

Rocester Parish Council  
Hilltop Cottage  
Wood Lane  
Uttoxeter  
ST14 8JR

Mr Alan Harvey  
ESBC Principal Planning Officer  
30<sup>th</sup> March 2020

Dear Alan

Please find below comments on planning applications – P/2017/00667 – Churnet House Farm

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P2017/00667: Application for outline planning permission for the erection of 71 no. dwellings with all matters reserved except for access (including demolition of existing outbuildings) (Amended Scheme)

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1.0 Executive Summary

Housing need and its location in Rocester

- 1.1 Given that ESBC's Adopted Local Plan Rocester requires 115 new dwellings to be provided for the period up to 2031 and planning approvals have now been granted for 95 units, there is no longer a requirement for 71 new dwellings on the Churnet Farm site but rather 20, all to be provided within the village's Settlement Boundary. Consequently, the proposal for 71 dwellings is objected to.
- 1.2 The lower number would generate substantially less traffic and so have less impact on the present highway problems within the village and could be located in areas of said site less susceptible to flooding.

Access to the Development Site

- 1.3 From consideration of paragraphs 8, 91, 95,102 and 108 -111 of the National Planning Policy Framework (NPPF), until it is known whether or not agricultural access is required through the development site and the highway widths adjusted accordingly, the proposed access as submitted must be objected to.

- 1.4 This response is the same as that being made for Application P/2017/00668.

Existing on-street car parking in Churnet Row / High Street

- 1.5 Unless it can be guaranteed that the existing on-street parking provision in Churnet Row and High Street is maintained or spaces lost by the development site's access requirements are relocated within said site close to the existing highway, the proposals as submitted are objected to.

- 1.6 This response is the same as that being made for Application P/2017/00668.

Flood Risk

- 1.7 The Applicant states that this is a reserved matter so it does not form part of this particular application. Hence the following comment is advisory.
- 1.8 Unless there is a planning condition or obligation in accordance with NPPF paragraph 54 to ensure that any flooding arising from a 1 on 100 year plus 40% climate change flood event is

to be limited to within the development boundary and must not be allowed to migrate to adjacent properties, the development proposal is objected to.

Surface Water Drainage

- 1.9 The Applicant states that this is a reserved matter so it does not form part of this particular application. Hence the following comment is advisory.
- 1.10 Once an application is made for approval of the SuDS system as a reserved matter or part of a full planning application, the following matters must be addressed satisfactorily to avoid objections to the proposals.
  - The designs shall ensure that any flooding from a 1 on 100 year plus 40% climate change flood event will be contained totally within the development boundary and not be allowed to migrate to adjacent properties,
  - It must be clearly established who is to be responsible for the maintenance, repair, safety and security of the SuDS system and included as a planning condition.

Impact on the Rocester Conservation Area

- 1.11 The Applicant states that this is a reserved matter so it does not form part of this particular application. Hence the following comment is advisory.
- 1.12 The possibility of archaeological remains being present must be recognised.

Overall Conclusion

- 1.13 For the reasons stated above, of which many have been drawn to the attention of East Staffordshire Borough Council in previous consultation responses, Rocester Parish Council objects to the Amended Scheme as presently submitted.

BACKGROUND

- 1.0 Housing need and its location in Rocester

ESBC's Preferred Option for its Local Plan

- 1.1 Option 2d formed the basis of the Council's Preferred Option, whereby 90 new houses were to be provided on the Churnet Farm site. Rocester Parish Council's response was that the new housing numbers should be reduced to a maximum of 60 and certainly no more than 75. It also stated that *'If this number (90) is to be provided solely by the proposed development at Churnet Farm, site access and traffic considerations very much suggest that a lower number would have a less detrimental impact'*.

Inspection of the Local Plan

- 1.2 In November 2013, ESBC published a Settlement Boundary Review topic paper for the Inspector of the Local Plan which contained the following table which explains which category the proposed developments fall.

Allocation	Units	Notes
Strategic Allocation	90	(Land south of Main Street – Planning permission yet to be granted)
Development Allowance	17	Planning application for 18 dwellings with demolition of one bungalow.
Planning permission	0	
Development Allowance to find	8	

- 1.3 Rocester Parish Council was represented at the Inspector's Hearings and made the following submission concerning the undetermined planning application for the *'Land south of Main Street'*, namely the Churnet Farm site.

2.2.1 The Parish Council had given this Application great consideration and details of its deliberations can be found in the following Section 3.0 Supporting Background of this report.

2.2.2 The Parish Council disagrees with both of the Applicant's statements, the key issues being that;

- development on greenfield land outside Rocester's Development Boundary is not necessary;
- the increase in the size of the proposed development compared to the Parish Council's proposals (as previously expressed in its response to the Pre-Publication Draft Core Strategy document) exceeds what is required for the village of Rocester;
- the housing tenure mix and numbers with regard to the existing social housing within the area is unknown;
- the single access and egress for all vehicles, pedestrians and cyclists on to Churnet Row will impact adversely on public and highway safety;
- the assessment of possible flood risk at the site has not taken into account local knowledge of flood patterns, the consequences of future development upstream and the loss of loss of flood plain area; and
- this development would have an adverse impact on an historic Conservation Area.

2.2.3 Therefore, Rocester Parish Council formally objects to the proposals and recommends to East Staffordshire Borough Council that;

- it does not approve Outline Planning Application P/2012/00201/JI/PO now before it; and
- it therefore defers determination of the application for demolition of the Churnet Farm buildings within the existing Conservation Area.

#### ESBC's Adopted Staffordshire Local Plan 2012-2031

1.4 Following significant modification, the East Staffordshire Local Plan 2012-2031 was formally adopted on Thursday 15 October 2015. Its Strategic Policy 4 : *Distribution of Housing Growth 2012 – 2031* declares that Rocester's housing needs will be met by the building of 115 new houses within the Plan period, comprising a 90-dwelling Strategic Allocation and a 25-dwelling Development Allowance.

#### Strategic Allocation for Rocester

1.5 This particular application P/2017/0667 is for 71 units which, with the 18 new dwellings and 1 restored existing building for which a parallel application of full planning approval has been made Application P/2017/00668, the total 90-dwelling Strategic Allocation for Rocester might be provided.

1.6 Whilst it has been accepted that 115 new dwellings could well be needed in Rocester, the Parish Council has long-standing reservations as to whether the Churnet Farm site declared as the sole Strategic site was suitable for as many as 90 dwellings.

1.7 Prior to the formal adoption of ESBC's Local Plan 2012-2031, one significant residential site for 53 dwellings outside the settlement boundary for Rocester (as defined in Inset 7 in said Plan) have been granted planning approval (ESBC ref.P/2018/01346) under the National Planning Policies Framework's (NPPF's) Presumption in Favour of Sustainable Development.

1.8 Subject to what is said in Section 2.0 below about access to the development site, if planning approval is granted for the 19 dwellings proposed in Application P/2017/00668, these 53 dwellings should be set against the remaining 71 of the Strategic Allocation. Thus another 18 dwellings are all that are now required, a number that can be accommodated easily on the site in locations less susceptible to flooding and would limit the amount of traffic generated by both developments.

#### Development Allowance for Rocester

1.9 The Local Plan contains a 25-dwelling Development Allowance for Rocester.

- 1.10 In November 2013, ESBC published a Settlement Boundary Review topic paper which contains the following table which explains which category the proposed developments fall.

Allocation	Units	Notes
Strategic Allocation	90	(Land south of Main Street – Planning permission yet to be granted)
Development Allowance	17	Planning application for 18 dwellings with demolition of one bungalow.
Planning permission	0	
Development Allowance to find	8	

- 1.11 This Development Allowance has been met by the granting of the following planning approvals

Site	No. of Units	Planning Ref	Approval Date(s)	Current Status
Eyes Farm development	16	P/2013/01014 + P/2017/01513	10 Sept 2013 + 24 November 2016	In construction or occupied
Land adjacent to Millholme (The Yews)	4	P/2015/00297	18 June 2015	Occupied
Land at rear of Rocester Garage	3	P/2015/00607	21 May 2014	Approved
TOTAL	23			
Development Allowance in Adopted Local Plan	25			
Yet to be determined	2	Consider for the Churnet Farm site?		

#### Additional housing still to be provided

- 1.12 For 115 new houses to be provided within the Settlement Boundary of Rocester by 2031 (all as stated in the Adopted Local Plan), just another 20 dwellings are now required, comprising 18 from the Strategic Allocation of 90 and 2 from the Development Allowance. All of these new dwellings might well be accommodated with little difficulty on those parts of the existing Churnet Farm site that are not susceptible to flooding.

#### Effect of the new housing on existing school places

- 1.13 During the period of the development of the Local Plan before its formal adoption, Staffordshire County Council relocated the former Dove First and Ryecroft Middle Schools to a new site in Ashbourne Road. Whilst ESBC objected to the original proposal (P/2014/00587) on 30 May 2014, on 7 September 2016.
- 1.14 This new school may well have been designed with the student numbers generated by the planned 115 new dwellings in Rocester and the 40 or so for Denstone as being mentioned in the emerging Local Plan. However, the first planning application for the 53 dwellings in Ashbourne Road was registered by ESBC on 29 May 2014 and conditional approval granted on 1 December 2016. Consequently, the school could not have been designed at built to accommodate the extra pupils associated with this additional development.

- 1.15 It is now expected that additional accommodation might now be required for the extra students to both this and Thomas Alleyne's High School, for which Section 106 contributions should be expected from developers of the additional dwellings. The topography of the school's site in Ashbourne Road and the building's configuration is such that extension will not be a simple matter, particularly if its location demands equivalent replacement of the required external hard and soft play areas on the sloping site.
- 1.16 Any need for an extension will be avoided if the 53 new houses in Ashbourne Road were now considered as part of the 115 new dwellings for Rocester required in the Adopted Local Plan.

#### Conclusion

- 1.17 Given that ESBC's Adopted Local Plan Rocester requires 115 new dwellings to be provided for the period up to 2031 and planning approvals have now been granted for 95 units, there is no longer a requirement for 71 new dwellings on the Churnet Farm site but rather 20, all to be provided within the village's Settlement Boundary. Consequently, the proposal for 71 dwellings is objected to.
- 1.18 The lower number would generate substantially less traffic and so have less impact on the present highway problems within the village and could be located in areas of said site less susceptible to flooding.

## 2.0 Access to the Development Site

N.B. This section is generally a repeat of the relevant response to Application P/2017/00668.

### Relevant National Planning Policy Framework (NPPF) requirements

#### 2.1 Achieving sustainable development : paragraph 8

*Achieving sustainable development means that the planning system has 3 overarching objectives....*

- *an economic objective – .....*
- *a social objective – to support strong, vibrant and healthy communities ...by fostering a well-designed and safe built environment, and*
- *an environmental objective – .....*

#### 2.2 Promoting healthy and safe communities : paragraph 91

*Planning policies and decisions should aim to achieve healthy, inclusive and safe places which:*

- (b) are safe and accessible ....; and*
- (c) enable and support healthy lifestyles...*

#### 2.3 Promoting healthy and safe communities : paragraph 95

*Planning policies and decisions should promote public safety*

#### 2.4 Promoting sustainable transport : Paragraph 102

*Transport issues should be considered from the earliest stages of plan-making and development proposals, so that:*

- (a) the potential impacts of development on transport networks can be addressed;*
- (d) the environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account – including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains; and*
- (e) patterns of movement, streets, parking and other transport considerations are integral to the design of schemes, and contribute to making high quality places.*

#### 2.5 Considering development proposals : paragraph 108

*In assessing... specific applications for development, it should be ensured that:*

- (b) safe and suitable access to the site can be achieved for all users...*

2.6 Considering development proposals : paragraph 109

*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.*

2.7 Considering development proposals : paragraph 110

*Within this context, applications for development should:*

- (a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas;*
- (c) create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles...;*
- (d) allow for the efficient delivery of goods, and access by service and emergency vehicles;*

2.8 Considering development proposals : paragraph 111

*All developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed.*

National Design Guide

- 2.9 Paragraphs 101 in Section P1 'Create well-located, high quality and attractive public spaces' state that 'Well-designed public spaces, particularly streets, are designed to support an active life for everyone, and are maintained for continual use. It is important to design them to include all of the users who may wish to use them for activities such as socialising, informal doorstep play, resting and movement. Their success depends on them being fit for purpose, attractive places that people enjoy using'. Paragraph 102 mentions that 'In well-designed places, streets are public spaces that are open to all'.

Existing Traffic

- 2.10 Churnet Row and the High Street already suffer traffic problems which will be exacerbated by the two proposed developments totalling 90 new dwellings.
- 2.11 The Applicant states that the Transport Assessment and Travel Plan carried out in 2017 are still relevant. This view is not supported by the Parish Council since there have been new traffic-generating developments within the village since that time as well planning permissions granted for significant residential development (71 units) outside the settlement boundary for Rocester and expansion of the JCB Academy.
- 2.12 ESBC and the Highways Authority may have a view on whether these need to be updated.

Proposed location

- 2.13 After further discussions between the relevant parties, the Applicant believes that a satisfactory access into the site can now be provided as shown on ADC Infrastructure Dwg. No. ADC 1465/002 rev D of 15 October 2016 submitted as part of the amended application.

Access to residual agricultural land

- 2.14 On behalf of its community and in its previous responses and representations on earlier planning applications, the Pre-submission Local Plan and at the Inspector's Hearings prior to the adoption of the Local Plan, Rocester Parish Council has always expressed its concerns about the continued access for modern agricultural vehicles to land within the Applicant's ownership that will not be used for development.
- 2.15 Both the Design and Access Statement and the Heritage Impact Statement contain aerial and ground-level photographs respectively of the track, the former of which clearly shows access through the farmstead on Churnet Row / High Street.
- 2.16 This amended planning submission and that for the 71 dwellings on the same Strategic Site still give no details as to how said track is to join to the highway network. The Applicant may have already made binding arrangements with adjoining landowners for access to such land. If so, this is neither mentioned nor indicated in the application documents so the matter must be

regarded as not having been given due consideration or ignored. Consequently, it can only be assumed that access will remain through the site of the farmstead. No alternative access is possible from the western side since the area is 'river-locked' by the Churnet, whilst the fields on the southern and eastern boundaries are not shown as owned by the Applicant and so access therefrom may not have been granted.

- 2.17 Modern agricultural practices require the regular use of long vehicle combinations equivalent to those of large articulated vehicles, so the proposed road widths and turning radii based on a maximum vehicle length of 10 metres may prove very inadequate. Furthermore, the number of such traffic movements could be considerable at times such as harvest and haymaking.
- 2.18 It seems that such access will have to be along roads within the residential development, depending on ownerships and permissions and require the displacement of the existing on-street parking.
- 2.19 No mention is made of this critical issue in the Memorandum of Understanding so the matter may have not been given any considered or even ignored.
- 2.20 If such access is still required, the proposed highway widths, curve radii and the likely effect on the existing on-street parking in Churnet Row and High Street must be reconsidered.
- 2.21 There is precedent within the village of a planning requirement for a separate tarmac-surface agricultural access being provided for safety reasons to avoid farm traffic having to pass through the new residential estate built on land released for development.
- 2.22 From the above, ESBC as the local planning authority may wish to
- advise the Applicant to update the DAS or provide an addendum (or explanatory note if covered elsewhere in the supporting information) to deal with the very real concerns raised; and/or
  - submit this scheme and that for P/2017/00667 to a Design Review if it considers that this and other local issues are not adequately covered in the DAS and the masterplan for the whole of the Strategic site; and/or
  - consult the various statutory and non-consultees as to whether have been made aware of and subsequently considered agricultural vehicle movements within a significant new residential area when formulating their earlier advice; or
  - refuse the application.

#### Vehicles, deliveries and servicing

- 2.23 The large vehicles requiring access to the development site will be for deliveries, servicing and emergencies. The Applicant's Transport Assessment prepared by ADC Infrastructure Ltd and submitted in May 2017 considers that, once the development is occupied, such vehicles will be no more than 10 metres in length, being refuse trucks, fire appliances and large removal vans. However, vehicles longer than this are very likely to require access during the construction phase.
- 2.24 The Applicant asserts that the Highway Authority is satisfied that the standards contained in the Memorandum of Understanding meet such requirements. However, given the unresolved issue of agricultural access, it may not necessarily be the case that the required standards have been met.

#### Conclusion

- 2.25 From consideration of paragraphs 8, 91, 95, 102 and 108 -111 of the National Planning Policy Framework (NPPF), until it is known whether or not agricultural access is required through the development site and the highway widths adjusted accordingly, the proposed access as submitted must be objected to.
- 3.0 Existing on-street car parking in Churnet Row / High Street
- N.B. This section is generally a repeat of the relevant response to Application P/2017/00668.
- 3.1 There are presently 13 existing on-street car parking spaces in Churnet Row and the High Street used by the residents of the adjacent properties and, despite the recent increase provision on the JCB World Headquarters site, its employees.

- 3.2 It is essential that these spaces remain available. The issue was drawn to the attention of ESBC back in April 2012, a time when the Applicant asserted that it was 'able to offer residents assurance that there would be no loss of parking along High Street as a result of the proposed development'. These latest Application documents also assert that no reduction in numbers will be necessary.
- 3.3 Whilst ADC Infrastructure Dwg. No. ADC 1465/002 rev D of 15 October 2016 shows the turning sweeps for a 10-metre long vehicle entering and exiting the site in both eastward and westward directions, it does not indicate whether the existing and necessary on-street parking spaces will have to be reduced.
- 3.4 If it is found later that numbers will have to be reduced to permit the required sweeps for the largest vehicles (including those for agricultural purposes) expected to use the access, then parking spaces at least equivalent in number to the spaces lost must be provided within the development site as close as possible to said access and early in the construction programme.
- 3.5 Whilst the latest Transport Assessment still claims that there will be no loss of the 13 existing on-street car parking spaces as a result of the development, there are still concerns that the revised location of the sole access for construction, maintenance and any agricultural traffic may require the temporary or, at worst, permanent relocation of all or some of the on-street parking for residents' vehicles.
- 3.6 The revised layout plans continue to make no provision of any necessary compensating off-street parking within the development site so ESBC may wish to reconsider whether the proposed access and total parking arrangements are appropriate.

#### Conclusion

- 3.7 Unless it can be guaranteed that the existing on-street parking provision in Churnet Row and High Street is maintained or spaces lost by the development site's access requirements are relocated within said site close to the existing highway, the proposals as submitted are objected to.
- 4.0 Flood risk
- N.B. Up to and including para 4.12, this section is generally a repeat of the relevant response to Application P/2017/00668.

#### Relevant National Planning Policy Framework (NPPF) requirements : Planning and flood risk

- 4.1 Paragraph 155

*Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.*

- 4.2 Paragraph 156

*Strategic policies should be informed by a strategic flood risk assessment, and should manage flood risk from all sources. They should consider cumulative impacts in, or affecting, local areas susceptible to flooding, and take account of advice from the Environment Agency and other relevant flood risk management authorities, such as lead local flood authorities and internal drainage boards.*

- 4.3 Paragraph 157

*All plans should apply a sequential, risk-based approach to the location of development... so as to avoid, where possible, flood risk to people and property. They should do this, and manage any residual risk, by:.....*

*(b) safeguarding land from development that is required, or likely to be required, for current or future flood management;*

*(c) using opportunities provided by new development to reduce the causes and impacts of flooding (where appropriate through the use of natural flood management techniques); and*



(d) where climate change is expected to increase flood risk so that some existing development may not be sustainable in the long-term, seeking opportunities to relocate development, including housing, to more sustainable locations.

#### 4.4 Paragraph 160

The application of the exception test should be informed by a strategic or site-specific flood risk assessment, depending on whether it is being applied during plan production or at the application stage. For the exception test to be passed it should be demonstrated that:

- (a) the development would provide wider sustainability benefits to the community that outweigh the flood risk; and
- (b) the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.

#### 4.5 Paragraph 161

Both elements of the exception test should be satisfied for development to be allocated or permitted.

#### 4.6 Paragraph 163

When determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere.... Development should only be allowed in areas at risk of flooding where, in the light of this assessment... it can be demonstrated that:

- (a) within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location;
- (d) any residual risk can be safely managed; and
- (e) safe access and escape routes are included where appropriate, as part of an agreed emergency plan.

#### ESBC Strategic Policy 27 : Climate Change, Water Body Management and Flooding

4.7 Proposals in flood risk areas, or proposals which would affect such areas, will only be permitted where they would not cause unacceptable harm to the following interests:

- (i) The protection and storage capacity of the flood plain, washlands and other areas at risk from flooding;
- (ii) Access to watercourses for maintenance;
- (iii) The characteristics of surface water run-off;
- (iv) The integrity of fluvial defences;
- (v) The drainage function of the natural watercourse system; or
- (vi) The necessity for additional public finances for flood defence works.

#### Flood risk within the development

4.8 See Appendix 1 for a photograph, taken in February 2020, of recent flooding to the Churnet Farm site now being considered for development. Such flooding is already becoming a more regular occurrence.

4.9 It is noted that the raising of ground floor levels of the new dwellings should meet what is said in the above paragraph 7.2(1) and keep their safe from flooding. But this will also lead to consequent raising of external ground levels to provide the necessary level threshold accesses and cover to drainage and services as required by the Building Regulations. It must be recognised that such requirements could well displace flood water presently accommodated within the site into existing adjacent properties.

#### Flood risk to adjacent properties

4.10 Whilst it is noted from the drawing in Appendix D of EWE Associates Ltds' Technical Note 001B of 17 February 2020 that the 1 in 1000-year flood envelope should not affect the proposed new dwellings within the development site. Premises that will be affected are the JCB workshops that are accessed from the B5030, Podmore's Mill which houses JCB Finance and perhaps the existing sewage pumping station. It is essential that none of these premises suffer flooding from water displaced by the raising of ground levels and which is presently

contained within the proposed development site for 71 houses. However, no proposed flood protection measures are offered in this present planning application.

- 4.11 The Parish Council has significant and ongoing concerns that existing properties surrounding the site in Churnet Row, High Street and Riversfield Drive might, depending on their location and ground floor levels, suffer flooding from water emanating from the development, especially in view of previous flooding and the known problems for residents when seeking flood risk insurance.
- 4.12 The Applicant's Flood Risk Assessment was originally accepted by the Environment Agency in the expectation that *'the 1 on 100 year plus 30% climate change flood ....be limited to the development boundary and must not be allowed to migrate to adjacent properties.'*
- 4.13 However, the amended submission now includes EWE Technical Note ref 2019/2458 of 17 February 2020 now says that a higher standard of 1 in 100-year plus 40% climate change event should be adopted for the proposed drainage strategy, one that should also apply to the flood strategy. The same note also acknowledges that the development must not cause flood water migration to adjacent properties.
- 4.14 Matthew Montague Architects' Design and Access Statement (DAS) Appendix J states that both sites are *'generally level topographically and no difficulty is envisaged in achieving the compliance with Part M access requirements to the individual dwelling units.'* Even so, a potential flood risk still remains so ESBC must ensure that the configuration of the development is such that no additional protection measures to such properties will be necessary or that appropriate measures are provided to cause no flooding to adjacent properties.

#### Conclusion

- 4.15 Unless there is a planning condition or obligation in accordance with NPPF paragraph 54 to ensure that any flooding arising from a 1 on 100 year plus 40% climate change flood event is to be limited to within the development boundary and must not be allowed to migrate to adjacent properties, the development proposal is objected to.

#### 5.0 Surface Water Drainage

##### Sustainable drainage system (SuDS)

- 5.1 It is noted that the details of the proposed SuDS system are to be reserved matters so are not to be determined in this application. Consequently, these comments are advisory only and are similar to those being made for Application P/2017/00668 which is being submitted in parallel for full planning approval.
- 5.2 The system is to serve both the proposed 71 dwellings of this application as well as the additional 20 proposed for the adjacent site.
- 5.3 One notable discrepancy is that the size and location of the balancing pond are significantly different between EWE Associates Ltd. Dwg. No. EWE/2458/01 rev B Appendix B Drainage Strategy and Matthew Montague Architects Dwg.No. 1815-ROC-MMA-A2-ZZ-DR-A-01007-S0-P1 Site 2 Layout Plan forming part of parallel Application P/2017/00667. Whichever size and location are finally chosen, it is important that it will offer no particular danger to the public.
- 5.4 As has been stated in previous responses by the Parish Council, one concern is the proposed management arrangements for SuDS. It will be essential to establish exactly who is to be responsible for its ongoing maintenance and eventual replacement so that the intended flood attenuation measures remain effective, safe, secure and maintained after the development is complete and occupied.
- 5.5 In accordance with its own advice note on Flood Risk, ESBC must clearly establish who is to be responsible for the maintenance, repair and safety of the SuDS system (especially the open collecting pond) and make it a planning condition. Until this is confirmed, the proposals are objected to.

#### Conclusion

5.6 Once an application is made for approval of the SuDS system as a reserved matter or part of a full planning application, the following matters must be addressed satisfactorily to avoid objections to the proposals.

- The designs shall ensure that any flooding from a 1 on 100 year plus 40% climate change flood event will be contained totally within the development boundary and not be allowed to migrate to adjacent properties,
- It must be clearly established who is to be responsible for the maintenance, repair, safety and security of the SuDS system and included as a planning condition.

6.0 Impact on the Rocester Conservation Area

Heritage Impact Assessment (HIR)

6.1 The amended planning submission now includes a comprehensive Heritage Impact Assessment prepared by Locus Consulting in November 2019 which has drawn on many authoritative sources.

6.2 The Assessment concludes that the development should cause no significant Harm to and will have an overall neutral impact upon the existing Rocester Conservation Area. Even so, with the site being close to a Roman Road and important river crossing, the possibility of archaeological remains being present should be recognised.

Conclusion

6.3 The possibility of archaeological remains being present must be recognised.

APPENDIX 1



River Churnet in Flood : February 2020 : looking due east from the B5030