

APPLICATION NO: 23/3276M

LOCATION: Land West Of London Road And South Of, GAW END LANE, LYME GREEN

PROPOSAL: Full application for the erection of 40 1,2,3 and 4 bedroom dwellings and their associated access, public open space and landscaping following refusal of application no. 21/1249M

ADDITIONAL REPRESENTATIONS

A further representation has been received from the owner of the land to the south, referred to as 'Rayswood Nature Reserve', objecting to the proposal on the basis that:

- The southern boundary is incorrect and includes land not owned by the applicant.
- The objector does not permit the development to drain into the southern ditch.
- The objector asks that the developer does not deposit runoff water onto the objector's land and instead directs it to an existing drainage culvert that runs across the site and then to the canal.

The objector has included correspondence with the developer on the matter.

OFFICER COMMENT

Land Ownership - Matters relating to land ownership are civil matters. The applicant has confirmed that they have undertaken all due diligence and that from the records available, the applicant does own all the land included within the site edged in red.

Flood Risk / Drainage – The drainage strategy permitted under the recently allowed appeal, showed a scheme that deposited some of the site's surface water runoff into the southern ditch. Whilst the objector does not agree with this, this position was accepted by the Inspector, the Lead Local Flood Authority (LLFA) and United Utilities. As such, it was in accordance with policy.

This application proposes a revised drainage strategy which rather than directing some of the site's surface water runoff to the south, directs it to an existing drainage culvert which links in with the canal. The Lead Local Flood Authority (LLFA) and United Utilities has confirmed that subject to conditions and compliance with other legislation outside of the planning forum (i.e. building regulations and land drainage consents), both drainage strategies are acceptable in terms of their impact on drainage and flood risk. The detailed drainage design details would be secured by imposition of condition no. 9 on page 31 of the Agenda Reports Pack.

RECOMMENDATION

No change to recommendation. APPROVE the application as per the recommendation on pages 31-32 of the Agenda Reports Pack.