

**Planning, Transport & Sustainability Division
 Planning and Rights of Way Panel 13 May 2014
 Planning Application Report of the Planning and Development Manager**

Application address: Former Telephone Relay Station, Garfield Road, Southampton			
Proposed development: Redevelopment of the site. Erection of two detached two storey houses (one x 3-bedroom, one x 4-bedroom) with associated parking, refuse and cycle storage following demolition of the existing building.			
Application number	14/00261/FUL	Application type	FUL
Case officer	Andrew Gregory	Public speaking time	5 minutes
Last date for determination:	17.04.2014	Ward	Peartree
Reason for Panel Referral:	Referred by the Planning and Development Manager	Ward Councillors	Cllr Dr Darren Paffey Cllr Eamonn Keogh Cllr Paul Lewzey

Applicant: Mrs Julie Pardey	Agent: John Pardey Architects
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Recommendation Summary	Conditionally approve
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Community Infrastructure Levy Liable	Yes
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Reason for granting Permission

The development is acceptable taking into account the policies and proposals of the Development Plan as set out below. Overall the scheme is acceptable and the level of development proposed will not result in an adverse impact on the amenities enjoyed by surrounding occupiers or to the character and appearance of the area. A suitable balance has been achieved between securing additional housing, parking, on-site amenity space and landscaping, whilst ensuring that existing residential amenity is protected. Other material considerations detailed in the report of the Planning Panel on 13th May 2014 do not have sufficient weight to justify a refusal of the application. In accordance with Section 38 (6) of the Planning & Compulsory Purchase Act 2004 Planning Permission should therefore be granted.

Policies SDP1, SDP4, SDP5, SDP6, SDP7, SDP9, H1, H2 and H7 of the City of Southampton Local Plan Review - Adopted March 2006 policies CS4, CS5, CS13, CS15, CS16, CS19, CS20 of the Local Development Framework Core Strategy (January 2010) and National Planning Guidance contained within the National Planning Policy Framework.

Appendix attached			
1	Development Plan Policies	2	Appeal Decision 12/01676/FUL

Recommendation in Full

Conditionally approve

1.0 The site and its context

- 1.1 The application site comprises a single-storey building authorised for use as a place of worship, located at the north-eastern end of Garfield Road. The site is accessed off a turning head at the end of Garfield Road. Enclosed to the street by wall and gates with on-site parking to the side of the building. The topography of the area falls from south to north and east to west. The site is approximately 2.5m above the carriageway level on Bitterne Road. There is an embankment to the rear which comprises a number of trees with a level difference of approx 4m between the site ground level and the ground level at 240a Bitterne Road.
- 1.2 Three Ash trees at the rear of the site and a cherry tree at the front of the site are protected by The Southampton (Telephone Relay Station Site) Tree Preservation Order 2012.
- 1.3 The surrounding area has a suburban residential character predominantly comprising semi-detached and detached two-storey housing. However, the neighbouring property at 240a is a bungalow. There are no on-street parking restrictions within Garfield Road.

2.0 Proposal

- 2.1 The application seeks planning permission for the erection of two detached two-storey houses. The buildings are orientated east-west to reflect the shape of the site. A driveway and four car parking spaces are located to the front along with a small area of planting and bin storage. Small decked amenity areas are located to the rear of each dwelling and a privacy screen is proposed to prevent oblique overlooking. The existing trees within the sloping rear part of the site will be retained and enhanced with additional planting.
- 2.2 The properties comprise one x 3-bed house and one x 4-bed house. Dining / living room are located to the rear of the ground floor with bedrooms on the upper floors. The buildings are finished in face brick and have tiled pitched roofs which are hipped to the rear and gabled at the front. The design incorporates contemporary window openings with narrow and high level windows to the side. Juliette balconies are located to the rear of the three-bed dwelling.
- 2.3 The proposed scheme responds to the Council's previous reasons for refusal which were supported at appeal.

3.0 Relevant Planning Policy

- 3.1 The Development Plan for Southampton currently comprises the "saved" policies of the City of Southampton Local Plan Review (March 2006) and the City of Southampton Core Strategy (January 2010). The most relevant policies to these proposals are set out at **Appendix 1**.
- 3.2 The site is unallocated on the proposals map of the Local Plan. Policy CS3 of the Core Strategy does include places of worship as community buildings. However, the application property was approved as a place of worship under a personal permission and therefore now has a nil use. Furthermore, the loss of the church was not previously cited as an objection.

- 3.3 Developments are expected to meet high sustainable construction standards in accordance with Core Strategy Policy CS20 and Local Plan “saved” Policy SDP13.
- 3.4 The National Planning Policy Framework (NPPF) came into force on 27th March 2012 and replaces the previous set of national planning policy guidance notes and statements. The Council has reviewed the Core Strategy to ensure that it is in compliance with the NPPF and are satisfied that the vast majority of policies accord with the aims of the NPPF and therefore retain their full material weight for decision making purposes, unless otherwise indicated.

4.0 Relevant Planning History

- 4.1 1257/40 - Use of site as telephone repeater station
Conditionally Approved 14.01.1964
- 4.2 1624/E12 - Change of use from former telephone relay station Garfield road to dental laboratory
Conditionally Approved 01.02.1983
- 4.3 1630/E14 - Change of use to storage of electrical equipment former telephone repeater station
Conditionally Approved 07.06.1983
- 4.4 970179/E - Erection of two single storey side extensions
Conditionally Approved 14.05.1997
- 4.5 E10/1657 - Change of use to place of Christian worship
Conditionally Approved 19.02.1985
- 4.6 **12/01676/FUL - Redevelopment of site. Demolition of church and erection of 2 x 2-storey linked buildings to provide 4 x two bedroom flats with associated car park and storage.**

Refused under delegated authority on 2.5.13 for the following reason:

REFUSAL REASON - Un-neighbourly form of development

The proposal by reason of its scale, height, building form, layout and proximity to the western boundary, combined with the significant change in site levels, would represent an un-neighbourly and overbearing form of development, resultant of a site overdevelopment. The development would appear unduly dominant and lead to a harmful sense of enclosure when viewed from 240a Bitterne Road West and the orientation of habitable room windows and balconies would lead to harmful overlooking and loss of privacy to the aforementioned property. As such the development would be out of keeping with the spatial character of the area and detrimental to the residential amenities of neighbouring occupiers, contrary to policies SDP1, SDP7, SDP9 and H2 of the City of Southampton Local Plan Review (March 2006) and policies CS5 and CS13 of the Local Development Framework Core Strategy (January 2010) and the relevant sections of the Residential Design Guide SPG.

- 4.7 A subsequent appeal of application 12/01676/FUL was dismissed on 19.11.13 and a copy of the appeal decision is attached as **Appendix 2**

5.0 Consultation Responses and Notification Representations

- 5.1 Following the receipt of the planning application a publicity exercise in line with department procedures was undertaken which included notifying adjoining and nearby landowners and erecting a site notice (28.02.2014). At the time of writing the report **2 representations** have been received from surrounding residents

along with a panel referral request from Cllr Lewzey. The following is a summary of the points raised:

5.2 Overdevelopment

Officer Response - The development has a density of 33 dwellings per hectare which is a low density level when judged against the density guidance within policy CS5 of the Strategy. Furthermore the development results in a reduction in hardstanding on the site. As such the provision of two detached dwellings with 10m length rear gardens and two car parking spaces each is not considered overdevelopment of the site. The previous scheme for two houses was considered acceptable in principle.

5.3 The development remains excessive in scale and would be overbearing and unduly dominant when viewed from 240a Bitterne Road West. The amended scheme is not considered to address the previous refusal and subsequent appeal dismissal.

Officer Response - The proposed scheme is considered to be less overbearing and unduly dominant because it has been set further away from the boundary with 240a Bitterne Road West by 3m. Therefore the corner of 4-bed unit would be approximately 9.5m away from the rear garden of 240a Bitterne Road West. The roof design has also been changed to introduce a rear hip which removes some bulk and mass within the roof. Removal of the existing building also provides betterment in terms of reduced enclosure to the garden of 240a. Whilst it is acknowledged that the proposed dwellings would still be apparent from the rear garden of 240a Bitterne Road West due to the site topography and deciduous nature of the trees, it is considered that the separation distance is a reasonable one within an urban environment and the development would not be unduly oppressive. The previous concerns are considered to have been addressed.

5.4 Overlooking

Officer Response - The amended scheme is no longer considered to lead to harmful overlooking. Many properties are subject to mutual oblique overlooking from first floor windows within urban areas. It is not possible to design out oblique overlooking from this development and that would be an unreasonable expectation from neighbouring occupiers. The scheme has sought to reduce the impact of overlooking to 240a Bitterne Road West by removing a first-floor bedroom window from the rear elevation and by designing the amenity terraces to pull activity away from the boundary. Furthermore a privacy screen is proposed along with additional tree planting (to be conditioned). Any outlook across the roof slope and front driveway of no. 240a Bitterne Road West is not considered adversely harmful. The proposed bedroom window in the side elevation will face the blank side gable of 55 Garfield Road and will not lead to harmful overlooking.

5.5 Insufficient car parking provision will lead to increased car parking pressure within Garfield road.

Officer Response - The provision of two spaces per dwelling complies with the Council's maximum Parking Standards. Any parking overspill may lead to increased competition for on-street parking but it is not considered that this problem would be so serious as to justify refusal on this basis. This was also the case with the previous scheme and parking was not cited as a reason for refusal.

5.6 Bungalow(s) should be considered on the site

Officer Response - The applicant has previously been advised to consider chalet style bungalows on the site. However the developer does not consider that bungalows are the correct architectural response nor would they be viable. Officers are required to consider the scheme as submitted and on its own merits.

Consultation Responses

- 5.7 **SCC Highways** - No objection subject to conditions to secure bin and bike storage.
- 5.8 **SCC Archaeology** – No objection subject to conditions to secure archaeological investigation and work programme. The site is located on the site of the former lodge of Chessel House, which was constructed in 1796. It is also in the vicinity of the projected line of the Roman road that runs between the Romano-British settlement at Bitterne Manor and the city of Chichester, which is believed to run to the south of the site.
- 5.9 **SCC Sustainability Team** – Conditions required to ensure the development achieves level 4 of the Code for Sustainable Homes
- 5.10 **SCC Trees** – No objection subject to conditions requiring tree retention and safeguarding, no storage of materials under tree canopies, no overhanging tree loss, an arboricultural method statement, and a method statement to demonstrate how the existing hard surfaces are removed and how any new surface would be installed without damaging the trees to be retained on site.
- 5.11 **SCC Environmental Health (Pollution and Safety)** - No objection subject to conditions to control hours of work, prevent bonfires, prevent dust during demolition and to ensure suitable glazing is installed to protect residents from traffic noise.
- 5.12 **SCC Environmental Health (Contaminated Land)** - Potentially contaminated site; adequate assessments will need to be carried out on site to determine the likely presence of contaminants. Planning condition recommended.
- 5.13 **SCC Ecology** – The site has minimal biodiversity value and I have no objection to the proposed development.
- 5.14 **CIL** – The development is CIL liable as there is a net gain of residential units. The charge will be levied at £70 per sq m on Gross Internal Area of the new units. If any existing floorspace is to be used as deductible floorspace the applicant will need to demonstrate that continuous lawful use of the building has occurred for a continuous period of at least six months within the period of three years ending on the day that planning permission first permits the chargeable development.

6.0 Planning Consideration Key Issues

- 6.1 The key issues for consideration in the determination of this planning application are:
- Principle of development and whether the development addresses the previous refusal and appeal dismissal;
 - Design, layout and impact on established character;
 - Impact on residential amenity;
 - Residential Standards; and,
 - Highway Issues.
- 6.2 Principle of Development and whether the development addresses the previous refusal and appeal dismissal
- 6.3 The redevelopment of this brownfield site for residential use is acceptable in principle and accords with the policies within the development plan and central government's guidance (through the National Planning Policy Framework) to promote sustainable and efficient use of land for housing development, providing the character of an area is not compromised. The introduction of residential use would be compatible with neighbouring residential land use. The application is supported by evidence from London Clancey that the site would not be suitable

and/or viable for non residential uses. Furthermore the site is not safeguarded for community use because the former place of worship was granted under a personal planning permission. Therefore the use ceased when the premises was vacated.

- 6.4 The level of development of 33 dwellings per hectare (dph) is acceptable having regard to the constraints of the site and character and appearance of the area. It should be noted that this density level is lower than the minimum density level for a low density area of 35 to 50dph as advised within policy CS5 of the Core Strategy. The provision of genuine family housing is welcomed and the proposed residential mix fulfils the requirements of policy CS16 of the Core Strategy whilst assisting the Council meeting its housing need of 16,300 homes between 2006 and 2026.
- 6.5 The proposal is now considered, on balance, to address the previous reason for refusal and subsequent appeal dismissal by addressing concerns relating to overbearing impact and loss of privacy to the neighbouring property at 240a Bitterne Road West. The neighbour disagrees and has objected. The development has been pulled further away from the boundary with 240a by 3m and this, coupled with the building orientation, and the revised roof design with a hipped rear roof slope is considered to provide sufficient relief so as not to cause a harmful overbearing impact on 240a Bitterne Road West. Furthermore the revised window design coupled with the orientation of the windows will not give rise to harmful overlooking. The rear amenity areas have been designed to pull the usable areas away from the garden of 240a with the introduction of a privacy screen and additional planting to limit the overlooking to no. 240a.
- 6.6 The development is compliant with the requirements of the BRE daylight and sunlight guide and will not give rise to harmful loss of light to neighbouring property.
- 6.7 Design, layout and impact on established character
- 6.8 The proposed design and layout of the development is not considered adversely harmful to the character and appearance of the area. Garfield Road and Bitterne Road West predominantly comprises two-storey detached and semi-detached houses and the proposed housing design respects the scale and form of the existing housing within the area. The proposed finishing materials are considered in keeping, with details to be reserved by condition. The building incorporates modern window openings which are not considered harmful and the street scene is not so homogenous that it cannot incorporate design variety. The development will not be prominent within the Garfield Road street scene but will be visible from Bitterne Road West. The development will not detract from the Bitterne Road street scene having regard to the varying levels and building scale within the street. The existing hedgerow and protected trees facing Bitterne Road West will be retained and will mitigate any impact.
- 6.9 Impact on Residential Amenity
- 6.10 The residential amenities of nearby residents will not be adversely harmed. The proposed development will not give rise to harmful sense of enclosure, loss of light, shadowing or overlooking / loss of privacy, having regard to the separation distance, level changes and the orientation of the proposed dwellings in relation to neighbouring properties. Shadow diagrams have been submitted and show an acceptable impact.
- 6.11 The development has been pulled further away from the side boundary of 240a Bitterne Road West by 3 metres to reduce the dominance of the development when viewed from that property. Furthermore the scale, bulk and massing has

been reduced by hiping the rear roof slope. The removal of the existing building will also reduce the enclosure to the garden of 240a Bitterne Road West.

6.12 The development is no longer considered to give rise to harmful overlooking with windows designed to prevent direct overlooking into the rear garden of 240a Bitterne Road West. Windows are orientated to the north-west to face out across the rear amenity area of the development and roof slope of 240a Bitterne Rd West.

6.13 Existing tree planting will filter views and additional planting will help to provide improved privacy to 240a Bitterne Road West. The decked amenity areas have been designed to be pulled away from the garden area of 240a Bitterne Road West and a privacy screen is to be introduced to prevent overlooking from the terrace areas. The first floor bedroom window within the side elevation will look out onto the blank side gable of 55 Garfield Road. The neighbour has also objected.

6.14 Residential Standards

6.15 All new residential development is expected to provide prospective residents with a good living environment. The internal layout is compatible with modern living standards. All habitable rooms will receive good outlook, ventilation and day lighting. The housing will be served by a small decked amenity area, which forms part of a larger garden of between 40 and 50 square metres of usable space (excluding the sloping planted bank) to provide usable amenity space and to reduce activity near to the boundary with 240a Bitterne Road West because of overlooking concerns due to the level differences. This shortfall in amenity space (where 70 square metres is the standard) is accepted because of the constraints of the site. This issue did not previously form a reason for refusal when the proposed gardens were smaller than currently shown.

6.16 Highway Issues

6.17 The application site is within an area, which is defined as a “medium” accessibility zone. The level of parking provision proposed needs to be assessed against the parking standards set out in the adopted Local Plan and Parking Standards SPD, which are maximums. Therefore careful consideration needs to be made of the implications of the proposed number of spaces. The scheme proposes two spaces per dwelling which is the maximum allowed under the Council’s maximum parking standards for three bed housing. There is no national or local policy requirement for the developer to design in visitor parking. Bin storage will be secured by condition and adequate provision has been made within the site for cycle storage. The scheme is fully compliant with our parking and highway requirements as set out in the development plan and Parking SPD.

7.0 Summary

7.1 Overall the scheme is acceptable and the level of development proposed will not result in an adverse impact on the amenities enjoyed by surrounding occupiers or to the character and appearance of the area. The proposed layout and density provides an acceptable residential environment for future occupiers having regard to the constraints of the site and the comments of the previous appeal Inspector. The proposal is consistent with adopted local planning policies and the National Planning Policy Framework.

7.2 A suitable balance has been achieved between securing additional housing, parking, on-site amenity space and landscaping, whilst ensuring that existing residential amenity is not adversely harmed. The development will not lead to harmful levels of traffic, congestion or overspill parking within Garfield Road having regard to the Council’s maximum car parking standards. Furthermore significant weight is given to the merits of housing delivery on this site.

8.0 Conclusion

8.1 It is recommended that planning permission be granted subject to conditions.

Local Government (Access to Information) Act 1985

Documents used in the preparation of this report Background Papers

1(a), 1(b), 1(c), 1(d), 2(b), 2(d), 4(f), 4(g), 4(vv), 6(a), 6(c), 7(a), 8(a), 9(a), 9(b).

AG for 13/05/14 PROW Panel

PLANNING CONDITIONS

01. APPROVAL CONDITION - Full Permission Timing Condition - Physical works
The development works hereby permitted shall begin not later than three years from the date on which this planning permission was granted.

Reason:

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

02. APPROVAL CONDITION - Samples details of building materials to be used [Pre-Commencement Condition]

No work for the construction of the buildings hereby permitted shall commence unless and until details and samples of the materials and finishes to be used for the external walls, windows, doors and roof of the building have been submitted to and approved in writing by the Local Planning Authority. Development shall be implemented only in accordance with the agreed details.

Reason:

To enable the Local Planning Authority to control the development in detail in the interest of the visual amenities of the locality and to endeavour to achieve a building of high visual quality.

03. APPROVAL CONDITION - Hours of work for Demolition / Clearance / Construction [Performance Condition]

All works relating to the demolition, clearance and construction of the development hereby granted shall only take place between the hours of;

Monday to Friday 08:00 hours to 18:00 hours (8.00am to 6.00pm)

Saturdays 09:00 hours to 13:00 hours (9.00am to 1.00pm)

And at no time on Sundays and recognised public holidays.

Any works outside the permitted hours shall be confined to the internal preparations of the buildings without audible noise from outside the building, unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To protect the amenities of the occupiers of existing nearby residential properties.

04. APPROVAL CONDITION - Bonfires [Performance Condition]

No bonfires are to be allowed on site during the period of demolition, clearance and construction.

Reason:

To protect the amenities of the occupiers of existing nearby properties.

05. APPROVAL CONDITION - Glazing - soundproofing from external traffic noise [Pre-Commencement Condition]

Works pursuant to this permission shall not be commenced until a scheme for protecting the proposed houses from traffic noise from Bitterne Road West has been submitted to and approved by the local planning authority in writing. Unless otherwise agreed in writing, that scheme shall specify either:-

Outer pane of glass - 10mm
Air gap between panes - 12mm

Inner pane of glass - 6 mm

or, with secondary glazing with a -

Outer pane of glass - 6mm

Air gap between panes - 100mm

Inner pane of glass - 6.4 mm

There must be no trickle vents installed in any case. For ventilation purposes in all cases, provision of acoustically treated 'BBA' approved mechanically powered ventilation should be the preferred option. However, provision of acoustic trickle vents will be acceptable. Once approved, that glazing shall be installed before any of the flats are first occupied and thereafter retained at all times.

Reason:

In order to protect occupiers of the flats from traffic noise.

06. APPROVAL CONDITION - Residential - Permitted Development Restriction [Permanent Condition]

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended), or any Order amending, revoking or re-enacting that Order, no building or structures within Schedule 2, Part 1, Classes as listed below shall be erected or carried out to any dwelling house hereby permitted without the prior written consent of the Local Planning Authority:

Class A (enlargement of a dwelling house), including a garage or extensions,

Class B (roof alteration),

Class C (other alteration to the roof),

Class D (porch),

Class E (curtilage structures), including a garage, shed, greenhouse, etc.,

Class F (hard surface area)

Class G (heating fuel store)

Reason:

In order that the Local Planning Authority may exercise further control in this locality given the small private garden and amenity areas provided as part of this development in the interests of the comprehensive development and visual amenities of the area.

07. APPROVAL CONDITION - No other windows or doors other than approved [Performance Condition]

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 as amended (or any order amending, revoking or re-enacting that Order), no windows, doors or other openings including roof windows or dormer windows other than those expressly authorised by this permission shall be inserted in the development hereby permitted without the prior written consent of the Local Planning Authority.

Reason:

To protect the amenities of the adjoining residential properties.

08. APPROVAL CONDITION - Means of enclosure and privacy screen [Pre-Occupation Condition]

Before occupation of the development hereby approved, details of the design and specifications of the boundary treatment of the site and privacy screen (as shown on the plans hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The agreed boundary enclosure and privacy screen details shall be subsequently erected prior to the occupation of any of the units provided under this permission and such boundary treatment and privacy screen shall thereafter be retained and maintained to the boundaries of the site.

Reason:

In the interests of the visual amenities of the area and to protect the amenities and privacy of the occupiers of adjoining property

09. APPROVAL CONDITION - Landscaping detailed plan [Pre-Commencement Condition]

Before the commencement of any site works a detailed landscaping scheme and implementation timetable, which clearly indicates the numbers, planting densities, types, planting size and species of trees and shrubs to be planted, and treatment of hard surfaced areas, shall be submitted to and approved in writing by the Local Planning Authority. The landscaping improvements to the rear shall include tree and shrubs species which improve privacy to 240a Bitterne Road West.

The landscaping scheme shall specify all trees to be retained and to be lost and shall provide an accurate tree survey with full justification for the retention of trees or their loss. Any trees to be lost shall be replaced on a favourable basis (a two-for one basis unless circumstances dictate otherwise) to ensure a suitable environment is provided on the site.

Any trees, shrubs, seeded or turfed areas which die, fail to establish, are removed or become damaged or diseased, within a period of 5 years from the date of planting shall be replaced by the Developer in the next planting season with others of a similar size and species unless the Local Planning Authority gives written consent to any variation. The Developer shall be responsible for any replacements for a period of 5 years from the date of planting.

The approved scheme shall be carried out prior to occupation of the building or during the first planting season following the full completion of building works, whichever is sooner. The approved scheme implemented shall be maintained for a minimum period of 5 years following its complete provision.

Reason:

To improve the appearance of the site and enhance the character of the development in the interests of visual amenity, to ensure that the development makes a positive contribution to the local environment and, in accordance with the duty required of the Local Planning Authority by Section 197 of the Town and Country Planning Act 1990. To safeguard the privacy of neighbouring occupiers.

10. APPROVAL CONDITION - Glazing panel specification

The first floor bedroom window in the side (south facing) elevation of the 4-bed dwelling hereby approved shall be glazed in obscure glass to a minimum height of 1.7m above the finished floor level. The window as specified shall be installed before the development hereby permitted is first occupied and shall be permanently maintained in that form.

Reason:

To protect the privacy enjoyed by the occupiers of the adjoining property

11. APPROVAL CONDITION - Bin and bike storage - [Pre Occupation Condition]
Notwithstanding the plans hereby approved details of bin and bicycle storage shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation of the development hereby approved. The bin storage facilities shall include accommodation for the separation of waste to enable recycling. The approved stores shall be retained whilst the development is used for residential purposes.

Reason:

In the interests of the visual appearance of the building and the area in general.

12. APPROVAL CONDITION- Land Contamination investigation and remediation [Pre-Commencement and Occupation Condition]

Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), a scheme to deal with the risks associated with contamination of the site shall be submitted to and approved by the Local Planning Authority. That scheme shall include all of the following phases, unless identified as unnecessary by the preceding phase and approved in writing by the Local Planning Authority:

1. A desk top study including;
 - historical and current sources of land contamination
 - results of a walk-over survey identifying any evidence of land contamination
 - identification of the potential contaminants associated with the above
 - an initial conceptual site model of the site indicating sources, pathways and receptors
 - a qualitative assessment of the likely risks
 - any requirements for exploratory investigations.
2. A report of the findings of an exploratory site investigation, characterising the site and allowing for potential risks (as identified in phase 1) to be assessed.
3. A scheme of remediation detailing the remedial actions to be taken and how they will be implemented.

On completion of the works set out in (3) a verification report shall be submitted to the Local Planning Authority confirming the remediation actions that have been undertaken in accordance with the approved scene of remediation and setting out any measures for maintenance, further monitoring, reporting and arrangements for contingency action. The verification report shall be approved by the Local Planning Authority prior to the occupation or operational use of any stage of the development.

Any changes to these agreed elements require the express consent of the local planning authority.

Reason:

To ensure land contamination risks associated with the site are appropriately investigated and assessed with respect to human health and the wider environment and where required remediation of the site is to an appropriate standard.

13. APPROVAL CONDITION - Use of uncontaminated soils and fill [Pre-Commencement Condition]

Clean, uncontaminated soil, subsoil, rock, aggregate, brick rubble, crushed concrete and ceramic shall only be permitted for infilling and landscaping on the site. Any such materials imported on to the site must be accompanied by documentation to validate their quality and be submitted to the Local Planning Authority for approval prior to the occupancy of the site.

Reason:

To ensure imported materials are suitable and do not introduce any land contamination risks onto the development.

14. APPROVAL CONDITION- Unsuspected Contamination [Performance Condition]

The site shall be monitored for evidence of unsuspected contamination throughout construction. If potential contamination is encountered that has not previously been identified no further development shall be carried out unless otherwise agreed in writing by the Local Planning Authority.

Works shall not recommence until an assessment of the risks presented by the contamination has been undertaken and the details of the findings and any remedial actions has been submitted to and approved by the Local Planning Authority.

Any changes to the agreed remediation actions will require the express written consent of the Local Planning Authority.

Reason:

To ensure any land contamination not previously identified is assessed and remediated so as not to present any significant risks to human health or, the wider environment.

15. APPROVAL CONDITION - Code for Sustainable Homes [Pre-Commencement Condition]

Before the development commences, written documentary evidence demonstrating that the development will achieve at minimum Level 4 of the Code for Sustainable Homes in the form of a design stage assessment, shall be submitted to the Local Planning Authority for its approval, unless an otherwise agreed timeframe is agreed in writing by the LPA.

Reason:

To ensure the development minimises its overall demand for resources and to demonstrate compliance with policy CS20 of the Local Development Framework Core Strategy Development Plan Document Adopted Version (January 2010).

16. APPROVAL CONDITION - Code for Sustainable Homes [Performance Condition]

Within 6 months of any part of the development first becoming occupied, written documentary evidence proving that the development has achieved at minimum Level 4 of the Code for Sustainable Homes in the form of post construction assessment and certificate as issued by a legitimate Code for Sustainable Homes certification body, shall be submitted to the Local Planning Authority for its approval.

Reason:

To ensure the development has minimised its overall demand for resources and to demonstrate compliance with policy CS20 of the Local Development Framework Core Strategy Development Plan Document Adopted Version (January 2010).

17. APPROVAL CONDITION - Tree Retention and Safeguarding [Pre-Commencement Condition]

All trees to be retained pursuant to any other condition of this decision notice shall be fully safeguarded during the course of all site works including preparation, demolition, excavation, construction and building operations. No operation in connection with the development hereby permitted shall commence on site until the tree protection as agreed by the Local Planning Authority has been erected. Details of the specification and position of all protective fencing shall be indicated on a site plan and agreed with the Local Planning Authority in writing before any site works commence. The fencing shall be maintained in the agreed position until the building works are completed, or until such other time that may be agreed in writing by the Local Planning Authority following which it shall be removed from the site.

Reason:

To ensure that trees to be retained will be adequately protected from damage throughout the construction period.

18. APPROVAL CONDITION - no storage under tree canopy [Performance Condition]

No storage of goods including building materials, machinery and soil, shall take place underneath the crown spread of the trees to be retained on the site. There will be no change in soil levels or routing of services through tree protection zones or within canopy spreads, whichever is greater. There will be no fires on site. There will be no discharge of chemical substances including petrol, diesel and cement mixings within the tree protection zones or within canopy spreads, whichever is greater.

Reason:

To preserve the said trees in the interests of the visual amenities and character of the locality.

19. APPROVAL CONDITION - Overhanging tree loss [Performance Condition]

For the duration of works on the site no trees on or overhanging the site shall be pruned/cut, felled or uprooted otherwise than shall be agreed in writing by the Local Planning Authority. Any tree removed or significantly damaged, other than shall be agreed, shall be replaced before a specified date by the site owners /site developers with two trees of a size, species, type, and at a location to be determined by the Local Planning Authority.

Reason:

To secure a satisfactory setting for the proposed development and to ensure the retention, or if necessary replacement, of trees which make an important contribution to the character of the area.

20. APPROVAL CONDITION - Arboricultural Method Statement [Pre-Commencement Condition]

No operation in connection with the development hereby permitted shall commence on site until a site specific Arboricultural Method Statement in respect of the protection of the trees during all aspects of work on site is submitted and agreed in writing by the Local Planning Authority. It will be written with contractors in mind and will be adhered to throughout the duration of the demolition and development works on site. The Method Statement will include the following:

1. A specification for the location and erection of protective fencing around all vegetation to be retained
2. Specification for the installation of any additional root protection measures

3. Specification for the removal of any built structures, including hard surfacing, within protective fencing areas.
4. Specification for the construction of hard surfaces where they impinge on tree roots
5. The location of site compounds, storage areas, car parking, site offices, site access, heavy/large vehicles (including cranes and piling rigs)
6. An arboricultural management strategy, to include details of any necessary tree surgery works, the timing and phasing of all arboricultural works and protection measures.
7. Specification for soft landscaping practices within tree protection zones or the canopy of the tree, whichever is greatest.

Reason

To ensure that provision for trees to be retained and adequately protected throughout the construction period has been made.

21. APPROVAL CONDITION ' Archaeological investigation [Pre-Commencement Condition]

No development shall take place within the site until the implementation of a programme of archaeological work has been secured in accordance with a written scheme of investigation which has been submitted to and approved by the Local Planning Authority.

Reason:

To ensure that the archaeological investigation is initiated at an appropriate point in development procedure.

22. APPROVAL CONDITION ' Archaeological work programme [Performance Condition]

The developer will secure the completion of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved by the Local Planning Authority.

Reason:

To ensure that the archaeological investigation is completed.

23. APPROVAL CONDITION - Material Storage (Pre-Commencement Condition)

No work shall be carried out on site unless and until provision is available within the site, in accordance with details to be submitted to and approved in writing by the Local Planning Authority, for all temporary contractors buildings, plant and stacks of materials and equipment associated with the development and such provision shall be retained for these purposes throughout the period of work on the site. At no time shall any material or equipment be stored or operated from the public highway.

Reason:

To avoid undue congestion on the site and consequent obstruction to access.

24. APPROVAL CONDITION - Car Parking

The car parking area shown on the approved drawing shall be laid out and surfaced before the use hereby permitted commences and shall thereafter be kept clear and maintained at all times for that purpose.

Reason:

To prevent obstruction to traffic in neighbouring roads.

25. APPROVAL CONDITION - Approved Plans

The development hereby permitted shall be carried out in accordance with the approved plans listed in the schedule attached below, unless otherwise agreed in writing with the Local Planning Authority.

Reason:

For the avoidance of doubt and in the interests of proper planning.

26. APPROVAL CONDITION - Demolition and Construction Method Statement

Before any building or demolition works are commenced further details shall be submitted to and approved in writing by the Local Planning Authority making provision for a Demolition and Construction Method Statement (DCMS) for the development. The DCMS shall include details of: (a) parking of vehicles of site personnel, operatives and visitors; (b) loading and unloading of plant and materials; (c) storage of plant and materials, including cement mixing and washings, used in constructing the development; (d) treatment of all relevant pedestrian routes and highways within and around the site throughout the course of construction and their reinstatement where necessary; (e) measures to be used for the suppression of dust and dirt throughout the course of demolition and construction; (f) details of construction vehicles wheel cleaning; (g) details of how noise emanating from the site during construction will be mitigated; and, (h) details of the Site Manager's telephone number that residents can use in the event that they wish to raise concerns. The approved DCMS shall be adhered to throughout the development process unless agreed otherwise in writing by the local planning authority.

Reason:

In the interest of health and safety, protecting the amenity of local land uses, neighbouring residents, the character of the area and highway safety.