

Meeting (No)	Community & Environment (13) Date 26	5 April 2022
Document		Ref No
Planning application – additional comment		CE13/173

Planning application

Reference: 19/02087/FUL,

Address: Brook Meadow, Church Lane, Neston

Application summary: erection of retirement living accommodation (Category II type) together with communal facilities,

landscaping and car parking

Background

Places Committee considered the above application on 30/07/19 and submitted the following comment to the Planning Authority:

Neston Town Council objects to this application on the grounds of over- development, access to the main road and also access from the site onto Church Lane via the existing narrow roads (there are existing issues with access for emergency vehicles). The Town Council feels the amount of car parking is under-estimated in the application. There are also environmental health concerns given the proximity of the proposed development to a primary school.

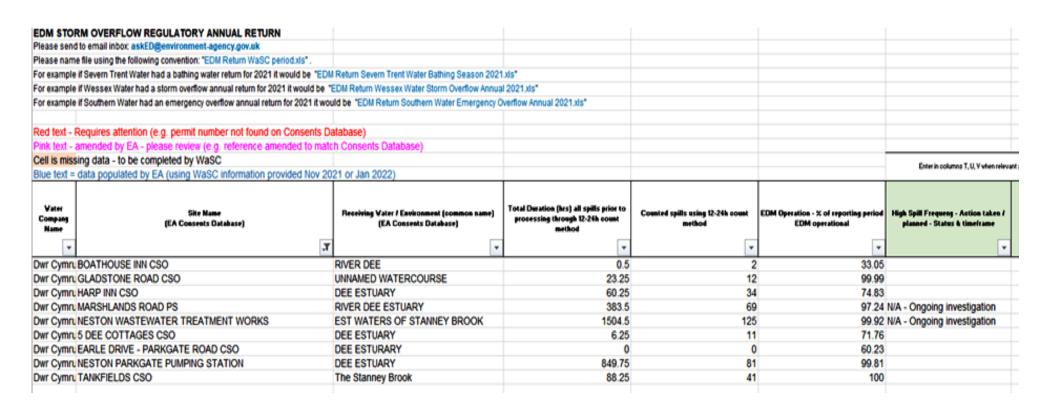
An appeal has been made to the Secretary of State against the decision of Cheshire West and Chester Borough Council to refuse to grant planning permission for the above proposal. All representations have been forwarded by CWaC to the Planning Inspectorate.

For consideration and decision

Cllrs Kynaston and Marple would like the Committee to consider submitting an additional comment (copied below) to the Planning Authority for inclusion with the representations being forwarded to the Planning Inspectorate.

When Neston Town Council considered this planning application in 2019, DŵR Cymru Welsh Water stated that 'No problems are envisaged at the waste water treatment works for the treatment of domestic discharges from this site'.

Welsh Water EDMs Storm Overflow data release 2022 now indicates High Spill Frequency Ongoing Investigation Nesto Wwtw 125 times duration 1504Hrs. Updated information from the amended drainage plan (24th March 2021) indicates new site connection just down-stream of Tanksfields CSO which has discharged 41 times for a duration of 88 hours.



Neston Town Council seeks assurance that there will be no adverse impact to discharges to Stanney Brook which flows through Flint Meadow Park.

These incidents of discharge also impact directly on the Dee Estuary Marshland which is an RSPB protected reserve and an area designated as an SSI.

Wildlife and Countryside Act 1981

28G

An authority to which this section applies (referred to in this section and in sections 28H and 28I as "a section 28G authority") shall have the duty set out in subsection (2) in exercising its functions so far as their exercise is likely to affect the flora, fauna or geological or physiographical features by reason of which the site is of special scientific interest.

2) The duty is to take reasonable steps, consistent with the proper exercise of the authority's functions, to further the conservation and enhancement of the flora, fauna or geological or physiographical features by reason of which the site is of special scientific interest.

In addition, since 2019, further regulations regarding sewage discharge have come into force which raise additional concerns re this application.

Environmental Act 2021

83 Reduction of adverse impacts of storm overflows

- 1) A sewerage undertaker whose area is wholly or mainly in England must secure a progressive reduction in the adverse impacts of discharges from the undertaker's storm overflows
- 2A) reducing adverse impacts on the environment, and
- 2B) reducing adverse impacts on public health.

Audrey Duncan Governance & Operations Manager