

Discharge of condition
reference number: PA/2016/248

(please quote in all correspondence)

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7 March 2017

Mr Howard Wroot
Howard J Wroot Chartered Surveyor
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Dear Sir/Madam

**Application to discharge conditions attached to planning permission
PA/2013/0786 – Land adjacent to Grove House, 60 Outgate, Ealand, DN17 4JD**

Following your request to discharge conditions, please see my comments below:

5.

No development shall take place until details of:

- (i) the location and layout of the vehicular access; and
- (ii) the number, location and layout of vehicle parking and turning spaces within the curtilage of the site;

have been submitted to and approved in writing by the local planning authority.

The submitted details are considered acceptable to discharge this condition.

7.

The existing vehicular access to the site shall be improved within highway limits in accordance with details to be submitted to and approved in writing by the local planning authority.

The submitted details are considered acceptable to discharge this condition.

8.

No development shall take place until details showing an effective method of preventing surface water run-off from hard paved areas within the site onto the highway have been submitted to and approved in writing by the local planning authority. These facilities shall be implemented prior to the access and parking facilities being brought into use.

The submitted details are considered acceptable to discharge this condition.

11.

No development shall begin until details of the private driveway, including drainage and lighting arrangements, have been submitted to and approved in writing by the local planning authority and no dwelling on the site shall be occupied until the private driveway has been constructed in accordance with the approved details. Once constructed the private driveway shall be retained.

The submitted details are considered acceptable to discharge this condition.

13.

Adequate facility for bin storage/collection shall be provided within the curtilage of the site in accordance with details to be submitted to and approved in writing by the Local Planning Authority before any of the dwellings are first occupied.

The submitted details are considered acceptable to discharge this condition.

14.

No development shall take place until a scheme for the disposal of foul and surface water has been agreed in writing by the local planning authority and none of the dwellings shall be occupied until it is connected to the approved drainage system.

The submitted details are considered acceptable to discharge this condition.

17.

Unless otherwise agreed by the local planning authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until parts 1 to 4 below have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the local planning authority in writing until part 4 has been complied with in relation to that contamination.

Part 1: Site Characteristics

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the local planning authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the local planning authority. The report of the findings must include:

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

(ii) an assessment of the potential risks to:

- human health

- property (existing or proposed), including buildings, crops, livestock, pets, woodland and service lines and pipes

- adjoining land

- groundwaters and surface waters
- ecological systems
- archaeological sites and ancient monuments;

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

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

Part 2: Submission of Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the local planning authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, a 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.

Part 3: Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the local planning authority. The local planning authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the local planning authority.

Part 4: Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the local planning authority. An investigation and risk assessment must be undertaken in accordance with the requirements of Part 1, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of Part 2, which is subject to the approval in writing of the local planning authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the local planning authority in accordance with Part 3.

The submitted details are considered acceptable in relation to part 1 of this condition. Further information is required before the remain parts of the condition can be satisfied

18.

At least one dwelling on the site shall be made affordable and none of the dwellings shall be occupied until details of the arrangements for the provision of affordable housing have been agreed in writing by the Local Planning Authority. Such details shall include:

- i) arrangements to ensure that the dwellings remain available as affordable units both for initial and subsequent occupiers; and
- ii) the occupancy criteria to be used for determining the identify of perspective and successive occupiers of the housing and the means by which such criteria will be enforced.

This condition has been previously removed and is therefore considered to be discharged

19.

No development shall take place until a survey has been undertaken to establish whether there are bat roosts in the buildings within the site. The survey shall indicate what mitigation measures are to be undertaken to ensure bat access to roosts is incorporated within the development and shall be agreed in writing by the local planning authority before development is commenced.

The submitted details are considered acceptable to discharge this condition.

21.

No development shall take place until samples of the external facing materials to be used have been submitted to and approved in writing by the local planning authority and only the approved materials shall be used.

The submitted details are considered acceptable to discharge this condition.

Yours faithfully

Leanne Pogson-Wray