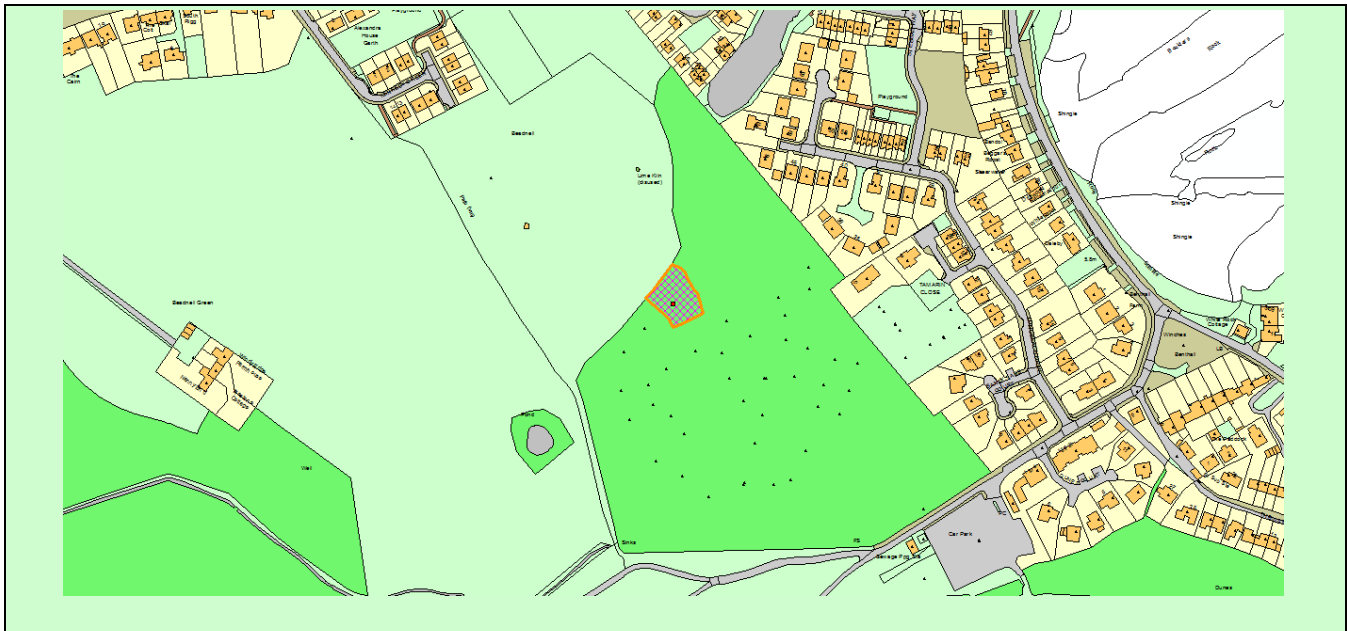




Northumberland County Council

North Northumberland Local Area Council 19th July 2018

Application No:	18/01036/FUL		
Proposal:	Re-submission of proposed two new residential properties on undeveloped land which is currently under construction (the primary occupancy now changed to C3 use dwelling, not holiday lets) on land East of 21 Bernicia Way, Beadnell (amended 20th June 2018)		
Site Address	Land East Of 21 Bernicia Way, Bernicia Way, Beadnell, Northumberland		
Applicant:	Mr Colin Barnes Estates Office, Alnwick Castle, Alnwick, NE66 1NQ	Agent:	Mr Dominic Waugh 1 Arngrove Court, Barrack Road, Newcastle Upon Tyne, NE4 6DB
Ward	Bamburgh	Parish	Beadnell
Valid Date:	21 March 2018	Expiry Date:	31 July 2018
Case Officer Details:	Name: Mr Chris McDonagh Job Title: Planning Officer Tel No: 01670 622646 Email: Chris.McDonagh@northumberland.gov.uk		



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1. Introduction

1.1 Under the provisions of the Council's current Scheme of Delegation, due to a valid objection from Beadnell Parish Council, the application has been referred to the Head of Service and the Planning Chair of the North Northumberland Local Area Council for consideration to be given as to whether the application should be referred to Planning Committee for determination. The decision taken was for the application to be decided before the North Local Area Committee, with a recommendation of approval.

2. Description of the Proposals

2.1 The application site is set to the south of the main settlement of Beadnell, within the Bernicia Way development. The site was granted permission for 40no. holiday lets under planning application N/09/B/0391. The application site itself is a parcel of land to the north of the estate, originally allocated as biodiversity enhancement land. The site is bound to the west by open fields, to the north and east by housing, and to the south by a public car park.

2.2 Planning permission is sought for the erection of 2no. dwellings on this parcel of land, to be occupied as principal residence housing as opposed to the wider use as holiday lets. Access is taken via the existing street to the south, with the estate in a wider sense served from Harbour Road to the south east. The dwellings match those approved within the wider estate in design, with exterior facing walls of fibre cement board cladding and elements of brickwork. The dwellings, as in the wider estate, are detached and two storey with pitched slate roofs.

2.3 The application site is located within the Northumberland Coast Area of Outstanding Natural Beauty (AONB) and adjacent to the Northumberland Shore Site of Special Scientific Interest (SSSI), Northumberland Coast Special Protection Area (SPA), Berwickshire and North Northumberland Coast Special Area of Conservation (SAC) and Northumbria Coast Ramsar site.

3. Planning History

Reference Number: 16/01285/FUL

Description: Installation of 5no. Low Pressure Gas tanks

Status: Permitted

Reference Number: 17/01130/FUL

Description: Proposed two new residential properties on vacant plot of land at Beadnell Point development which is currently under construction

Status: Withdrawn

Reference Number: N/89/B/0189/A

Description: Outline - proposed phased residential development - approval of reserved matters roads and sewers received 02.06.92.

Status: Permitted

Reference Number: N/89/B/0189/P

Description: Outline - proposed phased residential development - revised access details rec. 26.6.90.

Status: Refused

Reference Number: N/09/B/0391

Description: Change of use from former agricultural land to holiday accommodation comprising 40 no. sustainable holiday homes; visitor and water sports centre: car park and recreational facilities (revised application).

Status: Permitted

4. Consultee Responses

Beadnell Parish Council	<p>Objection –</p> <p><i>Beadnell Parish Council have considered the above Planning Application and agreed to object to this application on the following grounds:</i></p> <ul style="list-style-type: none">• <i>The flood risk assessment was undertaken in 2008.</i>• <i>The S106 should be enforced as per the formal agreement.</i>• <i>The landscaping of the original application was to enhance the nature of the development, this was demanded by the Environmental Impact Assessment and agreed by Northumberland Estates under Clause 25 of the S106. The proposed plot has been planted with young trees.</i>• <i>The current Ecological Mitigation Strategy proposes 1 onsite measure and 4 off-site measures.</i>• <i>The ecological mitigation strategy will not mitigate the loss of the woodland area.</i>• <i>The proposed plot was originally to be the buffer zone.</i>• <i>Who will be responsible for the proposed suds drainage in the future?</i> <p><i>However, if the application is approved the Parish Council require the following condition to be included within the approval notification:</i></p> <ul style="list-style-type: none">• <i>As per Policy 14 within the Coastal Neighbourhood Plan the properties must be - Principal Residence Housing secured under a S106 Agreement.</i>
Highways	No objection subject to conditions.
Countryside/ Rights Of Way	No objection.
County Archaeologist	No objection.
County Ecologist	<p>Initial objection based on loss of on-site biodiversity measure approved under N/09/B/0391.</p> <p>Following meeting with applicant, NCC Ecology have no objection to off-site biodiversity measures proposed subject to conditions.</p>
Public Protection	No objection subject to conditions.
Environment Agency	No objection.

Natural England	No objection subject to coastal mitigation (agreed with applicant).
Northumberland Coast AONB	<p>Objection –</p> <p><i>The Northumberland Coast AONB Partnership maintains the objection to this proposal. In our response to the previous similar application (17/01130/FUL) we raised the following points -</i></p> <p><i>The proposal refers to vacant plots. In reference to the site plan for the original approved scheme N/09/B/0391, the area under consideration as predominantly woodland with a buffer of scrub. This approved landscaping is an important commitment that goes some way to ameliorating the negative ecological impact of the development. The landscaping is a planning condition of N/09/B/0391 - the condition is essential to mitigate the scheme and make it acceptable in planning terms. Therefore the area is not a vacant plot that has been somehow overlooked - it provides important environmental gain and is a condition of the approval.</i></p> <p><i>Again we reiterate that the approved landscaping is an important commitment and planning condition that will help soften the impact of the development on the nationally designated landscape. The developed site is dense in terms of built form and it is the opinion of the Partnership that all approved landscaping is essential commitment on part of the applicant in order to soften the impact of the scheme.</i></p> <p><i>Again as stated previously since the original approval in 2011 the Northumberland Coast AONB Partnership has adopted a new management plan 2014-19 and policy CE6 (above) was adopted in response to the increase in holiday homes and visitor accommodation which in turn is having a detrimental impact on community vitality. As there is absolutely no demonstrable shortage of holiday accommodation in Beadnell, coupled with the loss of ecological and landscape mitigation, the Partnership objects to the erection of an additional two holiday homes within this holiday home development.</i></p>
Northumbrian Water Ltd	No comment.
Northumberland Wildlife Trust	No response received.

5. Public Responses

Neighbour Notification

Number of Neighbours Notified	22
Number of Objections	15
Number of Support	0
Number of General Comments	0

Notices

General site notice, posted 16th April 2018.

No Press Notice Required.

Summary of Responses:

15no. public objections on the following issues;

- *Inaccurate/out of date information;*
- *Ecological and biodiversity losses;*
- *No need for additional housing;*
- *Against the S106 agreement;*
- *Access insufficient;*
- *Existing houses affected during construction;*
- *Restrictive covenant to 40 dwellings;*
- *Landscape Impact/AONB;*
- *Not a vacant plot.*

The above is a summary of the comments. The full written text is available on our website at:

<http://publicaccess.northumberland.gov.uk/online-applications//applicationDetails.do?activeTab=summary&keyVal=P5W9WYQSN3E00>

6. Planning Policy

6.1 Development Plan Policy

Berwick Local Plan (1999) - BLP

F1 Environmental Wealth

F2 Coastal Zone

F6 Special Protection Areas, Special Areas of Conservation and Ramsar Sites

F7 National Nature Reserves and Sites of Special Scientific Interest

F9 Wildlife

F31 Social and Economic Welfare

North Northumberland Coast Neighbourhood Plan (NNCNP) - 2018

Policy 1 Sustainable Development

Policy 3 Habitats and Species

Policy 5 Design in New Development

Policy 8 Sustainable Development within the Settlements

Policy 14 Principle Residence Housing

6.2 National Planning Policy

NPPF - National Planning Policy Framework (2012)

NPPG - National Planning Practice Guidance (2014, as updated)

7. Appraisal

7.1 The NPPF operates under a presumption in favour of sustainable development. It states that development proposals, which accord with the development plan, should be approved without delay. The adopted Development Plan for the area within which the application site is located, comprises the saved policies of the Berwick Local Plan (1999).

7.2 The main issues in the consideration of this application are;

- *Principle of Development*
- *Ecology*
- *AONB*
- *Design and Landscape Impact*
- *Amenity*
- *Highway Safety*

Principle of Development

7.3 Policy F1 of the BLP gives primary importance is given to development that sustains and enhances environmental wealth, including its landscape and coast, native biodiversity and human heritage.

7.4 Policy F2 of the BLP is underpinned by F1 as an area based policy that supports development that;

- i) Within or immediately adjoining an existing settlement;*
- v) That it accords with policies elsewhere within the plan.*

7.5 Policy F31 alongside F1 allows weight to be given to proposals that enhance the quality of life of communities or to complement the range of social or economic functions which any of them performs.

7.6 The NPPF seeks to promote sustainable development with paragraph 7 providing the starting point against which the sustainability of a development proposal should be assessed. This identifies three dimensions to sustainable development - an economic element, a social element and an environmental element.

7.7 Paragraph 14 of the NPPF then establishes a presumption in favour of sustainable development. For decision taking this means (unless material considerations indicate otherwise); approving development proposals that accord with the development plan without delay; and where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or specific policies in the Framework indicate development should be restricted.

7.8 The application site is located within the settlement of Beadnell. It is considered that the proposed location and scale of development would be sustainable in relation to economic and social considerations. It would deliver economic and social benefits through a small increase in the sustaining of local services and facilities while also contributing to.

7.9 In terms of its environmental role there would not be any significant or unacceptable harmful impacts on the site and wider area and the development could be assimilated into this location. This is assessed further within the ecology section of this report.

7.10 Further consideration is had to the policies of the NNCNP, within which Policies 1 & 14 support new dwellings within the settlements of the Plan area provided they are primary residence and not for holiday let purposes. It is the intention of the applicant for this development to function as C3 dwellings, and an agreement to that extent is secured via a S106 legal agreement to secure the occupancy.

7.11 It is therefore considered that the principle of development is acceptable and in accordance with F1, F3 and F31 of the BLP, Policies 1 & 14 of the NNCNP and the NPPF.

Ecology

7.12 Policy F1 of the BLP stipulates that all development proposals will be considered against the need for sustaining and enhancing the Borough's environmental wealth, including its landscape and coast, its native biodiversity and its human heritage.

7.13 Policy F6 of the BLP seeks to safeguard Special Protection Areas, designated and candidate Special Areas of Conservation and Ramsar Sites. Development will only be permitted when:

ii)(a) it would not adversely affect the integrity of the internationally important nature conservation interest of the site, either directly or indirectly.

7.14 Similarly, Policy F7 seeks to protect Sites of Special Scientific Interest. Development will only be permitted when:

ii)(a) it would not adversely affect the nature conservation interest for which the site has been designated, either directly or indirectly.

7.15 Policy F9 of the BLP seeks to protect biodiversity throughout the former Berwick Borough. Development on sites other than those the subject of Policies F6, F7 or F8, will be permitted, provided that;

i) measures are undertaken to minimise the net loss, avoidable disruption or fragmentation of the habitat; and

ii) where such loss is accepted, to compensate for it by creating new or alternative features, including linear features, required to maintain the locality's contribution to local wildlife diversity'.

7.16 Policy 3 of the NNCNP states that the impact of proposals in the Plan area on European Sites will be assessed in accordance with the Conservation of Habitats and Species Regulations 2010 (as amended) (The Habitats Regulations). Planning permission for development that would result in an increase in temporary or permanent residents or an increase in recreational pressure on the European sites will require project-level Habitats Regulations Assessment. Planning permission will only be granted if it can be demonstrated that there will be no adverse effect on the integrity of any European site, either alone or in combination with any other relevant plans or projects.

7.17 Paragraph 118 of the NPPF states that local planning authorities should aim to conserve and enhance biodiversity based on detailed principles.

7.18 The application site is adjacent to the European designated SPA, SSSI and SAC sites, as well the Northumbria Coast Ramsar site.

7.19 The application site was set aside within the context of N/09/B/0391 for on-site biodiversity gain. The County Ecologist initially responded with concern to the proposals based on the loss of the parcel of land in question.

7.20 However the applicant has submitted an amended Ecological Masterplan. Additional biodiversity gains have been suggested off-site in the form of wetland scrapes located to the west of the development and additional landscaping. This mitigation has been accepted by the County Ecologist because it satisfies the requirement to protect and enhance biodiversity. Conditions are recommended to secure the adherence to the mitigation proposed, as well as the protection on-site of protected species and further details regarding landscaping.

7.21 Concerns have been expressed that the proposal does not comply with the S106 legal agreement on the original grant of planning permission. The original grant of planning permission sought to use the application site as biodiversity enhancement land and the application site is currently legally bound for that purpose. The biodiversity land has been displaced to the west of the site along with other measures to the satisfaction of the County Ecologist. Should this application be successful the applicant will need to apply separately to via a S106A application to vary the original legal agreement on planning permission in order to implement the proposals subject of this application.

7.22 This development falls within the 7 km 'zone of influence' for the Northumbria Coast Special Protection Area (SPA) and Ramsar Site. It is anticipated that new housing and leisure development in this area is 'likely to have a significant effect' upon the interest features of the SPA, when considered in combination, as a result of increased recreational pressure. As such, Natural England advises that a suitable contribution to Northumberland County Council's Coastal Mitigation Scheme be sought from this development to reach a conclusion of no likely significant effect. The applicant has agreed to contribute £1,200 in line with appropriate mitigation and subject to a S106 Legal Agreement.

7.23 The application is therefore in accordance with Policies F1, F6, F7 & F9 of the BLP, Policy 3 of the NNCNP as well as the provisions of the NPPF in this regard.

AONB

7.24 Paragraph 115 of the NPPF states that great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty.

7.25 The Northumberland AONB Partnership has objected to the proposal on the grounds of the parcel of land being an important feature of biodiversity gains on site, the loss of landscaping to lessen the density of housing on site, as well as there being no need for additional holiday lets in the village.

7.26 As per the appraisal of ecological and biodiversity impacts, the necessary steps have been taken by the applicant to address the concerns of the County Ecologist, with off-site mitigation secured to provide the necessary biodiversity gains. Additional details have been requested to address landscaping details and the application is to provide principal residence housing, not holiday lets, as required within the NNCNP.

7.27 On this basis, the proposal is not considered to have an adverse impact on the AONB, in accordance with the policy aims of the NPPF in this regard.

Design and Landscape Impact

7.28 Paragraph 17 of the NPPF sets out its core planning principles to be applied in plan-making and decision-taking, taking account of the different roles and character of different areas, recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it.

7.29 Policy F1 of the BLP gives primary importance is given to development that sustains and enhances environmental wealth, including its landscape and coast, native biodiversity and human heritage.

7.30 Policy F2 of the BLP is underpinned by F1 as an area based policy that supports development that;

ii) it accords with its surroundings by virtue of its scale, density, height, massing, layout, materials, hard and soft landscaping including species appropriate to the north Northumberland coastal environment, means of enclosure and access

7.31 Policy 5 of the NNCNP seeks to secure high quality design within the plan area and forwards the following principles;

All new development in the Plan area, including extensions and conversions, should incorporate high quality design and demonstrate how:

- a) local context and character is respected in terms of scale, density, height, massing, layout, materials, hard and soft landscaping, means of enclosure and access; and*
- b) features including windows, doors, roof lights, chimneys, flues, roofs, and boundary treatments have regard to surrounding character and materials; and*
- c) appropriate landscaping and the use of indigenous species have been incorporated into the scheme; and*
- d) sustainable design measures have been incorporated including Sustainable Urban Drainage Systems where possible; and*
- e) measures have been incorporated to limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation; and*
- f) in terms of the massing, height, scale and proximity, of the proposed development does not result in an unacceptable loss of light or overshadowing, or other adverse amenity impacts on existing or future residents.*

7.32 The proposed dwelling would be of the same design as those approved under N/09/B/0391, assimilating well into the existing vernacular. The designs forward the same two-storey, pitched roof and sage green clad external wall appearance as the existing dwellings in the vicinity and are acceptable in the context of a new application.

7.33 The resulting landscape impact is also required to be assessed given the sensitive location within the AONB. As per the assessment of impacts upon the AONB, an additional 2no. dwellings within the development as a whole is unlikely to create

7.34 The landscape impact of the proposal as a result of the design is considered acceptable and in accordance with F1 & F2 of the BLP, Policy 5 of the NNCNP and the NPPF.

Amenity

7.35 Policy 5 of the NNCNP states in terms of the massing, height, scale and proximity, the proposed development does not result in an unacceptable loss of light or overshadowing, or other adverse amenity impacts on existing or future residents.

7.36 Paragraph 17 of the NPPF sets out its core planning principles, one of which is decision-taking, plan should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.

7.37 The proposed dwellings have similar spatial dimensions to those existing with the same degree of separation between amenity spaces created. It is not considered there would be adverse impacts upon amenity as a result. The impact on amenity is therefore considered acceptable and in accordance with the NNCNP and NPPF.

Highway Safety

7.38 Paragraph 32 of the NPPF sets out the considerations of decisions with regard to highways impacts, stating that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

7.39 The site is served by existing access to the south from Harbour Road. Highways Development Management have responded to formal consultation raising no objection subject to conditions to secure details of car parking and refuse collection. On this basis the impact on highway safety is considered acceptable and in accordance with the NPPF.

Equality Duty

7.40 The County Council has a duty to have regard to the impact of any proposal on those people with characteristics protected by the Equality Act. Officers have had due regard to Sec 149(1) (a) and (b) of the Equality Act 2010 and considered the information provided by the applicant, together with the responses from consultees and other parties, and determined that the proposal would have no material impact on individuals or identifiable groups with protected characteristics. Accordingly, no changes to the proposal were required to make it acceptable in this regard.

Crime and Disorder Act Implications

7.41 These proposals have no implications in relation to crime and disorder.

Human Rights Act Implications

7.42 The Human Rights Act requires the County Council to take into account the rights of the public under the European Convention on Human Rights and prevents the Council from acting in a manner which is incompatible with those rights. Article 8 of the Convention provides that there shall be respect for an individual's private life and home save for that interference which is in accordance with the law and necessary in a democratic society in the interests of (inter alia) public safety and the economic wellbeing of the country. Article 1 of protocol 1 provides that an individual's peaceful enjoyment of their property shall not be interfered with save as is necessary in the public interest.

7.43 For an interference with these rights to be justifiable the interference (and the means employed) needs to be proportionate to the aims sought to be realised. The main body of this report identifies the extent to which there is any identifiable interference with these rights. The Planning Considerations identified are also relevant in deciding whether any interference is proportionate. Case law has been decided which indicates that certain development does interfere with an individual's rights under Human Rights legislation. This application has been considered in the light of statute and case law and the interference is not considered to be disproportionate.

7.44 Officers are also aware of Article 6, the focus of which (for the purpose of this decision) is the determination of an individual's civil rights and obligations. Article 6 provides that in the determination of these rights, an individual is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal. Article 6 has been subject to a great deal of case law. It has been decided that for planning matters the decision making process as a whole, which includes the right of review by the High Court, complied with Article 6.

8. Conclusion

8.1 The main planning considerations in determining this application have been set out and considered above stating accordance with relevant Development Plan Policy. The application has also been considered against the relevant sections within the National Planning Policy Framework (NPPF) and there is not considered to be any conflict between the local policies and the NPPF on the matters of relevance in this case.

8.2 The application has addressed the main considerations and would accord with relevant policy. The proposal is therefore supported.

8.3 A Section 106 Legal Agreement is to secure the obligations/contribution as set out in the recommendation.

9. Recommendation

That this application be GRANTED permission subject to the planning conditions set out below and a Legal Agreement pursuant to s106 of the Town & Country Planning Act 1990 (as amended) to secure the following obligations:-

- In principle occupancy in perpetuity of the dwellings

- The financial contribution towards the Council's Coastal Mitigation Scheme (£1,200).

Conditions/Reason

01. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended)

02. Approved Plans

The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans. The approved plans for this development are:-

1. Location plan; Drawing ref: 10 01
2. Proposed site plan; Drawing ref: 10 02
3. Proposed floor plans; Drawing ref: 20 101
4. Proposed elevations; Drawing ref: 30 101
5. Proposed block plan; Drawing ref: 10 03
6. Proposed sections; Drawing ref: 40 101
7. Proposed landscape masterplan; Drawing ref: 110950/8004 Rev B
8. Proposed ecological plan; Drawing ref: SK 7001 Rev C

Reason: To ensure that the approved development is carried out in complete accordance with the approved plans and complies with the National Planning Policy Framework.

03. Materials

The facing materials and finishes to be used in the construction of the development shall be in accordance with details contained in the application. The development shall not be constructed other than with these approved materials.

Reason: In the interests of the satisfactory appearance of the development upon completion and in accordance with the provisions of Policy F2 of the Berwick Local Plan.

04. Implementation of car parking area

The development shall not be occupied until the car parking area indicated on the approved plans, including any disabled car parking spaces contained therein, has been implemented in accordance with the approved plans. Thereafter, the car parking area shall be retained in accordance with the approved plans and shall not be used for any purpose other than the parking of vehicles associated with the development.

Reason: In the interests of highway safety, in accordance with the National Planning Policy Framework.

05. Details of refuse storage facilities and strategy

The development shall not be occupied until details of refuse storage facilities and a refuse storage strategy for the development have been submitted to and approved in writing by the Local Planning Authority. The approved refuse storage facilities shall be implemented before the development is brought into use. Thereafter the refuse storage facilities and refuse storage plan shall operate in accordance with approved details.

Reason: To ensure sufficient and suitable facilities are provided for the storage and collection of household waste in accordance with Chapter 7 of the National Planning Policy Framework.

06. In accordance with Mitigation

No development shall take place unless in accordance with the avoidance, mitigation and enhancement measures as shown on the architect's drawings ('Landscape and Ecology Mitigation Strategy', Fairhurst, Drawing No.: SK7001, Rev.C and 'Landscape Masterplan', Fairhurst, Drawing No.: 110950/8004, Rev. B, Dated 13.6.18 and as received 20.6.18) including, but not restricted to, adherence to external lighting recommendations in accordance with 'Bats & Lighting in the UK' Bat Conservation Trust/Institution of Lighting Engineers, 2008; any deep (in excess of 300mm) excavations left open overnight to be either securely covered or provided with an earth or timber ramp not less than 300mm wide and no steeper than 45 degrees to provide an escape route for ground animals that might otherwise become entrapped; an updating ecological survey to be carried out in the event that development works do not commence before the end of June 2020 with the results of that survey together with any necessary modifications to avoidance, mitigation or enhancement measures to be forwarded to and agreed in writing with the Local Planning Authority before development/demolition works commence.

Reason: To maintain the favourable conservation status of protected species.

07. Felling of trees and vegetation removal

No development, removal of vegetation or felling of trees shall be undertaken between 1 March and 31 August unless an ecologist has first confirmed that no bird's nests that are being built or are in use, eggs or dependent young will be damaged or destroyed.

Reason: To protect nesting birds, all species of which are protected by law.

08. Hedgehogs

All garden boundary fences or walls will include a gap at the base measuring a minimum 13cm x 13cm to allow continued access through the site for hedgehog.

Reason: To maintain the population of a priority species

09. Landscaping plan

No development shall commence until the applicant has submitted a detailed landscape and planting plan including the planting of locally native trees and shrubs of local provenance and the creation of off-site scrapes of not less than 1000m² to be agreed in writing with the Local Planning Authority and to be fully implemented during the first full planting season (November - March inclusive) following the commencement of development.

Reason: To maintain and protect the landscape value of the area and to enhance the biodiversity value of the site.

10. Potentially contaminated land

Potentially Contaminated Land

The development hereby permitted shall not be commenced until a scheme to deal with any contamination of land or pollution of controlled waters has been submitted to and approved in writing by the Local Planning Authority and until the measures approved in that scheme have been implemented. The scheme shall include all of the following measures unless the Local Planning Authority dispenses with any such requirement in writing:

a) A desk-top study carried out to identify and evaluate all potential sources of contamination and the impacts on land and/or controlled waters, relevant to the site. The desk-top study shall establish a 'conceptual site model' and identify all plausible pollutant linkages. Furthermore, the assessment shall set objectives for intrusive site investigation works/ Quantitative Risk Assessment (or state if none required). Two full copies of the desk-top study and a non-technical summary shall be submitted to the Local Planning Authority without delay upon completion.

b) If identified as being required following the completion of the desk-top, a site investigation shall be carried out to fully and effectively characterise the nature and extent of any land contamination and/ or pollution of controlled waters. It shall specifically include a risk assessment that adopts the Source-Pathway-Receptor principle, in order that any potential risks are adequately assessed taking into account the sites existing status and proposed new use. Two full copies of the site investigation and findings shall be forwarded to the Local Planning Authority without delay upon completion.

c) Thereafter, a written Method Statement (or Remediation Strategy) detailing the remediation requirements for the land contamination and/or pollution of controlled waters affecting the site shall be submitted and approved by the Local Planning Authority, and all requirements shall be implemented and completed to the satisfaction of the Local Planning Authority. No deviation shall be made from this scheme without express written agreement of the Local Planning Authority.

d) Two full copies of a full closure (Verification Report) report shall be submitted to and approved by the Local Planning Authority. The report shall provide verification that the required works regarding contamination have been carried out in accordance with the approved Method Statement(s). Post remediation sampling and monitoring results shall be included in the closure report to demonstrate that the required remediation has been fully met.

Reason: To ensure that risks from land contamination to the future users of the land and dwellings are minimised and to ensure that the development can be carried out safely without unacceptable risks to any future occupants.

11. Contamination not previously discovered

If during redevelopment contamination not previously considered is identified, then an additional method statement regarding this material shall be submitted to and approved in writing by the Local Planning Authority. No building shall be occupied until the method statement has been submitted to and approved in writing by the Local Planning Authority, and measures proposed to deal with the contamination have been carried out.

Reason: To ensure that risks from land contamination to the future users of the land and dwellings are minimised and to ensure that the development can be carried out safely without unacceptable risks to any future occupants.

Date of Report: 03.07.2018

Background Papers: Planning application file(s) 18/01036/FUL