layout plan for illustrative purposes only; full layout details would be assessed at the Reserved Matters Stage if outline permission were to be granted when full consideration of appropriate ecology mitigation and enhancement measures required would also be considered (also indicated on pages 142-143 of the officer report).*

- Concern that officer's report was written prior to neighbour notification period (of amended plans) ending

*It is entirely appropriate for any additional comments made (directly or indirectly in relation to the notification of amended plans) raising any new issues to be reported to Members on this Update Sheet.*

- Further representation received on behalf of the Governing Body of St John's Primary School confirms a further discussion between the school and developer has resulted in assurances that their original concerns with regards to Perimeter Fencing and School field Drainage will be subsequently addressed.

*Comment noted*

## **Drainage**

Further correspondence from United Utilities (UU) asks for their original response to be disregarded and a new response has been received on 23.10.15. This is after receiving information from a neighbour in the area to ensure proper drainage of the site and to protect from any possible flooding. Additional comments are as follows:

*It has recently come to light that there are known flooding issues on Moorland Rd that have not been identified in the FRA presented by the developer. To ensure that the proposed scheme does not exacerbate this issue we would recommend that all foul flows drain directly into Breck Road rather than into Moorland Road.*

At UUs request, Condition 14 will be amended as follows (additions underlined):

14. Foul and surface water shall be drained on separate systems. Unless otherwise agreed in writing by the Local Planning Authority all foul must drain directly to the public combined sewer in Breck Road.

Reason: To secure proper drainage and to manage the risk of flooding and pollution in accordance with saved Local Plan policy CIS7 and the NPPF.

In addition, UU highlight water comments previously made, which can be added to the current informative (2) about site drainage as follows (additions underlined).

The applicant can discuss further details of the site drainage proposals with Graham Perry at [wastewaterdeveloperservices@uuplc.co.uk](mailto:wastewaterdeveloperservices@uuplc.co.uk). For further information regarding Developer Services and Planning please visit the United Utilities website at <http://www.unitedutilities.com/builders-developers.aspx>

United Utilities consider that the network adjacent to the site does not have an adequate capacity to supply this development. Our water mains will need extending to serve any development on this site. The applicant, who may be required to pay a capital contribution, will need to sign an Agreement under Sections 41, 42 & 43 of the Water Industry Act 1991. Each individual unit will require a separate metered supply at the applicant's expense and all internal pipework must comply with current water supply (water fittings) regulations 1999. The level of cover to the water mains and sewers must not be compromised either during or after construction. Should this planning application be approved, the applicant should contact United Utilities on 03456 723 723 regarding connection to the water mains/public sewers. Should this application be approved the applicant must contact our water fittings section at Warrington North WwTW, Gatewarth Industrial Estate, off Liverpool Road, Sankey Bridges, Warrington, WA5 1DS.

~~A separate metered supply to each unit will be required at the applicant's expense and all internal pipe work must comply with current water supply (water fittings) regulations 1999. The level of cover to the water mains and sewers must not be compromised either during or after construction. Should this planning application be approved, the applicant should contact United Utilities on 0345 672 3723 regarding connection to the water mains or public sewers.~~

It is the applicant's responsibility to demonstrate the exact relationship between any United Utilities' assets and the proposed development. United Utilities' offer a fully supported mapping service and we recommend the applicant contact our Property Searches Team on 0870 751 0101 to obtain maps of the site. Due to the public sewer transfer, not all sewers are currently shown on the statutory sewer records, if a sewer is discovered during construction; please contact a Building Control Body to discuss the matter further.

### **Education Contribution**

A re-calculation from LCC Education received 30.10.15 confirms the financial contribution required from the development for 19 primary and 7 secondary school places reported in the officer report (page 145) remains unchanged. In addition, LCC have stated their intention to use the primary education contribution to provide additional primary places at The Breck Primary School and to use the secondary education contributions to provide additional secondary places at Millfield Science and Performing Arts College. This approach is in line with the Community Infrastructure Levy (CIL) regulations, with less than 5 secured Section 106 contributions pooled against either scheme. This claim will be re-assessed at the Reserved Matters Stage, once accurate bedroom information becomes available. This provision will be secured through a S106 agreement.

### **Affordable Housing**

The Council's Affordable Housing Officer considers that assuming the following bedroom information:- Oakmere – 2 Bed Apartment, Bell – 2 Bed House, Churchill – 3 Bed House, then this would be an acceptable affordable housing mix, with all of the 14 no. units as affordable rent. However, notwithstanding this indication, the officer report (page 137) acknowledges that the full detail and actual number of affordable housing units to be delivered will be determined at the reserved matters stage and a suitable condition can be imposed to secure this.

## **Air Quality**

Correspondence from WBC's Environmental Health Officer confirms on the basis of the information provided within the Air Quality Screening Report, it is agreed that air quality cannot be said to present a material constraint to the development proposal. The number of additional vehicle movements predicted to arise as a result of the development are supported by the Transport Statement for the development, and as such there is currently no justification for a more detailed assessment of air quality to be undertaken. This is subject to approval of the predicted traffic flow predictions by LCC (Highways) otherwise a revision of the air quality screening assessment will be required. A condition is recommended to ensure the adoption of suitable dust mitigation measures during the construction phase of the development (this is already dealt with in condition 16). Additional comments advise that during construction of the development, a restriction on hours of site operation should be in force. Condition 16 will therefore be amended as follows:

16. Prior to the commencement of development hereby approved an Environmental Construction Method Statement shall be submitted to and agreed in writing by the Local Planning Authority in relation to:

- (i) delivery of materials and delivery and collection of equipment
  - (ii) provision and use of on-site parking for contractors' and workpeople's vehicles, wheel washing facilities, street sweeping
  - (iii) detail of both the dust mitigation measures to be employed to minimise fugitive dust impacts on localised receptors, and the procedures to be adopted in response to complaints of fugitive dust emissions
  - (iv) appropriate measures to control surface water discharges from the development to avoid any possibility of water pollution arising from the scheme
  - (v) hours of site operation, with confirmation that no works shall take place and no deliveries or other vehicles shall visit the site outside the hours of 08.00 to 18.00 Monday to Friday, and 08.00 to 13.00 on Saturdays, or at any time on Sundays, Bank and Public Holidays, unless prior agreed in writing by the Planning Authority.
- All construction phase works shall be undertaken in full accordance with the agreed Environmental Construction Method Statement.