

DEVELOPMENT PLAN

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that “where in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material consideration indicates otherwise.

Unitary Development Plan - current status

The Unitary Development Plan for Sunderland was adopted on 7th September 1998. In the report on each application specific reference will be made to those policies and proposals, which are particularly relevant to the application site and proposal. The UDP also includes a number of city wide and strategic policies and objectives, which when appropriate will be identified.

STANDARD CONDITIONS

Sections 91 and 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004 require that any planning application which is granted either full or outline planning permission shall include a condition, which limits its duration.

SITE PLANS

The site plans included in each report are illustrative only.

PUBLICITY/CONSULTATIONS

The reports identify if site notices, press notices and/or neighbour notification have been undertaken. In all cases the consultations and publicity have been carried out in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

LOCAL GOVERNMENT ACT 1972 – ACCESS TO INFORMATION

The background papers material to the reports included on this agenda are:

- The application and supporting reports and information;
- Responses from consultees;
- Representations received;
- Correspondence between the applicant and/or their agent and the Local Planning Authority;
- Correspondence between objectors and the Local Planning Authority;
- Minutes of relevant meetings between interested parties and the Local Planning Authority;
- Reports and advice by specialist consultants employed by the Local Planning Authority;
- Other relevant reports.

Please note that not all of the reports will include background papers in every category and that the background papers will exclude any documents containing exempt or confidential information as defined by the Act.

These reports are held on the relevant application file and are available for inspection during normal office hours at the Commercial Development Directorate at the Customer Service Centre or via the internet at www.sunderland.gov.uk/online-applications/

Alison Fellows

Executive Director of Commercial Development

Reference No.: 16/01238/FUL Full Application

Proposal: **Construction of new link road between an existing supplier site and the main Nissan site.**

Location: Nissan Motor Manufacturing (UK) Limited Washington Road Usworth Sunderland SR5 3NS

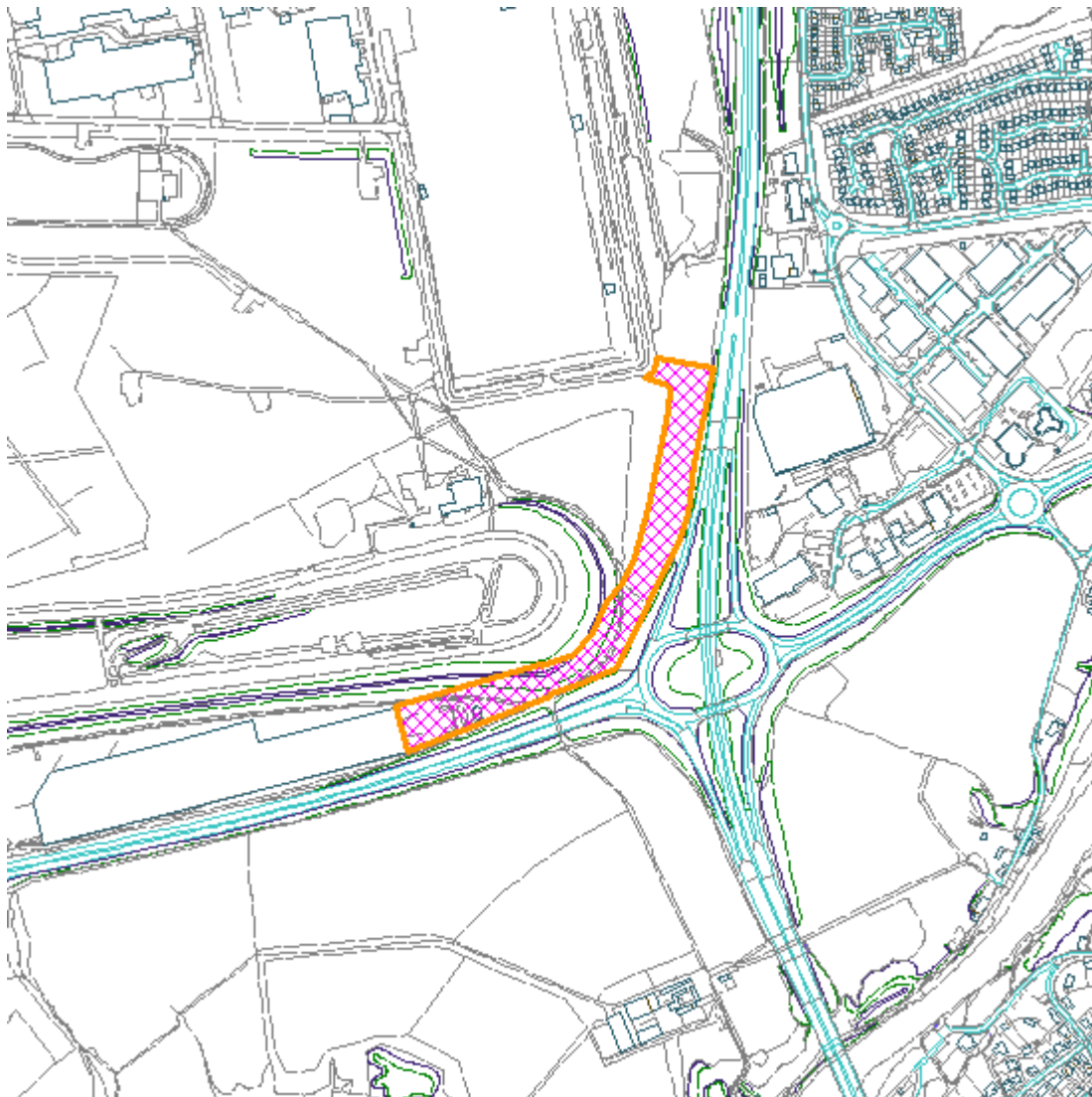
Ward: Washington North

Applicant: Nissan Motor Manufacturing (UK) Ltd

Date Valid: 11 July 2016

Target Date: 10 October 2016

Location Plan



PROPOSAL:

The application is for the construction of a new link road between an existing supplier site and the main Nissan site.

Nissan Motor Manufacturing (UK) Ltd, (NMUK), is proposing to construct a new link road to link an area of car park to the site perimeter route, adjacent to the Vantec Turbine park site.

The proposed site is an area of vacant land to the south of the main car production buildings, between the 'test track' site, and the A19 to the east. The site is currently used as semi-improved grassland/scrub.

The site is accessed by the NMUK internal road system around the main plant.

Beyond the immediate site is open green belt, currently farmland, to the north. To the east across the A19 are the Town End Farm, Hylton Castle and Castletown Housing Estates, which are North West of the centre of Sunderland. The western and southern boundaries of the site are the NMUK site which extends to some 500 acres of which 75 acres have been built upon.

Nissan commenced development of the NMUK site in 1984 and over the past 29 years the plant has grown with over 356,000m² of production space for the manufacturing of cars. NMUK has two production lines which annually produce in excess of 450,000 vehicles for Europe

Site History

Nissan is located between the City of Sunderland and Washington.

The scale of NMUK's buildings dominates the site to the north. NMUK's production buildings are linked along the northern elevation by overbridges which effectively presents a northern elevation in excess of 1 Km. South of this elevation are four distinct manufacturing halls, the longest extending south by some 650m. All NMUK's built stock is metal composite clad, off white in colour with blue accents and trims. Along the northern elevation are the office accommodation which are glazed with metal framed, double glazed windows. The NMUK site is bounded to the east by the A19, a main arterial route between the Scottish borders and Newcastle. To the south of the site is the A1231 which links Sunderland to Washington and the A1 for north bound traffic. South of the A1231 is the river Wear.

The site is designated within the Urban Development Plan as a site for industrial development and is seen as a key site for Sunderland.

TYPE OF PUBLICITY:

Press Notice Advertised
Site Notice Posted
Neighbour Notifications

CONSULTEES:

Washington North - Ward Councillor Consultation

Environmental Health
Network Management
Flood and Coastal Group Engineer

Final Date for Receipt of Representations: **24.08.2016**

REPRESENTATIONS:

No neighbour representations have been received to the proposed development.

Statutory and Non Statutory Responses

Local Lead Flood Authority - The developer has submitted a strategy which is generally in line with the appropriate guidance by including consideration of sustainable drainage systems, by controlling discharge rates and by considering climate change. It is accepted that the developer has agreed to take on potential flood risk relating to exceedance flow on the site and that the responsibility of maintaining the road would lie with them. In the interests of robust design we would suggest to the developer that they should consider the potential flood risk impact of overland flow to the Vantec site if the system is surcharged. This wasn't clarified within the submitted documents. We would also suggest they should consider any additional input from land drainage to their network which in turn may contribute to flood risk on their site.

Environmental Health - No adverse comments received, subject to appropriate conditions being imposed.

Engineers - No adverse comments to the scheme.

POLICIES:

In the Unitary Development Plan the site is subject to the following policies;

B2 – Scale , massing and layout
T14 - Highways on new development

COMMENTS:

The report has the following sections

- 1) The Principle of Development.
- 2) Scale and Massing of the proposed development.
- 3) Highways
- 4) Flood Risk and Drainage
- 5) Ecology
- 6) Land Contamination

1) The Principle of Development.

Site Use

The proposed use is an access road, constructed from tarmac, approximately 540m long, 9m wide, with a 1m hard strip along either side. The proposal is to re-use the material excavated to construct the road to create a low landscaped bund between the new road and the A19 to the east.

Proposed Development

The global success of the Note, Qashqai, Juke and Leaf models has reinforced Nissan UK's international reputation as one of the world's most successful and efficient car manufacturing plants.

The new link road is required to provide additional flexibility to the site infrastructure.

There is to be no net change in either parking numbers or employees, and therefore there will be no impact on traffic numbers or highway networks

- o The Principle of Development
- o Scale and Massing of the proposed development.
- o Highways
- o Environmental Factors

The National Planning Policy Framework (NPPF)

The NPPF states that "The purpose of planning is to help achieve sustainable development" and that "sustainable development is about positive growth - making economic, environmental and social progress for this and future generations" by planning proactively to meet the development needs of business and support an economy fit for the 21st century

Planning therefore has to take a balanced view over the economic and social benefits that a proposal may bring, whilst ensuring our environment is protected.

Clearly, Nissan has been a great success since establishing its plant in Washington and has steadily grown to the size that it is at now, being one of the major employers of the north east. Throughout the evolution of the plant, care has always been taken at each stage in its development in to ensure that any impacts are kept to a minimum. Indeed developments seen in recent years, such as the installation of wind turbines and the investment in low carbon vehicle technology have been met positively, as ultimately it is these types of developments that can help to change the face of modern manufacturing and transportation. When considering the proposals against this wider backdrop, it is clear that the overall ethos of Nissan's operation, moving forward is a one that creates a form of sustainable development which truly accords with the principles of the NPPF. Notwithstanding this, due consideration has been given to the any immediate environmental effects that may occur as a direct result of the extensions, as discussed in the preceding "EIA" section. Furthermore, the appearance of these elements have also been duly considered and are considered in the UDP section that follows.

The Unitary Development Plan (UDP)

Nissans site and a large proportion of the land along the A1231 corridor are identified as falling under UDP Policy WA1.5. This policy allocates the land for economic development purposes such as B1, B2 and B8 uses, such as what the proposal will deliver; namely extensions to an existing vehicle manufacturing plant. In addition, Policy B2 of the UDP requires proposals to relate harmoniously to their adjoining areas. In the context of the existing Nissan plant, the proposed extensions are considered to be in keeping; due to their industrial / employment nature and also due to their similar appearance to the current plant. As such, the development being considered accords with the aforementioned policies.

Emerging Core Strategy

Building upon the UDP, the emerging Core Strategy also identifies the Nissan site as a Primary Employment Area that plays a key part in helping the Cities Economic Prosperity. Policy CS3.3 encourages further development of such land:-

Established employment areas in the City will be maintained through the improvement, development and intensification of land and premises for economic development (B1, B2 and B8) purposes.

To conclude matters relating to the Principle of Development, the proposal results in the further development of an existing allocation in the UDP and the Core Strategy for economic development purposes. The creation of the link road between Nissan and the Vantec complex will enable Nissan and Vantec to work more efficiently and effectively and reduce the traffic on the surrounding road network. Therefore, the proposal accords with the NPPF, Policies EC2, EC3, EC4, WA1.5, B2 and T14 of the UDP and CS3.3 of the Core Strategy and as such, is acceptable in principle.

2) Scale and Massing of the proposed development.

The proposed scale massing and layout of the proposed link road is considered acceptable, it does not have a visual impact on the amenity of the area as it is contained within the current Nissan and Vantec Site. The proposed development is therefore considered to be in compliance with policy B2 of the adopted Unitary Development Plan.

3) Highways

Paragraph 32 of the NPPF states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of the development are severe.

UDP policy T14 requires new development to be readily accessible by pedestrians and cyclists, while proposals should not cause traffic congestion or highway safety problems and make appropriate safe provision for access and egress.

The proposed use is an access road, constructed from tarmac, approximately 540m long, 9m wide, with a 1m hard strip along either side. The proposal is to re-use the material excavated to construct the road to create a low landscaped bund between the new road and the A19 to the east.

No adverse comments have been received from the network management team in respect of highway issues. The new link road is an addition to the existing road infrastructure network

around the site, and therefore lead to no increase in staff. The scheme links Vantec to Nissan in turn removing goods traffic from Nissan way. The net impact of the development on the local road network will be a small reduction in HGV traffic.

The development needs to given consideration to the following prior to the contrction of the road.

Consideration will need to be given to the treatment of the land adjacent the underpass beneath the A1231, which is closed and unavailable for use by the public. The underpass route may contain cable ducting which will need to be located at an appropriate depth beneath the proposed link road. This is to accommodate utility connections between the pv solar panel array within the test track, and likely routed through the underpass to a substation/network distribution point located to the south of the A1231 /Waterview Park.

The proposed link road is considered acceptable and as such complies with policy T14 of the adopted Unitary Development Plan.

4) Flood Risk and Drainage

The application is accompanied by a Flood Risk Assessment which includes Sustainable Urban Drainage.

Paragraph 103 of the NPPF states that when determining planning applications, Local Planning Authorities should ensure flood risk is not increased elsewhere and should only consider development to be appropriate in flood-risk areas where certain criteria are satisfied.

Policies EN11 and EN12 of the UDP require appropriate protection measures to be incorporated in development proposals within areas at risk of flooding and require the LPA, in conjunction with the EA, to ensure that proposals would not impede the flow of flood water, increase the risk of flooding or adversely affect the quality or availability of ground or surface water.

This assessment follows the Planning Practice Guidance to the National Planning Policy Framework

(NPPF) on Flood Risk and Coastal Change; the main objectives are to establish:

- Whether a proposed development is likely to be affected by current or future flooding from any source;
- Whether it will increase flood risk elsewhere;
- Whether the measures proposed to deal with these effects and risks are appropriate;

The evidence for the local planning authority to apply (if necessary) the Sequential Test; and Whether the development will be safe and pass the Exception Test, if applicable

Drainage from new development must not increase flood risk either on-site or elsewhere. Government policy strongly encourages a sustainable drainage system (SuDS) approach to achieve these objectives.

The development can be classified, using Table 2: Flood Risk Vulnerability Classification from the Planning Practice Guidance Flood Zone and Flood Risk Tables, as a 'Less vulnerable' development as its usage will be 'general industry'. Planning Practice Guidance advises that

'Less vulnerable' developments are appropriate in Flood Zones 1 and 2 and 3a without the need for the 'Exception Test'. As the link road is private and located within the Nissan site, flooding of the link road would only affect Nissan.

Sustainable Drainage Systems (SuDS)

Surface water drainage should be provided through SuDS wherever possible. An effective SuDS scheme controls both runoff quantity and quality, and can provide amenity value.

Attenuation is required to control runoff quantity; of the techniques evaluated subsurface storage has been identified as the most suitable for the proposals. While sub-surface storage and 'hard' SuDS offer less amenity benefits than soft SuDS, they provide a highly efficient way of storing runoff and reducing flood risk on the site itself and downstream, fulfilling the primary purpose of SuDS.

To provide an improvement in water quality, filter drains will be used to collect and treat runoff from the road.

Proposed Drainage Strategy

A Ground Investigation was undertaken along the length of the proposed road in April 2016, which determined that the site is underlain by clay. The preliminary results of this investigation are included in Appendix B of the submitted Flood Risk Assessment. The impermeable clay means discharge through infiltration will not be possible. The proposed drainage will therefore connect into the existing private Nissan drainage system, which discharges to the River Wear.

The proposed road includes a crossfall to the west; all runoff from the road will be collected by a filter drain, running along its western edge. The filter drain will discharge into an oversized pipe beneath the proposed road, this oversized pipe will follow the alignment of the carriageway and slope to the south. At the southern end of the oversized pipe, a Hydro Brake vortex flow control device will be used to restrict flows to greenfield runoff rates. The system will be maintained by Nissan.

Conclusion on Flood Risk and Drainage

The submitted information has been considered by the Lead Local Flood Authority and is considered to be acceptable and in compliance with policy EN12 of the UDP.

5) Ecology

Paragraph 109 of the NPPF states that the planning system should contribute to and enhance the natural and local environment in a number of ways included within which is the aim to minimise impacts on biodiversity and providing net gains in biodiversity where possible. Paragraph 118 expands upon this and states that when determining planning applications, local planning authorities should aim to conserve and enhance biodiversity by applying a number of principles. Included therein is where significant harm would result from a development and cannot be avoided, adequately mitigated or compensated for, planning permission should be refused.

UDP policy CN18 seeks to ensure the promotion of the interests of nature conservation throughout the City with areas of nature conservation interest being protected and enhanced. Measures identified to achieve this goal include encouraging landowners to adopt management regimes sympathetic to nature conservation, especially in wildlife corridors, making provision in

development proposals for the preservation of habitats or creation of compensatory habitats and seeking opportunities in new development proposals or other schemes for new habitat creation.

Policy CN22 states that development which would adversely affect any animal or plant species afforded special protection by law, or its habitat either directly or indirectly, will not be permitted unless mitigating action is achievable through the use of planning conditions and, the overall effect will not be detrimental to the species and the overall biodiversity of the City.

There are four statutory designated sites within 2km of the proposed development and 15 non statutory sites. They are all deemed to be of a distance far enough away from the works to not be affected.

Eights habitats were recorded within the proposed area of works which were scattered trees, running water, broadleaved semi-natural woodland, arable land, amenity grassland, tall ruderal, building, hardstanding.

Conclusions and Recommendations on ecology

Mitigation measures are needed for this development, the following mitigation measures must be implemented in order to comply with planning and legislative requirements.

- Any lighting used during the construction of the road will be directional away from the scrub area to the west of the works.
- The new road will not be lit therefore impacts on bats, deer and hare are unlikely.
- Construction will not occur over night where possible to minimise disturbance to protected species that use the Site.
- Noise, vibration and dust deposition will be minimised by implementation standard construction techniques.
- A toolbox talk on GCN will be given prior to the works to ensure that the contractors are aware of the presence of GCN on the Nissan Site.
- GCN are more likely to move into the scrub area to the north and west of the pond however as the habitats throughout the proposed works are suitable for the terrestrial phase of GCN and are within 500m a reasonable avoidance measures (RAMS) will be implemented to the works to ensure that no GCN are affected.
- Habitat manipulation in the form of phased clearance will occur August - September 2016, this would mean that all grass, scrub etc are cut to a height of 15cm. This would be undertaken under the supervision of a qualified ecologist. This will be for the area to be affected including road and construction width. As this is within the active period for newts it will make the habitat undesirable for GCN and they are able to move off into the other shrub or grassed areas. Cutting might be required a couple of times to maintain the vegetation at a 15cm level and will depend on the vegetation growth.
- There are four trees to be cut down and shrubs. All the material will be removed

- Immediately from the area of works to prevent this being an attraction to GCN and other amphibians to use as refugia. Prior to the removal of this habitat a breeding bird check will be undertaken to ensure no birds are nesting within the trees. This will be carried out within 48 hours of the removal of the trees. If any breeding birds are found then a buffer zone will be implemented and no works can occur in that area until the chicks have fledged. The size of the buffer will depend on the species and will be determined on site but will be a minimum of 5metres and will increase for species with greater levels of protection. The works are to be carried out late in the nesting bird season it is unlikely the delay for waiting for fledglings will impact the schedule for a long period of time.

Conclusion on Ecology section

If members are minded to grant consent it is recommend that a condition be imposed to ensure the development is carried out in accordance with mitigation measures proposed in section 4.2 of the Ecology Appraisal Report date April 2016.

6) Ground Conditions.

Policy EN14 of the adopted UDP states that:

Where development is proposed on land which there is a reason to believe is either:

- o Unstable or potentially unstable;
- o Contaminated or potentially at risk from migrating contamination;
- o Potentially at risk from migrating landfill gas or mine gas;

The Council will require the applicant to carry out adequate investigations to determine the nature of ground conditions below and, if appropriate, adjoining the site, where the degree of instability, contamination, or gas migration would allow development subject to preventative, remedial or precautionary measures within the control of the applicant, planning permission will be granted subject to conditions specifying the measures to be carried out.

Paragraph 120 of the NPPF relates to measures to be taken to prevent unacceptable risks from pollution and land instability and requires planning decisions to ensure that new development is appropriate for its location. The effects (including cumulative effects) of pollution on health, the natural environmental or general amenity, and the potential sensitivity of the area or proposed development to adverse effects from pollution, should be taken into account. Where a site is affected by contamination of land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.

This planning application is accompanied by a preliminary Geotechnical and Ground Contamination Desk Top Review.

Land Contamination

A Ground Investigation Report (Phase 2) by Sirius (Letter report C6959) has been provided on the Planning Portal for the development of a link road. This is a relatively insensitive land use to soil contamination however ground stability may be a consideration as well as the health & safety of construction and maintenance workers, especially in the development phase.

Based on the information provided there does not appear to be a likely source of significant chemical contamination for the intended development of the link road. There is a slight concern regarding the lack of targeted Asbestos sampling within demolition type materials in the north of

the site. The made ground appears to be clay-bound, which would reduce the risk for release of Asbestos fibres (if present) during earthworks. It is therefore recommended that ground workers are provided with Asbestos awareness training and in the event that visible Asbestos (tiles, board, fibrous materials etc) are encountered then works are made safe and terminated pending a risk assessment and design of appropriate mitigation. This may be Conditioned as for finding of unexpected ground conditions. Dust production during earthworks should be minimised with damping down as necessary.

Construction

In order to ensure the environmental impact of the construction of the development is adequately managed and mitigated and in the interests of the amenity of nearby residents/occupiers in the vicinity of the site, it is recommended that a condition be attached to any granted consent which requires the provision of a Construction Environmental Management Plan. The CEMP should include details of how noise, lighting, dust and other airborne pollutants, vibration, smoke, and odour from construction work will be controlled and mitigated.

Environmental Statement Dust, Air Quality

The supporting Environmental Statement has been considered by Public Protection and Regulatory Services. The conclusion that the development is unlikely to impact on nearby receptors in accepted on the basis of the site location and properties, proximity to A19, and the net impact on the surrounding road network.

Summary Conclusion on Land Contamination

In conclusion the submitted information has been reviewed and is considered acceptable in principle subject to conditions in respect of noise, land contamination in order to ensure the development is fully compliant with polices EN14 and relevant sections of the National Planning Policy Framework

EQUALITY ACT 2010 - 149 PUBLIC SECTOR EQUALITY DUTY

During the detailed consideration of this application/proposal an equality impact assessment has been undertaken which demonstrates that due regard has been given to the duties placed on the LPA's as required by the aforementioned Act.

As part of the assessment of the application/proposal due regard has been given to the following relevant protected characteristics:-

age;
disability;
gender reassignment;
pregnancy and maternity;
race;
religion or belief;
sex;
sexual orientation.

The LPA is committed to (a) eliminating discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010; (b) advance equality of opportunity

between persons who share a relevant protected characteristic and persons who do not share it; (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

In addition, the LPA, in the assessment of this application/proposal has given due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it. This approach involves (a) removing or minimising disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic; (b) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it; (c) encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

The LPA has taken reasonable and proportionate steps to meet the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities, as part of this planning application/proposal.

Due regard has been given to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves. Particular consideration has been given to the need to-

- (a) tackle prejudice, and
- (b) promote understanding.

Finally, the LPA recognise that compliance with the duties in this section may involve treating some persons more favourably than others; but that is not to be taken as permitting conduct that would otherwise be prohibited by or under this Act.

Conclusion:-

The proposals represent a further important step in the continued success of Nissan. The submission has been assessed against the relevant planning criteria as set out in this report and is considered to be in keeping within the context of Nissans existing operation and will have little visual impact on its surroundings due to the overall scale of the plant.

Once complete, the extensions will enable further growth which will continue to support employment in the North East and keep the City on the map with regard to manufacture and export. It is therefore recommended that the application is approved accordingly, subject to the conditions as set out below:-

RECOMMENDATION: Approved subject to the conditions set out below

Conditions:

- 1 The development hereby approved must commence no later than three years beginning with the date on which permission is granted, as required by section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004 to ensure that the development is carried out within a reasonable period of time.

2 Unless otherwise first agreed in writing with the Local Planning Authority. The development hereby granted permission shall be carried out in full accordance with the following approved plans:-

- Site Location Plan - A-05-10-100
- Block Plan - A-05-10-101
- Existing Site Layout Plan - A-05-10-102
- Proposed Site Layout Plan A-05-10-103

In order to ensure that the completed development accords with the scheme approved and to comply with policy B2 and T14 of the adopted Unitary Development Plan.

3 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period unless otherwise agreed in writing by the Local Planning Authority. The Statement shall provide for:

- (i) access to the site for construction traffic and routes to and from the site for construction traffic, including the parking of vehicles of site operatives and visitors
- (ii) siting and organisation of the construction compound and site cabins, including the loading and unloading of plant and materials
- (iii) storage of plant and materials used in constructing the development
- (iv) access arrangements to existing public rights of way on the site
- (v) measures to control the emission of dust, dirt, vibration and other effects
- (vi) a scheme for recycling/disposing of waste resulting from demolition and construction works

In the interests of the proper planning of the development and to protect the amenity and access rights of adjacent occupiers and in order to comply with policy B2 of the Unitary Development Plan.

4 The construction works required for the development hereby approved shall only be carried out between the hours of 07:00 and 19:00 Monday to Friday and between the hours of 07:00 and 15:00 on Saturdays and Sunday and at no time on a Bank Holidays unless otherwise varied and agreed in writing by the Local Planning Authority, in order to protect the amenities of the area and to comply with policy B2 of the Unitary Development Plan

5 The development hereby approved shall be carried out in complete accordance with the conclusions and recommendations set out in the following documents prepared by Mott McDonald Ltd:-

- Preliminary Ecological Appraisal - April 2016

For the avoidance of doubt, this shall include the use of advisory notes in contractor method statements where working areas are within the vicinity of ditches or other key habitats; and where possible ecological enhancement measures should be applied to adjacent habitats recorded in the reports, In the interest of nature conservation and the

conservation of protected species and habitats and to comply with the requirements of policy CN23 of the adopted Unitary Development Plan.

- 6 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 number 7 to number 10 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 number 10 has been complied with in relation to that contamination. To ensure that risks from land contamination to 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 in accordance with policy EN14 of the Unitary Development Plan.
- 7 Site Characterisation - Unless otherwise agreed in writing by the Local Planning Authority development must not commence until an investigation and risk assessment, in addition to any assessment provided with the planning application, has been completed in accordance with a scheme to assess the nature and extent of any contamination on the site (site characterisation), 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 building, crops, livestock, pets, woodland and service line pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments.
 - (iii) 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, CLR11.' To ensure that risks from land contamination to 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 in accordance with policy EN14 of the Unitary Development Plan
- 8 (Submission of Remediation Scheme) Unless otherwise agreed by the Local Planning Authority, development must not commence until 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 Environment Protection Act 1990 in relation to the intended use of the land after

remediation. To ensure that the risks from land contaminated 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 in accordance with policy EN14 of the adopted Unitary Development Plan.

- 9 **Implementation Remediation Scheme** The remediation scheme approved under Condition number 8 (Submission of 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 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. To ensure that risks from land contamination to the future users of the land and neighbouring land are minimise, 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 in accordance with policy EN14 of the Unitary Development Plan.

- 10 **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 number 7 (Site Characterisation), and when remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition number 8 (Submission of Remediation Scheme), 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 number 9 (Implementation of Approved Remediation Scheme). If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until this condition has been complied with in relation to that contamination. 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 and in accordance with policy EN14 of the Unitary Development Plan.