

Appendix to Report 5.4 – Shobnall Road P/2020/00857

Full comments made by **Shobnall Parish Council** and responses provided by the applicants agent where appropriate:

- **P/2020/00857 Flood Risk Assessment for land in Burton-upon-Trent, Final Report May 2019**

From the P/2020/00857 **Presentation Layout** it appears that Shobnall Brook is covered, (a culvert) not only by the new proposed road into the site from Shobnall Road but for the whole distance at the entrance; it is currently an open brook and not a culvert.

P/2020/00857 **Flood Risk Assessment for land in Burton-upon-Trent, Final Report May 2019** Page 37 last paragraph: *“It is recommended that Shobnall Brook and the associated structures are routinely inspected and cleared of obstructions by the relevant riparian owners, as required, to maintain the conveyance capacity of the channel and minimise the risk of localised flooding at the side and elsewhere.”*

Response:

The brook is only culverted under the proposed new road not the whole distance

Who will have responsibility for the Shobnall Brook culvert?

Who will carry out the routine inspection?

Who will be accountable for any financial implications for Shobnall Brook?

Response:

The culvert under the new access road will be a highway structure and duly maintained by the Staffordshire County Council Highways Department.

Will there be appropriate documentation for access to Shobnall brook for maintenance and inspections, for those qualified to do so, when a culvert?

Response:

They'll be free access over the POS for duly trained inspection operatives in the employ of Staffordshire County Council Highway Department.

Development (i.e. construction of dwellings) within 8m from the Shobnall Brook top of bank should be avoided. This is to facilitate access to the watercourse for maintenance but also mitigate against residual flooding associated with the watercourse. Does the culvert reduce the effectiveness of the brook?

Response:

No it will be sized accordingly.

Will the action of making Shobnall Brook a culvert impact properties nearby, during very heavy rain fall, if the culvert is only fed through the ground?

Response:

Culvert is only under proposed road.

- **P/2020/00857 Noise Report** the report identifies specifications for glazing and ventilation as open windows will cancel out the increased glazing specification. (10.3.11 “*It should be noted that, in order to meet the internal ambient noise criteria in these areas, the windows will need to remain closed*”). One has to question how green and sustainable these properties are if they have to use mechanical ventilation (page 16 Noise Report) in place of being able to open their windows.
- **P/2020/00857 Noise Report** The Noise Report identifies the noise levels from the A38 but also from the new road leading from Shobnall Road into the development. However, the identification of the increased noise from the traffic entering the development via Shobnall Road will also impact those properties and buildings near to the entrance on Shobnall Road. What noise mitigation is to be put in place for these residents and buildings

Response:

Mitigation shown in noise report appendix e

- **P/2020/00857 Noise Report 10.4.2** An additional 3m barrier has been specified in the north west corner of the development. This is illustrated in Figure 8. I suggest that this noise barrier is increased to allow a business already in existence to operate without residents complaining, at a future date, of the noise levels from the Albion pub. This would be inline with item **5.2.3 Noise Report** where it is noted “an existing business should not have unreasonable restrictions placed on them as a result of a development permitted after they were established”.

Response:

3m has been assessed as an appropriate height in this location to provide a sufficient barrier

- **The Noise Report concludes in 10.4.4** that even with the barrier installed sound pressure levels from the A38, in gardens, will still exceed tolerance levels. I appreciate that the site from a development perspective has financial implications, however, would the site be a better development for all residents if those properties which would be impacted the most from the noise of the A38 were not built and the area left as open space with trees.

Response:

Not viable and noise levels agreed with EHO

- **P/2020/00857 Boundary Treatments Layout** – off road parking provision will need to be an important aspect of this development as most of the houses face a primary or secondary road which runs through the development. It is noted that this development will link up with the development commenced at Branston Locks and the potential traffic is likely to be very high, that drives through this area.

However, noted in the **P 2020 00857 Design Compliance Statement p12** Garden Suburb Detailing table (section 5, of the Development is off Shobnall Road) it is noted under *Parking, servicing and refuse* that “Parking will be

provided both on plot and on street to ensure higher densities can be achieved". On street parking is not promoted within the Shobnall Neighbourhood Plan. The number of housing should be reduced to allow for more off road parking.

Response:

All plots have off-street parking and meet parking standards.

- Confirmation will be required that the boundary distance for Shobnall Grange is being met and the noise and fume levels, due to the proximity of the primary route running past, is being mitigated as the Boundary Treatments Layout does not appear to show any planting (green buffers) along the side of the road or around Shobnall Grange. **Item 6 on Conditions for Planning Application -P/2012/01467** refers; item 6 *Notwithstanding the submitted information the minimum width of the green buffers separating the following elements shall be as follows: " 40m between built development (including the provision of any public highway, or private drive) south of Shobnall Grange and the application site boundary to Shobnall Grange. Reason: For the avoidance of doubt and to safeguard the character and appearance of the development and its surroundings, and the setting of the adjoining listed building in accordance with East Staffordshire Local Plan Saved Policy BE1, the East Staffordshire Design Guide and the National Planning Policy Framework (particularly Section 7, 12 and Paragraph 17).* The boundary and green buffer is, however, noted in P 2020 00857 **Design Compliance Statement.**

Response:

A 40m buffer is provided and is shown on the planning layout, it should also be noted that planting around Shobnall Grange will be addressed under the discharge of Condition No.24 of the outline approval, which will be submitted by Nurtons.

- I would like guidance on whether the imposed green space surrounding Shobnall Grange should count towards the green open space that should be provided within the development. What restrictions if any will come with the open space surrounding Shobnall Grange eg could it be used for playing games, a sports field or a cycle track for example.

Response:

There will be no restrictions on the use. The open space forms part of the overall open space strategy for the whole of the Branston Locks site. Nurtons are responsible for all the open space and green infrastructure throughout the whole site.

- I note the current drive from Shobnall Road to Shobnall Grange is now identified within the boundary of the development (marked in red), however, on the earlier application it was not. Assuming Shobnall Grange residents are happy with the alternative route through the new development we have no comment to make.
- **P/2012/01467 Item 21** *No development accessed from Shobnall Road shall take place until details of the footpath links to Shobnall Road and Centrum West have been submitted to and approved in writing by the Local Planning*

Authority; and the buildings in that part of the development shall not be occupied until the works have been constructed in accordance with the approved details. Reason: As recommended by Staffordshire County Council Highways to ensure that pedestrian links from the site are formed in accordance with East Staffordshire Local Plan Saved Policies BE1 and T1, and the National Planning Policy Framework (particularly Paragraph 17, and Section 4). As part of the reserved matters I feel this should include cycle paths. However, it is noted that the primary and secondary routes through the development do not have a cycle path incorporated within their design. Is this something that will be looked at and included?

Response:

This was not a requirement of the outline consent.

- **P 2020 00857 Design Compliance Statement – 4.5 Road Hierarchy** gives the width of roads and footpaths. The proposed entrance to the development from Shobnall Road breaks a run of pavement that has the potential to cater for a walking bus from a local Nursery, to and from school in the morning and afternoon, as well as for parents to park away from the school in the carpark of the Albion Hotel Pub and walk the rest of the way. The proposed width of 6.5m is not sufficient to allow a central refuge or pelican crossing for pedestrians to cross the new road safely, near the junction with Shobnall Road, which in time will be a very busy road. A safe method of crossing this new road should be a priority for this development.

Response:

No comments/concerns received from Local Highway Authority - deemed acceptable.

- Assuming the retention of the church (Covid-19 may mean restricted or reduced access for church services) what provision is being provided for the church to be able to cater for weddings and funerals as Shobnall Road will be far busier. Could parking provision be provided, within the development for the church, to allow safer parking for wedding and funeral cars.

Response:

This has not been requested

- **P/2012/01467 Item 23 Applications for reserved matters for means of access for each phase of built development shall be in accordance with the approved Transportation and Highways Phasing Strategy and shall include (insofar as applicable) details of:-** " Access to the principal roads, including the main estate road " Street layout and character, including measures to restrain the speeds of vehicles to 20mph " The route and specification of footpaths and cycle ways " Parking, including the provision of secure cycle parking facilities for each house Reason: As recommended by Staffordshire County Council Highways in the interests of the safety of the users of the adjoining highway network in accordance with East Staffordshire Local Plan Saved Policy T1, and the National Planning Policy Framework (particularly Paragraph 17, and Section 4).

I feel a more varied design or material in the road layout should be used, as well as the enhancement of the tree lined road, to help maintain the 20 mph

speed limit throughout the site; to reduce the need for speed humps. What designs and layouts are going to be used to prevent speeding through the site and prevent the route from being used as a “rat run” from the A38.

Response:

The specific design of the new infrastructure will be covered under the formal Section 28 Technical Audit process.

Additional comments received

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- It's not clear whether an Air Quality assessment has been carried out in connection with the properties which will border the A38 dual carriageway and if so what, if any, action will be taken to deal with any possible harmful effects.

Response:

Assessed under the outline scheme.

- **4.1.4 East Staffordshire Water Cycle Study (2013)**

This study states *regarding wastewater collection and treatment, Branston Locks is expected to have major drainage issues as there are no suitable sewers to the west of the Trent and Mersey Canal that would have the capacity to accommodate 2,750 new dwellings. It is recommended that the site be pumped northwards towards Shobnall to a sewer with sufficient spare capacity. Due to the scale of the development proposed in this area detailed hydraulic modelling will be required to identify a suitable connection point to minimise downstream capacity improvements.*

Given that this Study was completed 7 years ago are you now able to say whether a sewer has now been identified and if so what is its maximum capacity, its current capacity and therefore its remaining capacity? What is the anticipated wastewater requirement from this site?

Response:

Severn Trent Water have raised no issue with regards to capacity.

- **Application Form**

The Application Form refers to *a network of walking and cycling routes* but these aren't immediately obvious from any of the maps accompanying this application. Please can you provide a map showing all planned walking and cycling routes, bearing in mind that Sustrans National Cycle Routes 54 and 63 cross the whole of this site from Shobnall Road to Branston Road.

Response:

Footpaths across the site will be retained, possibly in diverted routes, no requirement for cycle routes in the outline consent

- **Flood Risk Summary**

Is sufficient concern being given to the possibility of surface water flooding given that *the Environment Agency (EA) map shows that the eastern part of the site is at high risk of surface water flooding?* There are numerous references in other Planning Documents to “rafts” being required to underpin foundations, raised finished floor levels and some properties with little or no infrastructure recommended to be upgraded.

Response:

No objection from EA or LLFA. Rafts not required, finished floor levels will accord with FRA requirements as will infrastructure ie balancing pond and flood compensation area.