

COMMITTEE DATE:	14 November 2019
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APPLICATION NO: RR/2019/792/P
56-58 High Street, Battle

Following further discussions with the applicant and consultees it is noted that two conditions require adjustment.

Condition 4 relative to contaminated land has already been complied with in part with the submission of the Phase 1 study incorporating a site investigation report and soil samples. As such items a) to c) of condition 4 have already been mostly satisfied. Condition 4 is thus recommended to be reworded as set out below.

4. No development approved by this permission shall be commenced prior to a contaminated land assessment and associated remedial strategy, together with a timetable of works, being submitted to the local planning authority for approval and all works shall be completed in accordance with the approved details.

a) Submission of a timetable for completion of remediation works in accordance with the details of remedial works required to be approved by the local planning authority in association with Environmental Health, prior to any remediation commencing on site. The works shall be of such a nature so as to render harmless the identified contamination given the proposed end-use of the site and surrounding environment (including any controlled waters).

b) Approved remediation works shall be carried out in full on site under a quality assurance scheme to demonstrate compliance with the proposed methodology and best practice guidance. If during any works contamination is encountered which has not previously been identified then the additional contamination should be fully assessed and an appropriate remediation scheme submitted to the local planning authority for approval.

c) Upon completion of the works, this condition shall not be discharged until a closure report has been submitted to and approved by the local planning authority. The closure report shall include details of the proposed remediation works and the quality assurance certificates to show that the works have been carried out in full in accordance with the approved methodology. Details of any post remediation sampling and analysis to show the site has reached the required clean-up criteria shall be included in the closure report together with the necessary documentation detailing what waste materials have been removed from the site.

Reason: A pre-commencement condition is required as the site investigations undertaken identify that previous uses may have left the land contaminated and in order to avoid risks to health or the environment mitigation is required in accordance with Paragraphs 118, 170 and 178 of the NPPF and Policy OSS3 (viii) of the Rother Local Plan Core Strategy.

Condition 7 was suggested by the Highway Authority in expectation of some works to the rear access ramp. This ramp is however, outside the ownership and control of the applicant who only have a right of way over it. As such no works or alterations are proposed to it. It will remain as seen on site without any new boundary treatment. As such there would be no obstruction to driver visibility and condition 7 is thus not required.

Delete condition 7.

7. *No above ground works shall commence until details of driver visibility and boundary treatment at the site access with the public car park have been submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall not be occupied until the visibility and boundary details have been completed in accordance with the approved details and it shall thereafter be retained in accordance with the approved details.*

Reason: To ensure that the development can maintain the safety of persons and vehicles entering and leaving the access and proceeding within a public area, in accordance with Policy CO6 and TR3 of the Rother Local Plan Core Strategy.