

**Outline Application for Residential Development including means of access
Victoria Mills Holmes Chapel Ltd**

Representations

Holmes Chapel Parish Council (Email received 29th January 2009).

Object to the proposals on the following grounds: -

- Density too great and should be restricted to original policy of 130 dwellings; otherwise this sets a bad precedent for other developments in the village.
- Holmes Chapel infrastructure cannot cope with too many additional dwellings so developers need to contribute to improvements by way of S106 provision for on-site facilities.
- Too much open space on site could be used for important village requirements like car parking.
- Improvements on Elm Drive play area would be preferred to over provision on this site.

Letter dated 7th April 2008 from Rigby & Company on behalf of Mr & Mrs Morgan, 66 Macclesfield Road objecting to the application on the grounds that: -

- The application uses a roadway over which our clients have a right of way
- Also it uses a corner of their garden as shown hatched Red on the attached plan
- Notice has not been served under S27 of the Town and Country Planning Act.

Further letter dated 17th April 2008 on behalf of Mr & Mrs Morgan with a further objection to the proposal on grounds relating to: -

- The visibility splay shown takes part of the garden of our clients property and consent has not been given for this.
- Three properties fronting Macclesfield Road and shown between no60 Macclesfield Road and the entrance of the site use part of the right of way and also impair our clients privacy.
- These three properties may have facing windows which would not be acceptable.
- In view of the reduction in width of the existing access road over which our clients have a right of way our client would not have room to turn his caravan out of his property as he does at the present time
- The density in the overall plan is far greater than the number provided in local development framework of 130 dwellings. In the circumstances it should be possible for adjustments to be made to the overall site so that it is not necessary to build over parts of the property where our clients have a right of way.

Additional Comments

Flood Risk Assessment

Due to the site size, which exceeds 1ha, the application was accompanied by a Flood Risk Assessment (FRA). The main findings of the FRA were as follows; the site was at low risk of flooding; redevelopment would reduce surface water run-off from 0.61m³/s to 0.29m³/s by virtue of the reduction in impermeable surface (Estimated); the reduced surface water run off rates would reduce the risk of flooding both on the site and in downstream areas; and finally that the use of SUDS could help to further reduce the run-off rate. Therefore, following withdrawal of the Environment Agency objection, it is considered the application satisfies the requirements of PPS25 'Development and Flood Risk'.

In accordance with the findings of the FRA however, it is recommended that the wording of condition 16 be modified and a number of conditions be attached to the permission which reflect the recommendations made within the FRA.

Condition 16 to read:

16. Prior to the commencement of development, precise details of the method by which surface water shall be drained from the site shall be submitted to and approved in writing by the Local Planning Authority. The details submitted shall include an assessment of the potential use of SUDS within the scheme as well as detailed calculations which demonstrate that surface water run-off from the proposed development do not exceed existing surface water run-off rates. The approved drainage scheme shall then be fully implemented in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Add the following condition:

24. No development shall commence, other than demolition and site preparation works, until such time as a detailed survey of Allum Brook culvert has been submitted to and approved in writing by the Local Planning Authority. The survey should include a full structural survey of Allum Brook culvert, establish the culverts precise route and location, whether it can accommodate increased loading and whether it should be diverted to further reduce the risk of downstream flooding. The agreed measures shall then be fully implemented in accordance with the approved details unless otherwise agreed in writing with the Local Planning Authority.

25. No development shall commence until such time as an assessment of overland flow for the proposed layout has been submitted to and approved in writing by the Local Planning Authority. The scheme shall then be fully implemented in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Consultation Responses from Network Rail.

In addition to the railway safety comments, Network Rail also submitted comments in relation to land ownership. However, Members will be aware that matters relating to land ownership and rights of access are a civil matter and not therefore material in the determination of the application.

Holmes Chapel Parish Council.

Based on the indicative layout, the scheme as presented results in under provision of on-site POS. Streetscape have therefore indicated that a financial contribution is required to cover enhancement of off-site POS, indicated to be Elm Drive.

The suggestion that on-site POS should be sacrificed for car parking would be detrimental to the delivery of sustainable development, good urban design and ensuring that the scheme made provision for on-site POS.

Matters relating to density and infrastructure are addressed in the full report.

Mr & Mrs Morgan, 66 Macclesfield Road.

Members will be aware that matters relating to land ownership and rights of access are a civil matter and not therefore material in the determination of the application.

Whilst comments have been made on the indicative layout (privacy & amenity) the layout acts purely as an illustrative guide only. The detailed layout and design of

individual dwellings are reserved for future consideration and therefore issues of privacy and amenity will be considered at that stage.

Additional comments on S106 requirements.

For clarification, the £25,000 financial requirement sought under point 3 extends to include the submission and implementation of a Green Travel Plan identified under point 4.