

ADVANCE SUPPLEMENTARY REPORT
TO THE PLANNING COMMITTEE
11th March 2014

Agenda item 8

Application ref 14/00081/FUL

Land rear of 24 – 36 Heathcote Road Miles Green

Since the publication of the agenda report the following have been received:-

Audley Parish Council objects to the proposal due to:-

- Drainage problems
- Increase in traffic levels and speed limits being ignored on a school route
- Insufficient width of the access
- Undesirable back fill
- The availability of brownfield sites to be developed before greenfield sites

Waste Management are recommending a condition requiring prior approval of full and precise details of recyclable materials and refuse storage, including designated areas to accommodate sufficient receptacles to service the residential development including collection days and the collection arrangement.

22 letters of representation have been received objecting to the proposal on the following grounds:-

- Residential development of this site has been previously refused and dismissed at appeal on the grounds the site is a greenfield site.
- The site is not in the village envelope
- The availability of brownfield sites to accommodate future housing demand.
- Increase of traffic levels
- The use of a “private” drive
- Highway safety concerns including emergency vehicle access, width of the proposed access and existing parked vehicles.
- Restricted visibility on Heathcote Road frontage.
- Heathcote Road was subject to road traffic accident within 10 metres of the proposed site entrance.
- Construction traffic accessing the site
- How the applicant describes the current state of the site.
- The presence of wildlife and their habitats on the site.
- Ground stability and drainage problems
- Loss of trees
- The development being visible from surrounding areas
- The collection point for recycled and refuse material
- Disturbance of the development including the construction period to elderly residents

A **petition containing 23 signatures** raising concerns regarding highway safety around the proposed access to the site, a series of photographs accompany this petition.

Your Officers' comments

The suggested condition raised by Waste Management had already been partially anticipated in the main report recommendation (condition 17) however it is considered prudent to extend the condition to include the requirement to gain approval for, and implement, a storage area on collection days.

A number of the concerns raised by both the residents and the Parish Council have already been addressed in the main agenda including those relating to the principle of the proposed development in light of the current local housing position and matters of highway safety.

Those matters which have not been specifically addressed in the report are the loss of fauna and flora on the site, ground stability and drainage which are addressed below:-

Loss of fauna and flora

Whilst the application was supported by a tree survey which is considered acceptable subject to a number of recommended conditions, no wider ecological survey was submitted. In the determination of previous applications such a survey was not sought or considered to be necessary and it is considered that such a survey is not justified in this case either. If there are any protected species on the site the applicant/developer is responsible for ensuring those are dealt with in an appropriate manner (under licence in some cases). It is considered therefore that any permission is accompanied by an informative note advising the applicant/developer of their responsibility to appropriately address any protected species on the site and failure to do so is a criminal offence.

Ground Stability

The issues of ground stability have not been identified as a material planning consideration in the previous applications on the site and it is not considered that there has been any material change in circumstances to consider that this is a concern to be addressed in respect of the current application. It is the responsibility of the developer to ascertain and employ appropriate construction methods/ measures to overcome such issues, if they exist, and as such this is not considered to be a material planning consideration in the determination of this application.

Drainage

As reported in the agenda United Utilities have been consulted on this application and they have provided a response advising they have no objections subject to conditions relating to the following:-

- No build within a 3 metre buffer either side of public sewer
- No deep rooted trees./ shrubs to be planted within the vicinity of the public sewer
- No surfaced water to discharge into the combined sewer

Whilst a general drainage condition (21) is being suggested within the recommendation, on reflection it is considered appropriate to include the above conditions into the recommendation

The recommendation remains as set out within the main agenda report with an amended condition 17 to include the storage area on collection days and additional conditions as set out in the United Utilities consultation response and an advisory note regarding the protection of any protected species and their habitat on application site.