

PLANNING COMMITTEE

Date: 15 June 2016

Schedule of Committee Updates/Additional Representations

Note: The following schedule represents a summary of the additional representations received following the publication of the agenda and received up to midday on the day before the Committee meeting where they raise new and relevant material planning considerations.

SCHEDULE OF COMMITTEE UPDATES

152568 - SITE FOR PROPOSED RESIDENTIAL DEVELOPMENT OF UP TO 50 HOUSES AT THE PADDOCKS, ROMAN ROAD, HEREFORD, HR4 7SR

For: Mr Brailsford per Mr James Spreckley MRICS, Brinsop House, Brinsop, Hereford, Herefordshire HR4 7AS

ADDITIONAL REPRESENTATIONS

The following additional representation has been received from Mrs Janet Smith and is supplemental to Mrs Smith's existing objection.

SOAKAWAYS; BRE365 TEST; OIL INTERCEPTION TEST

I previously requested these tests and your Land Drainage Company, contracted by Hfcs Council also agreed with me and said tests should be carried out. According to Hydro-Logic Services, on behalf of Mr. Brailsford, have not carried them out, just made assumptions based on stats. I would like to know why they have not been made to carry out these tests?

Land maintenance/Soakaways/SUDS system responsibility being passed to householders, which I am very concerned about. It is what happens on this site which could impact on the whole of the hillside and rest of the area.

This is exactly why the Government are currently conducting a survey on the SUDS system due to the low take up by Local Authorities on approving planning applications using this system. Mainly due to the manufacturer, builder, L/A etc. who do not want to take responsibility for SUDS.

The House of Commons in April tried to pass a bill on allowing developers to use SUDS instead of underground drainage systems. The House of Lords in May refused to pass the bill and will conduct their own survey ref. the use of SUDS.

SUDS is a low cost option allowing developers to maximise number of houses to be built on a site, otherwise known as garden grabbing.

BOREHOLES

What could be affected on rest of area?

31 Boreholes

Environment Agency issue 14 water extraction licences

Total withdrawal allowed up to 5 million cu. m's of water per annum

If SUDS system becomes blocked by sand/silt, not maintained on a regular basis, leaks, quality of water could be affected. Householders responsible for land maintenance are unlikely to get insurance cover so who will pay for the compensation necessary if local sewerage system flooded, basins leak, adverse effect on the groundwater which could change its watercourse, could rise up in the houses on the northern boundary of Huntington Hamlet?

RADON (RADIOACTIVE GAS)

Radon gas within 25 metres of northern boundary of Huntington so will be in whole area. I requested a Radon Test but I cannot see in reports that one has been carried out which must be done. Depending on the radon levels in the ground it may be necessary to put extra precautions into the houses built to protect householders against possible lung cancer from

gas rising up from below ground into the houses. Further research in the USA they have added dementia to the list.

How can a planning application be considered until all tests requested, not only by myself, but a company contracted by Hfcs Council are carried out.

Land Drainage Consultant's response to the late representation:-

Infiltration Testing

The Paddocks site off Roman Road in Hereford is located in an area where the soil maps indicate that the ground is likely to consist of freely draining soils. It is therefore likely that it should be suitable for the implementation of infiltration measures to discharge surface water runoff from the site. As highlighted in our initial response this must be confirmed to be the case by the Applicant through the completion of infiltration testing, undertaken in accordance with BRE365, and provided by the Applicant to the Council along with a detailed surface water drainage strategy as part of the reserved matters. On completion of the tests should it be found that the infiltration rate at the site is inadequate, making infiltration measures unviable, it is judged that there would be sufficient space within the boundary of the site in order to accommodate an alternative drainage design. Should neither infiltration and/or attenuation with a discharge to a local watercourse be found viable then the site's proximity to the Roman Road means that, subject to agreement with Welsh Water, onsite attenuation and discharge to the drainage system under the road would also present a viable option. As it is deemed that there are a number of potential options for the management of surface water runoff from the site the risks associated with postponing the completion of infiltration tests for consideration as reserved matters are deemed to be low.

Maintenance of Soakaways

The use of soakaways servicing individual properties is common practice. Each property owner should be made aware of the details regarding maintenance of the soakaways and their maintenance responsibilities. Similarly to any other household drainage, failure to complete regular maintenance resulting in flooding would make the owner liable for any resulting damage.

Through the design of the development the Applicant must ensure that any proposed soakaways will be easily accessible for maintenance and as such we would advocate that where they are to be located within the curtilage of private dwelling that they are positioned in the front gardens where possible. For soakaways serving multiple properties or receiving runoff from shared access roads it would be preferential for them to be located on common land. Details of the responsibility and maintenance of all soakaways should be outlined in the reserved matters application.

In addition, during the design of the development layout and the proposed drainage system, the Applicant must consider the management of surface water during extreme events that overwhelm the surface water drainage system and/or occur as a result of failure of the system (for example blockage). In the event of exceedance or failure of the system water should be managed within the site boundary or directed to an area of low vulnerability. This will need to be demonstrated by the Applicant on formulation of the site Masterplan as part of the reserved matters.

Potential for contamination of the aquifer

It is expected that due consideration will be given by the Applicant to the control of potential pollution of ground or surface waters from wash down, vehicles and other potentially contaminating sources. Evidence of adequate separation and/or treatment of polluted water should be provided by the Applicant to ensure no risk of pollution is introduced to groundwater or watercourses both locally and downstream of the site, especially from

proposed parking and vehicular areas. It is expected that the Applicant will provide details of how it is anticipated that this will be achieved as part of the reserved matters application. Details of the design of any proposed measures should be included in the detailed surface water drainage design to be presented to the Council for sign off prior to construction. Given that the site lies within Zone 3 of a groundwater Source Protection Zone, it is expected that the Applicant will consult with the Environment Agency to establish whether there are any specific groundwater quality requirements that need to be met.

The Environmental Health Manager (Contamination) has recommended inclusion of the following standard conditions:-

1. No development shall take place until the following has been submitted to and approved in writing by the local planning authority:
 - a) a 'desk study' report including previous site and adjacent site uses, potential contaminants arising from those uses, possible sources, pathways, and receptors, a conceptual model and a risk assessment in accordance with current best practice
 - b) if the risk assessment in (a) confirms the possibility of a significant pollutant linkage(s), a site investigation should be undertaken to characterise fully the nature and extent and severity of contamination, incorporating a conceptual model of all the potential pollutant linkages and an assessment of risk to identified receptors
 - c) if the risk assessment in (b) identifies unacceptable risk(s) a detailed scheme specifying remedial works and measures necessary to avoid risk from contaminants/or gases when the site is developed shall be submitted in writing. The Remediation Scheme shall include consideration of and proposals to deal with situations where, during works on site, contamination is encountered which has not previously been identified. Any further contamination encountered shall be fully assessed and an appropriate remediation scheme submitted to the local planning authority for written approval.

Reason: In the interests of human health and to ensure that the proposed development will not cause pollution to controlled waters or the wider environment.

2. The Remediation Scheme, as approved pursuant to condition no. (1) above, shall be fully implemented before the development is first occupied. On completion of the remediation scheme the developer shall provide a validation report to confirm that all works were completed in accordance with the agreed details, which must be submitted before the development is first occupied. Any variation to the scheme including the validation reporting shall be agreed in writing with the Local Planning Authority in advance of works being undertaken.

Reason: In the interests of human health and to ensure that the proposed development will not cause pollution to controlled waters or the wider environment.

3. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted, and obtained written approval from the local planning authority for, an amendment to the Method Statement detailing how this unsuspected contamination shall be dealt with.

Reason: In the interests of human health and to ensure that the proposed development will not cause pollution to controlled waters or the wider environment.

Technical notes about the condition

1. I would also mention that the assessment is required to be undertaken in accordance with good practice guidance and needs to be carried out by a suitably competent person as defined within the National Planning Policy Framework 2012.
2. And as a final technical point, we require all investigations of potentially contaminated sites to undertake asbestos sampling and analysis as a matter of routine and this should be included with any submission.

CHANGE TO RECOMMENDATION

Add contaminated land conditions as above.

151438 - PROPOSED ERECTION OF 3 DWELLINGHOUSES AT LAND AT FIR TREE COTTAGE, FLOYDS LANE, WELLINGTON HEATH, LEDBURY, HR8 1LR

For: Mrs Morris per Mr R Jolly, EJ Planning Limited, P O Box 310, Malvern, Worcestershire, WR14 9FF

ADDITIONAL REPRESENTATIONS

One further letter received which re-affirms that there is a restrictive covenant on the application site adjoining the southern boundary of Jay House (formerly known as The Shingles) This area of land it is stated was originally within the boundary of Jay House.

In addition Severn Trent has now submitted its response to the application. It has no objections subject to appropriate conditions.

OFFICER COMMENTS

None

CHANGE TO RECOMMENDATION

Additional Conditions as recommended by Severn Trent