

PLANNING & LICENSING COMMITTEE

8TH MARCH 2022

ADDENDUM REPORT

Report no.	Item no.	Application no.	Applicant	Parish
49/2022	1	2021/0794/MAF	DAVIDSONS DEVELOPMENT LTD	OAKHAM

Oakham and Barleythorpe Neighbourhood Plan

Since the Report was written, the Inspectors Report into the Oakham and Barleythorpe Neighbourhood Plan has been received.

Of particular note for this planning application, the Examiner has upheld Davidson's objection to the inclusion of Viewpoint 11 stating it has not been adequately justified or evidenced. The Examiner has concluded it is a view which can be replicated in its content from a number of other locations around the southern extent of Oakham. He compared view 11 with view 3 and saw that there were significant differences between the two views in general terms, and that view 13 offered much wider views across the southern extent of the town. As such he recommended that View 11 is deleted from the policy.

As such the policy on Important View is not relevant to this proposal.



Ecology

In response to a question from a member of the public in Stretton, forwarded by Councillor Begy about Bio-diversity Net Gain (BNG), our Ecology advisor states as follows:

In response to the comments attached to your email think it is important to note that this planning application was validated before the change to the NPPF (180d) – ‘opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate’ – therefore a BNG calculation was not requested. BNG will not become mandatory until November 2023. Currently, it is also the decision of the LPA whether they insist on BNG (or as a minimum no net loss). To read the comment (from the resident) that “What does this say about the standard of advice being received from RCC’s so called Ecology Advisers?” is disappointing and I would appreciate it if you feed the above information back to Cllr Begy.

My previous comments stated “to achieve biodiversity net gain on the site trees and hedgerows should be retained and hedgerows enhanced by ‘gapping up’ with locally native hedgerow plant species. The swale and SuDS features should be planted and managed with biodiversity in mind. Any new planting should be of locally native species which benefit wildlife. Boundary planting of locally native species should be provided on the western boundary of the site to enhance this wildlife corridor. The above should be provided on a landscape plan”. I have reviewed the landscape plans uploaded 8th February 2022 and I find them acceptable.

Notwithstanding this, the applicant has prepared a BNG metric which was received today and will be taken into account.

This issue is likely to arise again so for clarity, the Council does not have an adopted policy within a development plan to require BNG and so, coupled with the NPPF, there is no means of requiring BNG on development at the moment. The role the Council plays at present is to promote BNG where possible and seek to negotiate to secure it.

Consultee Response (received 8 March)

Anglian Water

Section 1 - Assets Affected

Our records show that there are no assets owned by Anglian Water or those subject to an adoption agreement within the development site boundary.

WASTEWATER SERVICES

Section 2 - Wastewater Treatment

The foul drainage from this development is in the catchment of Oakham Water Recycling Centre that will have available capacity for these flows.

Section 3 - Used Water Network

This response has been based on the following submitted documents: Flood Risk and Drainage Strategy Addendum 10/1/22 Development could lead to an unacceptable risk of flooding downstream. Anglian Water will need to plan effectively for the proposed development, if permission is granted. We will need to work with the applicant to ensure any infrastructure improvements are delivered in line with the development. (a full assessment cannot be made due to lack of information, the applicant has not identified a pumped discharge rate) We therefore request a condition requiring phasing plan and/or on-site drainage strategy (1)

INFORMATIVE - Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087.

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(3) INFORMATIVE - Protection of existing assets - A public sewer is shown on record plans within the land identified for the proposed development. It appears that development proposals will affect existing public sewers. It is recommended that the applicant contacts Anglian Water Development Services Team for further advice on this matter. Building over existing public sewers will not be permitted (without agreement) from Anglian Water.

(4) INFORMATIVE - Building near to a public sewer - No building will be permitted within the statutory easement width of 3 metres from the pipeline without agreement from Anglian Water. Please contact Development Services Team on 0345 606 6087.

(5) INFORMATIVE: The developer should note that the site drainage details submitted have not been approved for the purposes of adoption. If the developer wishes to have the sewers included in a sewer adoption agreement with Anglian Water (under Sections 104 of the Water Industry Act 1991), they should contact our Development Services Team on 0345 606 6087 at the earliest opportunity. Sewers intended for adoption should be designed and constructed in accordance with Sewers for Adoption guide for developers, as supplemented by Anglian Water's requirements.

Section 4 - Surface Water Disposal

The preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with connection to sewer seen as the last option. Building Regulations (part H) on Drainage and Waste Disposal for England includes a surface water drainage hierarchy, with infiltration on site as the preferred disposal option, followed by discharge to watercourse and then connection to a sewer.

From the details submitted to support the planning application the proposed method of surface water management does not relate to Anglian Water operated assets. As such, we are unable to provide comments in the suitability of the surface water management. The Local Planning Authority should seek the advice of the Lead Local Flood Authority or the Internal Drainage Board.

Section 5 - Suggested Planning Conditions

Anglian Water would therefore recommend the following planning condition if the Local Planning Authority is mindful to grant planning approval.

Used Water Sewerage Network (Section 3)

We have no objection subject to the following condition:

Prior to the construction above damp proof course, a scheme for on-site foul water drainage works, including connection point and discharge rate, shall be submitted to and approved in writing by the Local Planning Authority. Prior to the occupation of any phase, the foul water drainage works relating to that phase must have been carried out in complete accordance with the approved scheme. Reason To prevent environmental and amenity problems arising from flooding.

Informative:

Contact AWS to discuss details of foul drainage.

Additional Condition

As set out by AWS above.