

**ROYAL BOROUGH OF WINDSOR & MAIDENHEAD
PLANNING COMMITTEE**

MAIDENHEAD DEVELOPMENT CONTROL PANEL

5 July 2017

Item: 3

Application No.:	17/00786/VAR
Location:	Land South of Horwoods Yard Green Lane Maidenhead
Proposal:	Variation of Condition 27 (under Section 73) to substitute amended plans for those plans approved to allow for the lowering of the outdoor green and associated external alterations, and variation of pre-commencement Conditions 4 (hard and soft landscape works), 7 (details of the proposed drainage and services), 22 (Bio-Diversity Enhancements), 23 (security measures) so that details are approved for the construction of an indoor bowling green and clubhouse with associated facilities and construction of outdoor bowling green and green-keepers store with car parking and associated landscaping approved under 15/02135/FULL.
Applicant:	Desborough Bowling Club
Agent:	Mr Kevin Scott
Parish/Ward:	Maidenhead Unparished/Oldfield Ward

If you have a question about this report, please contact: Charlotte Goff on 01628 685729 or at charlotte.goff@rbwm.gov.uk

1. SUMMARY

- 1.1 This application seeks consent for the variation of Condition 27 (approved drawings) of approval 15/02135/FULL which granted consent for the 'Construction of indoor bowling green and clubhouse with associated facilities and construction of outdoor bowling green and green-keepers store with car parking and associated landscaping'.
- 1.2 The alterations proposed to the approved plans are to lower the outdoor Bowling Green to the natural ground level of the site with associated alterations to the ramps and steps within the site, potentially reducing any loss of flood storage capacity. It is also proposed to remove the protruding flat roof previously proposed to the north elevation that contained a mezzanine level. The overall height of the building has also been reduced by approximately 200mm.
- 1.3 Officers are still awaiting comments from the Environment Agency and Lead Local Flood Authority on whether the proposed lowering of the Bowling Green is acceptable. It is therefore recommended that if these comments are not received before the Panel meeting, that the decision on this amendment is delegated to the Head of Planning.
- 1.4 The application additionally seeks to discharge a number of pre-commencement conditions. The details submitted are considered to address the requirements of the conditions and it is recommended that these are amended to ensure the development is carried out in accordance with the submissions.

It is recommended the Panel Defer and Delegate approval of the application with the conditions listed in Section 10 of this report subject to no adverse comments being received from the Environment Agency and Lead Local Flood Officer in respect of the alterations to the level of the bowling green and drainage details contained within Condition 7 or from the National Planning Casework Unit.

2. REASON FOR PANEL DETERMINATION

- The Council's Constitution does not give the Head of Planning delegated powers to determine the application in the way recommended; such decisions can only be made by the Panel.

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 The application site is roughly triangular in shape and approximately 1.6ha in size located to the South East of Maidenhead Town Centre. The site lies to the East of Green Lane. Green Lane is accessed off the junction of Forlease Road/Stafferton Way (Link Road).
- 3.2 Green Lane serves some residential properties, allotments and a waste transfer station. At the end of the road, vehicular traffic is precluded from accessing the public open spaces of Braywick Nature Reserve/Braywick Park. Only pedestrians and cyclists can gain access into these public open spaces from Green Lane. A footpath that runs to the south of the York Stream links Green Lane to Stafferton Way.
- 3.3 A chain link fence and chestnut pale fencing runs along the majority of the western boundary and primarily in front of, but also straddling the boundary is a mix of hedges, overgrown scrub and ivy and there are some trees. There are gaps in the vegetation which give clear views into the site from the adjoining public footpath. Beyond this boundary is Green Lane which has hedges and trees along its length and for this section it is mainly laid to a gravel track so has a less formal feel – this is the pedestrian and cycle route into Braywick Nature Reserve/Braywick Park. Further west is allotments and the sewage treatment works. The southern boundary is a mix of hedges/trees, with gaps in the vegetation that give views from the adjoining public footpath. Beyond the southern boundary is the Braywick Nature Reserve which contains footpaths, one of which borders with the application site. The Nature Reserve contains a mix of vegetation primarily trees. The eastern boundary is a mix of hedges and trees. Beyond this is the York Stream and the further to the east are houses and to the South East is Oldfield Primary School. To the North of the site is the waste transfer station which has a metal fencing on the boundary with the application site.
- 3.4 On the whole the site has a verdant feel but it has been colonised with planting that is commonly found with disturbed ground. There are a mix of grasses, scrub, hedges and shrubs. The land is higher on the Green Lane side and there appears to be a gradual slope downwards from North to South to the middle of the site before rising slightly to the South boundary. The South West corner of the site has an untidy appearance with some dumped materials.

4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

- 4.1 Application 15/02135/FULL granted consent for the ‘Construction of indoor bowling green and clubhouse with associated facilities and construction of outdoor bowling green and green-keepers store with car parking and associated landscaping’.
- 4.2 A variation of condition 27 (approved drawings) is sought to substitute the approved plans as follows:

Plan	Approved drawing under 15/02135	Amended plan
Proposed site layout	11106-PL04 E	11106-PL04 G
Proposed building layout	11106-PL05	11106-PL05 B
Proposed elevations	11106-PL06 B	11106-PL06 C
Proposed elevations	11106-PL07 A	11106-PL07 B
Landscape plan	n/a	LP01
Planting Plan	n/a	PP01

The amendments proposed to the approved plans are

- The lowering of the outdoor bowling green to ground level.
- Removal of the flat roof section previously approved to the north elevation
- Overall building height reduced by approximately 200mm
- Ramps and stairs around the site amended to suit new levels

Everything else remains as approved within application 15/02135/FULL.

- 4.3 The current consent (15/02135/FULL) was granted with a number of pre-commencement conditions. This application provides information pursuant to the following conditions to address the information required by these and avoid the need for further pre-commencement conditions.

Information has been received pursuant to:

- 1 Condition 4 (Landscaping)
- 2 Condition 7 (drainage)
- 3 Condition 22 (biodiversity enhancements)
- 4 Condition 23 (security)

Ref.	Description	Decision and Date
15/02135	Construction of indoor bowling green and clubhouse with associated facilities and construction of outdoor bowling green and green-keepers store with car parking and associated landscaping	Approved

5. MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

5.1 National Planning Policy Framework Sections

Royal Borough Local Plan

5.2 The main strategic planning considerations applying to the site and the associated policies are:

	Green Belt	High risk of flooding	Protected Trees	Highways /Parking issues
Local Plan	GB1, GB2	F1	N6	DG1, T5, P4

These policies can be found at

https://www3.rbwm.gov.uk/downloads/download/154/local_plan_documents_and_appendices

Borough Local Plan 2013 – 2033, Submission Version (Regulation 19)

Relevant policies: SP3, SP5, NR2, NR3, EP3, and IF7. Given the status of the BLP these policies can only be given limited weight. This document can be found at:

<http://rbwm.moderngov.co.uk/documents/s14392/Appendix%20A%20-%20Borough%20Local%20Plan%20Submission%20Version.pdf>

Supplementary planning documents

5.3 Supplementary planning documents adopted by the Council relevant to the proposal are:

- The Interpretation of Policy F1 (Area Liable to Flooding) Supplementary Planning Guidance (SPG) 2004

More information on these documents can be found at:

https://www3.rbwm.gov.uk/info/200414/local_development_framework/494/supplementary_planning

6. EXPLANATION OF RECOMMENDATION

Section 73 amendment

- 6.1 Section 73 of the Town and Country Planning Act (as amended) (this variation application) specifically excludes the reconsideration of issues other than those covered by the conditions that are the subject of this application. There have been no changes in planning policy or other material considerations that require matters such as the principle of development, impact on the green belt, impact on the vitality of the town centre, access and highway safety, and impact on neighbouring properties to be considered as part of this amendment application.
- 6.2 The Draft Borough Local Plan policies relevant to this application - SP5 (Green Belt), TR3 (Maidenhead Town Centre), NR1 (Flood risk and waterways), NR2 (Trees, woodlands and hedgerows), NR3 (Nature Conservation), IF7 (community facilities), have been reviewed and given that the context and content of these policies is similar to that of the Adopted Local Plan and NPPF, these policies are not considered to materially alter the previous decision in respect of these issues.
- 6.3 The original consent proposed that the outdoor Bowling Green be raised out of the flood plain in a similar manner to that of the main building i.e. on a raised concrete box with voids beneath to allow floodwater to move through the site without increasing flooding elsewhere. As a result of this arrangement, it meant that the green would not be affected in the event of a flood. During the design review process, it was concluded that the risk of the green being damaged in a flood event was such that it did not justify the complex engineering position previously suggested and it was decided that the outdoor green be installed at ground level.
- 6.4 This alteration and the updated flood risk assessment are currently being reviewed by the Lead Local Flood Authority and Environment Agency, and it is recommended that if the comments are not received before Panel, that members defer the decision on this matter to the Head of Planning.
- 6.5 It is proposed to delete the previously approved flat roof element on the northern elevation which contained a mezzanine level. No objection are raised to these alterations and it is considered that this change enhances the proposed design and appearance of the building. As a result of these amendments, the entire roof of the proposed building has been lowered by approximately 200mm, which is welcomed within the setting and no objection is raised to this amendment.

Pre-commencement planning conditions

- 6.6 When consent was granted a number of pre-commencement conditions were included within the decision. As a result of the detailed design review process, more detailed information is now available and has been submitted with this application.
- 6.7 Condition 4 (landscaping)
This condition sought details of both hard and soft landscape works proposed for the site. These are detailed on the Landscape Plan LP01 and Planting Plan PP01. The details have been reviewed by the Councils Arboricultural Officer and are considered to meet the requirements of the condition. It is therefore recommended that this condition be amended to reference these approved plans and ensure that the landscaping be carried out in accordance with these drawings.
- 6.8 Condition 7 (drainage)
This condition requires details of the proposed drainage and services to be submitted to the Council. The Arboricultural Method Statement and Technical Note to Flood Risk Assessment & Drainage Statement provide details of the location of the services and drainage. The Councils Arboricultural Officer raises no objection to the location of the drainage and services proposed. The Council are still waiting for comments from the Lead Local Flood Authority (LLFA) and it is recommended that the decision on these details is delegated to the Head of Planning once available.
- 6.9 Condition 22 (Biodiversity enhancements)
This condition requires details of biodiversity enhancements on the site and a management plan to be submitted.

6.10 A Biodiversity Management Plan has been received to reflect the alteration of proposals. The Management Plan details the biodiversity features which are to be included within the development proposals including hedgerows and trees, a grassland buffer zone and hibernacula. The details include the creation, management and monitoring of these features for the first five years, with a review following this time period. The Councils Ecology Officer has reviewed these details and it is recommended that the condition be varied to ensure that the development is carried out in accordance with the details within the Biodiversity Management Plan.

6.11 Condition 23 (security)

This condition requires details of security measures to protect vehicle access, car park and the building to be submitted. The site plan (CHQ.15.11106-PL04 Rev G) details the security measures proposed for the site. These are considered sufficient to ensure the long term security of the site.

7. CONSULTATIONS CARRIED OUT

Comments from interested parties

32 occupiers were notified directly of the application.

The planning officer posted a notice advertising the application at the site on 23rd March 2017 and the application was advertised in the Maidenhead & Windsor Advertiser on 23rd March 2017

2 letters were received objecting to the application, summarised as:

Comment		Where in the report this is considered
1.	Concern over traffic generation along Green Lane from residents, bowling club users, lorries and allotments.	These issues were considered as part of the previous application and the scheme was approved. Given the nature of the alterations, these will not affect the highway network.
2.	Concern with lack of parking along Green Lane since introduction of yellow lines	This is not relevant to the consideration of this application.

Statutory consultees

Consultee	Comment	Where in the report this is considered
Environment Agency	No comments received to date.	
Lead Local Flood Authority	No comments received to date.	

Other consultees

Consultee	Comment	Where in the report this is considered
Ecology	Condition 22 states <i>"No development shall commence until details of biodiversity enhancements on the site and</i>	Noted

	<p><i>a management plan to ensure the continued habitats for existing and new fauna and flora shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved biodiversity enhancements and the management plan shall be complied with for the duration of the development.</i></p> <p>The application seeks to alter the proposal and revise the site layout. The alteration does not encroach into any part of the buffer zone including the reptile mitigation area and no other impacts on ecological features have been identified by the applicant's ecologist.</p> <p>A Biodiversity Management Plan has been amended to reflect the alteration of proposals. The Management Plan details the biodiversity features which are to be included within the development proposals including hedgerows and trees, a grassland buffer zone and hibernacula. The details include the creation, management and monitoring of these features for the first five years, with a review following this time period. As long as the Biodiversity Management Plan is carried out in its entirety, it is recommended that Condition 22 is discharged.</p>	
Berkshire Buckinghamshire Oxfordshire Wildlife Trust	Condition 22 of planning permission for 15/02135/FULL required the submission of details of biodiversity enhancements and a management plan prior to commencement of works. The applicant has submitted a Biodiversity Management Plan author David Arthur Associates dated February 2017 in fulfilment of this planning condition. BBOWT is satisfied that the submitted document is sufficient to comply with planning condition 22, and recommends that the measures recommended therein are implemented in full.	Noted
Trees	So long as the tree protection measures and hard and soft landscape, and tree planting elements are carried out in strict accord with the submitted plans, No objection is raised.	Noted

8. APPENDICES TO THIS REPORT

- Appendix A - Site layout
- Appendix B – Building Layout
- Appendix C - Elevations

9. CONDITIONS RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED

- 1 The development hereby permitted shall be commenced before the 23rd September 2019.
Reason: To accord with the provisions of Section 73 and 91 of the Town and Country Planning Act 1990 (as amended).
- 2 Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (as amended) (or any Order revoking or re-enacting that Order with or without modification) and the Town and Country Planning (General Permitted Development) Order 2015 (or any Act or Order revoking or re-enacting that Order with or without modification) the building hereby permitted shall be used only as indoor and outdoor bowling green and associated ancillary uses, and shall

not be used for any other purpose.

Reason: To control the future use of the building in the interests of the Green Belt, mindful of the very special circumstances which have been demonstrated to enable the Local Planning Authority to grant permission for the development. Relevant Policies: Local Plan - GB1, GB2

- 3 The materials to be used on the external surfaces of the development shall be in accordance with those specified in the application unless any different materials are first agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: In the interests of the visual amenities of the area. Relevant Policies - Local Plan DG1.

- 4 The hard and soft landscape work shall be carried out in accordance with the details shown on drawings LP01, PP01 and 11106-PL04 Rev G unless otherwise agreed in writing with the Local Planning Authority. These works shall be carried out as approved within the first planting season following the substantial completion of the development and retained in accordance with the approved details. If within a period of five years from the date of planting of any tree or shrub shown on the approved landscaping plan, that tree or shrub, or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted in the immediate vicinity, unless the Local Planning Authority gives its prior written consent to any variation.

Reason: To ensure a form of development that maintains, and contributes positively to, the character and appearance of the area. Relevant Policies - Local Plan DG1.

- 5 The development shall be carried out in accordance with the recommendations in the Arboricultural Method Statement by David Archer Associates, Feb 2017.

Reason: To protect trees which contribute to the visual amenities of the site and surrounding area. Relevant Policies - Local Plan DG1, N6

- 6 No tree shown to be retained in the approved Arboricultural Method Statement by David Archer Associates, Feb 2017 shall be felled, uprooted, wilfully damaged or destroyed, cut back in any way or removed without prior written consent of the local planning authority. Any tree shown to be retained that is removed without consent, or is dying or is severely damaged or is diseased within 5 years from the completion of the development hereby permitted shall be replaced with tree(s) of an appropriate size, species and planted in the same place unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect trees which contribute to the visual amenities of the site and surrounding area. Relevant Policies - Local Plan DG1, N6

- 7 The drainage runs and services shall be installed in accordance with the details contained within the Arboricultural Method Statement, Feb 2017 and thereafter maintained as such unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure the protection of trees identified for retention at the site and to ensure new planting is not compromised. Relevant Policies - Local Plan DG1, N6

- 8 The development shall be carried out and maintained in accordance with the details of the levels as shown in the list of approved plans at the end of the Decision Notice. There shall be no further alterations to the levels of the site.

Reason: To prevent an increased risk of flooding elsewhere due to impedance of flood flows and in the interests of the character and appearance of the area. Relevant Policy - Local Plan F1, DG1.

- 9 The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) dated July 2015 prepared by Golder Associates, the approved plans listed at the end of the Decision Notice and the following mitigation measures:

- (1) Finished floor levels shall be set no lower than 24.11 metres AOD;
- (2) Void spaces and openings shall be no lower than 23.61 metres AOD; and,
- (3) Undercroft void space and openings shall remain open, free and maintained from all blockages, debris and storage for the lifetime of the development. Nothing shall be stored in the undercroft area.

Reasons: To prevent an increase in flood risk. Relevant Policy - Local Plan F1

10 The surface water control measures shall be carried out in accordance with the Drainage Statement by Golder Associates (Ref. 10514100075.532/B.1) and Technical Note to Flood Risk Assessment and Drainage Statement (L00952 Ver 1.0 Feb 2017) and the drainage system shall be maintained for the lifetime of the development in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. The drainage scheme shall be constructed in accordance with the approved details and subsequently maintained, and the management and maintenance plan shall be implemented for the duration of the development.
Reason: To reduce the rate of surface water run-off in order to minimise the risk from flooding.

11 Prior to installation of external lighting details of the lighting shall be submitted to and approved in writing by the Local Planning Authority. The external lighting shall be implemented as approved and thereafter the lighting shall be maintained as operational. The scheme shall include the following:
i) The proposed design level of maintained average horizontal illuminance for the site.
ii) The proposals to minimise or eliminate glare from the use of the lighting installation.
iii) The proposed hours of operation of the lights.

No further external lighting shall be installed at the site without the prior written approval of the Local Planning Authority.

Reason: In the interests of the character and appearance of the area and in the interests of biodiversity. Relevant Policy - Local Plan DG1 and to meet with the Core Planning Principles 4 and 7, and paragraph 118 of the National Planning Policy Framework (NPPF).

12 The rating level of the noise emitted from any plant and equipment shall be lower than the existing background level (to be measured over the period of operation of the proposed plant and equipment and over a minimum reference time interval of 1 hour in the daytime and 5 minutes at night dependent upon the operating hours of the proposed plant and equipment) by at least 10dB(A). The noise levels shall be determined 1m from the nearest existing or proposed noise-sensitive premises/residential premises. The measurement and assessment shall be made in accordance with BS 4142: 1997 'Method for rating industrial noise affecting mixed residential and industrial area'..
Reason: To protect the amenity of the residential development and surrounding residential development and to accord with the Local Plan Policy NAP3 and NPPF paragraphs 109, 118 and 123.

13 Prior to first use of any plant, details of air conditioning units, refrigeration and cooking extraction/filtration system (to include position, appearance and sound levels) shall have been submitted to and approved in writing by the Local Planning Authority. Such plant shall be installed and retained as approved and shall be maintained in good working order at all times.
Reason: To protect the amenities of the area. Relevant Policy - Local Plan NAP3.

14 The use hereby permitted shall only operate between the hours of 0830 - 2330 Monday to Saturday and 0900 - 2200 Sunday, Bank Holiday and Public Holiday.
Reason: To control the intensity of the use in the interests of the rural character of the area and in the interests of the living conditions of occupiers of the neighbouring properties. Relevant Policy - Local Plan - DG1 and to meet with the Core Planning Principle 4 of the NPPF.

15 No other part of the development shall commence until the access has been constructed in accordance with the approved drawing. The access shall thereafter be retained.
Reason: In the interests of highway safety and the free flow of traffic. Relevant Policies - Local Plan T5, DG1

16 No development shall commence until a Construction Environmental Management Plan to control the environmental effects of all construction activities for that part of the development, and containing all relevant Codes of Construction Practice, has been submitted to, and approved in writing by, the Local Planning Authority. The Construction Environmental Management Plan shall include details of the strategy, standards, control measures and monitoring effects of the construction process and shall include:

- i) hours of working and periods of the year
- ii) access and parking for construction vehicles, plant and construction workers' vehicles and sustainable travel measures for construction workers
- iii) site layout and appearance, including measures to manage the visual impacts during demolition and construction
- iv) site security arrangements, including hoardings and other means of enclosure
- v) health and safety
- vi) piling methods
- vii) foundation design
- viii) measures to control dust
- ix) details of the means of storage, disposal and removal of spoil waste arising from the excavation or construction works
- x) construction waste arising from the development that will be recovered and reused on the site or on other sites, and a Site Environmental Management Plan
- xi) measures to control noise
- xii) protection of areas of ecological sensitivity
- xiii) methods for bankside water margin works
- xiv) details of temporary lighting

Reason: To protect the environmental interests (noise, air quality, waste, ground water, ecology, water quality) and amenity of the area and for highway safety and convenience. Relevant Policies - Local Plan DG1, NAP3, NAP4, T5, T7, ARCH2, GB2.

- 17 No part of the development shall be brought into first use until vehicle parking, turning space and emergency access bay has been provided, surfaced and marked out in accordance with the approved drawing. The space approved shall be kept available for parking and turning in association with the development.
Reason: To ensure that the development is provided with adequate parking facilities in order to reduce the likelihood of roadside parking which could be detrimental to the free flow of traffic and to highway safety, and to facilitate vehicles entering and leaving the highway in forward gear. Relevant Policies - Local Plan P4, DG1.
- 18 No development shall commence until details of the size of the coach vehicles that would access the site have been submitted to and approved in writing by the Local Planning Authority. Only the approved size of coach vehicles shall access the site.
Reason: In the interests of highway safety and convenience. Relevant Policies - Local Plan P4, DG1.
- 19 No development shall commence until full details of the off-site highway improvements consisting of the footbridge to Green Lane as shown on drawing no. CHQ.15.11106-PL04 Rev E and the priority working for the Green Lane bridge, including overrun areas to Green Lane, as shown on drawing no. 09 Rev C, including a scheme for the long term maintenance of the footbridge, have been submitted to and approved in writing by the Local Planning Authority. Prior to occupation of the development, the off-site highway works shall be carried out.
Reason: In the interests of highway safety and convenience. Relevant Policies - Local Plan P4, DG1.
- 20 No development shall commence until details of the barrier across the access to the development have been submitted to and approved in writing by the Local Planning Authority. The barrier shall be installed prior to first use of the development and therefore maintained as operational in accordance with the approved details.
Reason: In the interests of highway safety and convenience. Relevant Policies - Local Plan P4, DG1.
- 21 The on-site reptile translocation shall be carried out in accordance with the 'Land to East of Green Lane, Maidenhead - Reptile Survey and Mitigation Strategy' by David Archer Associates dated June/July 2015. The reptiles shall be translocated in accordance with the approved details and the new habitat retained thereafter.
Reason: To protect the reptiles on the site and in accordance with a Core Planning Principle 7 and paragraph 118 of the NPPF.

- 22 The development shall be carried out in accordance with the biodiversity enhancements and details contained within the Biodiversity Management Plan (Report reference SET1297_03 Feb 17) and LP01 unless otherwise agreed in writing with the Local Planning Authority. The approved biodiversity enhancements and the management plan shall be complied with for the duration of the development.
Reason: To maintain the continued habitats for existing and new fauna and flora accord with the Core Planning Principle 4 and paragraph 118 of the NPPF.
- 23 The security measures detailed within drawing 11106-PL04 Rev G shall be installed on site, and thereafter maintained for the lifetime of the development, unless otherwise agreed in writing with the Local Planning Authority.
Reason: To ensure a safe and secure environment. Relevant Policies - Local Plan DG1
- 24 No development shall commence until a site investigation is carried out and detailed remediation scheme is prepared to determine the nature and extent of any contamination present to bring that area 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 submitted to, and approved in writing by, 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 (or an subsequent amendment or re-enactment of this Act) in relation to the intended use of the land after remediation. The approved remediation scheme shall be carried out in accordance with the approved details prior to the commencement of development, other than any development required to carry out remediation. 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 demonstrating the effectiveness of the remediation carried out must be produced, submitted to, and approved in writing, by the Local Planning Authority.
Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried safely without unacceptable risks to workers, neighbours and other off-site receptors. Relevant Policy - Local Plan NAP4.
- 25 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 immediately in writing to the Local Planning Authority. Prior to any further works in the affected area, an investigation and risk assessment, remediation scheme and verification report must be undertaken which will be the subject of the approval in writing by the Local Planning Authority.
Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried safely without unacceptable risks to workers, neighbours and other off-site receptors. Relevant Policy - Local Plan NAP4.
- 26 Prior to occupation a Flood Evacuation Plan shall be submitted to and approved in writing by the Local Planning Authority. The Flood Evacuation Plan shall have effect from first use of the development and shall be implemented for the lifetime of the development.
Reason: To help safeguard the users of the site in the event of a flood. Relevant Policy - Local Plan F1.