

ITEM:		RECOMMENDATION:	APPROVAL
REF NO:	3PL/2022/0517/F	CASE OFFICER	Naomi Minto
LOCATION:	THETFORD Lime Kiln Lane	APPNTYPE:	Full
APPLICANT:	Rafkins (Thetford) Limited ..	POLICY:	In Settlemnt Bndry
AGENT:	Pegasus Group 39 Bennetts Hill Birmingham	CONS AREA:	N
PROPOSAL:	The erection of a stand-alone two storey drive-thru restaurant (Use Class E/Sui Generis) and associated works.		
		LB GRADE:	N
		TPO:	N

REASON FOR COMMITTEE CONSIDERATION

The application is being considered at planning Committee given local interest in the application and Member call-in.

KEY ISSUES

- Principle of Development
- Design and impact on character and appearance of surrounding area
- Highway Safety
- Impact on Amenity
- Nutrient Neutrality
- Other matters

DESCRIPTION OF DEVELOPMENT

The application seeks planning permission for the construction of a drive-thru restaurant falling within Use Classes E (Cafe/restaurant) and Sui Generis (take away), and associated works. The proposed occupant is Burger King. The proposed unit would comprise of approximately of approximately 280sqm across two floors. A servicing and refuse yard is proposed to the rear. This would be enclosed by vertical tanalised timber planks mounts on steel horizontal support rails. Red multi brick is proposed to match the existing adjacent buildings. A powder coated aluminium roof capping is proposed with downlights to soffit. A Tower feature with timber effect cladding is proposed to the north and east facing elevations.

The development of the application site would result in the car parking spaces for the retail park reduce to 50 standard spaces and 3 accessible bays, including the provision of one additional bay to the north and a large order bay at the drive-thru lane exit point. 5 new Sheffield Stands are proposed adjacent to the western border of the existing Halfords store. This would result in a total of 23 cycle parking spaces across Thetford Retail Park.

The submitted plans detail various advertising on the proposed building, across the application site and the wider retail park, however, it does not appear that an associated advertisement consent application has been submitted.

SITE AND LOCATION

The site is located on the Thetford Retail Park (often referred to as Lime Kiln Lane) which is situated within the Town Centre boundary, as defined on the adopted Proposals map. The site can be considered as an edge of centre site as it is outside the Primary Shopping Area but within the Town Centre boundary. There are no other designations of note at the application site or within close proximity.

The site approximately 0.23 acres in size, consisting of an unused piece of land between existing Halfords and Jollyes Pet Shop/Farmfoods retail units. Access is via Lime Kiln Lane which encircles the site. A number of residential properties are sited to the south of the application site, on the opposite side of Lime Kiln Lane.

EIA REQUIRED

No

RELEVANT SITE HISTORY

3PL/2006/0955/O	Permission	18-09-06
Infill retail unit		
3PL/2007/0895/F	Permission	06-08-07
Variation of condition 10 on pp 3PL/2006/0955/O in order to allow for sale of all non-food retail goods		
3PL/2016/0865/D	Permission	14-09-16
Infill retail unit		
3TL/2010/0045/TL	Permission	21-09-10
Extension of time limit on pp 3PL/2007/0895/F - to allow for sale of all non-food retail goods/vary condition 10		
3TL/2013/0008/TL	Permission	08-08-13
Extension of time limit on pp 3TL/2010/0045/TL - to allow for sale of all non-food retail goods/vary condition 10		

POLICY CONSIDERATIONS

The following policies of the Breckland Local Plan, including the Proposals Maps, have been taken into consideration in the determination of this application. The provisions of the National Planning Policy Framework and National Planning Policy Guidance have also been taken into account, where appropriate

COM01	Design
COM02	Healthy Lifestyles
COM03	Protection of Amenity
EC05	Town Centre and Retail Strategy

ENV02	Biodiversity protection and enhancement
ENV05	Protection and Enhancement of the Landscape
ENV06	Trees, Hedgerows and Development
ENV09	Flood Risk & Surface Water Drainage
GEN01	Sustainable Development in Breckland
GEN02	Promoting High Quality Design
GEN03	Settlement Hierarchy
NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance
TH2	Approach to the Town Centre
TR01	Sustainable Transport Network
TR02	Transport Requirements

OBLIGATIONS/CIL

Not applicable

CONSULTATIONS

THETFORD T C

Objection.

- Significantly increased traffic congestion at mini round about and due to cars queuing for drive through
- Safety issues during deliveries due to small service area
- Increase smell nuisance
- Increase noise nuisance
- Decrease in air quality Increase litter issues, already fly tipping issues in area
- Concerns about commercial waste disposal arrangements
- Activities restricts access to residents drives and properties
- Loss of parking spaces
- This council supports the concerns of the Highways and Environmental Health Officers which all need to be resolved.

NORFOLK COUNTY COUNCIL HIGHWAYS

No objection, subject to conditions.

ENVIRONMENTAL HEALTH OFFICERS

No objection, subject to conditions.

CONTAMINATED LAND OFFICER

It would appear from this site's past planning history that contaminated land conditions are present on past decision notices. I have not had sight of any information indicating that contaminated land information has been submitted. I would therefore recommend that the previous contaminated land conditions are applied.

REPRESENTATIONS

A site notice was erected on 10th June 2022 and neighbouring residents consulted. 8 representations have been received, objecting to the proposal on the following grounds:

- Overdevelopment of site
- Highways safety concerns
- Loss of car parking/parking stress
- Insufficient servicing area for all uses at retail park
- Increase in noise
- Unpleasant odours
- Anti-social behaviour
- Public health concerns due to proposed fast food use
- Overlooking
- Negative impact on property values
- Litter
- Refuse storage/Vermin
- Unsuitable location

A letter of representation was also received from Local Ward Member, Councillor James, objecting to the proposal on the following grounds:

- Public health concerns due to proposed fast food use
- Highways safety concerns
- Loss of car parking/parking stress
- Insufficient servicing area for all uses at retail park
- Increase in noise
- Unpleasant odours
- Refuse storage/Vermin
- Litter
- Anti-social behaviour

ASSESSMENT NOTES

1.0 Principle of Development

1.1 The application seeks full planning permission for the construction of a drive-thru restaurant unit and associated works on land forming part of the Thetford Retail Park (often referred to as Lime Kiln Lane) which is situated within the Town Centre boundary, as defined on the adopted Proposals map. The proposal would comprise uses falling within Use Classes E (cafe or restaurant) and Sui Generis (take away) of the Use Classes (England) Order 1987, as amended by the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020. Policy EC 05 of the Breckland Local Plan (adopted 2019), which relates to Town Centre and Retail Strategy, states that designated Town Centres are suitable for any town centre uses as defined by national policy. The NPPF (2021) defines town centre uses as including restaurants and drive-through restaurants.

1.2 Therefore, in light of the submitted details, the application is considered to be compliant with Policy EC 05 of the Breckland Local Plan and the principle of development is therefore considered acceptable.

2.0 Design and impact on character and appearance of surrounding area

2.1 Policy GEN 02 of the adopted Breckland Local Plan seeks to ensure high quality design in all development within the District. It sets out a number of key tests that proposals should comply with, including ensuring that development respects and is sensitive to the character of the surrounding area and makes a positive architectural and urban design contribution to its context and location. Policy COM 01 provides further detailed design guidance, including the need for new development to integrate to a high degree of compatibility with the surrounding area.

2.2 It is proposed that the site will comprise a restaurant unit (comprising 280sqm across two floors), plus drive thru facilities, to be occupied by Burger King. The proposed unit would be of a similar height to the existing units to the east and west. The proposed modern design and use of red brickwork would match the adjacent retail units. It is accepted that the location of the units towards the rear of the retail park will not have an adverse impact on the street scene, when viewed from Lime Kiln Lane. Accordingly, the impact on the surrounding landscape is considered acceptable.

2.3 In respect of crime prevention and the management of litter, it is recommended that the proposed bins to be used should be fire resistant. It is noted that the proposed bins would be located within a secure timber fence compound to the rear of the building. In addition, it is recommended that the bins themselves have locks installed.

2.4 In respect of the proposed buildings, it is recommended that all ground floor windows and doors be fitted with laminated glass. This not only protects the occupants against accidental breakages, such as vehicles throwing up stones or anti-social behaviour but also against ease of access. It takes some effort, time and noise to breach a laminated pane and can afford increased security to vulnerable areas / rooms. Furthermore, it is recommended that all easily accessible windows should be certified to PAS 24-2016 or a compatible standard.

2.5 Whilst the application details do not appear to include the provision on CCTV, it is recommended that if CCTV is to be installed at this location, it should cover the car parking area as well as the building.

2.6 In light of the above considerations, the application is considered to be compliant with the requirements of Policies COM 01 and GEN 02, subject to the provision of conditions.

3.0 Highway Safety

3.1 Policies COM 01(m) and TR 02 of the Breckland Local Plan seek to ensure that all access and safety concerns are resolved in new developments. Paragraphs 110 and 111 of the NPPF (2021) are also relevant planning considerations when assessing an application in terms of highway safety.

3.2 A number of objections have been received from local residents and the Town Council, citing concerns with parking and highways safety. A Transport Statement has been submitted in support of the application. This sets out that 90% of trips to drive-thru restaurants are diverted or linked trip rather than a new trip. A parking assessment is included within the Transport Statement, setting out that the proposed use would result in a maximum utilisation of the car park of 72% of capacity at the peak times. The Transport Statement also purports to demonstrate that servicing arrangements will not result in any adverse impact on the public highway.

3.5 The Local Highway Authority has been consulted and advised that *"a number of vehicles overrun the existing mini roundabout with the associated carriageway marking subject to wear."* As such, it was advised

that the applicant will be required to provide minor improvements to the roundabout. This would be through the provision of a central dome to discourage vehicles from overrunning / straight lining the roundabout and improve better lane discipline. The off-site works will be delivered by a Section 278 Agreement and the precise delivery mechanism will be determined as the works are brought forward.

3.6 Whilst the Local Highway Authority acknowledged that the proposals would result in a reduction of on-site vehicular parking provision to 49 spaces, they also accepted that the proposal includes provision of additional covered cycle parking for staff / visitor use. Furthermore, they advised that the existing car park is under-utilised and that the proposed parking levels are acceptable. This is due to the level of shared parking available for all 4 units, the options available for sustainable travel and the likely linked trips with the nearby businesses. In regard to servicing, it was advised that sufficient opportunity will still be available either by vehicles reversing into the shared delivery bay or pulling onto the remaining area adjacent to Lime Kiln Lane to safely serve the site.

3.7 The Local Highway Authority has raised no objection to the proposal, subject to the inclusion of conditions with any forthcoming planning permission. The application is therefore considered to be compliant with the requirements of Policies COM 01(m) and TR 02 of the Breckland Local Plan, whilst also having due regard to paragraphs 110 and 111 of the NPPF (2021).

4.0 Impact on Amenity

4.1 Policy COM 03 of the adopted Breckland Local Plan seeks to protect residential amenity and requires all new development to have regard to amenity considerations. Development will not be permitted where there are unacceptable effects on the amenities of the area. A number of objections have been received from local residents, as well as the Town Council, raising amenity concerns, particularly in respect of noise, odour and other forms of disturbance.

4.2 Given the siting, height and intervening distances to the existing dwellings to the south, the proposed building would not give rise to any unacceptable loss of amenity for the occupants of those dwellings, when having regard to overlooking, visual dominance and overshadowing considerations. With respect to the implications on neighbouring residents through noise and disturbance caused by additional activity and servicing to the rear of the site, it is noted that the area along Lime Kiln Lane is already used to access and service the existing Jollies and Halfords retail units and is therefore subject to an existing level of activity.

4.3 Noise, odour and other forms of disturbance were also considered by the Environmental Health team, who initially objected to the proposals on the basis that insufficient information had been submitted for consideration. Their main concerns related to how odour, pest control, litter / waste and noise would be addressed. The applicant has since submitted additional information including a Specification & EMAQ Report to address odour concerns and an e-mail to address other matters of concern raised by Environmental Health. Upon a re-consultation with Environmental Health, no objection has been raised, subject to the inclusion of conditions with any forthcoming planning permission. Whilst objector comments are noted, the applicant has worked with the Council to address amenity concerns and it is therefore considered that the revised application has due regard to amenity considerations and as a result it is now compliant with the requirements of Policy COM 03, subject to conditions.

5.0 Nutrient Neutrality

5.1 This application has been assessed against the conservation objectives for the protected habitats of the River Wensum Special Area of Conservation and the Broads Special Area of Conservation and Ramsar site concerning nutrient pollution in accordance with the Conservation of Species and Habitats Regulations 2017

(as amended) (Habitats Regulations). The Habitat Regulations require Local Planning Authorities to ensure that new development does not cause adverse impacts to the integrity of protected habitats such as the River Wensum or the Broads prior to granting planning permission.

5.2 The application site is located outside of the catchment area of the sites identified by Natural England. The development proposed does not involve the creation of additional overnight accommodation and will not result in an increase in the activities currently taking place on site. It is therefore considered unlikely to lead to a significant effect as it would not involve a net increase in population in the catchment. This application has been screened, using a precautionary approach, as unlikely to have a significant effect on the conservation objectives either alone or in combination with other projects and there is no requirement for additional information to be submitted to further assess the effects. The application can, in respect of nutrient neutrality, be safely determined having due regard to the Conservation of Species Habitats Regulations 2017 (as amended).

6.0 Other matters

6.1 The Contaminated Land Officer raised no objection, based on the accuracy of the information provided. They did however recommend the inclusion of conditions. With this in mind, the application is considered to have due regard to Policy COM 03(8) of the Breckland Local Plan.

6.2 A number of the objections received refer to the public health implications of the proposal resulting from the proposed fast food use. In this regard it is noted that the proposed facility is located within a designated town centre location, which is the preferred location for such uses, as set out within both national and local planning policy. Neither is it considered that there would be a proliferation of such uses within the immediate surrounding area. Whilst it is noted that the application site is located within 300m of a school (Norwich Road Academy), there are no Local Plan policies or Supplementary Planning Guidance restricting the proximity of fast food outlets to educational facilities.

6.3 Chapter 14 of the NPPF (2021) and Policy ENV 09 of the Breckland Local Plan seek to minimise the risks of flooding by directing new development away from areas at highest risk of flooding and for new development not to increase flood risk elsewhere. Having checked the Government's flood risk maps, it is accepted that the site is in Flood Zone 1 and at a very low risk from surface water and river flooding. The application is therefore compliant with the requirements of Policy ENV 09.

7.0 Conclusion

7.1 In consideration of the overall planning balance of the scheme, the proposal is considered acceptable in principle, having regard to its location on an established retail park and within a town centre location, of which Thetford is a Key Settlement within the District. In addition, it would provide employment opportunities within the District and enhance service facilities available. It would also result in minor highway safety improvement measures to the existing mini roundabout, which connects Norwich Road with Lime Kiln Lane, subject to a Section 278 Agreement.

7.2 The proposal would not compromise other business uses on the retail park, nor would it harm the vitality and viability of Thetford town centre. It would not give rise to any significant landscape or ecological harm. In addition, the application is considered acceptable when having due regard to amenity, nutrient neutrality, contamination and flood risk considerations. Accordingly, the application is recommended for approval, subject to conditions and a Section 278 Agreement to secure highway safety improvement works in respect of the nearby mini roundabout.

RECOMMENDATION

Recommended for approval, subject to the following conditions.

CONDITIONS

- 1 Full permission 3 year time limit**

The development hereby permitted shall be begun before the expiration of THREE YEARS from the date of this permission.

Reason for condition:- To comply with section 91 of the Town & Country Planning Act 1990 (as amended).
- 2 In accordance with submitted plans NEW 2017**

The development shall be carried out in strict accordance with the application form, and approved documents and drawings as set out in the table at the end of this notice.

Reason for condition:- To ensure the satisfactory development of the site, in accordance with Policy COM 01 of the Breckland Local Plan (adopted 2019).
- 3 External materials as approved**

The development hereby permitted shall be constructed using the materials specified on the planning application form and / or submitted drawings.

Reason for condition:- To enable the Local Planning Authority to ensure the satisfactory appearance of the development, as required by Policies COM 03, GEN 02 and COM 01 of the Breckland Local Plan (adopted 2019).
- 4 Implementation of submitted boundary treatment**

The boundary treatment shown on the plans and particulars hereby approved shall be constructed in the manner shown and completed before the building(s) is first occupied.

Reason for condition:- In the interests of the satisfactory appearance of the development in accordance with Policies GEN 02 and COM 01 of the Breckland Local Plan (adopted 2019).

This condition will require to be discharged
- 5 Prior to the first occupation/use of the development hereby**

Prior to the first use of the development hereby permitted, the proposed access / on-site car and cycle parking / servicing / loading / unloading / turning / waiting area shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.

Reason for condition:- To ensure the permanent availability of the parking/manoeuvring areas, in the interests of satisfactory development and highway safety in accordance with Policies TR 01 and TR 02 of the Breckland Local Plan (adopted 2019).
- 6 Development shall not commence until a scheme detailing**

No development shall commence, unless or until a scheme detailing provision for on-site

parking for construction workers for the duration of the construction period has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented throughout the construction period.

Reason for condition:- To ensure adequate off-street parking during construction in the interests of highway safety in accordance with Policies TR 01 and TR 02 of the Breckland Local Plan (adopted 2019). This needs to be a pre-commencement condition as it deals with the construction period of the development.

7 **Prior to the commencement of any works a Construction**

Prior to the commencement of development, a Construction Traffic Management Plan and Access Route which shall incorporate adequate provision for addressing any abnormal wear and tear to the highway together with wheel cleaning facilities shall be submitted to and approved in writing by the Local Planning Authority together with proposals to control and manage construction traffic using the 'Construction Traffic Access Route' and to ensure no other local roads are used by construction traffic. The development shall be carried out in accordance with the approved details.

Reason for condition:- In the interests of maintaining highway efficiency and safety in accordance with Policies TR 01 and TR 02 of the Breckland Local Plan (adopted 2019). This needs to be a pre-commencement condition as it deals with safeguards associated with the construction period of the development.

8 **For the duration of the construction period all traffic**

For the duration of the construction period all traffic associated with (the construction of) the development will comply with the Construction Traffic Management Plan and use only the 'Construction Traffic Access Route' and no other local roads unless otherwise first approved in writing by the Local Planning Authority.

Reason for condition:- In the interests of maintaining highway efficiency and safety in accordance with Policies TR 01 and TR 02 of the Breckland Local Plan (adopted 2019).

9 **Notwithstanding the details indicated on the submitted**

Notwithstanding the details indicated on the submitted drawings no works above slab level shall commence on site unless otherwise first agreed in writing until detailed drawings for the off-site highway improvement works (improvements to the existing mini roundabout on Norwich Road) have been submitted to and approved in writing by the Local Planning Authority.

Reason for condition:- To ensure that the highway improvement works are designed to an appropriate standard in the interest of highway safety and to protect the environment of the local highway corridor in accordance with Policies TR 01 and TR 02 of the Breckland Local Plan (adopted 2019).

10 **Prior to the first occupation/use of the development hereby**

Prior to the first use of the development hereby permitted the off-site highway improvement works referred to in condition 9 of this permission shall be completed to the written

satisfaction of the Local Planning Authority.

Reason for condition:- To ensure that the highway network is adequate to cater for the development proposed in accordance with Policies TR 01 and TR 02 of the Breckland Local Plan (adopted 2019).

11 Non-standard condition

Prior to first use of the development hereby permitted, full details of the extraction system to be used shall be submitted and agreed by the local planning authority. The system shall include fine filtration or pre filters followed by carbon filtration with carbon filters rated with a 0.2 - 0.4 second residence time or an equivalent system proving the same or greater level of arrestment. The discharge stack shall discharge the extracted air not less than 1 meter above the roof ridge of any building within 20 meters of the building, housing the commercial kitchen, or if this cannot be complied with for planning reasons then the extracted air shall be discharged not less than 1 meter above the roof edges, of the building housing the commercial kitchen. The stack shall not include any type of cowl or collar which causes odour to be directed downwards. The efflux velocity at the discharge point shall not be less than 15m/sec. The extraction system shall be installed and regularly maintained in line with the manufacturers' instruction to ensure its continued satisfactory operation with full records kept to show details of maintenance, repairs and cleaning, these records to be available to officers of the Council on request.

The cooking process shall cease to operate if at any time the extraction equipment ceases to function to the satisfaction of the Local Planning Authority.

Reason for condition:- In the interest of the amenities of nearby residents, in accordance with COM 03 of the Breckland Local Plan (adopted 2019).

12 Non-standard condition

Lockable bin storage shall be provided for all commercial waste when stored outside of the building. Bins shall remain closed with any plugs in place and locked at all times except when waste is being deposited or on the day of collection. The storage of any waste or used cooking oil outside of the building shall be within sealed containers. All waste to be removed and disposed of regularly by a registered contractor.

Reason for condition:

In the interest of the amenities of nearby residents, in accordance with COM 03 of the Breckland Local Plan (adopted 2019).

13 Non-standard condition

Noise from the development measured as a Rating level, as defined within BS 4142:2014+A1:2019 (or the equivalent relevant UK adopted standard in force at the time of the measurements), shall not exceed 3dBA over the background noise level measured as an LA90 (level exceeded 90% of the time) on the boundary with the nearest affected residential properties. The LA90 and the Rating level shall be measured using the principles contained in BS 4142:2014+A1:2019 and shall be measured over 1 hour between the hours of 07:00 and 23:00 and over 15 minute periods between the hours of 23:00 and 07:00. All measurements to be taken with a sound level meter of IEC 651 Type 1, or BS EN 61672 Class 1, standard (or the equivalent relevant UK adopted standard in force at the time of the measurements) set to measure using a fast time weighted response. This shall be calibrated in accordance with the procedure specified in BS 4142:2014+A1:2019 (or the equivalent relevant UK adopted standard in force at the time of the measurements).

Reason for condition:- In the interest of the amenities of nearby residents, in accordance with COM 03 of the Breckland Local Plan (adopted 2019).

14 Non-standard condition

No deliveries shall be made to the site, materials unloaded, refrigerated units run nor engines idled outside the following times:

08:00 - 18:00 Monday to Friday

Reason for condition:

In the interest of the amenities of nearby residents, in accordance with COM 03 of the Breckland Local Plan (adopted 2019).

15 Non-standard condition

Any individual illuminated signs shall not exceed a level of luminance greater than 400CD/m². Illuminated signs shall not be illuminated between the hours of 23:00 - 10:00

Reason for condition:

In the interest of the amenities of nearby residents, in accordance with COM 03 of the Breckland Local Plan (adopted 2019).

16 Net Gain in Biodiversity

Prior to first use of the building hereby approved, a scheme demonstrating how net gains for biodiversity are being secured as part of the development, shall be submitted to and approved in writing by the Local Planning Authority. This could include bird/bat boxes and swift bricks for example. The development shall be carried out in accordance with the approved details, prior to first occupation.

Reason for condition:- To ensure a net gain in biodiversity in accordance with Policy ENV 02 of the Breckland Local Plan (adopted 2019).

17 Desk study/ site investigation

Unless otherwise first agreed in writing, the following details shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development hereby approved:

A. Desk Study

A desk study and risk assessment to determine the risk of any contamination on the site, whether or not it originates on the site. The desk study and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The report of the findings must include 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.

B. Site Investigation

A site investigation and risk assessment to determine the nature and extent of any contamination on the site, whether or not it originates on the site. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The report of the findings must include (i) the same details as in part A above (ii) a survey of the extent, scale and nature of contamination and (iii) an appraisal of remedial options, and proposal of the preferred option(s).

C. 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. 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.

D Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development, 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 submitted to and approved in writing by the Local Planning Authority.

The above must be undertaken in accordance with Defra and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

Reason for condition:- Details are required prior to commencement 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. This condition is imposed in accordance with Section 15 of the National Planning Policy Framework.

This condition will require to be discharged

18

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 details to be agreed in writing with the Local Planning Authority. Where remediation is necessary, a remediation scheme must be submitted to and approved in writing by the Local Planning Authority. 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.

Reason for condition:- 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. This condition is imposed in accordance with Section 15 of the National Planning Policy Framework.

23

Variation of approved plans

Any variation from the approved plans following commencement of the development, irrespective of the degree of variation, will constitute unauthorised development and may be liable to enforcement action.

You or your agent or any person responsible for implementing this permission should inform the Development Control Section immediately of any proposed variation from the approved

plans and ask to be advised to the best method to resolve the matter. Most proposals for variation to the approved plans will require the submission of a new application.