

ADDENDUM REPORT PLANNING COMMITTEE 26th APRIL 2007

Item: 10
Site: Unit J St Modwen Road Marsh Mills
Ref: 07/00179
Applicant: Rok Development
Page: 99

Consultations

Environment Agency (EA)

First response

EA objected as the first flood risk assessment (FRA) did not adequately assess the flood risks and did not determine adequate measures to manage the flood risks safely. The advice in their comments on the previous withdrawn application 06/00951 applies. The new PPS25 details a higher contingency allowance for sea level rise, and fluvial flows. A flood risk assessment submitted for the caravan and camping site just upstream indicates that flows on the right hand bank may affect this site from upstream.

The previous letter stated that they objected on grounds of insufficient information. The FRA should assess the impact of fluvial flooding and consider the risk of combined tidal/fluvial events. They also recommended that in order to mitigate the risk of surface water flooding the drainage system should be designed to store runoff in tide locked conditions.

Second response

They have reviewed the revised FRA and confirm that they will be able to remove their objection. The proposed mitigation measures will reduce flood risk and a safe dry access can be provided. If permission is granted they suggest that appropriate conditions are attached relating to provision of the measures.

Highways Agency

It received additional information from the applicants on highways matters particularly on the road safety audit of the crossings. It expects to withdraw its holding direction on receipt of confirmation from the Council that it is satisfied on the road safety audit and the agreement of highways conditions including securing a robust staff travel plan.

Representations

The Council received an additional letter raising the following points:

1. How can the Council make a decision when it doesn't know the exact users;
2. There will be additional traffic along Longbridge Road;
3. The traffic survey did not observe traffic approaching the site from the east;
4. There is considerable traffic coming from the east; and
5. If the Council grant permission it should consider changing the road layout by putting bollards at the end of the one way system or making the eastern part of Longbridge Road a residents' access and bus route road only.

Additional information

The applicants submitted a revised flood risk assessment (FRA) on 20 April 2007. It concludes that:

8.1.1 The predicted tidal level for the 1 in 200 year flood event is 4.24m above Ordnance Datum (AOD) with an allowance for 60 years of climate change.

8.1.2 It is not possible to accurately assess the fluvial flood risk, but an examination of previous modelling and the ground levels upstream of the site indicates that fluvial

flood waters will follow the route of the indicative flood map reproduced in Appendix A.

8.1.3 The proposed mitigation measures detailed in Section 6.1 above will reduce the risk of flooding, are easily achieved and sustainable.

8.1.4 This FRA concludes that the proposed commercial development can be undertaken and the proposed mitigation measures will reduce the flood risk to itself and other neighbouring properties.

8.1.5 If it is not possible to secure planning approval for the proposed redevelopment, the unit will continue to trade and the opportunity to raise the floor levels and reduce the flood risk to this site and the surrounding sites will be lost.”

The applicants also submitted revised information following the Highways Agency's (HA) response. This related to the road safety audit of the proposed crossings, provision and content of the travel plan and a reduction in parking spaces.

Comment

There has been much activity on flood risk and highways matters since the report was drafted. As a result of this additional information the Environment Agency has stated that it will be able to remove its objection subject to safeguarding conditions and the Highways Agency states that it is expected to remove its holding direction upon receipt of confirmation from the City Council on satisfaction with the Road Safety Audit and agreement of conditions. Officers sent this letter on 24 April 2007.

The matter raised by the resident of possible changes to the road layout on Longbridge Road east of the site has been passed to the Head of Transportation, Infrastructure and Engineering to investigate.

Section 106 Obligation

The transport officers have re-considered the Section 106 contribution and now require a contribution for only one bus boarder on Longbridge Road as the stop on St Modwen Road is no longer used. The contribution is now £5,500 with an administration fee of £550 giving a total of £6,050.

Recommendation

The recommendation is now more positive and is: Minded to grant conditionally subject to a Section 106 Obligation and formal receipt of no objections from the Environment Agency and the removal of the holding Direction from the Highways Agency. The conditions will relate to the following matters:

Conditions

1. C001A Time limit;
2. Provision of flood risk mitigation measures
3. C022 Landscape implementation;
4. C026 Landscape maintenance;
5. C033 Existing trees to be retained;
6. C034 Retained trees;
7. C067 Details of new junction;
8. C080 Car parking provision;
9. C086 Cycle provision;
10. C087 Cycle storage;
11. C090 Loading and unloading;
12. C091 Use of loading areas;
13. C305 Staff travel plan;

- 14. Details of the pedestrian crossings;
- 15.C142 Noise level restriction on all plant, machinery and equipment;
- 16. Details of external lighting;
- 17. Details of any extract systems to avoid nuisance from smells or fumes;
- 18.C147 Code of practice;
- 19.C151 Opening hours;
- 20. Restricted delivery hours;
- 21. No use for overnight lorry parking;
- 22.C180 Use restriction: retail warehouse: Unit J1 restricted to non-food, DIY and bulky goods;
- 23.C161 Use restriction Unit J2 restricted to Use class B1 and/or B8 business and warehouse uses;
- 24.C177 Open storage;