

ADDENDUM REPORT PLANNING COMMITTEE 15th OCTOBER 2009

Item: 6.9

Site: Land at Woodland Terrace Lane, Plymouth

Ref: 09/00832

Applicant: Mr Brook Street Properties Ltd

Pages: 63-70

Members are advised of the following addendum items in respect of this application:-

1. Additional conditions

The following conditions are recommended to a) deal with any potential land contamination issues at the site and b) restrict the use of the development to sheltered/supported housing while allowing flexibility with respect to the type of client benefitting from the accommodation:-

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 conditions 1 to 4 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 condition 4 has been complied with in relation to that contamination.

1. Site Characterisation

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 desk study characterising the site and identifying potential risks from contamination
- (ii) a survey of the extent, scale and nature of contamination;
- (iii) 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,
 - archeological sites and ancient monuments;

(iv) an appraisal of remedial options, and 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'*.

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, 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.

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.

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 condition 1, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 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 condition 3.

Reason (common to all): To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

The development hereby permitted shall be used for sheltered or supported residential accommodation only and details of the type of client residing in the flats, and any future changes to the type of client, shall be submitted to and approved in writing by the Local Planning Authority before the flats are occupied by such persons.

Reason The development is considered appropriate for use by persons in need of shelter or support but the use by individual client groups needs to be assessed with regard to the impact on existing infrastructure, i.e. the highway network.

The development hereby permitted shall incorporate on-site renewable energy production equipment in accordance with details to be submitted to and approved in writing by the Local Planning Authority and such equipment shall be implemented before any of the units is first occupied and thereafter retained.

Reason In order to contribute towards reducing the city's use of non-renewable resources, in accordance with policy CS20 of the Core Strategy of Plymouth's Local Development Framework 2007.

INFORMATIVE – It is recommended that, notwithstanding the approved use of the existing surface water mains sewer, the applicant seeks to comply with the Environment Agency's surface water management good practice advice.

2. Additional letter of representation

One letter has been received, which states that unless the Scot Dann Community Boxing Hall is safe from demolition they are against the application. Losing this valuable community fitness/recreation space would be a crying shame and very very sad.