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GATESHEAD METROPOLITAN BOROUGH COUNCIL PLANNING AND DEVELOPMENT COMMITTEE MEETING

Wednesday, 14 February 2018

PRESENT: Councillor B Goldsworthy (Chair)

Councillor(s): M Hood, L Caffrey, S Craig, K Ferdinand, A Geddes, M Hall, L Kirton, J Lee, K McCartney,

J McClurey, C McHugh, P Mole, C Ord, I Patterson, J Turnbull, A Wheeler, M Henry and N Weatherley

APOLOGIES: Councillor(s): P Dillon, E McMaster, K Wood and S Dickie

PD198 MINUTES

The minutes of the meeting held on 24 January 2018 were approved as a correct record and signed by the Chair.

PD199 DECLARATIONS OF INTEREST

There were no declarations of interest.

PD200 PLANNING APPLICATIONS

RESOLVED: i) That the full planning applications and outline

applications specified in the appendix to these minutes be granted, refused or referred to the

Department for Communities and Local Government or deferred as indicated subject to the conditions, if any, as specified therein and to any other appropriate

conditions of a routine or standard nature.

ii) That the applications granted in accordance with

delegated powers be noted.

PD201 DELEGATED DECISIONS

The applications determined since the last committee meeting in accordance with the powers delegated under part 3, schedule 2 were tabled for information.

RESOLVED: That the information be noted.

PD202 ENFORCEMENT ACTION

Consideration was given to a report that informed of the progress of enforcement action previously authorised by the Committee.

RESOLVED - that the information be noted.

PD203 PLANNING APPEALS

The Committee were advised that there have been no new appeals lodged since the last Committee.

The Committee were advised that one new appeal and appeal cost decision had been received since the last Committee.

RESOLVED - that the information be noted

PD204 PLANNING OBLIGATIONS

The Committee received a report advising of the completion of Planning Obligations which have previously been authorised.

Since the last Committee meeting there have been no new planning obligations.

Since the last Committee meeting there have been no new payments received in respect of planning obligations.

RESOLVED - that the information be noted.

PD205 REVOCATION OF HAZARDOUS SUBSTANCES CONSENT 1090/92 AT REDHEUGH HOLDER STATION, TEAM STREET, GATESHEAD

The Committee received a report seeking to revoke the Hazardous Substance Consent (HSC) 1090/92 at the site of Redheugh Gas Holder Station, Team Street, Gateshead. Revocation would be subject to confirmation by the Secretary of State.

Hazardous Substance Consent (reference: 1090/92) was granted on 2 November 1992 to store natural gas at the site.

There has historically been a number of gas holders at this site. The last three remaining gas holders which were operated by Northern gas Networks (formerly Transco) have used this site to store natural gas as part of the gas distribution network until 18 July 2014, when the gas holders were decommissioned and physically isolated from the gas network.

Northern Gas Networks informed the Council in 2017 that the gas holders had been decommissioned and that natural gas was no longer stored at the site, so the Hazardous Substance Consent (1090/92) is no longer required. They requested that

the Council make the necessary arrangements to revoke the HSC that relates to the site.

The storage of natural gas at the site approved under the HSC means that the Health and Safety Executive have imposed a consultation zone around the site that could restrict development. As natural gas is no longer stored at the site it is considered appropriate to revoke the HSC to reflect the change in circumstances. This will remove the HSE consultation zone.

Although Section 16 of the Act includes provisions relating to compensation Northern Gas have confirmed in writing that they would not be seeking compensation.

The gas holders on site are currently being demolished. It is expected that the tanks will be demolished by February 2018 with the frames being removed by October 2018.

RESOLVED - The Committee authorised the making of an order under Section 14(1) of the Planning (Hazardous Substances) Act 1990 seeking revocation of Hazardous Substances Consent 1090/92 to be confirmed by the

Secretary of State.

PD206 PERFORMANCE OF DEVELOPMENT MANAGEMENT

The Committee received a report advising about the performance of the Development Management Service over the past two years in respect of the work at the Planning and Development Committee and planning applications considered through delegated powers.

The Department for Communities and Local Government publishes quarterly and annual reports of the performance of local Planning Authorities based on the quarterly returns that all Councils report.

Section 62B of the Town and Country Planning Act 1990 allows applicants to submit their applications directly to the Secretary of State for Communities and Local Government if the Local Planning Authority for the area has been designated as poorly performing. This would take the decision making function away from the Local Planning Authority.

The criteria for designation are based on speed of decision and quality of decision making (measured as the number of decisions overturned at appeal) for all planning applications divided into three different categories namely major applications, county matter applications and non-major applications. This sets the minimum performance threshold for Local Planning Authorities for 2018 as:

- More than 60% of Major or Country Matter decisions made in time (previously 50%)
- Less than 10% of Major or Country Matter decisions overturned at appeal
- (not previously measured);

- More than 70% of non-major decision made in time (previously 65%;
- Less than 10% of non-major decisions overturned at appeal (not previously measured)

The Committee were provided with data on the performance of Gateshead Local Planning Authority against the published criteria for assessing under-performance over the past two years. It provided information on the speed of decisions on applications for major and non-major development, for both district matter and county matter authorities.

The Committee were advised that the Local Planning Authority is performing well and is performing significantly above the threshold for designation.

However due to the very low numbers of County Matter and Major applications and subsequently appeals, a very small number of applications either being delayed or lost at appeal would mean that the Local Planning Authority would fail to meet the targets set.

Had quality of County Matters Development target been measured in 2017, the one appeal overturned in that year's figures would have meant that the Council failed to meet the target and the Local Planning Authority would have been designated for County Matter Applications.

RESOLVED - that the information be noted.

PD207 IMPROVING THE USE OF CONDITIONS

The Committee received a report which provided an update on the current Ministry of Housing, Communities and Local Government (MHCLG) consultation entitled "Improving the Use of Planning Conditions: Consultation on draft regulations".

The Committee were advised that the consultation paper states that "precommencement conditions play an important and useful role in some cases. However, because they prevent any start on site being made until they are discharged, imposing such a constraint on development, when it is not justified, unnecessarily delays the delivery of development and drives up costs".

The consultation paper proposes changes to the process for imposing precommencement conditions on planning permissions. The Government intends to legislate to prohibit pre-commencement conditions from being imposed unless the applicant has first agreed them or if no response is received from the applicant within 10 working days of the Local Planning Authority notifying the applicant.

It would be the responsibility of Gateshead as Local Planning Authority to seek the written agreement of the applicant to any pre-commencement conditions, and planning permission could only be granted subject to these conditions if the applicant agrees or does not respond within 10 working days of the Local Planning Authority notifying the applicant.

If the applicant does not agree, the Local Planning Authority would retain the right to

refuse the planning application if it considers that the pre-commencement condition is necessary to make the development acceptable.

The consultation paper seeks opinion on whether the proposed required notice to the developer should include reasons for both the condition and for making it a precommencement condition; on the definition of "substantive response" in the draft regulations; on the proposal to not give local planning authorities discretion to agree with applicants a longer period than 10 working days to respond to the notice; and invites any other comments on the draft regulations.

The consultation responses will be reviewed before the MHCLG decide which measures, if any, to take forward and in what form. A further report will be brought to Committee when any measures are announced.

RESOLVED - that the information be noted.

Chair.	 	 	 	 		



Date of Committee: 14 February 2018				
Application Number and Address:	Applicant:			
DC/17/00623/FUL	Broadleaf Construction Development			
Fistral Smailes Lane Rowlands Gill NE39 2LS				
Proposal:				
Erection of two split level x three bedroom, semi- dormer windows on south elevations (as amende				
Declarations of Interest:				
Name	Nature of Interest			
None	None			
List of anadram and details of any additional infe	ati a sa a colour itta di			
List of speakers and details of any additional info	ormation submitted:			
Mr P Galsworthy (Applicant) – spoke in support of the	e application			
Decision(s) and any conditions attached:				
That permission be REFUSED for the following reason	on(s):			
1. The proposed access would pose a hazard for rochighway safety by virtue of the failure to provide an a on the existing traffic conditions. The development w Policy Framework and policy CS13 of the Core Strate	dequate visibility splay free from obstruction based ould therefore conflict with the National Planning			
Any additional comments on application/decision	1:			
None				

Date of Comr	Date of Committee: 14 February 2018				
Application Number and Address:	Applicant:				
DC/17/01161/COU	R Beveridge and Company				
8 Barmoor Terrace Ryton NE40 3BB					

Proposal:

Change of use of part of ground floor from beauty salon (sui generis) to funeral parlour (A1)

Declarations of Interest:

Name Nature of Interest

None

List of speakers and details of any additional information submitted:

Mr M Lowther (on behalf of the applicant) – spoke in support of the application

Decision(s) and any conditions attached:

That permission be GRANTED subject to the following condition(s) and that the Strategic Director of Communities and Environment be authorised to add, vary and amend the planning conditions as necessary:

1. The development shall be carried out in complete accordance with the approved plan(s) as detailed below -

INTERNAL WORKS at 8 Barmoor Terr. Ryton. Site Location Plan 1:1250

Any material change to the approved plans will require a formal planning application to vary this condition and any non-material change to the plans will require the submission of details and the agreement in writing by the Local Planning Authority prior to any non-material change being made.

- 2. The development to which this permission relates must be commenced not later than 3 years from the date of this permission.
- 3. Noise levels from associated fans/plant of the development should not exceed an LAeq5minute of 40dB at 1m outside any nearby bedroom window to protect residential amenity with regards to noise in accordance with World Health Organisation guidelines.
- 4. Prior to the commencement of the use hereby permitted, final details of the proposed servicing and delivery arrangements to be submitted to and approved in writing by the Local Planning Authority.
- 5. The use hereby permitted shall be operated in accordance with the servicing and delivery plan

approved under condition 4 for the lifetime of the	development.
Any additional comments on application/decis	sion:
Committee concluded that despite the concerns radelivery/collection arrangements, that the proposa at this terrace of commercial properties in terms of GRANTED planning permission contrary to Office	al would not result in a worsening of the existing situation f highway safety. Therefore Committee Members
Date of Commit	ttee: 14 February 2018
Application Number and Address:	Applicant:
DC/17/00944/FUL	Mr Brian Hunter
Co-Operative Buildings	
Hexham Old Road Ryton	
NE40 3ER	
Proposal:	
	x 1 bedroom flats and 1 x 3 bedroom hose, and erection (amended 10/10/17) (Description amended 30/01/2018
Declarations of Interest:	
Name	Nature of Interest
None	
List of speakers and details of any additional i	nformation submitted:
Decision(s) and any conditions attached:	
That permission be GRANTED subject to the follo Communities and Environment be authorised to a necessary:	wing condition(s) and that the Strategic Director of dd, vary and amend the planning conditions as
Unless otherwise required by condition , the dewith the approved plan(s) as detailed below –	evelopment shall be carried out in complete accordance
Location Plan 1419_01 Existing Site Plan 1419_02 Proposed Site Plan 1409_03A (received 10.10.20 Site Layout 1419_04A (received 10.10.2017) Existing Plans 1419_05	17)

Existing Elevations 1419_06
Proposed Plans 1419_07
Proposed Elevations 1419_08
Proposed Roof Plans 1419_09

Any material change to the approved plans will require a formal planning application to vary this condition and any non-material change to the plans will require the submission of details and the agreement in writing by the Local Planning Authority prior to any non-material change being made.

- 2. The development to which this permission relates must be commenced not later than 3 years from the date of this permission.
- 3. Notwithstanding the approved plans, no new windows shall be installed until final details of the materials and confirmation of the location of all new windows have been submitted to and approved in writing by the Local Planning Authority.

The bin store shall not be installed until final details of the store have been submitted to and approved in writing by the Local Planning Authority.

All other external surfaces shall be completed in materials to match those of the existing building.

- 4. The details approved under Condition 3 shall be implemented in accordance with the approved details before the new dwellings are occupied and retained as such for the lifetime of the development.
- 5. The windows shown on plan 1419_04A to serve bedroom 2 and the kitchen of Flat 2 and all windows serving bathrooms, en-suites and WCs shall be glazed with obscure glass at a level three or greater (in accordance with the levels set by Pilkington). The obscure glazing shall be installed prior to occupation of the respective dwellings hereby approved and retained thereafter.
- 6. No development/alterations hereby approved shall take place until a report of the results of a programme of archaeological building recoding (which shall be at Historic England Level 2) has been submitted to and approved in writing by the Local Planning Authority.
- 7. The dwellings hereby approved shall not be occupied until a fully detailed scheme for the landscaping of the site has been submitted to and approved in writing by the Local Planning Authority.

The landscaping scheme shall include detail and proposed timing of hard landscaping, all existing tress and hedges to be retained, ground preparation and planting plans noting the species, plant sizes, planting densities for all new planting and confirmation of final land levels, and soft landscaping to have a minimum of 1.15m depth or proven clean subsurface soils.

8. The landscaping scheme shall be implemented in accordance with the approved details within the first available planting season following the approval of details.

The approved landscaping scheme shall be maintained in accordance with British Standard 448 (1989) Code of Practice for General Landscape Operations for a period of 5 years commencing on the date of Practical Completion and during this period any trees or planting which die, become diseased or are removed shall be replaced in the first available planting seasons (October to March) with others of a similar size and species and any grass which fails to establish shall be re-established.

- 9. The development hereby approved shall not commence until full details of how the external car parking and pedestrian area will be drained have been submitted to and approved in writing by the Local Planning Authority. The detail should include the following:
 - Details of pre-development enquiry with Northumbrian Water;
 - Demonstration that the proposed discharge of surface water from the external car park and

- pedestrian area will be discharged in conformity to DEFRA Non-Statutory Technical Standards for SuDS Standards S3 and S5;
- Scale drawing showing the proposed layout of the drainage network, showing clearly numbered pipes, falls, diameters and manhole invert and cover levels, connections off site, and proposed contours and/or levels:
- Detailed drawings of any flow control structures and any SuDS features such as permeable paving;
- Methodology and schedule for maintenance of SuDS features, including permeable paving, and flow control device to demonstrate their continued operation will be maintained for the lifetime of the development in accordance with the Written Ministerial Statement on SuDS (2014). This shall include how any permeable paving, or other SuDS features will be protected and siltation and/other damage during the construction period and consideration of any necessary maintenance measures at completion to ensure effective operation:
- Timescales for delivery of drainage measures and for maintenance of features.
- 10. The details approved under Condition 9 shall be implemented in accordance with the approved details and timescales, and the features retained as such for the lifetime of development.
- 11. The development hereby approved shall not commence until a detailed scheme for the disposal of foul and surface water from the development hereby approved has been submitted to and approved in writing by the Local Planning Authority, in consultation with the Lead Local Flood Authority.
- 12. The details approved under condition 11 shall be implemented in accordance with the approved details before the new dwellings are occupied and retained as such for the lifetime of the development.
- 13. The development hereby approved shall not commence until method statements regarding bats and breeding birds have been submitted to and approved in writing by the Local Planning Authority.

In relation to bats, the method statement shall include:

- Timings of works;
- Methods of work;
- Retention of existing potential bat roost features; and
- Provision of new bat roost features

In relation to breeding birds, the method statement shall include:

- Timings of works; and
- Provision of new potential nesting features
- 14. The timings and details of works approved under Condition 13 shall be implemented in accordance with the approved details at all times during the works. Where required, new features approved under condition 13 shall be installed in accordance with the approved details before the new dwellings are occupied and retained as such for the lifetime of the development.
- 15. Unless otherwise approved in writing by the Local Planning Authority, all external works and ancillary operations in connection with the construction of the development, including deliveries to the site, shall be carried out only between 0800 hours and 1700 hours on Mondays to Saturdays and at no time on Sundays, Bank Holidays or Public Holidays.
- 16. Notwithstanding the approved plans, the dwellings hereby approved shall not be occupied until the following details have been submitted to and approved in writing by the Local Planning Authority:
 - Final details of the secure and weatherproof cycle storage;
 - Final details of the relocation of the cycle store to the north of the two parking bays accessed from Hexham Old Road and the relocation of the bin store further north, to achieve suitable forward visibility;
 - Dropped crossing on Hexham Old Road for the two parking bays and bin store marked on plans;
 - The dropped kerb access onto The Lonnen extended by one kerb length to the south marked on

plans;

- Final details of parking bays shown on plans to be alongside a building, wall or bin store to be 3m wide to allow for the opening of car doors;
- Where the footpath running along the south eastern elevation of the building meets the access road, the extension over the full width to create a section of shared space;
- Final details of the passing place reduced in width to provide an overall width of 5m when combined with the access road (for at least 6m in length with splays provided at either end);
- Measures to protect appropriate visibility at the south east corner of the site.
- 17. Where required, the details approved under Condition 16 shall be implemented in accordance with the approved details before the new dwellings are occupied and retained as such for the lifetime of the development.

Any additional comments on application/decision

None

Date of Committee: 14 February 2018				
Application Number and Address:	Applicant:			
DC/17/01086/FUL	Mr Giovanni Asoni			
Ryton Park Country House Hotel Holburn Lane Ryton Central Ryton NE40 3PF				

Proposal:

Mixed residential development, comprising of the partial demolition of the existing hotel with alterations and existing hotel with alterations and extensions to form 2 no. dwellings, alterations and extensions to a redundant out-building forming 1 no. dwelling and the erection of 3 no. new build dwellings (amended 29/11/2017)

Declarations of Interest:

Name Nature of Interest

List of speakers and details of any additional information submitted:

None

That permission be GRANTED subject to the following condition(s) and that the Strategic Director of Communities and Environment be authorised to add, vary and amend the planning conditions as necessary:

- 1. The development shall be carried out in complete accordance with the approved plan(s) as detailed below –
- C-00 Location Plan
- C-02 Proposed Site Plan
- C-03 Proposed Plot A Floor Plans
- C-07 Proposed Plot A Elevations
- C-08 Rev A Proposed Plot B and C Elevations
- C-04 Proposed Plot B and C Floor Plans

- C-05 Proposed Plot D Floor Plans
- C-06 Proposed Plot E and F Floor Plans C-09 Proposed Plot D. E and F Elevations
- C-13 Existing and Proposed Roof Plans

Any material change to the approved plans will require a formal planning application to vary this condition and any non-material change to the plans will require the submission of details and the agreement in writing by the Local Planning Authority prior to any non-change being made.

- 2. The development to which this permission relates must be commenced not later than 3 years from the date of this permission.
- 3. No external materials for the development hereby approved shall be used on site until samples of the materials, colours and finishes to be used on the external surfaces have been made available for inspection on sites subsequently approved in writing by the Local Planning Authority.
- 4. The development shall be completed using the materials approved under Condition 3.
- 5. No boundary treatment shall be provided on the site until a fully detailed scheme for that boundary treatment has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details if the type, position, design, dimensions and materials of the boundary treatment.
- 6. The boundary treatment relating to each dwelling shall be provided in accordance with the details approved at condition 5 prior to each of the dwellings being occupied.
- 7. No development or demolition hereby approved shall take place until a specification for a programme of archaeological building recording has been submitted to and approved in writing by the Local Planning Authority.
- 8. No development or demolition hereby approved shall commence on site until the building recording exercise approved at condition 7 has been completed and a report of the results submitted to and approved in writing by the Local Planning Authority.
- 9. No groundworks or development shall commence on site until a specification for a programme of archaeological fieldwork (to include evaluation and where appropriate mitigation excavation) has been submitted to and approved in writing by the Local Planning Authority.
- 10. No groundworks or development shall commence on site until the programme of archaeological fieldwork approved at condition 9 has been completed and a report of the results of the archaeology fieldwork undertaken has been submitted to and approved in writing by the Local Planning Authority.
- 11. The dwellings hereby approved shall not be occupied until a report detailing the results of the archaeology fieldwork approved at condition 9 has been produced in a form suitable for publication in a suitable and agreed journal and has been submitted to and approved in writing by the Local Planning Authority.
- 12. No development shall take place installing the oriel windows in plots A or F until details of the oriel windows for those plots have been submitted to and approved in writing by the Local Planning Authority.
- 13. The oriel windows at plots A or F shall be installed in accordance with the details approved at condition 12 and shall be retained thereafter.
- 14. All external works and ancillary operations in connection with the construction of the development, including deliveries to the site, shall be carried out only between 0800 hours and 1700 hours on Mondays to Saturdays and at no time on Sundays, Bank Holidays or Public Holidays.

- 15. No development shall commence on any phase of the site until details of the existing and proposed site levels for that phase of the development has been submitted to and approved in writing by the Local Planning Authority.
- 16. Each phase of the development shall be implemented in accordance with the site levels approved for that phase at condition 15.
- 17. No development shall commence on the vehicle access to the site until a revised drawing for the assess which shows the following items has been submitted to and approved in writing by the Local Planning Authority:
- a) a gradient of no greater than 1:25 for the first 10 metres of the access into the site from its junction with Holburn Lane
- b) the provision of a footway on the southern side of the access
- c) the re-positioning of the boundary walls and piers adjacent the access the allows pedestrians a view into the site
- 18. The access to the site shall be provide in accordance with the revised access arrangements approved at condition 17 prior to any of the dwellings being occupied.
- 19. Notwithstanding the details on the submitted drawings, no cycle parking facilities shall be provided on site until details for the provision of secure and weatherproof cycle parking facilities for each dwelling hereby approved has been submitted to and approved in writing by the Local Planning Authority.
- 20. The cycle parking provision approved under condition 19 shall be provided in accordance with the approved details for each dwelling prior to each dwelling being occupied.
- 21. Only trees T4, T5, T7, T8, T9, T11 T14 shall be felled as part of this development as identified on the site plan at Appendix 1 on page 14 of the Arboricultural Survey Report by Eco Survey Ltd dated December 2016.
- 22. No development or any other operations shall commence on site until a scheme for the protection of the existing trees and hedges that are to be retained has been submitted to and approved in writing by the Local Planning Authority. The scheme must include a plan clearly showing the trees/hedges to be retained and the location and specification of the protective fencing to be used.
- 23. The tree protective fencing approved at condition 22 must be installed prior to the commencement of development and thereafter retained intact for the full duration of the construction works and there shall be no access, storage, ground disturbance or contamination within the fenced area without the prior written approval of the Local Planning Authority.
- 24. Notwithstanding the details of the submitted drawings no landscaping shall be provided on site until a fully detailed scheme for the landscaping of the site has been submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall include details and proposed timing of hard landscaping, all existing trees and hedges to be retained, ground preparation and planting plans noting the species, plant sizes and planting densities for all new planting.
- 25. The landscaping scheme approved under condition 24 shall be implemented in accordance with the approved details within the first available planting season following the approval of details.
- 26. The landscaping scheme approved under condition 24 shall be maintained in accordance with British Standard 4428 (1989) Code of Practice for General Landscape Operations for a period of 5 years commencing on the date of Practical Completion and during this period any trees or planting which die,

become diseased or are removed shall be replaced in the first available planting seasons (October to March) with others of a similar size and specie and any grass which fails to establish shall be reestablished.

- 27. No development shall commence on the dwellings hereby approved until details of integral bat boxes to be incorporated into the fabric of the new dwellings and/or mounted in the trees on site (including the number, specification and precise locations) have been submitted to and approved in writing by the local planning authority.
- 28. The bat boxes approved under condition 27 shall be installed in accordance with the approved details prior to the dwellings being occupied.
- 29. All demolition and tree removal works on the site should be undertaken outside the breeding season (March to August inclusive); unless a breeding bird checking survey must be undertaken by a qualified ecologist immediately prior to any demolition and tree removal works and a report submitted to the Local Planning Authority for written approval. Where breeding birds are found to be present on the site the nests must remain undisturbed until the young have fledged and the nest is no longer in use.
- 30. No development shall commence on site, until a Phase 2 intrusive site investigation is undertaken to investigate the potential for contamination to exist in the ground within the proposed garden areas and a Phase 2 Risk Assessment report of the findings has been submitted to and approved in writing by the Local Authority.

The site investigation will consist of a series of miniring boreholes/trial pits, insitu testing, groundwater and ground gas monitoring, soil sampling and chemical and geotechnical laboratory testing of samples to assess potential contamination issues and inform foundation design.

The site investigation and Phase 2 Risk Assessment report shall identify potential contamination, and possible areas which may require remedial works in order to make the site suitable for its proposed end use to ensure that no contamination is present that poses a risk to future users of the site and construction workers. Reference should be made to CLR 11 – Model Procedures for the Management of Land Contamination and BS 10175:2011 – Investigation of Potentially Contaminated Sites – Code of Practice.

The Risk Assessment should confirm as soon as possible pollutant linkages and should provide where applicable recommendations with regard to an appropriate remediation scheme which will ensure safe redevelopment.

31. Prior to the commencement of development hereby approved, where required by the Local Planning Authority under condition 30, 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 environment shall be 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 in relation to the intended use of the land after remediation.

The Local Planning Authority requires that a minimum of 1.15m of 'proven' uncontaminated 'clean cover' is provided in all soft landscape areas.

32. The details of remediation measures approved under condition 31 shall be implemented prior to the commencement of the development hereby approved.

The Local Planning Authority shall be given two weeks written notification of commencement of the remediation scheme works.

- 33. Following completion of the remediation measures approved under condition 31 a verification report that demonstrates the effectiveness of the remediation carried out must be submitted to and approved in writing by the Local Planning Authority prior to the individual dwellings being occupied.
- 34. In the event that contamination is found at any time when carrying out the 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, and where remediation is considered necessary by the Local Planning Authority a remediation scheme shall be submitted to and approved in writing by the Local Planning Authority, prior to development continuing.

Following completion of measures identified in the approved remediation scheme a verification report shall be submitted to and approved in writing by the Local Planning Authority prior to the dwellings being occupied.

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 this condition has been complied with in relation to that contamination.

35. No development shall commence on site until a scheme of site investigation and assessment to test for the presence and likelihood of ground gas emissions has been submitted to and approved in writing by the Local Planning Authority or until an alternative scheme to provide measures to protect the proposed development from such gas emissions has been submitted to and approved in writing by the Local Planning Authority.

The construction of the development shall take account of the results of the site investigations for gas emissions. The detailed design and method of construction shall incorporate the gas protection measures the details of which shall be first submitted to and approved in writing by the Local Planning Authority. The approved gas protection measures shall be fully implemented in accordance with the approved details before each house is occupied.

- 36. No development shall commence on site until:
- 1 a detailed scheme for further intrusive site investigations to establish the exact situation regarding coal mining legacy issues has been submitted to and approved in writing by the Local Planning Authority and subsequently undertaken on the site and
- 2 a report of the findings arising from the intrusive site investigation under 1 has been submitted to and approved in writing by the Local Planning Authority and
- 3 a comprehensive scheme of remedial works including a timetable for implementation has been submitted to and approved in writing by the Local Planning Authority.
- 37. The scheme of coal remediation works approved at condition 36 shall be carried out with the approved details including the approved timetable of implementation.

Any additional comments on application/decision:

This application had been deferred from the Planning and Development Committee meeting on 24 January for a Members' Site Visit. This site visit had taken place on Thursday 8 February 2018.