



<i>Meeting (No)</i>	Community & Environment (13)	<i>Date</i>	26 April 2022
<i>Document</i>			<i>Ref No</i>
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.

EDM STORM OVERFLOW REGULATORY ANNUAL RETURN

Please send to email inbox: askED@environment-agency.gov.uk

Please name file using the following convention: "EDM Return WaSC period.xls".

For example if Severn Trent Water had a bathing water return for 2021 it would be "EDM Return Severn Trent Water Bathing Season 2021.xls"

For example if Wessex Water had a storm overflow annual return for 2021 it would be "EDM Return Wessex Water Storm Overflow Annual 2021.xls"

For example if Southern Water had an emergency overflow annual return for 2021 it would be "EDM Return Southern Water Emergency Overflow Annual 2021.xls"

Red text - Requires attention (e.g. permit number not found on Consents Database)

Pink text - amended by EA - please review (e.g. reference amended to match Consents Database)

Cell is missing data - to be completed by WaSC

Blue text = data populated by EA (using WaSC information provided Nov 2021 or Jan 2022)

Enter in columns T, U, V when relevant

Water Company Name	Site Name (EA Consents Database)	Receiving Water / Environment (common name) (EA Consents Database)	Total Duration (hrs) all spills prior to processing through 12-24h count method	Counted spills using 12-24h count method	EDM Operation - % of reporting period EDM operational	High Spill Frequency - Action taken / planned - Status & timeframe
Dwr Cymru	BOATHOUSE INN CSO	RIVER DEE	0.5	2	33.05	
Dwr Cymru	GLADSTONE ROAD CSO	UNNAMED WATERCOURSE	23.25	12	99.99	
Dwr Cymru	HARP INN CSO	DEE ESTUARY	60.25	34	74.83	
Dwr Cymru	MARSHLANDS ROAD PS	RIVER DEE ESTUARY	383.5	69	97.24	N/A - Ongoing investigation
Dwr Cymru	NESTON WASTEWATER TREATMENT WORKS	EST WATERS OF STANNEY BROOK	1504.5	125	99.92	N/A - Ongoing investigation
Dwr Cymru	5 DEE COTTAGES CSO	DEE ESTUARY	6.25	11	71.76	
Dwr Cymru	EARLE DRIVE - PARKGATE ROAD CSO	DEE ESTUARY	0	0	60.23	
Dwr Cymru	NESTON PARKGATE PUMPING STATION	DEE ESTUARY	849.75	81	99.81	
Dwr Cymru	TANKFIELDS CSO	The Stanney Brook	88.25	41	100	

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