



Northampton UDA Planning Committee Paper

Report by Director of Planning and
Development

Date of Committee Meeting: 5th October 2010

Agenda Item: 7

Description: Change of Use from Agricultural Land to River Nene
Country Park; construction of car park and access road.

Address: Land to the West and East of Upton Valley Way, Northampton

Applicant: Homes and
Communities Agency

Application No:
10/0059/FULWNN

Date Registered:
19.04.2010

Expiry Date:
05.08.2010

Ward:
West Hunsbury

1. Recommendation

It is recommended that the application be **APPROVED** subject to the conditions set out at the end of the report with authority delegated to the Director of Planning Services to issue planning permission subject to the resolution of the following matters;

a. The submission of an archaeological field evaluation;

b. The submission of a satisfactory Sequential Flood Risk Approach providing assessment of the available sites for the location of the proposed car park;

c. The submission of a satisfactory Flood Risk Assessment;

d. A S106 agreement to secure the long term management of the site in perpetuity (should this be found to be required);

- e. Further consultation in respect of the above matters and the addition of any reasonable recommendations or conditions required as a result.

Reason for Approval

The proposed development would deliver enhanced green infrastructure within the south west district where significant residential development is proposed, promoting conservation and enhancement of biodiversity assets in the area and public access through the diversion and integration of public rights of way.

The proposal is therefore considered to be in accordance with policies E2, E6, E18, E38, L16, L29, L17 and L20 of the Northampton Local Plan (1997)

2. Summary

- 2.1 The application is made by the Homes and Communities Agency (HCA) for the change of use of agricultural land to form the River Nene Country Park to the west of Northampton and south of the urban extension at Upton as part of the wider vision for the south west district of Northampton and an essential integrated part of the overall planned sustainable extension of the town.
- 2.2 The overall development of the South West district is identified in the Northampton Local Plan (1997) a review of which was undertaken by Halcrow on behalf of the HCA (English Partnerships) in 2003. The land use and phasing proposals recommended following the review were approved by Northampton Borough Council in 2004. The South West district is identified as an area for strategic growth comprising some 670ha to provide around 6,000 new homes and 120 hectares of employment/industry.
- 2.3 The Country Park was identified within the report as an important resource within the South West district for informal recreation and conservation.
- 2.2 The proposal would incorporate the creation of formal footpaths, cycleways and bridleways over existing flood bunds as well as the realignment of existing paths and the construction of vehicular access and car parking as well as the creation of a variety of new ecological habitats.
- 2.3 The determination period for the application expired in August of this year and the application remains outstanding due to the lack of technical reports in respect of Archaeology and Flood Risk. The following report to Committee seeks approval of the

proposed development subject to the submission of further reports to enable the HCA to review their position and secure the appropriate funding to undertake the required assessments and technical reports.

- 2.4 It should be noted that the determination of this application would normally fall within the Corporation's scheme of delegation.

3. Description of Site

3.1 The application site is situated on the outskirts of Northampton to the south of the residential development at Upton. The site also adjoins Kislingbury to the west and the employment area at Pineham lies to the south.

3.2 The majority of the site lies within the Northampton Borough boundary with a small area of the site to the west within South Northants District boundary (the change of use of which is to be determined by SNC).

3.3 The site is approximately 166ha comprising mainly grassland, a large part of which is situated within flood plain forming part of the Upton flood attenuation area. There is also an element of arable farmland within the site. The River Nene passes through the site and the Upton Mill lakes are situated to the south designated as Local Wildlife Sites.

3.4 The Upton Valley Way (north) also known as the Cross Valley Link Road (CVLR) passes through the site and over the River Nene running north-south.

3.5 The application site includes an area of land in the eastern portion of the site for which planning permission was granted in February 2000. The permission was not implemented and subsequently expired.

4. Description of Proposal

4.1 The application seeks permission for the change of use of land to form the River Nene Country Park comprising an important part of the wider vision for the south west district of Northampton, an essential integrated part of the overall planned sustainable extension to Northampton.

4.2 The proposed development is envisaged to provide a gateway to the wider countryside through the incorporation of key leisure routes including the diversion of existing footpath, cycleway and bridle way routes and the conservation and

enhancement of biodiversity within the Country Park whilst maintaining the existing agricultural use.

- 4.3 Vehicular access and car parking are proposed to the south of the Park and north of Upton Valley Way East. Access is proposed to be taken from an existing roundabout on Upton Valley Way East.

5. Policy Considerations

5.1 WNDC Purpose:

Under S136(1) of the Local Government Planning and Land Act 1980, WNDC as an Urban Development Corporation has a statutory “objective” to deliver the regeneration of the area. The Secretary of State has determined that WNDC should have development control powers for certain types of development in order to carry out its objective.

5.2 National Policy:

PPS1 – Delivering Sustainable Development

PPS1 (supplement) - Planning for Climate Change

PPS5 – Planning and the Historic Environment

PPS7 – Rural Areas

PPS9 – Biodiversity and Geological Conservation

PPG17 – Sport and Recreation

PPS25 – Development and Flood Risk

5.3 Development Plan:

The Northamptonshire Structure Plan (2001) (saved policies);

SDA1 – Strategic Development Areas

The Northampton Borough Local Plan (1997) (saved policies);

E2 – Riverside landscape

E6 – Greenspace

E14 – Corridors of travel

E18 – Sites of acknowledged nature conservation value

E38 – Historic landscapes: nationally important ancient monument/landscapes

L16 – River Valley Policy Area

L17 – Use of river and canal

L20 – Managed countryside recreation: Upton Country Park

L29 – River Valley Policy Area: provision of new facilities

5.4 Supplementary Planning Documents:

Supplementary Planning Guidance – Transport (Feb 1999)

Supplementary Planning Guidance – Planning Out Crime (Feb 2004)

Supplementary Planning Guidance – Parking (March 2003)

Northampton Local Transport Plan

Northamptonshire Place and Movement Guide (2008)

5.5 Other Documents

WNDC Planning Principles (2009)

WNDC Planning Obligation Strategy (2008)

WNDC West Northamptonshire Manual for Design Codes (2009)

6. Representations

6.1 Northampton Borough Council (NBC)

No Objection. It is noted that the site investigation submitted with the application recommends that further investigations and risk assessments are undertaken in respect of the potential risk to controlled waters. It is therefore suggested that suitable conditions are imposed to secure this work.

6.2 South Northants Council (SNC)

Objection – until further clarification is received of the proposed management and maintenance arrangements for the Country Park in order to retain the natural agricultural appearance of the site.

6.3 Northamptonshire County Council (NCC)

Planning Policy

No Objection. This is an excellent opportunity to create a range of habitats and open space to the west of Northampton whilst improving the quality of the River Nene corridor. There is unlikely to be any lasting impact on the natural environment given the long term proposals to improve the site. The following detailed comments suggest how the scheme could be improved further and ensure the longer term management of the site;

- there is no reference to the *River Nene Regional Park's Environmental Character and Green Infrastructure Suite (EC & GI Suite)* which provides specific local detail which could improve the proposals for the types of habitats and landscapes created. The EC & GI Suite should be used to fine tune the scheme if more detailed work is required in the future;
- the proposal should ensure that there is safe and secure access for walkers, cyclists and other users to access the Country Park without having to cross major roads. The proposal should consider how the Country Park will link into the Sustrans Connect 2 project. An Access Management Plan will be required to ensure that adequate access is provided and that potential disturbance to biodiversity habitats and species is minimised;
- the site should provide a significant contribution towards the County's Biodiversity Action Plan (BAP) targets particularly for wetland habitats. At present it is debateable whether the proposals present as ambitious a scheme of habitat creation as might be possible. The following specific BAP habitats should be further considered;
 - Floodplain Grazing Marsh;
 - Lowland Fen;

- Lowland Meadows, particularly water meadows;
- Ponds;
- Reedbeds;
- Wet Woodland;
- A series of seasonal wetlands, habitat fringed open water and scrapes which would be beneficial to wading and other waterbirds.

It is evident that both water vole and otter are using this stretch of the Nene and therefore consideration should be given to what features could be provided to improve habitats for these two species.

- An Ecological Management Plan would benefit from consultation with key stakeholders including Wildlife Trust, RSPB, Natural England and the County Council to ensure the Country Park fulfils the variety of roles that it needs to provide. Consideration should be given to enforcement of the proposals through condition or S106.

Archaeological Advisor

The proposed development is in an area of known archaeological sensitivity. In light of the proximity of known archaeological remains, evaluation in the form of geophysical survey and targeted trial trenching needs to be undertaken in advance of determination.

6.4 The Ramblers' Association (Northamptonshire Area)

No Objection. The following comments are made;

- diversion of the Nene Way away from the Upton Fields Estate along the river and under Upton Way using the viaduct as an underpass would be a preferable route than the current crossing on Upton Way;
- work is required where LB12 crosses the Cross Valley Link Road at grade as the approach from the east side is not satisfactory;
- would like to know when the temporary diversion of LB5 will be lifted.

6.5 The Wildlife Trust

No Objection. The following comments are made;

- no management or restoration options are identified for the several backwaters and oxbow lakes including the newly separated meander under the Cross Valley link Road. The Wildlife trust are undertaking a large Nene Valley project and would be happy to advise on suitable management/restoration options;
- the Environmental Report submitted does not include methods to be used to create/manage the habitats on the site or programme of ecological monitoring.

6.6 Northampton Police Crime Prevention Design Advisor (CPDA)

No Objection. An analysis of crimes and incidents in the area reveal that the park is already being subject to motor cycle nuisance, burnt out cars, fly tipping on bridle ways, illegal traveller encampments, grass fires and bonfires and the existing car park at the entrance to Upton 1 is being used at night by youths. The Upton estate has a high level of anti-social behaviour and crime and this will inevitably spill over into the park. The following recommendations are made which, if implemented would reduce the likelihood of crime, anti-social behaviour and disorder occurring;

- car park to be fitted with height restriction barriers, barriers which can be locked at dusk and CCTV surveillance;
- wide bridleways and shared footpath/cycleway routes should be fitted with NCC approved motor cycle barriers;
- secure cycle parking should be provided in compliance with guidance given in the 'bikeoff' design guide;
- a full time park ranger should be employed to increase supervision within the park and deal with criminal damage.

6.7 Environment Agency (EA)

Objection. No evidence has been provided to demonstrate that the flood risk sequential approach has been applied to the proposed car park location; and the applicant has not supplied adequate information to provide a suitable basis for assessment to be made of the flood risks arising from the proposed development.

6.8 Northamptonshire Bat Group

No Objection. The following comments are made;

- any mature trees lost as a result of the development should be replaced with semi-mature trees to give some age diversity in the area.;
- no consideration has been given to the joining up of the existing bat haven/habitat around Upton Hall/Church to the Country Park. Upton Lane leading south is designated as a wildlife corridor and needs to be preserved and enhanced so as to feed wildlife into the Country Park. The hedgerow/stream which runs to the south of Quinton House School/Upton Hall Lakes into Bottom Spinney and into the Country Park should also be conserved and improved through management arrangements. This is a main thoroughfare of bats.

7. **Notifications and Responses**

7.1 Notifications were sent to surrounding occupiers (12/05/10) and the application was advertised by way of newspaper advert (13/05/10) and site notices (25/05/10).

One representation has been received raising concern about access onto Bly Lane which is being used for fly tipping and access for quad bikers who cause noise and disturbance. The roundabout should be made more secure before more traffic is encouraged into the area. The car park should incorporate measures to discourage fly tipping and parking up by travellers so that the rural nature of the Country Park can be maintained.

8. **Site History**

8.1 There are a number of Outline and Reserved Matter consents approved by NBC and SNC in respect of flood attenuation works within The Upton Flood Attenuation Area (UFAA).

9. **Considerations**

The key matters for consideration are;

- The Principle of Development;
- Environmental Impact Assessment (EIA);

- Landscape Character and Impact;
- Ecology and Biodiversity;
- Movement, Access and Car Parking;
- Archaeology and Cultural Heritage
- Flood Risk;
- Maintenance and Management;
- Community Safety;
- Other Matters

The Principle of Development

- 9.1 The application site is located within an area designated as the Upton Mill Country Park within the River Valley Policy Area as set out on the Northampton Local Plan Proposals Map. The site also incorporates areas designated as Site(s) of Acknowledged Nature Conservation Value including large water areas where a number of conservation and landscape policies apply.
- 9.2 Policy L16 restricts development within the River Valley Policy Area to agriculture, leisure or recreational use requiring that all such development should; a) avoid significant harm to the amenity value of the open space; b) pay due regard to character, natural features and wildlife; c) make adequate provision for public access.
- 9.3 Policy L20 identifies Upton as suitable location for a Country Park stating that planning permission will be granted for a Country Park within the overall development of the Pineham and Upton area.
- 9.4 Based on the consideration of these two overriding policies and the proposals put forward within the application, it is considered that the principle of the change of use to the River Nene Country Park is acceptable at this location within an area specifically designated for the use. The impact of proposal on the amenity value of the open space, existing wildlife and natural features, archaeological impacts and the need to provide adequate public access will be further considered below.

Environmental Impact Assessment (EIA)

9.5 The proposal is not considered to fall within Schedule 1 or Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999. The proposal is therefore not considered to be EIA development.

9.6 Notwithstanding this, an Environmental Report has been submitted with the application.

Landscape Character and Visual Impact

9.7 The existing landscape character is generally agricultural in nature viewed predominantly from passing vehicles travelling along Upton Valley Way and the Cross Valley Link Road. Long distance views across the site are limited due to existing trees and vegetation and the general topography of the site. Visual receptors within the site are limited to the residential properties at Upton Mill and the existing rights of way through the site.

9.8 The general agricultural fieldscapes identified are not proposed to be significantly altered and any new planting and footpaths are designed to be incorporated within the existing valley landscape. It is stated within the application supporting information that it would not be possible to perceive a change in view from any distance. Whilst there will be some localised changes these will not be significant in the context of the overall landscape. The location of the proposed car park off of Upton Valley Way East is considered to be suitably located close to existing development and would not have an adverse visual impact within the wider surroundings.

9.9 Any impact on existing trees and hedgerows is also considered to be limited incorporating the retention of the majority of hedgerows and trees. Native replacement planting is proposed in the event that removal is required and tree and hedgerow protection measures will be secured through the imposition of a suitably worded condition.

9.10 Any landscape or visual impact as a result of the proposed change of use is therefore considered to be limited or neutral. When balanced against the improvements proposed to the area, it is considered that the development would have a positive effect on the area through the improvement and enhancement of the existing landscape character of the site. The designation and implementation of this area as a

Country Park will act as a safeguard against future development within the area thus preserving the visual landscape.

Ecology and Biodiversity

- 9.11 The ecology field surveys undertaken within the application site identified a number of habitats, the main types being arable; bare ground; tall ruderal, improved grassland, semi-improved grassland; marshy grassland; the river Nene; watercourses and ditches; and woodland considered to be of either local or County value.
- 9.12 Specific species surveys identified a low level of use by reptiles but a number of breeding birds were identified within hedgerows, woodland and open water considered to be of Borough significance. An active badger population was also found to be of Borough significance whilst foraging habitat for common and soprano pipistrelle, Daubenton's bat and brown long-eared bats was only found to be of Local importance. Use of the River Nene by otter and water vole was also identified.
- 9.13 Whilst the approach to ecology and biodiversity as set out in the submitted application documents is generally considered to be satisfactory a number of recommendations have been made which could further improve the contribution the site could make in the creation of Biodiversity Action Plan Habitats and provision for BAP species including the identified otters and water voles as well as the joining up of bat foraging and habitat through the submission of an Ecological Management Plan. This will be secured through the imposition of a condition.
- 9.14 Given the nature of the proposed development it is considered that there would not be any adverse effects on the ecological and biodiversity assets within the application site. The maintenance and enhancement of habitat within the site is envisaged to improve and increase the extent of habitats and species within the Country Park.
- 9.15 The limited construction works associated with the development is not considered to adversely impact any protected species in particular. However, a Construction Environmental Management Plan will be required to be secured through condition in order to prevent any impact through management and protection during the construction process based mainly around the car park and any works associated with footpath construction. This approach is considered to be satisfactory in accordance

with the requirements set out in the Natural Environment and Rural Communities Act 2006 and circular 06/05 on biodiversity and Geological Conservation.

Movement, Access and Car Parking

- 9.16 The network of existing footpaths, cycle ways and bridleways already includes the Nene Way footpath/cycleway (LB5) and Camp Way bridleway (LB13). The proposals for footpath, cycle and bridleways within the Country Park are envisaged to promote an accessible network of routes linked to the surrounding areas
- 9.17 The proposed network of footpaths, cycle and bridleways would comprise the minor diversion of existing routes as well as the provision of new routes to provide increased accessibility through the Park and down towards and along the River Nene. A variety of routes will be offered including surfaced and un-surfaced routes as well as a short leisure route provided as an optional route from the Nene Way (LB5) down along the River Nene. A further spur from the Nene Way would also divert north towards the proposed Country Park adjacent to the Upton lodge development and to the north of Weedon Road.
- 9.18 Two bridges would be required to allow spurs of the proposed footpath links to cross the River, whilst these have generally been considered within the submitted reports they do not form part of this planning application due to the level of design required. Further applications will be submitted at a later date. The delayed provision of these bridges is not considered to be detrimental to the accessibility of routes across the Country Park but would restrict the use of routes for shorter recreational walks in circuits based around the proposed car park. A condition should therefore be imposed to secure the provision of the bridges in tandem with the proposed footpath routes.
- 9.19 In order to ensure adequate and satisfactory accessibility between the Country Park and the major barriers formed by roads and urban development particularly the Cross Valley Link Road, Upton Way and Weedon Road where the Nene Way would link into the existing and proposed footpath and cycleway network, details of crossing points should be submitted demonstrating a suitable, level and safe crossing point for all users. Motorcycle barriers may need to be considered as recommended by the CPDA.

- 9.20 The location of the proposed car park is considered to be provided at an accessible point within the Park close to a number of existing and proposed routes. However this will need to be balanced with the Flood Risk and Archaeological implications for development at this location following receipt of the further survey work and assessments required.

Archaeology and Cultural Heritage

- 9.21 A desk based assessment has been undertaken the findings of which are reported within the submitted Environmental Report. The application site includes a Scheduled Ancient Monument and a number of undesignated archaeological sites as well as the potential for unknown archaeological issues.
- 9.22 Whilst the development of site is limited to a change of use of the land with works only to improve and enhance landscape and biodiversity assets which would potentially have limited impact on known and unknown archaeological sites, it is considered that the construction of the access road and car park may have an impact on buried archaeology and further survey work will be required prior to the determination of the application in accordance with PPS5.
- 9.23 Upton Mill House and Mill (Listed Building) are situated within the confines of the Country Park but do not form part of the application site. Given the location of the Mill House and Mill and the nature of the development proposed it is not considered that there would be any adverse impact to the character and appearance of the Listed Building.

Flood Risk

- 9.24 The Country Park is located within the Upton Flood Attenuation Area (UFAA). Flood attenuation measures at Upton have been approved by NBC and SNC at Upton at Outline and Reserved Matters over three phases. The purpose of the UFAA is to reduce the severity of future flood events in Northampton and enable delivery of further strategic growth in the town.
- 9.25 The use of flood bunds to hold back floodwater and discharge it back into the River Nene have provided the opportunity to create the formal network of footpaths, cycle ways and bridleways as proposed.

- 9.26 The Environment Agency have objected to the application on the basis that no evidence has been provided to demonstrate that the flood risk sequential approach has been applied to the proposed car park location and that the applicant has not supplied adequate information to provide a suitable basis for assessment to be made of the flood risks arising from the proposed development.
- 9.27 The required assessments will need to be undertaken prior to the determination of the application in accordance with PPS25.

Maintenance and Management

- 9.28 The long term management and maintenance of the Country Park will be a critical to the sustaining the quality of the development and the enhancements proposed to ecology and biodiversity and access to and within the Park.
- 9.29 The management of the Park is briefly set out in the submitted planning documents. The HCA is currently in discussions with the Land Restoration Trust with a view to the Trust taking on a future role in the management of the Park. Whilst this is considered to be a positive proposal the precise detail of the longer term management and maintenance of the area should be submitted for approval to ensure a satisfactory scheme is agreed.
- 9.30 Further detail has been submitted by the agent setting out the estate management principles which the HCA would seek to employ in the management of the Park, continuing to act as custodians for the Park until suitable custodians are identified. The submitted information states that in order to ensure the long term viability it would be the HCA's intention to procure and endow long term custodians on completion of the project.
- 9.31 It may therefore be necessary to secure long term maintenance of the Country Park not only through the submission of a satisfactory Management Plan but also through a S106 agreement in order to secure appropriate funding for management in perpetuity.

Community Safety

- 9.32 The high rate of crime and incidents and the opportunity for this to spill over into the Park as highlighted by the CPDA are of concern and may potentially jeopardise the quality and effectiveness of the proposals set out within the application. It is therefore

important that some of the suggestions set out by the CPDA are incorporated. The application includes a commitment to the need for safeguards to ensure that the Country Park is not abused. A Park Warden is proposed to be responsible for the entire Country Park as well as the car parking area. This and other measures could be secured through the long term Management arrangements for the site to be secured through condition.

- 9.33 Plans for the proposed car park indicate the provision of a height restrictor to the entrance with anti-trespass ditches situated around the car park. The precise details of the height restrictor and a lockable barrier could be secured through condition.

Other Matters

Ground Conditions

- 9.34 An assessment of ground conditions has been undertaken and included within the submitted Environmental Report. Historical maps indicate that the majority of the application site has comprised open farmland since at least 1889 including hedgerow and drainage ditches.
- 9.35 Historical mineral extraction is stated to be evident within two large areas in the central and western parts of the site with some of the pits formed by the extraction being backfilled with inert waste during the early 1980's. Other areas were flooded and formed two new lakes (Upton Mill North Lake and Upton Mill South Lake).
- 9.36 The assessment of the site concludes that the proposed scheme is unlikely to cause adverse change of risk to environment. However, further investigations and risk assessments are recommended. The NBC Environmental Health Officer has therefore recommended that conditions be imposed to secure this additional information and ensure that the risk to controlled waters is adequately identified and monitored.

10. Conclusion

- 10.1 The proposed development would deliver enhanced green infrastructure within the south west district where significant residential development is proposed, promoting conservation and enhancement of biodiversity assets in the area and public access through the diversion and integration of public rights of way.

The proposal is therefore considered to be in accordance with policies E2, E6, E18, E38, L16, L29, L17 and L20 of the Northampton Local Plan (1997)

11. Conditions

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the approved plans listed in schedule 1 of this permission.

Reason: For the avoidance of doubt and in the interests of proper planning.

3. Prior to the commencement of development a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The CEMP shall include details for the management of waste arising from the construction process, siting and design and drainage arrangements for any temporary construction offices, buildings and storage compounds/areas and measures proposed to mitigate against adverse effects of noise, dust and vibration during construction and implementation of the proposed development and shall also include;

- a) The proposed hours of operation of construction activities;
- b) The frequency, duration and means of operation involving excavations, drilling, piling and concrete production;
- c) Sound attenuation measures to be incorporated (in relation to construction) to reduce noise at source;
- d) Details of temporary lighting;
- e) Arrangements for site access and vehicle parking;

- f) Method statement for the prevention of contamination of soil and groundwater and air pollution and remediation in the event of pollution; and
- g) The protection of ecologically sensitive areas and potential protected species during the construction phases.

The development shall be implemented in accordance with the approved details.

Reason: To ensure that appropriate consideration is given to environmental assets during construction and to ensure compliance with the Northamptonshire Waste Local Plan (March 2006) and Development and Implementation Principles Supplementary Planning Document (March 2007).

4. Prior to the commencement of development a detailed and comprehensive scheme of ecological enhancement of the site set out within an Ecological Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

Reason: To increase biodiversity within the application site through a scheme of ecological enhancement in accordance with PPS9.

5. Prior to the commencement of development a detailed landscaping scheme for the site, to include details of all trees and hedgerows to be removed and those to be retained, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of amenity and to secure a satisfactory standard of development and ecological enhancement in accordance with PPS9.

6. Prior to the Commencement of development, details of the method of protection of all existing trees and hedgerows within the site shall be submitted and approved in writing by the Local Planning Authority. The approved protection measures shall be implemented prior to the commencement of development and retained thereafter until the

development is complete. Within the fenced area no development works shall take place on, over or under the ground, no vehicles shall be driven, nor plant sited, no materials or waste shall be deposited, no bonfires shall be lit nor the ground level altered during the periods of development.

Reason: In order to ensure adequate protection of existing trees and hedgerows on the site in the interests of achieving a satisfactory standard of development and maintaining the amenity of the locality and the existing wildlife habitat which exists.

7. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building or the completion of the development, whichever is the sooner, and which shall be maintained for a period of five years; such maintenance to include the replacement in the current or nearest planting season whichever is the sooner or shrubs that may die are removed or become seriously damaged or diseased with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of amenity and to secure a satisfactory standard of development.

8. Prior to the commencement of the development hereby permitted, an investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include;
 - a) A survey of the extent, scale and nature of contamination;
 - b) 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;
- Ground waters and surface waters;
- Ecological systems;
- Archaeological sites and ancient monuments;

c) An appraisal of remedial options, and proposal of the preferred option(s)

Reason: To ensure the effective investigation and remediation of contaminated land sites and in the interests of health and safety and the quality of the environment in accordance with the advice contained in PPS23 Planning and Pollution Control.

9. Prior to the commencement of the development hereby permitted, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Reason: To ensure the effective investigation and remediation of contaminated land sites and in the interests of health and safety and the quality of the environment in accordance with the advice contained in PPS23 Planning and Pollution Control.

10. The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced and is subject to the approval in writing of the Local Planning Authority.

Reason: To ensure the effective investigation and remediation of contaminated land sites and in the interests of health and safety and the quality of the environment in accordance with the advice contained in PPS23 Planning and Pollution Control.

11. Prior to the commencement of development details of the location and arrangement of highway crossing points shall be submitted to and approved in writing by the Local Planning Authority. Consideration shall be given where possible to avoid highway crossing points.

Reason: To provide safer routes for footpath and cycle way users.

12. Prior to the proposed footpaths being first brought into use, the two bridges required to facilitate these routes shall be constructed and completed in accordance with separate detailed planning applications to be submitted and approved by the Local Planning Authority.

Reason: To ensure the development is completed to a satisfactory standard providing safe and accessible routes throughout the Country Park.

