ADDENDUM REPORT FOR PLANNING PANEL

Planning Panel Date: 15th March 2023

Application Ref: 4/22/2135/0F1

Proposal:

Proposed residential development for 23 dwellings including associated infrastructure and landscaping.

Address:

Land at Harras Road, Harras Park, Whitehaven.

Planning Panel Meeting – 15th February 2023

At the meeting of the Planning Panel on the 15th February 2023 Members were minded to refuse planning permission for planning application reference 4/22/2135/0F1 contrary to Officer recommendation. Under the terms of the Council Constitution any minded to decision is deferred until the next meeting to allow the initial reasons for refusal to be fully considered.

The concerns raised by Members related to the two following issues:-

1. Impacts on the highway network and highway safety, and
2. Impacts on localised flooding and drainage.

A copy of the Planning Panel report prepared for the meeting of the Planning Panel on the 15th February 2023 is appended to this report for completeness.

Officer Comments

<u>Impacts on Highway Network and Highway Safety</u>

The current proposal seeks permission for 23 dwellings Although this will result in an increase in the volume of traffic using Harras Road above the previous approval of 9 dwellings, the potential increase is likely to be modest in real terms.

Vehicular and pedestrian access to serve the development are proposed from Harras Road, with 3 accesses in total to serve the dwellings. An existing field access is to remain to the east of the site. This is a reduction to the previous outline approval on the site (4/18/2347/0O1) which included 8 separate access points onto Harras Road.

Harras Road is an unclassified road with a current speed restriction of 30mph. An Access Appraisal undertaken by a Transport Consultant was submitted to support the application. This sets out the following: -

- A reserved area for access into the field to the north of the development site is proposed to be 4.8m in width and to the standards for a secondary street. The Cumbria Development Design Guide considers that this access can serve up to 50 homes and with space for a footway on either side. At present, this will serve the existing agricultural access only.
- Based on the speed data for the west of the site, the visibility requirements are 2.4m x 58.3m looking uphill and 2.4m x 45.9m looking downhill. These splays are achievable for the site and are considered to be acceptable by the Highway Authority.

An updated speed survey was undertaken in April 2021. This shows that traffic speeds on Harras Road are above the legal speed limit. The whole of Harras Road is subject to a 30 mph speed limit.

It is proposed to retain the previously approved traffic calming measures in order to reduce vehicle speeds. There will be 4 speed tables which will be located at various intervals along Harras Road. The traffic calming measures proposed are likely to reduce speeds and improve compliance with the speed limit. The addition of the new accesses will also naturally slow the traffic flow. This is the only scheme under consideration that can deliver the traffic calming measures proposed on Harras Road to slow down the speed of traffic using Harras Road.

Members raised issues regarding the width of the existing pavement along Harras Road. Whilst the footway in question is narrower than the standards within the Cumbria Design Guide, the improvements are not identified within the Local Plan Transport Improvement Study and the developer does not have a duty to upgrade off site sub-standard highways. Any request for the applicant to make these improvements would be unreasonable and would not comply with the tests for planning obligations set out in the NPPF. This improvement is not considered to be necessary for the development to be considered acceptable. This has been confirmed by the Highway Authority.

The National Planning Policy Frameworks provides significant guidance in relation to transport and highways impact.

Paragraph 111 of the NPPF states that: development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

The access arrangements are an improvement on the consented layout. There are fewer access points and the speed reduction measures previously agreed are to be retained in this scheme. Suitable visibility splays can be provided from the access points. Harras Road has a very good safety record with only one recorded injury within the last 3 years. The development is of a modest scale and is not likely to result in an unacceptable impact in highway safety terms. The residual cumulative impacts on the road network are not likely to be severe as set out in NPPF. The Highway Authority has raised no objections to the application subject to the imposition of planning conditions.

Flood Risk and Drainage

A Flood Risk Assessment and Drainage Strategy has been submitted in support of the application. This sets out that the development has been designed to avoid, reduce and delay the discharge of rainfall to public sewers and watercourses in order to protect watercourses and reduce the risk of localised flooding, pollution and other environmental damage.

This concludes that the site is not considered to be significantly at risk of flooding from surface water or groundwater. Ground investigations undertaken have shown that the ground conditions have varying levels of permeability and therefore infiltration-based drainage systems are not considered to be suitable for the development of the site. Due to the topography of the site, which falls steeply from east to west, the proposed system is for attenuation using 3 attenuation tanks with individual controls restricting discharge at a rate of 11.8l/s to the existing watercourse located at the southwestern corner of the site development boundary. This replicates the greenfield run off rate. In addition, all gardens and landscaped areas will benefit from infiltration trenches and perforated pipes to allow these areas to drain effectively towards the nearest attenuation systems. This will mitigate the risk of uncontrolled overland flow from garden to garden as the site falls from east to west.

To mitigate the potential risk of overland flow entering the site from upland areas it is proposed to incorporate a land drainage system along the northern and eastern boundaries of the site. The filter drains will intercept and route upland runoff towards the watercourse to replicate the existing natural drainage characteristics of the wider catchment, whilst protecting the new dwellings from inundation.

The surface water will be treated to remove any sediments, oils and floatables prior to draining.

The development site in its current agricultural form as sparse grazing pasture on steeply sloping land, underlain by relatively impermeable soil, provides little in the way of natural flood defence or attenuation to overland flows and stormwater runoff. In all likelihood, the extent and severity of the downstream flooding is probably a direct result of uncontrolled run-off from this site and the surrounding steeply sloping catchment areas.

The proposed development site will be terraced to tie into the existing topography via the careful application of engineered slopes and retaining walls. Slopes, gardens and open space areas will be carefully landscaped using a variety of plants, shrubs and trees with clean imported granular topsoil, providing a net gain in biodiversity and enhanced storage/protection against overland flows. Retaining walls will be positively drained using heel drains with discharge into the main surface water system. As such the existing hydraulic regime of the site will be modified whereby overland and subsurface flows will be intercepted, attenuated, and re-directed by below ground structures, positive drainage, infiltration trenches and service trenches. Hydraulic gradients and velocities will be reduced, and the risk of downstream flooding would not be increased. Surface emergence of any groundwater on-site will be intercepted by land drainage systems and directed into the various SuDS attenuation systems. In addition, the proposed below ground volumetric storage and controlled discharge to match the greenfield run off rate for the development will greatly improve on the existing situation by reducing the rate and volume of water for more extreme storm events.

A SuDS 'Operations & Maintenance Plan' has been prepared which sets out the requirements for future maintenance of the drainage system. This is to remain private and will be managed by a third party management company established by the developer.

Foul water will be discharged by gravity to the existing combined sewer located in Harras Road. The Applicant has gained an agreement in principle from United Utilities.

Members indicated at the last Planning Panel that they shared the concerns raised by local residents with regards to local surface water flooding issues. If the existing situation is to remain unchanged then the current localised issues will continue. This scheme offers the provision of a drainage and attenuation scheme for the site which will help to alleviate these issues and provide a positive drainage solution. This should help to reduce the flooding and surface water run-off issues within the locality.

No objections were raised to the proposal from either the Local Lead Flood Authority or the Council's Flood and Coastal Drainage Engineer. Whilst United Utilities requested further information, it is considered that the full details of the drainage can be secured by way of a suitably worded planning condition. Given that the drainage for the site has been approved previously under the previous outline planning application, it is not expected that the drainage will provide an insurmountable issue.

The applicant has supported the application with a technical document that adequately considers drainage and flood risk from the proposed. Without technical evidence to counter this assessment, and also given that none of the relevant consultees responsible for drainage and flood risk have objected to the proposal any refusal reason based on these issues would be difficult to justify.

Conclusion

The recommendations as outlined in the report prepared for the meeting of the Planning Panel on the 15th February 2023 remains unchanged.

Recommendation:

Members authorise delegated authority to the Head of Planning and Place to approve planning permission for the development subject to:

- The Applicant entering into a Section 106 planning obligation securing the delivery of 3 of the dwellings as affordable housing.
- The planning conditions outlined at the end of this report; and,
- Any revisions as deemed appropriate by the Head of Planning and Place.