

## Item No. 1

### Application Reference Number P/19/1363/2

<b>Application Type:</b>	Full	<b>Date Valid:</b>	08/07/ 2019
<b>Applicant:</b>	Mr Mandeep Singh		
<b>Proposal:</b>	Erection of nine dwellings and two commercial offices.		
<b>Location:</b>	Land adjacent Granite Way, Mountsorrel LE12 7TZ		
<b>Parish:</b>	Mountsorrel	<b>Ward:</b>	Quorn & Mountsorrel Castle
<b>Case Officer:</b>	Patrick Reid	<b>Tel No:</b>	01509 634747

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This item is referred to Plans Committee at the request of Councillor Hunt and Councillor Shepherd on the grounds of flooding and overbearing impact upon street scene.

### Site Location and Description

The site lies at the roundabout junction of Granite Way and Loughborough Road, Mountsorrel. It is a vacant area of grassed land adjacent to an existing Waitrose retail store. The site is on the north-western edge of the village, in an area of generally mixed land uses comprising residential development opposite and to the south-east, the Waitrose retail store to the north-east and commercial units to the west, on the opposite side of the roundabout.

The site lies within the northern edge of the designated limits to development of Mountsorrel.

### The Proposal

The proposal is for the erection of nine dwellings and two offices.

The dwellings comprise three pairs of semi-detached 3 bedroom houses and a terrace of three 2 bedroom houses. The dwellings are of traditional design and materials. A flat roof designed contemporary building would accommodate two offices of 63 and 65 square metres floorspace respectively.

Access to the dwellings would be gained from Betty Henser's Lane, off Loughborough Road. 18 parking spaces would be provided to the rear of the buildings. A communal bin collection point would also be provided within this area. Landscaping/amenity areas would be provided, with a pedestrian path along the entire frontage of the site.

Access to the offices would be via the adjacent supermarket car park with the provision of 6 parking spaces.

The application is accompanied by a Design Statement, an Arboricultural Survey, Noise Assessment Report and a Flood Risk Assessment ( with subsequently updated information ) .

## **Development Plan Policies**

### Charnwood Local Plan 2011 to 2028 Core Strategy

Policy CS1 – Development Strategy sets out the development strategy for the Borough.

Policy CS2 – High Quality Design requires developments to make a positive contribution to Charnwood, reinforcing a sense of place.

Policy CS3 - Strategic Housing Needs seeks to ensure an appropriate mix of type , tenure and size of dwellings across the Borough.

Policy CS11 – Landscape and Countryside seeks to support and protect the character of the landscape and countryside

Policy CS16 – Sustainable Construction and Energy encourages sustainable design and construction.

Policy CS25 – Presumption in Favour of Sustainable Development sets out a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF.

### Borough of Charnwood Local Plan 1991-2006 (saved policies).

Where they have not been superseded by Core Strategy policies, the saved policies of the Local Plan remain part of the development plan. The relevant policies in this case are:

Policy ST/2 – Limits to Development – Built development will be confined to allocated sites and other land within Limits to Development.

Policy EV/1 – Design seeks to ensure a high standard of design and developments that respect the character of the area and nearby occupiers and which are compatible in mass, scale and layout whilst using landforms and other natural features. Developments should meet the needs of all groups and create safe places for people.

Policy E/7 – seeks to control employment uses in Primarily Employment Areas and advises that permission will be granted for B1 and B2 uses provided that locations adjacent to residential areas, residential amenity is protected.

Policy TR/18 – Parking Provision in New Development notes that planning permission will not be granted for development, unless off-street parking for vehicles, including cycles, and servicing arrangements are included, to secure highway safety and minimise harm to visual and local amenities.

## **Other Material Considerations**

### National Planning Policy Framework 2018 (NPPF)

The National Planning Policy Framework 2018 (NPPF) is a material consideration in planning decisions. The NPPF contains a presumption in favour of sustainable development. The Framework sets out the Government's planning policies for England, how these should be applied and taken into account in the preparation of local and neighbourhood plans, and as a material consideration in the determination of planning decisions.

The Framework (paras 7 and 8) states that the purpose of the planning system is to contribute to the achievement of sustainable development and that there are 3 overarching objectives to this;

1. An economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity
2. A social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations, and by fostering a well-designed and safe built environment with accessible services;
3. An environmental objective – to contribute to protecting and enhancing our natural, built and historic environment.

For decision taking, this means:

Approving development proposals that accord with an up-to-date development plan without delay; or

Where there are no relevant development plan policies or the policies which are most important for determining the application are out of date, granting permission, unless the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed, or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; (Para 11).

The NPPF also advises that 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 (Paragraph 124). Also relevant is section 12: 'Achieving well-designed places' (Paragraphs 124-131).

### Planning Practice Guidance

This national document provides additional guidance to ensure the effective implementation of the planning policy set out in the National Planning Policy Framework.

### Leading in Design Supplementary Planning Document February 2006

This encourages and provides guidance on achieving high quality design in new development. It indicates that the Council will approach its judgments on the design of new development against the following main principles:

#### Housing and Economic development Needs Assessment (HEDNA)

The HEDNA assesses the need for housing and employment land over the next 20 years. It is an important part of the evidence base for the Strategic Growth Plan. It also identifies the appropriate mix of homes of different sizes needed in the market and affordable sectors.

#### National Design Guide (2019)

The National Planning Policy Framework makes clear that creating high quality buildings and places is fundamental to what the planning and development process should achieve. This design guide, the National Design Guide, illustrates how well-designed places that are beautiful, enduring and successful can be achieved in practice. It forms part of the Government's collection of planning practice guidance and should be read alongside the separate planning practice guidance on design process and tools.

#### The Draft Charnwood Local Plan 2029-2036

The local planning authority is in the process of preparing a new local plan for the borough for the period up to 2036. Due to the stage this has reached in the plan making process, at this time, the Draft Local Plan carries only very limited weight.

### **Relevant Planning History**

P/18/1379/2 - Erection of three/four storey apartment block of 25 units with associated parking, landscaping and alterations to vehicular access – refused – 07.03.2019

Appeal lodged against decision (written representations); currently undetermined.

P/17/1264/2 – Erection of nine dwellings and a new office building – withdrawn – 10.08.2017.

P/07/3550/2 – Erection of 14 dwellings – approved 17.03.2007.

### **Responses of Statutory Consultees**

#### Charnwood Borough Council – Environmental Health Officer

Recommends conditions relating to implementation of the noise assessment report, construction method statement and ground investigation .

#### Leicestershire County Council - Highway Authority

No objections subject to planning conditions relating to access and parking being in accordance with the amended layout plan and submission and approval of a construction traffic management plan.

### Leicestershire County Council - Lead Local Flood Authority

The LLFA has considered a revised Flood Risk Assessment, which was submitted in response to concerns about flooding in the proximity of the application site in August 2019. They consider that the proposed development would be acceptable subject to conditions relating to submission and approval of surface water drainage; management of surface water during construction; maintenance of surface water system and infiltration testing.

### Environment Agency

The Environment Agency advises that it does not wish to make any formal comment on the submission. From a flood risk perspective, the development falls within its flood risk standing advice (FRSA). It is for the Local Planning Authority to ensure planning submissions adhere to this advice.

### Mountsorrel Parish Council

Object to the application for the same reasons as the previous scheme, (P/18/1379/2 - over development; inadequate drainage; question practicability of access to offices via Waitrose; inadequate parking for occupiers and visitors; poor quality buildings at main entrance into village and loss of trees unnecessary). In addition, note recent local flooding (August 2019) and question adequacy of drainage.

### Council for the Protection of Rural England (CPRE)

Object to the proposal on the grounds of poor design harmful to character of the area; no need as there is a five-year supply of housing land; lack of affordable housing and adverse impact upon highway safety.

### **Other Comments Received**

Councillor Hunt considers that the application should be determined by the Plans Committee. The reasons for the 'call in' are the overbearing impact of the development upon the street scene and risk of flooding.

Councillor Shepherd supports Councillor Hunt's 'call in' of this application.

Objections have been received from 3 nearby residents, on the following grounds:  
Unsuitably design would have an adverse impact upon the character and appearance of the area;  
It represents overdevelopment of the site;  
Adverse impact upon highway safety and insufficient parking;  
It will create additional flood problems in the area and  
Increase noise and disturbance to the neighbouring area;

### **Consideration of the Planning Issues**

This application is for full planning permission and the key considerations are the following:

- Principle of development
- Design and Impact on visual amenity and character of the area
- Impact upon residential amenity
- Highways
- Flood risk

#### Principle of development

The starting point for decision making on all planning applications is that they must be made in accordance with the development plan unless material considerations indicate otherwise. Policies in the adopted Charnwood Local Plan 2011 to 2028 Core Strategy are therefore the starting point for consideration, along with the relevant saved Policies of the Borough of Charnwood Local Plan 1991 to 2006.

The Council has a 6.41 years supply of deliverable housing sites.

The presumption in favour of sustainable development (paragraph 11) means approving development proposals that accord with an up-to-date development plan without delay. The Local Plan Core Strategy policies, although adopted before the new NPPF was published, are less than five years old and are considered generally consistent with the new Framework. On this basis, proposals for housing development should be approved where they accord with policy CS1 and CS11 of the Core Strategy.

Policies within the Borough of Charnwood Local Plan were adopted more than five years ago and, as a result, those policies which are relevant to determining housing proposals such as ST/2, CT/1 and CT/2 are not considered to be up to date. Nevertheless, these policies are considered to be generally consistent with the new Framework and therefore carry weight. The degree to which they influence the determination of development proposals will depend on the merits of individual applications and the relevant circumstances

Policy CS1 of the Core Strategy relates to the hierarchy of settlements in the Borough as sustainable locations for new development. Mountsorrel lies within the 'Service Centre's category of the Settlement Hierarchy.

This proposal is a relatively small-scale development on a vacant area of land within the designated limits to development for Mountsorrel. The general locality contains a mix of uses including the adjacent retail unit, Granite Way employment area opposite and with long-established residential development opposite and to the south.

Additionally, the mixture of 2 and 3 bedroom dwellings reflects the need identified in the HEDNA and would comply with the provisions of policy CS3.

The site is in an area with a mixture of residential and commercial uses.

The provision of the offices would make a positive contribution to the employment land required in Service Centre's, in accordance with Core Strategy Policy CS1.

Having regard to the site's attributes and access to public services, together with the contribution that it would make to housing land supply, it is considered that the proposal would be in accordance with Core Strategy Policy CS1 and saved Local Plan Policy ST/2 and represents a sustainable form of development.

### Design and Impact on visual amenity and character of the area

The application site is situated on a prominent corner site and gateway location on entry to the west side of Mountsorrel. Policy CS2 of the Core Strategy requires new development to respect and enhance the character of the area having regard to scale density, massing, height, landscape, layout, materials and access arrangements. Saved Local Plan policy EV/1 also requires that new development is of a high standard of design that provides attractive built frontages. Paragraph 130 of the National Planning Policy Framework also states that planning 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.

The application is supported by a Design Statement which sets out the concept for the current proposal. This provides a convincing rationale for the approach which has been taken in this case. The larger 2.5 storey dwellings address the roundabout with 2 storey dwellings stepping down to align with existing residential development to the south east on Betty Henser's Lane and Loughborough Road.

The three groups of houses would be finished in a simple palette of high quality materials which reinterpret and are sympathetic to traditional Mountsorrel. A warm red multi brick is the predominant facing material, with light stone headers to openings. They reflect the appearance of older established and more recent dwellings in this part of the village.

The scale and design of the dwellings would create a fresh, traditional development character that responds to its prominent location and, consequently, creates a sense of arrival on entry to the village.

The offices unit would be lower than the proposed dwellings and follows the roofline of the Waitrose store. The contemporary design and glazing is assimilated in to the overall site by the use of similar materials to the dwellings. It has been designed as a bridge between Waitrose and existing residential development on Loughborough Road.

The angled layout of the buildings responds well to the shape and context of this corner site, with the height dropping down along the Loughborough Road frontage where buildings are generally of two-storey height and maintaining a higher level at the prominent corner, adjacent to the neighbouring supermarket.

The buildings present a fair face to the site frontage, with servicing and parking at the rear of the site. This would ensure that the development enhances the appearance of this prominent location.

This application has been submitted in response to the refusal of planning permission for two large three and four storey blocks of buildings accommodating 25 flats earlier this year (P/18/1379/2) . In summary, it was considered that the height , scale and bulk of that proposal would have had an adverse impact upon character and appearance of this approach into Mountsorrel. There were also objections relating to

bin storage, which is not applicable to individual dwellings, and residential amenity which is addressed below.

The refused scheme proposed large flat roofed, monolithic buildings rising to a height of 13 metres. The current application proposes dwellings of 8.2 and 10.4 metres to the ridge and a 6.75 metres high office building with a shallow mono pitch roof. The layout of three groups of traditionally designed dwellings and a relatively modest office building would overcome the objections to the height, scale and bulk of the previous proposal.

It is considered that the design of the buildings and their relationship to the visual amenity and character of the area is acceptable, being of a size, scale and design appropriate for its location and setting. As such, it would comply with Core Strategy Policy CS2 and saved Local Plan Policy EV/1 and the relevant provisions of the NPPF.

#### Impact on residential amenity

The layout has been assessed against the Council's Leading in Design SPD, which outlines space standards for residential development in Appendix 4. It states that there should be a separation distance of 21 metres between building elevations containing main habitable room windows and 12.5 metres between habitable windows and blank flank walls in order to protect privacy. In this regard, the scheme appears to generally comply.

With regard to existing neighbouring amenity, it is considered that only two properties would be potentially affected, at no.1 Betty Henser's Lane and no.214 Loughborough Road. Of these two, no.214 has only a side elevation and secondary windows facing the site. There is, however a rear amenity space. The distance from the side elevation and amenity space of no.214 to the end elevation of the end terraced dwelling building, with a single bathroom window, would be approximately 20 metres. It is considered, therefore, that this property would not be unduly affected by the proposal in terms of any unacceptable loss of privacy, including to the rear amenity space.

No.1 Betty Henser's Lane is a one-and-a-half storey dwelling with a front elevation facing the site. There are habitable windows in the front elevation of this property, including dormer windows. However, There would be a bathroom window in the gable end wall of the terraced house that would face this property, approximately 15 metres from the front of No.1 Betty Henser's Lane. It is considered, therefore, that this property would not be unduly affected by the proposal in terms of any unacceptable loss of privacy, including to the rear amenity space.

In respect of both of these neighbours the distances of about 15 and 20 metres exceed the advice in the Council's 'Leading in Design' SPD which requires 12.5 metres between 2 storey windowless flank walls and elevations containing main ground floor habitable room windows. Albeit the flank wall contains a bathroom window which is likely to be obscure glazed.

The proposed dwellings would all have reasonable private rear gardens . In response to the recommendations of the applicant's noise assessment the dwellings themselves act as an acoustic barrier to road traffic noise, with 1.8 metres high acoustic fencing necessary in the parts of the gardens with a line of sight to the road. This would be secured by a condition.



The Council's Environmental Protection Manager has no objections subject to planning conditions requiring the submission of a Construction Method Statement (CMS) and for Ground Gas Monitoring to be carried out and for the development to be undertaken in accordance with the recommendations in the submitted Noise Assessment Report.

In view of the above, it is considered that there would be no undue impact from the development on existing neighbouring, or future occupier, residential amenity and, therefore, that it is considered to comply with Core Strategy policy CS2 and saved Local Plan policy EV/1.

### Highways

The site access for the dwellings is proposed via Granite Way and then Betty Henser's Lane. The Lane is an adopted unclassified road which also serves as Public Footpath 17.

An amended layout has been submitted with 2 parking spaces for each of the dwellings, a total of 18 spaces. The original layout proposed 15 spaces, a shortfall of 3 spaces. The semi-detached houses have three bedrooms and the terraced houses would have each have two bedrooms.

The two office buildings of 63 and 65 square metres would share 6 spaces accessed from the Waitrose car park. The Highway Authority comments that this is a private arrangement, but it notes that if this ceased at any time the units would be left without a vehicular access. This is not a unique arrangement and it is noted that there is no objection from the Highway Authority to this access.

Overall, the Highway Authority considers that the submitted amended layout has addressed its concerns and therefore it has no objections.

Given the above, it is considered that the proposal would accord with Core Strategy policy CS2 and saved Local Plan policies EV/1 and TR/18.

### Flood risk

A slither of land to the rear, (north-east), of the site lies within Flood Zone 2. The remainder of the site is within Flood Zone 2. The submitted Flood Risk Assessment (FRA) acknowledges this, but also states that more accurate modelling data obtained from the Environment Agency shows the site outside the 1 in 100 year flood extents and, therefore, should instead be considered to be in Flood Zone 1.

Following the recent flooding in the area in August 2019 a revised FRA was provided, and this has been considered by the Leicestershire County Council Lead Local Flood Authority (LLFA). The FRA concludes that with appropriate mitigation the development will not create any flood risk issues to the wider area.

The Leicestershire County Council Lead Local Flood Authority (LLFA) considers that the revised drainage and flood risk details appear technically acceptable. However, it recommends a number of planning conditions be imposed requiring subsequent approval of drainage details, including sustainable drainage features.

The Environment Agency makes no comment and refers to its standing advice.

Subject to the application of conditions requested by the LLFA relating to submission and approval of surface water drainage; management of surface water during construction; maintenance of surface water system and infiltration testing, the proposal is considered acceptable and in accordance with Core Strategy policy CS16 and the relevant provisions of the NPPF.

### Other matters

There is reference in representations to the lack of affordable housing. The threshold for the provision of affordable housing is 10 dwellings; this proposal is below that threshold. However, it should be noted that the proposal contains smaller units that would meet with the need suggested within HEDNA.

### **Conclusion**

The Framework makes it clear that there is a presumption in favour of sustainable development. All proposals are required to be determined in accordance with the development plan unless material considerations indicate otherwise.

The site is located within the limits to development of Mountsorrel and within an area of mixed land uses, including residential development. It is considered to be a windfall site in a sustainable location that represents an efficient use of land and one that will contribute to the Council's housing supply. The development is considered to be of an appropriate scale in this location and result in an attractive group of buildings constructed using high quality materials. As such, it is considered that it would make a significant and positive contribution to the visual amenities of the area. Furthermore, the impacts on the residential amenity of existing and future occupiers; highway safety, access and parking; ecology and drainage have also been carefully assessed and considered to be acceptable.

It is considered that there are no significant impacts arising from the development that cannot be mitigated.

Having carefully considered all consultation responses and the views of neighbouring and nearby residents and the Parish Council, it is considered that the proposals are in accordance with the Development Plan. The proposal is considered to accord with Policies CS1, CS2, CS11, CS16 and CS25 of the Charnwood Local Plan Core Strategy 2011-2028 and saved policies ST/2, EV/1, E7 and TR/18 of the Borough of Charnwood Local Plan 1991-2006 and the associated guidance in Supplementary Planning Documents and material considerations including the aims and objectives of the National Planning Policy Framework and associated guidance.

### **RECOMMENDATION**

That planning permission be granted subject to the following conditions:

1. The development, hereby permitted, shall be begun not later than 3 years from the date of this permission.  
REASON: To comply with the requirements of Section 91 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and

Compulsory Purchase Act 2004 and to ensure that the development is delivered as soon as possible to assist in the supply of housing land.

2. The development shall be carried out only in accordance with the details and specifications included in the submitted application, as amended, as shown on the drawings below:

40993-003 Rev B	Location Plan
40993/18B	Proposed Site Layout
40993/19	House Types A,A-A
40993/20	House Types B-B
40993/21A	House Types C-B
40993/22A	House Types C-C
40993/23	Commercial Units

REASON: For clarity and the avoidance of doubt and to define the terms of the permission.

3. No materials shall be placed on the site until such time as samples of the facing bricks and any other materials to be used on the external walls including brick/stone banding and stone window sills/lintels, window frame materials and finishes, and any other materials have been submitted for the agreement of the local planning authority. Only materials agreed in writing by the local planning authority shall be used in carrying out the development.  
REASON: To make sure that the appearance of the completed development is satisfactory.
4. Within one month of the commencement of works on site, a plan showing a detailed soft and hard landscaping scheme shall be submitted to and agreed in writing by the local planning authority.  
REASON: To ensure that the Local Planning Authority can exercise proper control over the visual appearance of the area and in the interests of visual amenity.
5. The landscaping scheme shall be fully completed, in accordance with the details agreed under the terms of the above condition, in the first planting and seeding seasons following the first occupation of any part of the development or in accordance with a programme previously agreed in writing by the local planning authority. Any trees or plants removed, dying, being severely damaged or becoming seriously diseased, within 5 years of planting shall be replaced in the following planting season by trees or plants of a size and species similar to those originally required to be planted.  
REASON: To make sure that the appearance of the completed development is satisfactory and to help assimilate the development into its surroundings.
6. The development hereby approved shall be carried out in strict accordance with the mitigation strategy specified within the submitted Noise Assessment (ref. 23061/07-17/4899 Rev B by M-EC dated July 2018) and shall be maintained in this form at all times thereafter.  
REASON: to ensure internal acoustic standards are achieved, in the interests of residential amenity.
7. No part of the development shall be occupied until such time as the access arrangements and off-site works shown on rg+p drawing number 40993/018B have been implemented in full.

REASON: To ensure that vehicles entering and leaving the site may pass each other clear of the highway, in a slow and controlled manner, to mitigate the impact of the development, in the general interests of highway safety and in accordance with the National Planning Policy Framework.

8. The development hereby permitted shall not be occupied until such time as the parking and turning facilities have been implemented in accordance with rg+p drawing number 40993/018B. Thereafter the on-site parking provision shall be so maintained in perpetuity.

REASON: To ensure that adequate off-street parking provision is made to reduce the possibility of the proposed development leading to on-street parking problems locally (and to enable vehicles to enter and leave the site in a forward direction) in the interests of highway safety and in accordance with the National Planning Policy Framework.

9. The development hereby permitted shall not be occupied until such time as:

a. The access drive (and any turning space) has been surfaced with tarmacadam, or similar hard bound material (not loose aggregate) for a distance of at least 5 metres behind the highway boundary and;

b. Site drainage details have been provided to and approved in writing by the Local Planning Authority.

Thereafter surface water shall not drain into the Public Highway and shall be so maintained.

REASON: To reduce the possibility of deleterious material being deposited in the highway (loose stones etc.), to reduce the possibility of surface water from the site being deposited in the highway causing dangers to road users, in the interests of highway safety and in accordance with the National Planning Policy Framework.

10. No development shall commence on the site until drainage plans for the disposal of surface water and foul sewage have been submitted to and approved by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the development is first brought into use.

REASON; To ensure that the development is provided with a satisfactory means of drainage as well as reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution.

11. No development shall commence on the site until such time as infiltration testing has been carried out to confirm (or otherwise) the suitability of the site for the use of infiltration as a drainage element, and the Flood Risk Assessment has been updated accordingly to reflect this in the drainage strategy.

REASON; To demonstrate that the site is suitable (or otherwise) for the use of infiltration techniques as part of the drainage strategy.

12. No development shall commence on the site until such time as a construction traffic/site traffic management plan, including wheel cleansing facilities and vehicle parking facilities, proposed hours of demolition/construction works and of deliveries and a timetable for their provision, has been submitted to and approved in writing by the Local Planning Authority.

The development shall thereafter be carried out in accordance with the approved details and timetable.

REASON: To reduce the possibility of deleterious material (mud, stones etc.) being deposited in the highway and becoming a hazard to road users, and to ensure that construction traffic/site traffic associated with the development does not lead to on-street parking problems in the area.

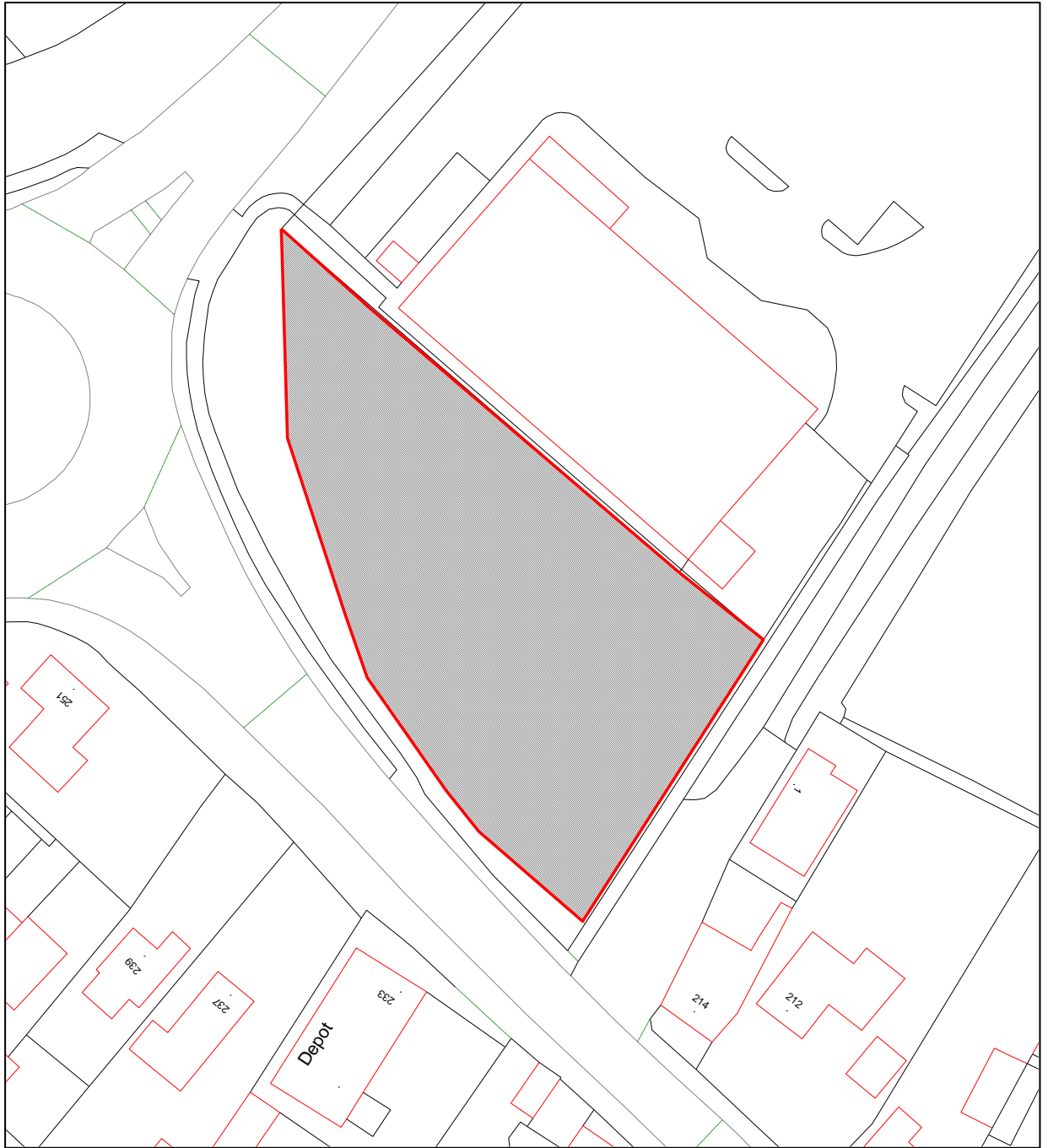
13. No development shall commence on the site until such time as details in relation to the management of surface water on site during construction of the development has been submitted to, and approved in writing by the Local Planning Authority.

REASON: To prevent an increase in flood risk, maintain the existing surface water runoff quality, and to prevent damage to the final surface water management systems through the entire development construction phase.

14. No development shall commence on the site until such time as a Gas Verification Plan has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with any mitigation measures suggested within this plan. REASON: To ensure any gas contamination is recognised and any adverse impacts of future residents is mitigated.

- 15 If, during development any contamination, not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with. Any approved amendment to the remediation strategy shall thereafter be implemented in full.

REASON: To make sure that the site, when developed, is free from contamination, in the interests of public health and safety.



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