



**PLANNING COMMITTEE:
5th OCTOBER 2017**

Report of: Director of Development and Regeneration

Contact: Mrs. C. Thomas (Extn.5134)
Email: catherine.thomas@westlancs.gov.uk

SUBJECT: LATE INFORMATION

1.0 INTRODUCTION

The information below has been received since compilation of your Agenda. The following also includes suggested adjustments to the recommendations further to the receipt of late plans and/or information.

2.0 ITEM 7 – PLANNING APPLICATIONS

REPORT NO. 2 – YEW TREE FARM, LIVERPOOL ROAD SOUTH

OTHER REPRESENTATIONS

I am aware that a representation has been sent to all Planning Committee Members commenting on the Councils' Strategic Flood Risk assessment (SFRA) from a local resident objecting to the proposed development. This correspondence states that the 2012 SFRA was not "fit for purpose" and that it should be constantly updated. The representation claims that the inadequate SFRA has led to organisations and consultees related to the Yew Tree Farm development site relying upon outdated information. The representation expresses the view that the SFRA should be part of the information before Councillors as they deliberate the current application.

The same objector also raises concern about the lack of affordable and specialist housing on this phase of development. The representation questions the validity of the viability assessment and suggests it did not consider information on the impact on certain groups of people and as such considers the application penalises those people with disabilities and impacts on their Equality and Human Rights. The representation also points to the lack of bungalows and the increase in road traffic on the A59 and comments that the development would increase road safety issues for residents and problems related to Air Quality.

OBSERVATIONS OF DIRECTOR OF DEVELOPMENT AND REGENERATION

The SFRA was a key component of the evidence base that informed the Local Plan. At Examination, the Inspector raised no concerns with the SFRA and he would not have been able to find the Local Plan "sound" and recommended it for adoption had there been any doubt.

The current SRFA is already a public document which Members can view at any time. More recently, a draft Level 1 SFRA has been published for comment alongside the new Local Plan review consultation (May 2017). Furthermore, there is no requirement in any guidance or legislation on SFRAs for a Council to constantly review it, other than through the Local Plan process. Any application where there is a potential for flood risk is required to prepare a site-specific Flood Risk Assessment using the most up-to-date evidence and data (e.g. if Flood Zones have changed or if a critical drainage area has been designated). A FRA was submitted for the Yew Tree Farm development site in 2015 and was found to be acceptable (subject to conditions) by the Environment Agency and the Lead Local Flood Authority.

In terms of affordable housing, the Government produced specific guidance in 2014 on viability in planning that advises a site is viable if the value generated by its development exceeds the costs of developing it and also provides sufficient incentive for the land to come forward and the development to be undertaken. In this case, the initial "up front" costs of highway improvement related to the site are considerable (provision of a new signalised junction on Liverpool Road South and also at the Square lane/Liverpool Road South junction along with a new wide spine road and cycle path). This has a significant impact upon the deliverability of the first phase as it takes the "hit" for initially bringing the whole site forward. The cost, land value and profit have all been scrutinised by independent consultants, Keppie Massy on behalf of the Council who confirm that the site would not be viable should affordable housing be required to be provided. Viability assessments can only provide guidance on the financial aspects of a development and do not comment upon impacts upon groups of people. It should be noted that, this development is part of a much wider development, and once the initial infrastructure has been provided, subsequent phases of development will not bear the same costs, providing greater opportunities for affordable housing delivery across the wider site, which will help to deliver a mix of affordable products.

Whilst no bungalows are included on this first phase, there is a variety of apartments, terraced, semi-detached and detached housing. All houses will be constructed to meet current Building Regulations Part M, which means that they would readily be capable of adaptation. The outline planning permission for the site and the approved phasing plan indicates that specific elderly housing provision will be provided within phase 3.

The proposed development will increase traffic along the A59, however, this was taken into consideration at the outline application stage and mitigation provided along the highway network. LCC highways have raised no objection to this application.

In my view, the application is policy compliant and provides appropriate development on a sustainable allocated site.

REPORT NO. 3 – SITE OF FORMER WESTEC HOUSE, DERBY STREET

The officer's report recommends that planning permission be delegated to the Director of Development and Regeneration subject to a planning obligation (Deed of Variation) under S106 of the Town and Country Planning Act being entered into. However, the wording of this recommendation is incorrect as I have been advised that the Council (as Local Planning Authority) cannot enter into an agreement with itself (Landowner). As with the Outline planning permission for this site, the planning obligations will be dealt with by way of a Unilateral Undertaking and therefore the recommendation should be amended as follows:

That the decision to grant planning permission be delegated to the Director of Development and Regeneration in consultation with the Chairman or Vice Chairman of the Planning Committee subject to a planning obligation under S106 of the Town and Country Planning Act being entered into and subject to the following conditions:

The Local Planning Authority has received an amended drawing relating to site drainage. The amendment relates to the size of the pipe connecting to the proposed hydrobrake; this has been increased from a 225mm diameter pipe to a 300mm diameter pipe. The receipt of this amendment means that Condition No. 2 must be amended as follows:

The development hereby approved shall be carried out in accordance with details shown on the following plans:-

Drawing nos. P01, P03 Rev A, P05, P11, P12, P14, P15, P16, P17, P18, P20, P22, P24, P25 Rev B, P26 Rev B, P27 Rev B, P28 Rev A, 11474_L01 Rev P01, 11474_L02 Rev P01, 11474_L03 Rev P01, 11474_L04 Rev P01, 11474_L05 Rev P01, 01 (Preliminary), 406 (Existing surface impermeable area), 407 (surface impermeable area plan), 410 (Hydrobrake manhole details), 17C004/001 A (Topographical Survey) received by the Local Planning Authority on 14th June 2017

Drawing no. P06 received by the Local Planning Authority on 8th September 2017

Drawing nos. 401 Rev P2 (drainage layout) and P02 Rev B received by the Local Planning Authority on 25th September 2017

I also wish to draw Members attention to an error within paragraph 10.21 of the officer's report; this should read as follows (revision highlighted):

"Surface water from the proposed development would be disposed of via an existing surface water sewer which is located beneath **proposed rear gardens and a car parking area**. The applicant is proposing to achieve a 30% reduction in the existing run off rates through the use of oversized surface water pipes and control of the discharge rate via a hydrobrake".

REPORT NO. 4 – HENRY ALTY LTD, STATION ROAD

OTHER REPRESENTATIONS

I have received two further neighbour objections. Concerns relate to health problems caused by pollution, traffic congestion, lack of improvements to infrastructure and very few social houses, as well as a concerns about the proposed 4 dwellings adjoining an existing ditch to the south and the lack of a 6m buffer zone from the top of the bank of the ditch.

OBSERVATIONS OF DIRECTOR OF DEVELOPMENT AND REGENERATION

This is a Reserved Matters application and as such, outline planning permission has been granted for a mixed residential-led scheme on the site. All statutory consultees are satisfied that the application is acceptable in principle and would not lead to significant harm to pollution or highway impact. Sufficient infrastructure is available in the local area to support the proposed development on this allocated site.

In terms of the proposed dwellings bordering the existing ditch to the south of the site, the layout indicates a minimum 4m "buffer" between the rear garden fences of the proposed dwellings and the ditch. There is no statutory "buffer" requirement to this ditch as it is not a main river. Moreover, neither the Environment Agency nor the Lead Local Flood Authority have raised an objection to the proposed layout.