

DELEGATED DECISION REPORT

SMD/2021/0449
Valid 06/07/2021

**LAND ADJACENT TO
WHITEHAVEN LEEK ROAD
LONGSDON**

**APPLICATION FOR
VARIATION OF CONDITION 1
& 6 FOLLOWING GRANT OF
SMD/2018/0698**

**(RESERVED MATTERS -
MINOR APPS)**

MAIN ISSUES

Whether or not the proposed changes to the surface water drainage system are acceptable in terms of preventing flooding and ground pollution.

DESCRIPTION OF SITE

The site lies on the south side of Leek Road (A52) in a gap between two detached houses forming part of ribbon development a short distance to the west of the centre of Longsdon. There is open land to the rear (south) and to the other side of the road to the north. The site is in the Green Belt. The construction of two detached houses has commenced on site. One of the dwellings is nearing completion, Plot 1 in the front part of the site but there has been no significant works above ground level for Plot 2 at the rear.

PROPOSAL

This is a Variation of Condition planning application relating to two approved new dwellings which are currently being built. The applicant wants to make some changes to the foul and surface water drainage scheme for the site and therefore would need to vary Condition 1 of the “Reserved Matters” approval, which requires development to be built in exact accordance with the approved plans and which lists the approved drawings and also Condition 6 which requires the drainage to be provided in accordance with the previously approved plans.

The applicant wishes to substitute some of the drawings with amended plans which show the proposed changes and therefore the condition would need to be varied to refer to the new drawing numbers. The Council must therefore assess if the proposed changes to the drainage scheme are acceptable in terms of dealing with the foul and surface water drainage for the development and preventing flooding problems outside of the site.

The reasons for the changes as given in the application form are as follows:

“Soil conditions are such that the proposed soakaways and the foul sewage drainage proposals on the approved Site Plan Drawing no. 1504-03 Revision A are

not feasible. New drainage arrangements are proposed - surface water and drainage from the proposed package sewage treatment plant would drain into an existing long-standing drain which in turn drains into an existing watercourse. Approval (application no. SMD/2021/0232) was recently granted for a revision of drainage arrangements on Plot 1 at Wyn Dene that included drainage into the same existing watercourse.”

“The Site Plan (Drawing no. 1504-03 Revision B) shows the new scheme which proposes that foul drainage goes to a package sewage treatment plant (EA Marsh Ensign 8 people with standard invert and External compressor S/115242 from Marsh Industries Ltd). The outfall from the treatment plant would drain to an existing long-standing pipe that discharges into a watercourse. The applicant requests that the condition is varied to refer to Drawing no. 1504-03 Revision B and not to drawing no. 1504-03 Rev A. Brochure for the sewage treatment plant submitted with the application.”

In response to comments from the Council’s Environmental Health Section, a further amended scheme was received on 28.8.21.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Local Plan (adopted September 2020)

DC1 Design Considerations
SD4 Pollution
SD5 Flood risk

National Planning Policy Framework (Feb 2019)

Sections 12 (Design), 15 (Natural Environment) and 17 (Flooding and Climate Change).

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

SMD/2016/0822: Outline approval for two dwellings.
SMD/2018/0698: Reserved Matters Approval.
SMD/2019/0430: Variation of Condition 1 of Reserved Matters approval. Approved.
SMD/2020/0268: Variation of Condition 1 of the Reserved Matters approval to allow elevational changes. Approved July 2020.
DOC/2020/0104: Discharge of Condition application relating to the outline permission.
DOC/2020/0105: Discharge of Condition 10 relating to bin storage areas. Approved 15.12.20.
NMA/2021/0011: Non-material amendment to the Reserved Matters approval to change the facing bricks to Plot 1. Approved.

CONSULTATIONS

Publicity

Site Notice expiry date: 1.9.21
Neighbour consultation period ends: 1.9.21
Press Advert: N/A

Public Comments

None.

Parish Council

No objection.

Local Highways Authority

No objection.

Environmental Health

Initial comments: *"There is a foul drain pipe from a bio disk from one of the properties going into a storm drain pipe and from that point on the plan it is marked up as a storm drain and not at combined drain. This pipe then flows into the orifice plate flow control chamber. The system and bio disk from the other property bypasses the orifice plate flow control chamber completely. Is there missing pipes and connections on the site?"*

In response to the further amended plans: No objection subject to approval from the Building Control Section.

Severn Trent Water

"No comment to make."

COMMENTS

The developers of the two dwellings want to change the foul and surface water drainage system due to the soil conditions leading to it not being feasible and have submitted plans to show the drainage dealt with via a package treatment plant before being discharged into existing pipes and then a nearby watercourse. This is a similar system approved for a new house to be built to the other side of the existing Whitehaven dwelling on as neighbouring property called Wyndene (a completely separate scheme). Amended plans have been submitted to clarify the system and show other drains to be used and in particular show that both the dwellings under construction would drain into the package treatment plant (the original plans submitted with this application did not clearly show this).

The Environmental Health Section approve of the amended scheme of drainage, considering this would not lead to any flooding or pollution problems and therefore Conditions 1 and 6 can be varied to require the drainage to be provided in accordance with the new drainage system. An informative can be added reminding

the applicant that Building Control approval is also required for this in addition to planning.

Due to previous "Non Material Amendment" and "Discharge of Condition" approvals, there are no longer any pre-commencement conditions (either before works commence or before occupation) on the Reserved Matters decision notice and other conditions have been changed to require the development to be carried out in accordance with the latest approved plans and drawings including those approved under the above NMA and DOC applications and therefore the development can continue onwards to completion.

CONCLUSION / PLANNING BALANCE

The amended changes to the drainage scheme are acceptable and comply with the Local Plan and NPPF and therefore the conditions attached to the approvals for the two dwellings can be varied accordingly and therefore the application can be approved.

OFFICER RECOMMENDATION : APPROVE

Case Officer: Chris Johnston
Recommendation Date: 29.9.21

X *B.J. Haywood*

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council