

**STAFFORDSHIRE MOORLANDS DISTRICT COUNCIL
PLANNING APPLICATIONS COMMITTEE**

24 January 2018

Application No:	SMD/2018/0521	
Location	153 Park Lane, Knypersley	
Proposal	Outline application with details of access, landscaping, layout and scale (other matters reserved) for the construction of a new detached dwelling	
Applicant	Mr S Lowndes	
Agent	Epoch Architecture	
Parish/ward	Biddulph / Biddulph South	Date registered 20 th August 2017
If you have a question about this report please contact: Arne Swithenbank tel: 01538 395578 or e-mail arne.swithenbank@staffsmoorlands.gov.uk		

REFERRAL

The application is referred to Committee at the request of Cllr Redfern in order to consider neighbour amenity impacts, in particular potential over-looking, privacy and also parking and the physical relationships.

1. SUMMARY OF RECOMMENDATION

Approve with conditions

2. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 2.1 The site is a portion of the rear garden of 153 Park Lane, a stone built bungalow set back to the north and slightly elevated from the public road which runs east west. Park Lane is characterised here by ribbon development to both sides with rather few gaps and with open fields behind on both the north and south sides.
- 2.2 Drive access into the bungalow enters the garden on the lower westerly edge of the property. Immediately alongside this to the west again and separated by a privet hedge is a further unrelated access which is a private lane leading to 151 Park Lane. This is a small bungalow which stands rear of the application site.

3. DESCRIPTION OF THE PROPOSAL

- 3.1 This is an application for outline planning consent. The application seeks approval for access, landscaping, layout and scale. As first submitted the proposal was for a larger building and following officer assessment a series of revisions have been submitted to reduce the scale, the latest being Drawing P152-201 rev D. This shows the building position by roof plan measuring 11m x 5.5m therefore a building of c.55m². The proposal is for a single storey building but the plans show a first floor level incorporated in the loft space of the dual pitched roof.
- 3.2 The application, the details attached to it, including the plans, comments made by residents and the responses of consultees can be found on the Council's website at:-

<http://publicaccess.staffsmoorlands.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=125598>

4. RELEVANT PLANNING HISTORY

79/07732/OLDDC – extension to form carport, kitchen and bedroom – approved

04/00140/FUL – two storey side extension – refused

13/00098/FUL – single storey rear extension to provide family room – approved

Relating to 151 Park Lane – to the rear:

86/00021/OLDDC – extension to form bedroom and bathroom – approved

87/00999/OLD – extension to lounge – approved

89/01189/OLD – extension to form porch, WC and larger kitchen – approved

Partially including the application site:

04/00941/FUL – physical landscaping of garden – approved [appears to have involved changes in levels to form garden terracing]

5. PLANNING POLICIES RELEVANT TO THE DECISION

- 5.1 The development plan comprises the adopted Staffordshire Moorlands Core Strategy Development Plan Document (26th March 2014) and supporting evidence documents.

Core Strategy Development Plan Document (Adopted 2014)

S01 Spatial Objectives

SS1 Development Principles

SS1a Presumption in Favour of Sustainable Development

SS6c Other Rural Areas Area Strategy

DC1 Design Considerations

DC3 Landscape and Settlement Setting

- R2 Rural Housing
- NE1 Biodiversity and Geological Resources
- T1 Development and Sustainable Transport

Local Plan Submission Version (February 2018)

- SS1 Development Principles
- SS1a Presumption in Favour of Sustainable Development
- SS10 Other Rural Areas Area Strategy
- DC1 Design Considerations
- DC3 Landscape and Settlement Setting
- H1 Rural Housing
- NE1 Biodiversity and Geological Resources
- T1 Development and Sustainable Transport

National Planning Policy Framework July 2018

Paragraph(s) 1 – 14;

Section(s) 4 – Decision making; 12 – Achieving well designed places; 13 – Protecting Green Belt Land.

6. CONSULTATIONS CARRIED OUT

- 6.1 Site notice posted 31st August 2018 – expired 24th Sept 2018
- 6.2 Press advertisement N/A
- 6.3 Neighbours notified 28th August 2018 – expired 18th Sept 2018

Public Comments

From the occupier of 151 Park Lane:

The revised plan gives no indication of where the windows are going to be. My concern is the property is overlooking mine. My drive is a metre below the garden of 153 Park Lane and the shared drive that will run over 36metres in length along my drive; my fence post and fence are already leaning over due to Mr. Lowndes building up his garden. This planning application is a desperate attempt to solve a problem of asbestos buried behind the sleeper raised garden at the back of the property. This opens the gate to most properties in Park Lane for planning permission in their back gardens, and if Epoch are to design the new build I dread to think what's to come if the 2 properties that have just been built are anything to go by.

Parish / Town Council

Biddulph Town Council – recommends refusal on the grounds that this is not an 'infill' development, it is development of the Green Belt and is over-development of the site. All agreed.

Councillor Redfern – SMDC Ward Member Biddulph South

I am formally writing to object to the planning proposal for a property at the rear of 153 Park Lane. I feel a property in this location is entirely wrong being situated between two properties in the rear garden of 153 Park Lane. The proposal whilst smaller than that originally planned for is still over-looked by properties in the area leading to a loss of privacy. It is proposed that the parking is at the front of

the house which has the effect of being up against the boundary of 151 Park Lane which is on a lower level forming a poor relationship between the properties. In addition it is important to note that somewhere in this area I believe that asbestos is present following the demolition of buildings close by in the past. For these reasons I strongly object to the proposal and if these are good planning reasons would ask that it be called in for consideration of the planning committee.

Coal Authority

Based on the applicant's submitted coal mining risk assessment reviewing existing mining information which confirms that the extraction of the coal associated with the identified outcrop would have been unviable due to its limited thickness and that there is sufficient competent rock cover above subsequent shallow coal seams that may have been worked underlying the site to afford ground stability. Accordingly, no precautionary measures or further investigations are considered necessary.

Finally, the Report confirms that due to the depth of coal seams and the nature of both overlying strata and superficial deposits there is no undue risks posed by mine gas.

The Coal Authority considers that the content and conclusions of the Coal Mining Risk Assessment Report are sufficient for the purposes of the planning system in demonstrating that the application site is safe and stable for the proposed development. The Coal Authority therefore has no objection to the proposed development.

Environmental Health

Acceptable subject to conditions. Part of the site formed part of a small farm holding and potentially asbestos containing material in sheet form may be present having previously been reported by the applicant as potentially present on site (patio area). It is not clear if this has yet been removed therefore it is recommended that a pre-commencement, site risk assessment is undertaken to ensure any potential risks are mitigated.

The proposed development is near to existing properties so care needs to be taken during the construction phase to ensure these activities do not cause unreasonable disruption to the neighbours' enjoyment of their properties.

Staffordshire County Council Minerals

Responded: no comments to make.

Severn Trent Water

Minimal impact on the public sewerage system therefore no objections and no requirement for a drainage condition. Advise there may be a public sewer within the application site.

SMDC waste

No objection / no issues. However the bins will need to be brought down to the road to be emptied.

Staffordshire County Council Highways

Acceptable subject to conditions.

7. POLICY AND MATERIAL CONSIDERATIONS / PLANNING BALANCE

Policy Context

- 7.1 The Local Planning Authority is required to determine planning applications in accordance with the Development Plan unless there are material circumstances which indicate otherwise. In this case the Development Plan for the Staffordshire Moorlands District Council consists of the Adopted Staffordshire Moorlands Core Strategy Development Plan Document (March 2014) with regard also being given to the provisions of the National Planning Policy Framework (NPPF) revised July 2018; the Council's adopted Supplementary Planning Guidance documents: 'Space About Dwellings' and 'Design Principles' and the Council's Core Strategy Supporting Evidence Document: Landscape and Settlement Character Assessment (2008); also, The Staffordshire Moorlands Design Guide Supplementary Planning Document (SPD) adopted 21st February 2018. Development boundary mapping remains for the present time as approved under the Staffordshire Moorlands Local Plan (September 1998).
- 7.2 With the Council's emerging Local Plan now having reached submission stage (February 2018) a degree of weight should be given to the revised policies it contains in accordance with criteria set out in the NPPF at paragraph 48 as follows:
- The more advanced the plan is in preparation the more weight may be given. Having been submitted to the Secretary of State for examination the stage of plan preparation can be considered advanced;
 - The extent to which there are unresolved objections however will temper the weight which can be given to individual policies;
 - Consistency with the NPPF: the Council considers all the policies to be sound and fully consistent with the NPPF.

Principle of Development and Main Issues

- 7.3 In accordance with policies SS1 and SS1a, the Council expects the development and use of land to contribute positively to the social, economic and environmental improvement of the Staffordshire Moorlands. When considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF. This means that planning applications that accord with the policies in the Core Strategy shall be approved without delay, unless material considerations indicate otherwise.
- 7.4 Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Council will grant

permission unless material considerations indicate otherwise – taking into account whether: any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or specific policies in that Framework indicate that development should be restricted.

- 7.5 Within the Green Belt Policy SS6c is that strict control will continue to be exercised over inappropriate development allowing only for exceptions as defined by Government Policy.
- 7.6 The NPPF states at paragraph 144 that: “When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt.”
- 7.7 Inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances (NPPF 143). Local Planning Authorities are to regard the construction of new buildings as inappropriate in the Green Belt.
- 7.8 NPPF paragraphs 145 and 146 set out specific exceptions by which certain forms of development can be considered as being not inappropriate in the Green Belt. One of these exceptions at NPPF paragraph 145(f), relevant to this application is, “limited infilling in villages”.
- 7.9 In addition to the Green Belt provisions, Policy SS6c further limits new housing to that which is essential to meet an essential local need – including affordable housing (in accordance with H2, H3 and R2) or, to allow rural exceptions housing (in accordance with H2 and R2). Outside of town and village development boundaries (other than sites allocated for development) R2 is to allow affordable housing or essential worker housing. The application here is not put forward on the basis either of affordable housing or essential worker requirements.
- 7.10 The emerging Local Plan varies from the Core Strategy in the new policy H1 which would introduce a criterion based approach to housing development outside of larger village development boundaries, and infill related to smaller villages, in order to support sustainable, flexible infill development.
- 7.11 For sites outside of the development boundaries the new local plan would provide at H1(4)b for limited infill residential development of an appropriate scale and character for the Spatial Strategy, provided that:
 - The development will adjoin the boundary of a larger village and be well related to the existing pattern of development and surrounding land uses, or;
 - The development is well related to the existing pattern of development of a smaller village and will not create or extend ribbon development or lead to sporadic pattern of development; and

c) In all cases the development will not lead to a prominent intrusion into the countryside or have an adverse impact of significance to the character of the countryside.

7.12 At the present time however these emerging Local Plan Policies can be given only 'limited' weight due to the on-going examination.

7.13 The primary consideration in terms of the principle of development at this location is whether the proposal now under consideration is within a village and constitutes limited infill.

7.14 In an appeal decision 2223274 relating to SMD/2014/0297 for land within the ribbon alongside Park Lane between the application property and 157 Park Lane, which is adjacent to the east, the Inspector found as follows:

“The appeal site lies within a lengthy run of ribbon development along Park Lane. The setting of this ribbon development is largely rural, but it continues along Park Lane where it meets with more widespread residential development. In my judgement it has the qualities of a village and can be regarded as such for the purpose of applying Green Belt policy. The proposal is for a single dwelling on a modest plot, which has existing dwellings to either side. Accordingly, the proposal amounts to limited infilling.”

7.15 The LPA has subsequently relied upon this decision to accept other sites at Park Lane as being within a village such as the nearby 149 Park Lane – Ref: SMD/2015/0741.

7.16 Although the current application is not within the ribbon line it is sandwiched between the rear of 153 and no. 151 behind to the north. On this basis it is accepted that the site constitutes an infill plot. It is also limited in that it is for a single dwelling and would occupy a limited ground plan area and nor would it entail the creation of any new garden curtilage as the plot is derived from existing rear gardens.

7.17 Policy SS6c also requires development to be in accordance with R1 which expects a balanced consideration of the extent to which a proposal protects and benefits rural qualities and supports rural economic and community needs stating that “appropriate development should not harm the rural character and environmental quality of the area”. In this location however the development does not overtly impinge on the countryside due to being contained within an existing garden and sandwiched between existing dwellings.

Design

7.18 Detailed design is for the reserved matters stage but, in so far as matters such as access, layout and scale are determined by design policy DC1, these need to be considered here.

- 7.19 To meet the advisory document 'Technical Housing Standards – nationally described space standards' (March 2015) a single storey one bedroom two person dwelling should have a minimum gross internal floor area of 50m². Noting the building plan area of c.55m² it is considered that the minimum standard will be capable of being met within the scale of development proposed in the revised indicative drawing. This conclusion is reached without adding in the incorporation of a first floor level.
- 7.20 Suitable parking and vehicle access is provided. This will share the private drive to the host dwelling at 153 and does not involve the lane serving 151 (as appears to be feared by the objector). The Highways Authority does describe the existing access visibility as poor but says that it can however be improved and a drawing would be needed by condition in the event of permission.

Amenity

- 7.21 In order to find this outline proposal acceptable it is necessary to be satisfied that a building of the scale and position shown could be designed so as to meet the Council's adopted standards for space about dwellings and that the impact of the development would not be overbearing or otherwise cause unacceptable harm to neighbouring properties. Also, that there would be suitable amenity including adequate garden space both for the occupiers of the proposed dwelling and, in the remaining garden of the application dwelling, for that property's occupiers.
- 7.22 The proposed southerly long side elevation facing towards the rear of the existing dwelling at 153 Park Lane would have a minimum separation of c.17m from the rear elevation containing principal windows at 153. This would be in breach of the Space About Dwellings Guidance if principal windows were to be incorporated in this elevation. However the applicant proposes that the development could be constructed so as not to have any principal windows in the southerly elevation and thereby meet the Space About Dwellings Standards on this count. It is necessary then to consider if this compromise will still allow for 'good design'.
- 7.23 A further consideration is that a minimum distance of 6m is required between a principal window and any site boundary or any obstruction higher than the top of the window. This would seem to preclude use of the west facing gable end of the property for principal windows as it would be within a metre of that boundary. The east facing gable would be available for a principal window. The north elevation parallel with the gable end of 151 would not be available for principal or indeed any windows save perhaps a minimal bathroom opening as it is within c.1.8m of the end wall to 151.
- 7.24 The adopted Space About Dwellings Guidance provides parameters against which to assess some very important aspects of the suitability or otherwise of a proposed development. The constraints on this site are significant and the relationship between the south facing long-side elevation which looks towards the rear elevation of the existing 'host' property at 153 is particularly critical. It is not that no windows at all may be included but that these should not be

principal windows and should not be of a size and position which would undermine the privacy of outlook between the two – for either of the dwellings.

- 7.25 The proximity is such that the incorporation of windows in the roof slope to serve a first floor level would be considered unacceptable though roof lights to serve the ground floor would be likely to be found acceptable.
- 7.26 Although the west gable would be close to the property boundary it does not look directly at another building and indeed the land beyond is semi-natural. However it is well vegetated with bush and tree growth. The guideline notwithstanding, a principal window in this elevation could be considered acceptable, but this too would be compromised in its close outlook into trees and the absence of control over the adjacent land and boundaries. Given the constraints on the other elevation discussed above, consideration should be given as to whether the compromise on this elevation is acceptable.

Highway Safety

- 7.27 No special considerations arise, the Highways Authority being satisfied that adequate turning and parking space would be available both to the 'host' dwelling and the proposal dwelling. The neighbour is concerned that the physical work to form and support the driveway could impinge on the adjacent parallel drive serving his property. It would be appropriate to require at reserved matters stage the construction specifications and boundary treatment details along this line as elements of the design to be determined.

Other Matters

- 7.28 No significant further issues have been identified. The existing nature of the land is mown lawn. It would though be appropriate to add safeguarding conditions and / or advisory notes regarding wildlife such as nesting birds.
- 7.29 The concern raised by the objector and in turn by Cllr Redfern about asbestos has been discussed with the Council's EH officer. The EH officer advises that the development can be suitably conditioned to ensure appropriate safeguards are in place. These would need to provide a pre-commencement site analysis with mitigation measures prescribed subject to the findings.

Conclusion and Planning Balance

- 7.30 Being outside the development boundary and within the Green Belt, development is not immediately supported in principle. However, as discussed at 7.13 to 7.16 the site succeeds as 'limited infill within a village'. Consideration of R1 (paragraph 7.17 above) finds that the development would be acceptable in terms of impact on the adjacent countryside.
- 7.31 The NPPF says at paragraph 11 and footnote 7 that where a five year supply of deliverable housing sites cannot be demonstrated – which is the case currently for this Authority – the policies most relevant for determining the application are to be considered 'out of date'. In these circumstances planning permission

must be granted unless either: that there are other specific policies in the NPPF which provide a clear reason for refusing the development (these policies being those set out at footnote six); or, any adverse effects of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole.

- 7.32 Although within the Green Belt and paragraph 11 footnote 6 lists Green Belt as one of the policies referred to as not being made out of date by an under quota in housing supply, as discussed at 7.14 to 7.16, this proposal is found to meet one of the allowed Green Belt exemptions in any event and is therefore considered acceptable in principle in Green Belt terms.
- 7.33 The benefits of the scheme would be one more dwelling contributing to the housing supply, though obviously as a single dwelling this is a very small addition in proportion to the overall numbers required.
- 7.34 Paragraphs 7.22 to 7.26 discuss several aspects of the amenity relationship between the proposed site and its existing neighbouring dwellings. There are clearly limitations to the proposal. If the limitations and compromises to amenity which have been identified are considered to be adverse impacts and if it is considered that these factors are of such concern that they significantly and demonstrably outweigh the benefits in the provision of a single additional dwelling then it would be in line with the NPPF (paragraph 11) to refuse the development.
- 7.35 However, on balance the officer assessment of this proposal is that whilst there are identifiable limitations and compromises in this proposal, particularly in terms of amenity, they do not significantly and demonstrably outweigh the benefits of providing a new additional dwelling. In reaching this conclusion it would be necessary to condition any approval to be single story only with no first floor level, notwithstanding the submitted drawings which show incorporation of a first floor within the roof space.

8. RECOMMENDATION

8.1 Approve subject to the following conditions

1. Details of the layout (including driveways), appearance, landscaping, boundary structures and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.

Reason: The application is an outline application under the provisions of Section 5 of Part 3

of the Town and Country Planning Act (General Permitted Development Procedure) Order 2015 and no particulars have been submitted with respect to the matters reserved in the permission.

2. Application for approval of the reserved matters shall be made to the local planning authority not later than three years from the date of this permission.

Reason: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990 (as amended).

3. The development hereby permitted shall begin not later than two years from the date of approval of the last of the reserved matters to be approved.

Reason: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990 (as amended).

4. The development hereby permitted shall be carried out in accordance with Drawing Number P152-201 D (27.11.2018); P152-202 A (27.11.2018).

Reason: To ensure that the development is carried out in accordance with the approved plans, for clarity and the avoidance of doubt.

5. The development shall be limited in scale to a single storey dwelling not greater than 55m² in ground plan area measured externally and notwithstanding the submitted drawing details there shall be no first floor habitable accommodation incorporated in the development.

Reason: To ensure the development is of a scale that is capable of being accommodated at the site without undue harm to neighbour amenity.

6. No development hereby approved shall be commenced until full details of the following have been submitted to and approved in writing by the Local Planning Authority:

- Means of surface water drainage including interceptor located on the boundary with the existing access track, connected to a surface water outfall;**
- Surfacing materials.**

The development shall thereafter be implemented in accordance with the approved details prior to the development being first brought into use and be maintained for the life of the development.

Reason: To comply with NPPF Paragraph 32; to comply with SMDC Core Strategy Policy

DC1; in the interests of highway safety and to define the extent of the highway.

7. The development hereby permitted shall not be commenced until details of the 2.4mx43m visibility splays have been submitted to and approved in writing by the Local Planning Authority. The visibility splay shall thereafter be kept free of all obstructions to visibility over a height of 600 mm above the adjacent carriageway level and be provided in accordance with the approved plan prior to the development being brought into use.

Reason: To comply with NPPF Paragraph 32; to comply with SMDC Core Strategy Policy

DC1; in the interests of highway safety and to define the extent of the highway.

8. The development hereby permitted shall not be brought into use until the access drive rear of the public highway has been re-constructed in a bound and porous material for a minimum distance of 10m back from the carriageway edge in accordance with details to be first submitted to and approved in writing by the Local planning authority. The access gradient shall be not greater than 1 in 10. The development shall thereafter be maintained in accordance with the details approved.

Reason: To comply with NPPF Paragraph 32; to comply with SMDC Core Strategy Policy

DC1; in the interests of highway safety and to define the extent of the highway.

9. The development hereby permitted shall not be brought into use until the access, parking, servicing and turning areas have been provided in accordance with the approved plans. The parking, turning and servicing areas shall thereafter be retained for the purposes of parking and turning of private cars for the life of the development.

Reason: To comply with NPPF Paragraph 32; to comply with SMDC Core Strategy Policy

DC1; in the interests of highway safety and to define the extent of the highway.

10. Any gates shall be located a minimum of 5m rear of the highway boundary and shall open away from the highway.

Reason: To comply with NPPF paragraph 32; to comply with SMDC Core Strategy Policy DC1; in the interests of highway safety.

11. The reserved matters application shall be accompanied by details of the existing and

proposed levels across the site and relative to adjoining land, together with the finished floor

levels of the proposed buildings. The development shall be implemented in accordance with

the levels details as subsequently approved in writing by the Local Planning Authority. There

shall be no variation in these levels without the written approval of the Local Planning Authority.

Reason: In order to ensure the satisfactory appearance of the development and its appropriate relationship to the site and adjoining land.

12. All noisy activities shall be restricted to the following times of operations.

- 08:00 - 18:00 hours (Monday to Friday);**
- 08:00 - 13:00 hours (Saturday)**
- No working is permitted on Sundays or Bank Holidays.**

In this instance a noisy activity is defined as any activity (for instance, but not restricted to,

building construction/demolition operations, refurbishing and landscaping) which generates

noise that is audible at the site boundary.

Reason: To avoid the risk of disturbance to neighbouring dwellings from noise during anti-social hours.

13. The development, including demolition hereby permitted shall not take place until a Construction and Environmental Method Statement has been submitted to and approved in writing by the Local Planning Authority. The Construction Method statement shall include the following details:-

I. A scheme to minimise dust emissions arising from demolition/construction activities on the site. The scheme shall include details of all dust suppression measures and the methods to monitor emissions of dust arising from the development.

II. a scheme for recycling/disposal of waste resulting from the demolition/construction works;

III. the responsible person (e.g. site manager / office) who could be contacted in the event of complaint;

Once approved, all relevant activities on the site should be carried out in accordance with Construction and Environmental Method Statement throughout the course of the development. Any alteration to this Plan shall be approved in writing by the Local Planning Authority prior to commencement of the alteration.

Reason: To protect the amenities of the area from dust

14. No development, shall take place until a site risk assessment has been undertaken to assess the nature and extent of any contamination on the site, in accordance with a scheme to be first agreed in writing with the Local Planning Authority and a written report of the findings and recommendations compiled in accordance with the agreed scheme shall be submitted in writing to the Local Planning Authority.

i. If the site risk assessment indicates that potential risks exist, development shall not commence, until a detailed remediation strategy to mitigate the identified risks and ensure the site is remediated to a condition suitable for the intended use has been submitted to and approved in writing by the Local Planning Authority.

ii. The agreed remediation strategy (in response to (i) above) shall be adhered to throughout the development.

iii. Following completion of the site remediation and prior to bringing the development into first use, a verification report that demonstrates the effectiveness of the remediation carried out must be submitted to and approved in writing by the Local Planning Authority.

15. In the event that contamination, including surface coal measures, is found at any time when carrying out the approved development it must be reported in writing immediately to the Local Planning Authority. Development shall not commence or continue further until an initial investigation and risk assessment has been completed in accordance with a scheme to be agreed by the Local Planning Authority to assess the nature and extent of any contamination on the site. If the initial site risk assessment indicates that

potential risks exist to any identified receptors, development shall not commence or continue further until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property, and the natural and historical environment has been prepared, and received the approval in writing of the local planning authority. Following completion of measures identified in the approved remediation scheme and prior to bringing the development into first use, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

Reason: To ensure that the proposed development meets the requirements of the National Planning Policy Framework in that all potential risks to human health, controlled waters and wider environment are known and where necessary dealt with via remediation and or management of those risks.

16. No top soil is to be imported to the site until it has been tested for contamination and assessed for its suitability for the proposed development, a suitable methodology for testing this material should be submitted to and agreed by the Local Planning Authority prior to the soils being imported onto site. The methodology should include the sampling frequency, testing schedules, criteria against which the analytical results will be assessed (as determined by the risk assessment) and source material information. The analysis shall then be carried out and validating evidence submitted to and approved in writing to by the Local Planning Authority.

Reason: To ensure that the proposed development meets the requirements of the National Planning Policy Framework in that all potential risks to human health, controlled waters and wider environment are known and where necessary dealt with via remediation and or management of those risks.

17. Any waste material associated with the demolition or construction shall not be burnt on site but shall be kept securely for removal to prevent escape into the environment.

Reason: To protect the amenities of the area.

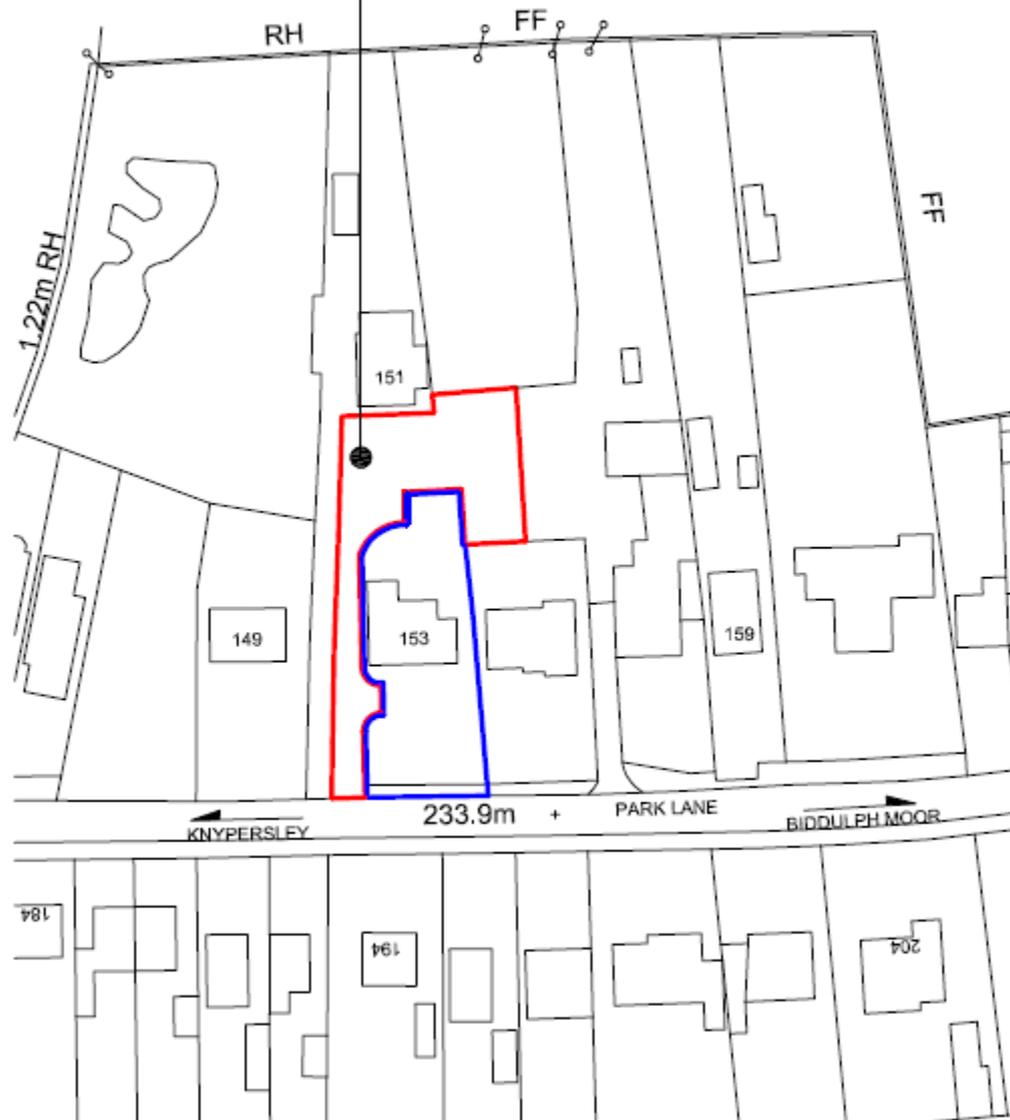
Include informatives re avoiding principal windows in the S elevation.

Include environmental health informatives.

In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions/informatives/planning obligations or reasons for approval/refusal) prior to the decision being issued, the Operations Manager - Development Services has delegated authority to do so in consultation with the Chairman of the Planning Applications Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.

This recommendation is made following careful consideration of all the issues raised through the application process and thorough discussion with the applicants. In accordance with Paragraph 38 of the NPPF the Case Officer has sought solutions where possible to secure a development that improves the economic, social and environmental conditions of the area.

SITE OF PROPOSED WORKS
EDGED RED THUS



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Location Plan

