



Development Management
Bury Council
3 Knowsley Place
Duke Street
Bury
BL9 0EJ

Our Ref: MJ/RG/G315/L001
Date: 27th March 2023

Dear Sir / Madam

ABBOTTS HALL, WOODHEY ROAD, HOLCOMBE BROOK, RAMSBOTTOM, BL0 9RD
APPLICATION SEEKING PRIOR APPROVAL FOR CHANGE OF USE OF
AGRICULTURAL BUILDING TO FORM 3 CLASS C3 DWELLINGS

On behalf of Mr. & Mrs. Abbott, we hereby submit this application seeking Prior Approval of a proposal to change the use of the above agricultural building to create a total of three Class C3 dwellings, with associated car parking and garden curtilage by virtue of Class Q of Part 3 of Schedule 2 of The Town and Country Planning (General Permitted Development) (England) Order 2015, as amended by the *Town and Country Planning (General Permitted Development) (England) (Amendment) Order 2018*.

In support of this application request we submit :

- This letter explaining our approach and consideration of the conditions / requirements of the Order
- Preliminary Investigation Report (Ian Famer Associates)
- The following drawings (Hawthorn Design Partnership):
 - L02 B – Location Plan
 - L03 – Existing Site Plan
 - L04 C – Proposed Site Plan
 - P01 – Existing Ground Floor Plan
 - P02 – Existing First Floor Plan
 - P03 A – Proposed Ground Floor Plan
 - P04 A – Proposed First Floor Plan
 - P05 - Proposed Ground Floor Plan Area Measurements
 - P06 - Proposed First Floor Plan Area Measurements
 - S01 A – Existing and Proposed Sections
 - E01 - Existing Elevations 1 of 2
 - E02 - Existing Elevations 2 of 2
 - E03 - Proposed Elevations 1 of 2
 - E04 - Proposed Elevations 2 of 2



Class Q allows the change of use of a building and any land within its curtilage from an agricultural building to dwellinghouses, including building operations reasonably required to convert the building into homes.

We consider the terms and limitations of the Order below, having regard to the helpful pre-application letter (dated 15th February 2023 / ref: 02815E) provided by the LPA.

First, the proposal complies with Part Q.1 of the Order which requires that the site / building must have been in sole agricultural use on 20th March 2013.

The original planning permission for the subject building was approved on 9th July 1992 for the erection of a rabbit farm building and an associated farmhouse under application C/27209/92.

Condition 5 of the permission restricted the use of the building to rabbit farming (ie agricultural use).

The Google Earth satellite imagery (below) confirms that the building was constructed sometime between December 2005 and April 2013.





On the above basis, it is evident that the building was in place by the requisite date of 20th March 2013, given that the above Google Earth image is timed just one month later and the building is clearly in place.

It is also worth noting that one year before the critical 20th March 2013 date – ie on 21st March 2012 - S73 application 54822 was approved to vary Condition 5 to enable it to be used for aquaponics and/or agriculture. Aquaponics is a recognised form of agriculture, as was noted in the supporting statement reproduced at *Annexe A* of this letter, which confirmed that – at the time that application was submitted (January 2012) – the agricultural building had been built (albeit the associated house had only been completed to ‘shell’). Had the agricultural building not been in place in late March 2012 (when the application was approved), it seems improbable that the LPA would have approved an application seeking its alternative agricultural use.

We understand that, leading up to and during the above S73 application, the building was being actively used for agricultural purposes by both the landowner and a local farmer as part of their licensed farming operations. We understand that hay was stored in the building as well as agricultural implements / machinery.

We are also advised that, in March 2013, alongside its part-use for agricultural purposes, the building was occupied by a registered aquaponics business. This is helpfully evidenced by the owner of that



business in his comments on S73 application 69054 (removal of condition 3 of planning permission ref. 54822 - to remove the occupancy restriction). Those comments confirm that the gentleman in question is the managing director of Ponds4fish, who explains that he successfully applied for and gained change of use for aquaponics planning permission at the subject property and started Ponds4fish Limited in December 2012. He further notes that :

‘With our expertise we managed to operate our aquaponics start up breeding business, growing more than 2500 tilapia in this property ...’

The gentleman then confirms that :

*‘once planning permission was granted’ (in March 2012) ... the applicant gave us notice to quit the barn where the aquaponics system was thriving ... For **the 18 months we occupied the barn** ...’*

The above comments are helpful in that they appear to confirm that the building must have in use as an aquaponics business on the critical date of 20th March 2013.

Since March 2012, no further permissions have been granted in respect of the subject building, and it is therefore evident that its lawful / established use is agricultural, and that such use was intact on 21st March 2013.

Part (b) of Q1 of the Order states that development is not permitted if more than 3 ‘larger dwellinghouses’ are proposed or if the cumulative floor space of the existing building changing use to larger dwellinghouses exceeds 465 square metres. Larger dwellings are defined as having floor space of more than 100 square metres and no more than 465 square metres.

In the case of this proposal, the enclosed drawings indicate 2 larger dwelling houses, each at 231.8 sqm (including ground and first floor gross internal areas), totalling 463.6 sqm. This is below the maximum allowance of 465 sqm, and as such is compliant with Part (b).

Part (c) of Q1 states that development is not permitted if, in the case of a smaller dwellinghouse, the cumulative number of separate smaller dwellinghouses exceeds 5, or if the floor space of any one smaller dwellinghouse exceeds 100 square metres.

In the case of this proposal, the enclosed drawings indicate 1 ‘smaller dwellinghouse’ of precisely 100 sqm (including its ground and first floor - gross internal areas). The proposal is therefore compliant with Part (c).

Part (d) of the Order states that development is not permitted if the development would result in either or both of the following—

- larger dwellinghouses having more than 465 square metres of floor space; and/or
- the cumulative number of separate dwellinghouses exceeding 5.

As noted above, the floorspace associated with the larger dwellinghouses will not exceed 465 sqm, and the total number houses proposed is 3 (less than the maximum of 5). The proposal is therefore compliant with Part (d).



Part (e) of the Order states that development is not permitted when the site is occupied under an agricultural tenancy, unless the express consent of both the landlord and the tenant has been obtained. In this case, the owner and operator of the building are one of the same, and we confirm that there is no formal agricultural tenancy in place. As such, this condition is not relevant in this case.

Part (f) of the Order states that development is not permitted if, less than 1 year before the date development begins, an agricultural tenancy over the site has been terminated, and the termination was for the purpose of carrying out development under Class Q. As above, there is no formal agricultural tenancy in place in respect of the building, and as such none has been terminated.

Part (g) of the Order states that development is not permitted if development under Class A(a) or Class B(a) of Part 6 of this Schedule (agricultural buildings and operations) has been carried out on the established agricultural unit since 20th March 2013, or - where development under Class Q begins after 20th March 2023 – during the period which is 10 years before the date development under Class Q begins.

In that regard, Class A(a) is not applicable because that relates to agricultural units of 5 hectares or more in area. The subject building – as a bespoke agricultural building - is clearly considerably less than 5 hectares.

Class B(a) relates to agricultural units of not less than 0.4 but less than 5 hectares in area. Given the limited size of the agricultural building and its bespoke established use for the purposes of aquaponics, its size is clearly well below 0.4 hectare, and as such there is no conflict with part (g) of the Order.

In any event, it is our understanding (having regard to development under Class A(a) and Class B(a) of Part 6) that there have been no extensions or alterations to the building *‘which are reasonably necessary for the purposes of agriculture within that unit.’*

Part (h) of the Order states that development is not permitted if it would result in the external dimensions of the building extending beyond the external dimensions of the existing building at any given point. As the enclosed drawings demonstrate, it is not proposed to extend the building in any direction.

Part (i) of the Order states that development is not permitted if it would consist of building operations other than the installation or replacement of windows, doors, roofs, or exterior walls, or water, drainage, electricity, gas or other services, to the extent reasonably necessary for the building to function as a dwellinghouse, and/or partial demolition to the extent reasonably necessary to carry out building operations allowed by paragraph Q.1(i)(i).

In the case of the proposal, no further works beyond the above are proposed via the PDR process, and all such works are contested to be *‘reasonably necessary’*.

Part (j) of the Order states that development is not permitted if it is on article 2(3) land. Such land includes :

- an area designated as a conservation area



- an area of outstanding natural beauty (AONB)
- an area specified by the Secretary of State for the purposes of section 41(3) of the Wildlife and Countryside Act 1981 (enhancement and protection of the natural beauty and amenity of the countryside)
- the Broads
- a National Park
- a World Heritage Site

The site does not fall within any of the above designations.

Part (k) of the Order states that development is not permitted if the site is, or forms part of a site of special scientific interest; a safety hazard area; or a military explosives storage area. The site does not correspond to any of these.

Part (l) of the Order states that development is not permitted if the site is, or contains, a scheduled monument, and Part (m) states that development is not permitted if the building is a listed building. None of those are applicable in this case.

We therefore contend that, having regard to the above assessment, the proposal is Permitted Development.

The Order states that it is conditional that, where the development proposed is development under Class Q(a) together with development under Class Q(b), development is permitted subject to the condition that, before beginning the development, the developer must apply to the local planning authority for a determination as to whether the prior approval of the authority will be required in respect of the following matters.

Transport and highways impacts of the development

The subject site occupies what can be considered to be a reasonably accessible and sustainable location. It occupies an urban / rural fringe location close to an established housing area and a relatively short distance to the centres of Holcombe Brook and Ramsbottom, well served by shops and services and public transport provisions.

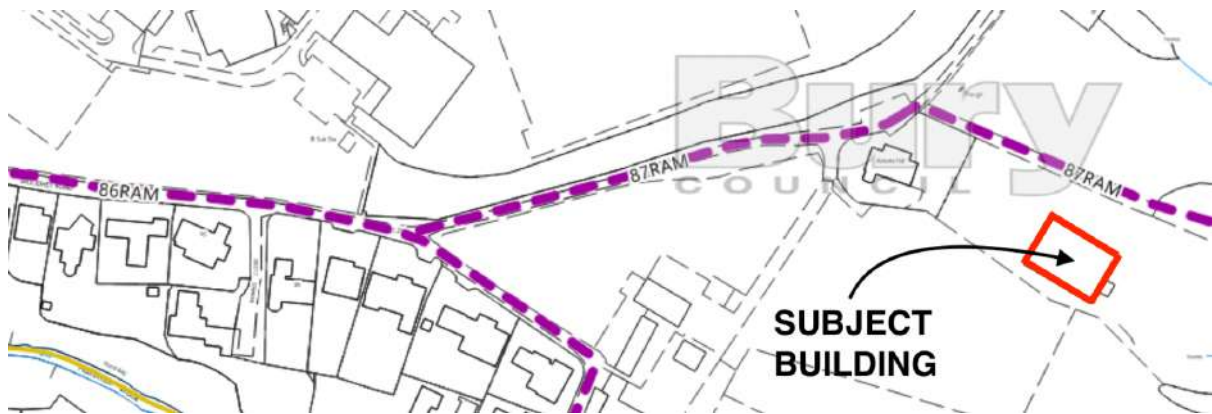
The extent of traffic associated with three dwellings will be limited, and we suggest is preferable to the type of large, heavy agricultural vehicles and machinery that might be associated with the use of the building for agricultural purposes or for a thriving aquaponics business.

We anticipate that each of the 3 houses might generate around 4 car trips per day. That would equate to circa 12 trips in total (considering all 3 houses). That constitutes a negligible extent of traffic spread throughout the day, which might result in one or two car trips per hour (on average) along Woodhey Road. Compared to that, we suggest that the extent of traffic associated with either a successful agricultural or aquaponics business (if either were to be resurrected) would be broadly comparable, having regard to staff working in / travelling to the business in question, plus an allowance for deliveries and commercial visitors / clients. Both of those business uses (perhaps more



particularly agricultural use) could readily generate sizeable vehicles, as opposed to domestic cars serving the proposed homes.

We note the above because we are mindful that Woodhey Road is a Public Right of Way (PROW ref: 86RAM), while PROW ref: 87RAM spurs eastwards close to the subject building (as below).



In terms of parking, it will be noted that the drawings indicate that each house will be served by sufficient parking spaces (2 spaces per house plus 3 visitor spaces), to be located on land that is already hardstanding and arguably requires no formal change of use or appearance (given that this is already hardstanding and historically used for the purposes of parking and manoeuvring vehicles).

The Part Q Prior Approval process does not extend to any operational works beyond the confines of the building. As such, given that modest garden curtilages are proposed to serve each of the three houses (which constitutes the change of use of land) and the intention is that parking provision will be laid out formally (albeit on parts of the site that are already hardstanding), it is accepted that the LPA would wish to see the submission of a sister planning application promoting such 'external works', which – subject to the outcome of this PDR submission – our client will pursue.

Noise impacts of the development

We suggest that this proposal raises no material noise concerns. There will no longer an agricultural or aquaponics operation associated with the building which might otherwise have generated a degree of noise. This part of Holcombe Brook is rural fringe and close to an established residential area, and such uses generate no noise of any note or concern.

Contamination risks on the site

We understand that there have been no other uses beyond its former agricultural and aquaponics use, neither of which were / are intrinsically 'dirty' or offensive uses. The proposed development will involve no intrusive works into the ground.

In support of the application we have provided a *Preliminary Investigation Report* prepared by Ian Famer Associates. This concludes that ground-related risks range from very low to moderate, and recommends that further work be carried out in order to monitor ground gases in the vicinity of the



building. We suggest that this can be captured by condition similar to Conditions 4 and 5 of the Class Q appeal decision provided at *Annexe B* of this letter.

Flooding risks on the site

The site is not within Flood Zone 2 or 3, and we understand that there are no known localised flooding or drainage issues on the site or close by.

Whether the location or siting of the building makes it otherwise impractical or undesirable for the building to change from agricultural use to a use falling within Class C3 (dwellinghouses)

As noted above, while the site is slightly divorced from the principal settlement / urban boundary, it is only around 5 - 10 minutes walk from Holcombe Brook neighbourhood centre, with its array of shops, facilities and services, and nearby bus stops.

It cannot be maintained that this site is '*impractically*' located. Nor is this an '*undesirable*' location. On the contrary, it is a highly desirable residential location, within the countryside fringe, but at the same time very close to one of the Borough's more sustainable settlements (Ramsbottom) with other settlements close by (such as Holcombe Brook, Tottington and Hawkshaw, with Bury beyond).

The design or external appearance of the building

Part Q allows for the installation or replacement of windows, doors, roofs and exterior walls, partial demolition, and water, drainage, electricity, gas or other services to the extent reasonably necessary for the building to function as a dwellinghouse. We suggest that the proposed works fall within those categories, and are of good quality, character and materiality, and are '*reasonably necessary*'. The proposed alterations will both respect and enhance the character and appearance of the building, lifting its currently somewhat bland, unprepossessing appearance (as highlighted on the photographs below).





The provision of adequate natural light in all habitable rooms of the dwellinghouses

The enclosed drawings demonstrate that all habitable rooms will enjoy good levels (*'adequate'*) natural light.

We also confirm that the National Space Standards are adhered to.

We trust that we have provided sufficient information to enable the validation of the application, and if further information is required, please contact Richard Gee at the above offices.

Yours faithfully
for Roman Summer Associates Ltd

Richard Gee
Director



Annexe A – Statement issued in support of application 54822

Our Ref: cm-let-02

Date: 30th January 2012

Supporting Planning Statement for variation of conditions at Woodhey Farm, Woodhey Road, Ramsbottom

Planning permission was granted on 9th July 1992 for the erection of a rabbit farm building plus associated farmhouse, application number C/27209/92. Construction began soon after, the farm building being built and the shell of the farm house currently completed.

Condition 3 restricts the occupation of the dwelling to be occupied by a person mainly employed in the locality in agriculture.

Condition 5 specifies the farm building to be used exclusively for rabbit breeding.

The proposed variation to condition 3 is for the person occupying the farmhouse to be mainly employed in the locality in aquaponics and agriculture.

The proposed variation to condition 5 is for the farm building to be used for aquaponics and agriculture.

The process of aquaponics begins with the breeding of tiny fish fry, in this case using Tilapia. This is one of the world's most farmed, and sustainable fresh water fish species. It does not have a strong odour, and is favoured by chefs as it readily accepts different flavour combinations.

At first the fish occupy small fish tanks, and are transferred to larger tanks which increase in size incrementally allowing the fish grow to their adult size of 450-500 grams in weight, at which point they will be distributed to local restaurants.

Water from the fish tanks is filtered, and the waste removed. The water, now rich in nitrates is fed to plant beds to promote growth. The plants extract the nitrates from the water, which is then filtered and pumped back into the fish tanks, where the fish produce waste, and the cycle begins again.

The process produces organic produce using no fertilisers or chemicals.

The applicant has constructed a working prototype, which he has refined and developed over the past five years, to prove that it is practical. From this, it is expected that a turnover of around 1000 fish would be available for sale, plus an equivalent amount of lettuce, herbs, tomatoes and peppers, every month.



The existing building on site would be used for hatching the fish and growing the fry into fingerlings, small fish. They would then be transferred to 'working tanks,' containing the water to be fed to the plants. These would be housed in an additional 'lightweight' farm structure, which would be subject of a future planning application.

The existing building would also contain a packaging area, the packaging required in distributing the produce, ice making machines to keep the fish chilled, and back-up generators to ensure the water and air temperature is maintained at a constant.

It is intended that the income generated from this new venture will allow the completion of the farmhouse, and the site which has historically been used as a tip, to be tidied.



Annexe B – Appeal Decision APP/D3125/W/22/3295121



Appeal Decision

Site visit made on 26 October 2022

by Rachel Hall BSc MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 1 December 2022

Appeal Ref: APP/D3125/W/22/3295121

No. 10, Sturt Farm Courtyard, Sturt Farm, Oxford Road, Burford OX18 4ET

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under a Schedule 2, Part 3, Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015.
- The appeal is made by Sturt Farm Burford Ltd against the decision of West Oxfordshire District Council.
- The application Ref 22/00017/PN56, dated 23 December 2021, was refused by notice dated 9 February 2022.
- The development proposed is conversion of existing barn to dwelling.

Decision

1. The appeal is allowed and prior approval is granted under the provisions of Schedule 2, Part 3, Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015 (the GPDO) for conversion of existing barn to dwelling at No. 10, Sturt Farm Courtyard, Sturt Farm, Oxford Road, Burford OX18 4ET in accordance with the details submitted pursuant to Schedule 2, Part 3, Class Q, Paragraph Q.2(1) of the GPDO through application Ref 22/00017/PN56, dated 23 December 2021. The approval is subject to the conditions in the attached schedule.

Preliminary Matters

2. The description of development on application form is lengthy and includes details not specifically relating to the proposed development. Accordingly I have taken the description from the Council's decision notice which is also consistent with the appellant's appeal form.

Main Issues

3. Schedule 2, Part 3, Paragraph W of the GPDO states that the local planning authority may refuse a prior approval application where the proposed development does not comply with, or the developer has provided insufficient information to enable the authority to establish whether the proposed development complies with, any conditions, limitations or restrictions specified as being applicable to the development in question. It was on the above basis that the Council refused to grant the prior approval.
4. The proposal relates to Schedule 2, Part 3, Classes Q(a) and (b) of the GPDO, which enable the change of use and conversion of an agricultural building to a dwellinghouse. That is subject to certain limitations, paragraph Q.1, and conditions, paragraph Q.2.



5. The first main issue is whether the proposed building operations would exceed that which is reasonably necessary for the building to function as a dwellinghouse under Schedule 2, Part 3, Class Q of the GPDO.
6. In addition, under paragraph Q.1.(d)(ii) the development would not be permitted if, together with any previous development under Class Q, the cumulative number of separate dwellinghouses within an established agricultural unit having a use falling within Class C3 (dwellinghouses) would exceed 5. Therefore the second main issue is whether the development would result in the cumulative number of dwellinghouses brought forward under Class Q exceeding the threshold of 5 dwellings.

Reasons

Whether the proposed building operations would exceed that which is reasonably necessary to function as a dwellinghouse

7. Paragraph Q.1.(i) places restrictions on the building operations which can be undertaken. It states that development is not permitted if it would consist of building operations other than the installation or replacement of windows, doors, roofs, or exterior walls, or water, drainage, electricity, gas or other services, to the extent reasonably necessary for the building to function as a dwellinghouse; and partial demolition to the extent reasonably necessary to carry out building operations, as listed above.
8. The Planning Practice Guidance (the PPG) provides further clarification, including that it is not the intention of the permitted development right to allow rebuilding work which would go beyond what is reasonably necessary for the conversion of the building to residential use, such that it is only where the existing building is already suitable for conversion to residential use that the building would be considered to have the permitted development right. Whether or not the proposed works go beyond the scope of conversion is a matter of fact and degree and requires an element of judgement.
9. In determining the appeal I have had regard to the judgement handed down in *Hibbitt v SSCLG* [2016] EWHC 2853 (the Hibbitt judgement). This addresses the extent to which building operations to facilitate residential use may be considered to amount to conversion of the relevant agricultural building. Briefly summarised, it explains that where the nature of works proposed would be so fundamental as to effectively result in a rebuilding of the relevant building based on planning judgement, this is not permissible. It further clarifies, however, that the extent of works proposed is not in itself dispositive but rather a factor in determining whether the works proposed are part of a conversion.
10. The appeal barn is comprised of two adjoining parts. These are described on the existing floor plan (Ref 16-0592-212) as a workshop and adjoining hay barn. The proposal relates to conversion of the workshop only. The proposed building for conversion appears to be in reasonably good condition. This comprises a steel framed building clad in corrugated cement sheeting.
11. From inside the building it is apparent that blockwork forms the bottom section of the wall on all sides except for the section of wall separating the workshop from the hay barn. The blockwork appeared to be of a substantial construction without obvious structural defects. Whilst forming the bottom section of the



wall only, it extended to around ten courses in height. Therefore it is not an insignificant proportion of the walls and would be retained. Unlike the barn in the Hibbitt judgement, the appeal building is completely enclosed on all sides.

12. The proposal involves the replacement of the corrugated sheet wall cladding with timber boarding. The existing cladding is understood to contain asbestos. Therefore this is reasonably necessary to make the building habitable. The concrete floor appeared to be in relatively good condition and is to be retained. Insertion of windows and doors is proposed to be kept to a minimum. The roof is to be retained. Whilst only metal sheeting it appeared in generally good condition. As such, it appears reasonably likely that it could be insulated internally to enable the building to function as a dwellinghouse.
13. The Council references the previous appeal decision (Ref APP/D3125/W/19/3242066) relating to conversion of the barn to residential use. It appears that that scheme involved conversion of the hay barn as well as the workshop. Unlike the workshop, the hay barn appears to be of a much less substantial construction and therefore more extensive works would have been required for its conversion in addition to those relating to the workshop. Also, that proposal involved more alterations to the form of the existing building, including insertion of many more door and window openings. Furthermore, in that instance the roof was to be replaced in its entirety whereas it is now proposed to be retained.
14. Therefore, as a matter of fact and degree, I am satisfied that the works proposed in this appeal amount to conversion, and are not so significant as to amount to rebuilding. Accordingly, I am satisfied in this instance that the proposed works would be reasonably necessary for the building to function as a house, and consequently the limitation in paragraph Q.1(i) of the GPDO would be met.

Whether the development would result in the cumulative number of dwellinghouses brought forward under Class Q exceeding the threshold of 5 dwellings

15. The Council references prior approvals which are said to be extant for 'Barn 4 and Barns 8 and 10'. The Council indicates that Barns 8 and 10 relate to larger units. In addition they reference a full planning permission for conversion of Cotswold Barn (Ref 18/01886/FUL). However it is clear that the Class Q restriction on the number of conversions to dwellinghouses relates to development brought forward under Class Q. Therefore the Council's evidence does not show that the cumulative number of dwellinghouses brought forward under Class Q would exceed the 5 dwelling threshold.
16. It was apparent from my site visit that a number of residential developments have been or are in the process of being brought forward within the wider Sturt Farm site. However the appellant highlights that there are also prior approvals granted under Class O (office to residential) and separate full planning permissions for conversion to residential use.
17. With respect to Class Q, the appellant highlights that prior approval for conversion of barns 4, 8 and 10 to create three dwellings is time expired (Ref 16/03001/PN56). No robust evidence is before me to indicate otherwise. The appellant instead refers to extant Class Q prior approvals for the conversion of barns 8, 10 and 12 to create four small dwellings. Therefore they submit that



the appeal proposal would make a total of 5 dwellings brought forward under Class Q.

18. Accordingly, in the absence of definitive evidence to the contrary, I am satisfied that the appeal proposal would not result in the cumulative number of separate dwellinghouses brought forward under Class Q exceeding 5. Therefore the proposal would not exceed the limitation established by paragraph Q.1.(d)(ii) of the GPDO.

Conditions

19. For the avoidance of doubt, I have imposed the condition specified under Schedule 2, Part 3, paragraph Q.2(3) of the GPDO which requires that proposals are completed within three years of the date of this prior approval decision. Prior approval may be granted unconditionally or subject to reasonably related conditions. I have considered the condition suggested by the Council in light of the Framework and the PPG.
20. It is necessary to impose a condition requiring adherence to the supporting plans and details for certainty, and to ensure compliance with the relevant requirements of Class Q. I have reworded and combined suggested conditions 3, 4 and 7 relating to approval of detailed design and materials. A reduced level of detail is appropriate given the prior approval process which is intended to be light-touch and should not replicate the planning application system.
21. In the interests of precision, clarity and brevity I have undertaken some rationalisation of the conditions suggested by the Council in respect of site investigation and remediation. Noting the former use of the site, the remediation condition is necessary in the interests of safeguarding the living conditions of future occupiers and reasonably relates to the subject matter. The condition requiring approval of a surface water drainage scheme is necessary to ensure suitable drainage and pollution prevention. A condition requiring landscaping details is not necessary for a proposal of this scale under the prior approval process.

Conclusion

22. For the reasons given above, I conclude that the appeal should be allowed and prior approval should be granted.

Rachel Hall

INSPECTOR



SCHEDULE OF CONDITIONS

- 1) The development hereby permitted must be completed within a period of three years from this decision in accordance with Schedule 2, Part 3, paragraph Q.2(3) of the GPDO.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans and details: 16-0592-10-001; 16-0592-10-002; 16-0592-212; 16-0592-10-023E; 16-0592-10-022E; 16-0592-10-020C; 16-0592-10-021C.
- 3) No development shall commence until details of the materials to be used in the construction of the external surfaces (to include samples of cladding to be used on external walls, details of roof, doors, windows and external gutters and pipework) shall have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.
- 4) No development shall commence until an assessment of the risks posed by any contamination, shall first have been submitted to and approved in writing by the local planning authority. This assessment must be undertaken by a suitably qualified contaminated land practitioner, in accordance with British Standard BS 10175: Investigation of potentially contaminated sites - Code of Practice and the Environment Agency's Model Procedures for the Management of Land Contamination (CLR 11) (or equivalent British Standard and Model Procedures if replaced), and shall assess any contamination on the site, whether or not it originates on the site.
- 5) No development shall take place where (following the risk assessment) land affected by contamination is found which poses risks identified as unacceptable in the risk assessment, until a detailed remediation scheme shall have been submitted to and approved in writing by the local planning authority. The scheme shall include an appraisal of remediation options, identification of the preferred option(s), the proposed remediation objectives and remediation criteria, and a description and programme of the works to be undertaken including the verification plan. The remediation scheme shall be sufficiently detailed and thorough to ensure that upon completion the site will not qualify as contaminated land under Part IIA of the Environmental Protection Act 1990 in relation to its intended use. The approved remediation scheme shall be carried out before the development is first occupied.
- 6) The development hereby permitted shall not be occupied until a surface water drainage scheme shall have been implemented in accordance with details that shall first have been submitted to and approved in writing by the local planning authority. The scheme shall include details of the size, position and construction of the drainage scheme and results of soakage tests carried out at the site to demonstrate the infiltration rate. Three tests should be carried out for each soakage pit as per BRE 365 with the lowest infiltration rate (expressed in m/s) used for design. Once implemented the surface water drainage scheme shall be maintained for the lifetime of the development.

End of Schedule