

**HIGH PEAK BOROUGH COUNCIL  
DEVELOPMENT CONTROL COMMITTEE**

**Date 7<sup>th</sup> October 2019**

<b>Application No:</b>	DOC/2017/0071	
<b>Location</b>	Land at Linglongs Road, Whaley Bridge	
<b>Proposal</b>	Discharge of conditions relating to HPK/2017/0694 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 16, 17, 18, 19, 21, 22, 24, 26, 27 and 28	
<b>Applicant</b>	Kevin Furey, Barratt Homes	
<b>Agent</b>	N/A	
<b>Parish/ward</b>	Whaley Bridge	<b>Date registered</b> 21/07/2017
<b>If you have a question about this report please contact:</b> Jane Colley - Email <a href="mailto:jane.colley@highpeak.gov.uk">jane.colley@highpeak.gov.uk</a> ; Tel: 01298 28400 Ext: 4981		

## **1. REFERRAL**

1.1 Members resolved to defer this application at the 9<sup>th</sup> September 2019 committee, requesting the submission of a non technical summary for the proposed drainage strategy at the site. It was agreed that Councillor Thrane would review the document, to establish whether its content was clear, which has now taken place. The applicant has therefore submitted a Technical Note of the proposed drainage strategy for the site, which is attached at Appendix 1.

1.2 The purpose of this report is therefore to advise members to review the non technical document at Appendix 1 along with the details provided by email to members on the 7<sup>th</sup> September 2019 by Whaley Bridge Matters (WBM). This report should be considered alongside the Committee report of the 9<sup>th</sup> September 2019, which is attached at Appendix 2. The non technical summary has been reviewed by the Lead Local Flood Authority (LLFA) and their comments are presented below.

## **2. Consultation Responses:**

### Lead Local Flood Authority:

I've read through the document and I agree with its content, the comments reflect a currently acceptable approach to a drainage strategy.

### Neighbour Consultations:

An email has been received from Whaley Bridge Matters on the 27<sup>th</sup> September 2019 raising the following concerns:

- The current plans will increase flood risk elsewhere, in breach of the NPPF and Local Plan Policy. The drainage conditions cannot and should not be

discharged.

- GWP have raised major concerns with the way in which the applicant has calculated and applied greenfield run-off rates (GROR) in their letters of the 19<sup>th</sup> July 2019, 25<sup>th</sup> July 2019 and 4<sup>th</sup> September 2019. The applicant has calculated the greenfield run off rate on the basis of 4 hectares, whereas the applicant should be using the GROR for the smaller developed area as the maximum storm run off rate for their calculations. This will be a smaller flow rate and hence will require a larger attenuation scheme. The current scheme is therefore undersized and will not restrict post development run off to the GROR (including climate change). There will therefore be an increased flood risk caused by the development.
- Following an FOI request, the applicant's focus is on their costs rather than flood risk impact. An email from the applicant to the LLFA on the 27<sup>th</sup> February 2018 states "altering the design to include only impermeable area in the greenfield run off calculations will result in the steeply sloping constraints of the site, will be almost impossible to achieve with a significant replan and change in the drainage strategy.
- The applicant has had full control of its drainage plans throughout this process. They could have designed it from the very beginning to comply with national and local policy requirements and the associated planning conditions, but chose not to do so.

### **3. Officer Comment**

3.1 The Technical Note for the proposed drainage strategy explains that it is a requirement by DEFRA that new development should discharge surface water at a rate no greater than the situation pre-development. In this case, the proposed post development discharge rate will be below the existing greenfield runoff rates, thereby producing a betterment. Although WMB consider the methodology employed by the applicant to calculate greenfield runoff rates is incorrect because they consider the whole area of the site should be calculated, industry standards state that greenfield run off rates should be calculated for the whole development area that is within the area served by the drainage network. Therefore areas of public open space, which is where the protected trees lie, have been excluded from the greenfield run off calculations as they are not within the area served by the drainage network.

3.2 It is therefore considered that sufficient information has been submitted to demonstrate that the proposed drainage strategy would not cause flooding elsewhere, including the River Goyt or to the new properties within the site. The details for the drainage conditions, which include conditions 9, 10, 11 and 13 are therefore considered to be acceptable

### **RECOMMENDATION**

**A. That, the conditions imposed on HPK/2017/0694 and as set out in the report of the 9<sup>th</sup> September 2019 (Appendix 2) be agreed.**

**B. In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions/informatives/planning obligations or reasons for approval/refusal) prior to the decision being issued,**

the Head of Development Services has delegated authority to do so in consultation with the Chairman of the Development Control Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.

### Informatives

During the course of the application, the Local Planning Authority has sought further clarification on the conditions, accordingly paragraph 38 of the NPPF has been adhered to.

### Site Plan

