

PARISH Barlborough

APPLICATION Erection of a 3 and 4 storey residential block comprising 18 residential units and ancillary works.

LOCATION Land to the West of Ash Close Barlborough

APPLICANT Mr Paul Foster Park Farm Shopping Centre Allestree Derby DE22 2QN

APPLICATION NO. 18/00273/FUL **FILE NO.** PP-06984142

CASE OFFICER Mrs Karen Wake (Mon, Tues, Wed)

DATE RECEIVED 18th May 2018

DELEGATED APPLICATION REFERRED TO COMMITTEE BY: PLANNING MANAGER
REASON: LEVEL OF PUBLIC INTEREST

SITE

Vacant overgrown site with 1.8m high timber/metal fences around most of the site. Car park, shops and nursery to the east and southeast of the site. Two storey dwellings to the north of the site. To the southwest of the site is a highway and roundabout set higher than the site with business park beyond. To the west of the site is a further highway which is again set higher than the site with two storey dwellings beyond. There is a fairly steep embankment to the south and west of the site.

PROPOSAL

The application is for the construction of a three and four storey building providing 18 flats, 15 of which have two bedrooms and 3 of which are 1 bedroom. The site is accessed via Ash Close through the car park to the shops and nursery to the east of the site. The proposal includes a 21 space car park and cycle storage area and a communal garden area. The building is a contemporary design with a mixed material pallet and balconies to most of the flats.

AMENDMENTS

Design, scale and position of building amended. To address issues of design and mass of the building and to address residential amenity issues for existing residents adjacent to the site and future occupiers of the development.

HISTORY (if relevant)

08/00733/FUL: Health and fitness club: Approved 28/01/2009

04/00533/FUL: Three storey building to provide 4 live let units with ground floor shop, office, business or non-residential institution use (Classes A1, A2, B1, D1 of the Use Classes Order) and 3, 2 bedroom apartments: Approved 7/01/2005

01/00393/FUL: 10 houses, nursery, 2 storey fitness centre with ancillary retail uses and convenience shop with 2 retail units: Refused then allowed on appeal on 22/08/2002

CONSULTATIONS

Parish Council: Object to the proposal: 24/07/2018

DCC Highways: The reduction in the proposed car parking provision from 25 to 21 is less

than desirable but the comments on the scheme as originally submitted remain unchanged. Comments on proposal as originally submitted: Ash Close is not an adopted road as the developer has not brought the road up to adoptable standards. However the means of access from Slaley View Road is included within the application site. Additional development served from Ash Close does not mean that the developer is compelled to carry out works on the road or bring it up to adoption standard. It is not considered that the traffic generated by the proposed development nor the shortfall in parking provision would introduce a hazard or detriment to highway safety such that a refusal could be sustained. No objections subject to a condition requiring provision of car parking and manoeuvring space in accordance with the approved plans before first occupation of any dwelling and maintenance as such thereafter: 22/10/2018

Urban Design Officer: The amended design and layout has addressed the design concerns previously identified therefore no objection on urban design grounds. Recommends conditions requiring details of external materials (including samples) hard and soft landscaping, boundary treatments (railings, fences etc. their design, appearance, finished treatment and location/extent) retention of glazed privacy screens to balconies and Juliette balconies, secure resident controlled access to cycle and bin stores and external lighting. 12/10/2018

Yorkshire Water: No objections subject to condition requiring site to be developed with separate systems of drainage for foul and surface water on and off site and no piped discharge of surface water from the development prior to completion of surface water drainage works, details of which will have been submitted to and approved by the Local Planning Authority. Recommends advisory notes relating to presence of public combined sewer and surface water disposal hierarchy: 19/06/2018

Coal Authority: No objections. Require advisory note that the development lies within a coal mining area which may contain unrecorded coal mining hazards and if any coal mining feature is encountered during development it should be reported to the Coal Authority: 11/06/2018

Senior Engineer: The sewer records do not show a public combined sewer within the curtilage of the site however the applicant should be made aware of the possibility of unmapped public sewers which are not shown on the records but may cross the site. These could be shared pipes which were previously classed as private sewers and were transferred to the ownership of the Water Authorities in 2011. If any part of the proposed works involves connection to/diversion of/building over/building near to any public sewer the applicant should be advised to contact Yorkshire Water in order to determine their responsibilities under the relevant legislation. The applicant should be advised that all proposals regarding drainage will need to comply with Part H of the Building Regulations 2010: 11/06/2018

Environmental Health Officer: No objections subject to conditions requiring submission of a sound insulation scheme and a phased contaminated land investigation: 9/11/2018

PUBLICITY

Site notice, press notice and 33 neighbours notified. Objections received from 8 residents which raise the following issues:

1. The improved design is welcomed in principle however the parking is well below the required level which will result in people parking on the adjacent shop car park or on Ash Close. This will greatly impact on customer parking for the businesses on Ash Close and will mean Ash Close has to be made resident only parking with the

- necessary signage and policing which would be an added expense to the council.
2. No details of how parking will be policed to prevent arguments over parking.
 3. No impact assessment has been carried in relation to the potential loss of parking facilities for the shops.
 4. No disabled parking spaces are shown and there should be at least two. The council's access officer should confirm why the developers are not being challenged on the DDA compliance of the site in relation to DDA compliant parking spaces and rooms.
 5. The proposal will put more strain on an unadopted busy road. Given the previous issue of this road a Bond, retainer etc should be provided and held by third party to ensure the existing road is brought up to adoptable standard by the developer as part of a conditional approval or the local authority to carry out the works at the developers expense prior to the development being approved to ensure there is no reason for this road not to be adopted.
 6. The revised proposal have in one way made the building more acceptable in its impact on residents and general building footprint but has countered this with the additional 4th storey which is unprecedented in this area and has no context or basis in relation to its surroundings. The proposed third floor should be omitted. This would then make the building more of a compromise and would lessen the required parking by 6 spaces which would still not comply as would still be 6 spaces short but would make it far less of an issue, and the development fall within its acceptable scope for such a small site.
 7. A lift has been added in the three / four floor high side of the apartment block but not in the lower side which means wheelchair / pushchairs / elderly etc cannot access upper floors? This is discrimination. The councils Access Officer should confirm the justification how this is being accepted.
 8. Opaque glazing to balconies & Juliet balconies has been added. As the development is at an angle to the existing residence the side screens facing the existing residence should be a minimum of 2000mm high to provide adequate privacy to both parties.
 9. Management strategy needs to be enforced for upkeep of the existing banking or local authority to agree they will be responsible for upkeep prior to approval. Whichever way is proved to be agreeable it needs to be a final agreement between Bolsover District Council and Derbyshire County Council and the private land owners confirming who is responsible for what and have it as a written legal document.
 10. The elevational design of the building has significantly changed to a more modern style with the inclusion of wall cladding and a low mono pitch composite roof design. The finish of both needs to be proved it will not cause excessive glare when in sunlight as it will be facing several existing residential properties on all sides.
 11. Neighbouring residential properties which are situated on the adjacent side of the Slayley View Road facing the west side of the building will be very impacted from the height of a four-storey building directly opposite but reducing it down to 3 storeys by omitting the third floor although still quite invasive will be drastically decreased. This can be clearly be seen on the designer's west elevation in relation to the banking. In addition extensive tree planting should be required to try and limit the impact on the outlook for existing residents.
 12. The design has changed to accommodate the original proposed 18 apartments but it still does not truly reflect the existing materials on the site which was one of the original issues most of the representations commented on as part of the initial design. A tiled pitched roof is preferable but if a composite style mono pitch roof design and cladding

to elevations are to be used they should not be reflective as this could cause nuisance to residents on all sides.

13. The planning application should be determined by committee not under delegated powers.
14. The revised plans reduce parking provision even further than the original scheme. Car parking is already a problem on this site. The car park is frequently full of cars belonging to people who park and travel in another cars down the motorway. With an additional 18 flats on site with insufficient parking proposed this situation is going to get worse. If customers can't park they won't use the shops and the viability of businesses on site will be adversely affected which could lead to a loss of jobs.
15. The proposal is an overdevelopment of the site, trying to squeeze the maximum number of units on the site having no regard to the amenity of local residents or the sustainability of businesses opposite the site.
16. The construction of such a large scale development will cause serious disruption to businesses and neighbouring residents.
17. The building has been moved away from the northern boundary but there are no dimensions on the plans and no indication as to how far the building will be from adjacent dwellings which is critical information.
18. Many of the concerns expressed about the original plans have been ignored.
19. The land is overdeveloped, cramming 18 apartments over 4 storeys to develop as many units as possible.
20. The proposal will block light to adjacent gardens and be an eyesore resulting in loss of view from adjacent dwellings..
21. The proposal is not in keeping with its surroundings which are predominantly semi-detached and detached houses.
22. The banking at the back of the development (bordering Slayley View Road/Oxcroft Way) was never retained properly during the construction of the roads and was later deemed structurally unsound. This matter has been outlined in a Derbyshire County Council's structural engineers report during previous applications for the site. The report detailed the work necessary to bring it up to a standard which would mitigate the possibility of collapse. The current planning documents do not include information about the banking or retention work. A full structural evaluation of the banking needs to be carried out before planning permission is granted.
23. Derbyshire County Council have previously objected to the development of this site because of highway safety concerns. The banking is structurally unsound and any work near the banking could de-stabilise the road and footpath above along Slayley View/Oxcroft Way.
24. There is a danger of vehicles leaving the carriageway at the top of Slayley View/Oxcroft Way and going down the banking onto the site. A barrier was erected here due to concerns about this in the past.
25. Revised plans do not address previous concerns. The new design is even further out of character with the surroundings.
26. The applicant owns Ash Close and the adjacent shops and car park and doesn't maintain it properly or provide the services covered in the service charge to the buildings as it is and additional use of the road and car park will make maintenance issues worse.
27. Site security needs to be addressed to prevent people using the site as a short cut to the shops.

28. Boundary treatments need to be addressed and their maintenance agreed.
29. The adjacent site has a children's nursery and nearby dwellings have children living there. Increased traffic flow should be assessed to see if additional road safety measures are required.
30. No information is supplied in reference to street lighting/ building lighting which will impact on residents adjacent to the site.
31. Air quality for potential residents should be considered. The building is on a basin and road traffic pollutants which are heavier than air may concentrate where the banking meets the proposed building as there is nowhere for them to escape. This could cause respiratory problems for future residents and air quality issues should therefore be investigated.
32. The proposal will de-value adjacent houses.
33. Construction traffic and workers vehicles could cause a problem for emergency vehicles if they park on adjacent highways
34. The proposal will result in a loss of sunlight for residents of adjacent dwellings harming their health and well-being.
35. The proposal will overlook adjacent dwellings causing loss of privacy.
36. The applicant states no trees and hedges are to be removed. This is incorrect and will result in loss of habitat for birds and small animals.
37. The proposed bin store is adjacent to existing dwellings
38. Development of the site to prevent the existing anti-social behaviour problem is welcomed but it should be development which is in keeping with the area.

POLICY

Bolsover District Local Plan (BDLP)

Policies GEN 1 (Minimum requirements for development) GEN 2 (Impact of Development on the environment) GEN 4 (Development on Contaminated Land) & HOU 2 (Location of Housing Sites) of the Bolsover District Local Plan

NPPF

A core principle of the NPPF is to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. Sustainable development is a balance of economic, social and environmental issues.

Paragraph 122

Planning policies and decisions should support development that makes efficient use of land, taking into account:

- a) the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it;
- b) local market conditions and viability;
- c) the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use;
- d) the desirability of maintaining an area's prevailing character and setting (including residential gardens), or of promoting regeneration and change; and

e) the importance of securing well-designed, attractive and healthy places.

Paragraph 124

The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.

Paragraph 126

To provide maximum clarity about design expectations at an early stage, plans or supplementary planning documents should use visual tools such as design guides and codes. These provide a framework for creating distinctive places, with a consistent and high quality standard of design. However their level of detail and degree of prescription should be tailored to the circumstances in each place, and should allow a suitable degree of variety where this would be justified.

Paragraph 127:

Planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users⁴⁶; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Paragraph 130

Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or

supplementary planning documents. Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development. Local planning authorities should also seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used).

Other (specify)

Successful Places a Guide to Sustainable Housing Layout and Design

ASSESSMENT

Principle of Residential Development

The site is within the settlement framework in a mixed use area, adjacent to a large residential estate. The site is within walking distance of shops and local facilities as well as bus stops giving access to Chesterfield, Sheffield and Worksop. On this basis the proposal is considered to be in a sustainable location where new residential development is acceptable and the proposal provides an additional 18 homes for the District. On this basis the proposal is considered to be in accordance with Policy GEN 2 of the Bolsover District Local Plan and the guidance set out in the NPPF

The main issues for consideration are therefore the design of the proposal and the impact on the character and appearance of the area, the impact on residential amenity of residents of adjacent dwellings and future residents of the proposed dwellings and the impact on highway safety.

Design and Impact on the Character and Appearance of the Area

The design and appearance of the proposed building has been amended together with its size and position on the site during the course of the application in response to initial concerns about the scheme as originally submitted.

The building has been repositioned on the site and is now located towards the southern end of the plot. The length of the building has been reduced and a communal garden has been introduced to achieve separation between the building and the neighbouring gardens to the north, as well as provide an element of external amenity space for future occupants. Bin and cycle stores are incorporated on the north side of the building with improved access and circulation to entrances and around the building itself. In addition, the car parking arrangement has been reconfigured and areas of soft landscape introduced to help mitigate its visual appearance.

An elevation drawing has been submitted to compare the proposed building with that originally submitted, by overlaying the outline for original design on top of the new scheme, together with those of the previously approved developments on this land. Similarly, an additional layout plan also shows the previous proposals overlaid onto the current site plan. In addition, the elevations also indicate the position of the embankment and how much of the building would be evident above the embankment and visible from Slayley View Road and Oxcroft Way.

The scale of the building has been altered and increases in height from 3-storeys at its northern end to four-storeys at its southern boundary facing Oxcroft Way. The southern end of the building would have a greater height, than the original submission and bulkier form, although the northern end of the building would be lower than the ridge line of the original proposal, but above its eaves height. Nevertheless, the building is set much lower than adjacent highways and the building form is considered to be broken down well by stepping the height and incorporating recessed sections and projections which provide modelling and depth to the facades and assist in moderating the bulk and form of the building.

The design and appearance of the building has taken a more contemporary approach, with additional areas of glazing and echoes the more modern styling of the Barlborough Links employment area to which this part of the site relates. The increased height and scale will also relate well to the roundabout and provide a focal point at this location. While the southern part of the building is taller than the original proposal, the northern end of the building is considerably lower and further away from the adjacent neighbouring properties, creating greater separation from these more sensitive boundaries.

The amended design and layout is considered to have addressed the design concerns previously identified by the Urban design Officer and, subject to conditions about materials, landscaping and boundary treatments to control the detailing, the proposal is considered to fit in with the overall form and layout of its surroundings in accordance with the guidance set out in the NPPF.

Impact on Residential Amenity

The internal plan of the building has been reconfigured to arrange the majority of living spaces to face east and south and minimise the number of living rooms with an aspect towards the embankment. Rooms with a direct aspect towards the adjoining slopes are mainly bedrooms and some bathrooms, where the outlook is considered to be less critical. Where some living spaces do overlook embankment, these have been provided with taller windows to maximise the amount of light into these rooms and minimise the prospect for creating dark or gloomy apartments.

The proposed flats are adjacent to a busy roundabout which is set substantially higher than the site level. There is therefore potential for noise and disturbance for the residents of the flats. The Environmental Health Officer has requested a scheme of sound insulation be submitted to ensure minimum standards for noise and such a condition is considered to overcome this issue.

An external communal garden has been provided to give residents an area of amenity space and balconies and Juliette balconies have also been introduced and these provide some flats with direct external space or to relate better to the outside, the provision and maintenance of which can be controlled by condition. The amended proposal is now considered to provide future residents of the flats with an adequate standard of amenity in accordance with the Successful Places Guide to sustainable Housing Layout and Design published by the council.

There are no dwellings to the east or south of the site. Dwellings to the west of the site are set much higher and it is some 30m to the boundary of these dwellings on the opposite side of the road. The closest dwellings to the site are to the north/northeast of the site and they are

some 26m from the proposed building and there is 11m minimum distance between the building and the closest adjacent gardens. There are no windows in the northern elevation of the building facing these dwellings and the proposed balconies are shown with opaque glass panels and privacy screens to the units situated closest to neighbouring dwellings to the north/northeast to prevent overlooking towards the nearest gardens and windows and this can be controlled by condition.

The proposal is therefore not considered to result in a significant loss of daylight to or outlook from adjacent dwellings and subject to conditions relating to privacy screens to balconies and suitable boundary treatment, the proposal is not considered to result in a significant loss of privacy or amenity for residents of adjacent dwellings. On this basis the proposal is considered to meet the requirements of Policy Gen 2 of the Bolsover District Local Plan and the Successful Places Guide to sustainable Housing Layout and Design published by the council.

Impact on Highway Safety

The proposal incorporates 15 two-bed flats and 3 one-bed flats. In addition, the parking arrangement has been reduced with 21 spaces now provided, whereas the original submission was for 26 spaces (18 for the flats plus 8 visitor spaces). Although this level of parking is low relative the amount of accommodation, short term visitor parking could potentially be met within the existing neighbouring car parks connected with the local centre, which is limited to 2 hours. The site is also well located in respect of access to nearby facilities, amenities and public transport, making this a sustainable location where residents could be less reliant on the car.

The reduction in the number of parking spaces has allowed for the revised layout of amenity space, circulation, parking and landscaping of the scheme which is considered to now better resolved overall and strikes a reasonable balance between these competing elements.

There are no objections from the Highway Authority about the level of parking or the access to the site being via an unadopted highway. In the absence of any support from the Highway Authority regarding the adoption of Ash Close it is not possible to insist on its adoption as part of this application. The proposal is not considered to be detrimental to highway safety and is considered to meet the requirements of Policies Gen 1 and Gen 2 of the Bolsover District Local Plan in this respect.

Issues raised by Environmental Health Officer

Environmental Health Officer has commented on the potential of noise and disturbance to residents and this has been covered in the residential amenity section of this report. In addition, the site is a previously developed site where there is the potential for contamination from made ground and ground gases. They therefore consider that due to the sensitive end use, a phased contamination survey should be submitted and this can be required by condition. Subject to such a condition the proposal is considered to meet the requirements of Policy GEN 4 of the Bolsover District Local Plan.

Issues Raised by Local Residents

Most of the issues raised by local residents are considered in the above assessment.

The issue of accessibility for people with disabilities is an issue of internal arrangement and is controlled under building regulations.

The issue of potential use of spaces in the adjacent car park is covered in the above assessment. The issue of misuse of the car park by people parking all day to car share longer journeys on the M1 cannot be considered as this is a private matter between the shop occupiers and the site landlord which cannot be taken into account in this application.

The future management of outside space is covered by condition.

private matter between the developer and future residents as is the maintenance of the unadopted road and concerns about disruption and damage during construction. The making up of the road to adoptable standards or creation of resident only parking on Ash Close cannot be insisted on as part of this application.

The loss of view is not a material planning consideration which can be taken into account nor is loss of value to adjacent dwellings. The bin store has been moved away from adjacent dwellings. Other impacts on local residents are covered in the above assessment.

Site security to prevent people using the site as a short cut will be covered by the boundary treatment condition and site lighting is also covered by condition.

A barrier has already been installed on the highway to prevent vehicles crashing into the site. Concern about the impact of the proposal on the stability of the highway has not been raised by the County Council in this application or the previous 2 applications and structural information was not requested in these applications and it is considered unreasonable to require a structural report in this instance.

Other Matters

Listed Building: N/A

Conservation Area: N/A

Crime and Disorder: No known issues

Equalities: No known issues

Access for Disabled: Covered in the above assessment

Trees (Preservation and Planting): No known issues

SSSI Impacts: No known issues

Biodiversity: No known issues

Human Rights: No known issues

RECOMMENDATION

Approve subject to the following conditions:

1. The development shall be begun before the expiration of three years from the date of this permission.
2. The development must be carried out in accordance with the plan numbers: 2018_542_001_E, 2018_542_007_C, 2018_542_002_F, 2018_542_003_F
3. Before construction commences on the erection of any building or wall a schedule and samples of all the materials to be used in all external wall and roof areas shall first have been submitted to and approved in writing by the Local Planning Authority. The

- building shall be constructed using the approved materials.
4. The balconies hereby approved shall have obscure glazed privacy screens at a height of 1.8m to each side of the balcony. These screens shall be installed prior to first occupation of each flat and shall be maintained as such thereafter.
 5. Before any flat hereby approved is first occupied, a scheme for the boundary treatment of the site shall be submitted to and approved in writing by the Local Planning Authority. The boundary treatments shall be provided on site in accordance with the approved details and shall be maintained as such thereafter.
 6. No flat shall be occupied until full details of both hard and soft landscape works including a programme for implementation have been submitted to and approved in writing by the Local Planning Authority and the works shall be carried out as approved before any flat is first occupied.
 7. A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development. The landscape management plan shall be carried out as approved.
 8. Before any flat is first occupied, an external lighting strategy shall be submitted to and approved in writing by the Local Planning Authority. The lighting strategy shall be implemented in accordance with the approved scheme before any flat is first occupied and shall be maintained as such thereafter.
 9. Before the dwelling hereby approved is first occupied, the access, parking and turning area shown on the approved plan shall be provided on site and shall be maintained as such thereafter
 10. Before the proposed dwelling is first occupied, a scheme of sound insulation shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full on site. Upon completion of all works within the approved scheme a validation report shall be completed by a competent person and shall be submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt the validation report shall demonstrate the design criteria for sound reduction as detailed in the approved scheme have been achieved. The insulation scheme shall be retained on site in accordance with the approved details thereafter unless otherwise agreed in writing by the Local Planning Authority.
 11. Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until parts a - c have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until part d has been complied with in relation to that contamination.
 - a. Site Characterisation - An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

(i) a survey of the extent, scale and nature of contamination;

(ii) an assessment of the potential risks to:

- * human health,
- * property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- * adjoining land,
- * groundwaters and surface waters,
- * ecological systems,
- * archaeological sites and ancient monuments;

(iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

b. Submission of Remediation Scheme - 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 must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

c. Implementation of Approved Remediation Scheme - The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation 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.

d. Reporting of Unexpected Contamination - In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition (a), and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition (b), which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with part (c).

e. Importation of soil - In the event that it is proposed to import soil onto site in connection with the development, the proposed soil shall be sampled at source and analysed in a laboratory that is accredited under the MCERTS Chemical testing of Soil Scheme for all parameters requested (where this is available), the results of which shall be submitted to the LPA for consideration. Only the soil approved in writing by the LPA shall be used on site

Note

The applicant is advised that the sound insulation scheme submitted under condition 4 shall be designed following the completion of a sound survey undertaken by a competent person. The scheme shall take account of the need to provide adequate ventilation, which will be by mechanical means where an open window scenario is not sufficient and shall be designed to achieve the following criteria with the ventilation operating:

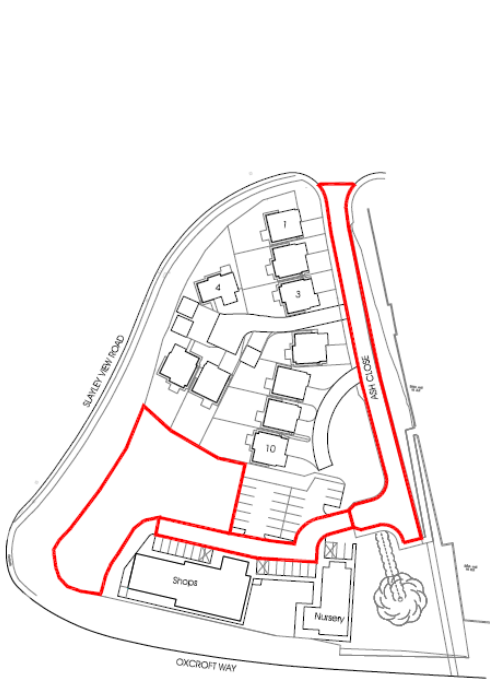
Bedrooms 30 dB LA_{eq} (15 Minutes) (2300 hrs – 0700 hrs)
Living/Bedrooms 35 dB LA_{eq} (15 Minutes) (0700 hrs – 2300 hrs)
All Other Habitable Rooms 40 dB LA_{eq} (15 Minutes) (0700 hrs – 2300 hrs)

All Habitable Rooms 45 dB LA_{max} to occur no more than 6 times per hour
Any outdoor amenity areas 55 dB LA_{eq} (1 hour) (0700 hrs – 2300 hrs)

For the avoidance of doubt testing to demonstrate compliance with this condition shall be performed over a representative time period for a minimum of 15 Minutes for bedrooms and habitable rooms.

Statement of Decision Process

The council has negotiated amendments relating to the design, bulk and form of the building and its relationship to neighbouring dwellings. The proposal now complies with the policies and guidelines adopted by the Council and the decision has been taken in accord with the guidelines of the National Planning Policy Framework.



Location Plan - 1:1250

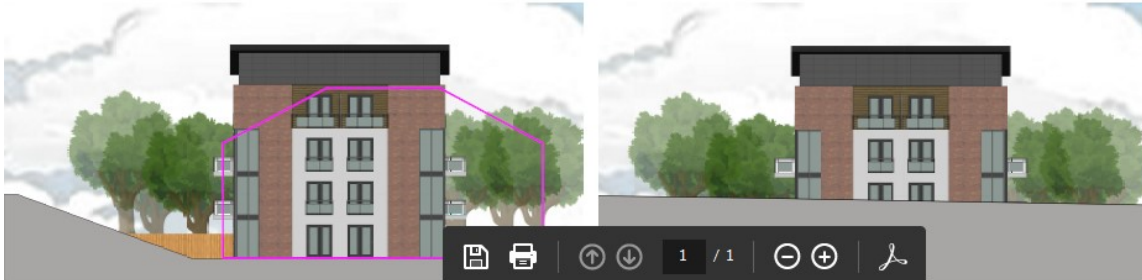




East Elevation Comparison



West Elevation Relationship to Embankment



South Elevation Comparison

Key:

- Blue line: Proposed building elevation
- Green line: Existing building elevation
- Pink line: Proposed building elevation

urbandesigns

1100 @ A1
May 2018
2018_542_007_C