

REFERENCE: P/20/159/BCB

APPLICANT: Bridgend County Borough Council
c/o KEW Planning, PO Box 5245, Cardiff CF5 9GQ

LOCATION: Plot 50a Village Farm Road
Village Farm Industrial Estate Pyle CF33 6BN

PROPOSAL: Erection of 8 new build industrial units in a single block consisting of 3 large units and 5 small units with associated vehicular and cycle parking.

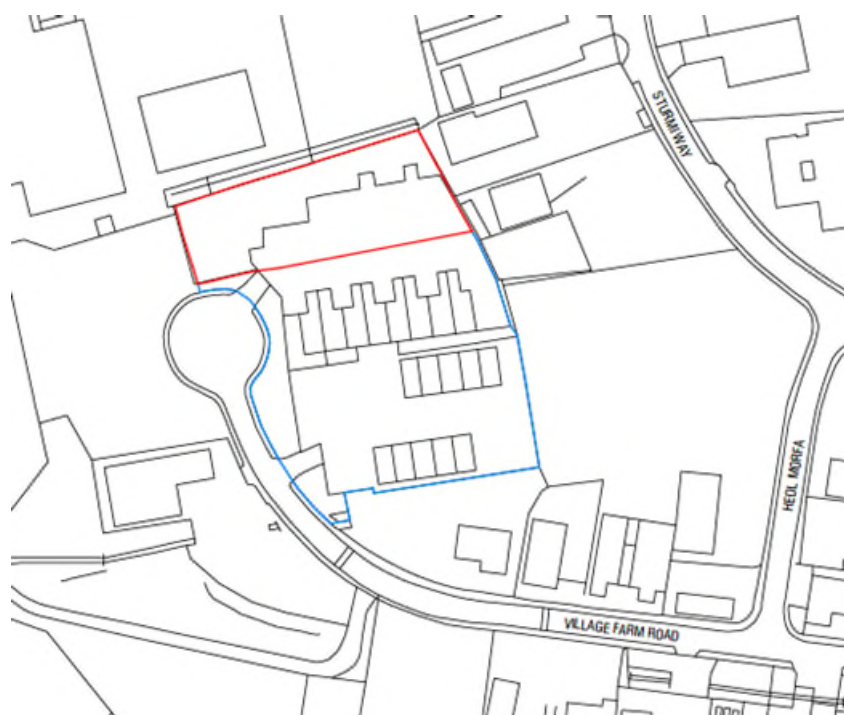
RECEIVED: 19 February 2020

APPLICATION/SITE DESCRIPTION

The application seeks full planning permission for the erection of 8 new build industrial units in a single block consisting of 3 large units and 5 small units with associated vehicular and cycle parking at Plot 50a Village Farm Road, Village Farm Industrial Estate, Pyle, Bridgend.

The application site is located within the existing Village Farm Industrial Estate and is surrounded by similarly designed buildings and industrial uses as to that subject of this application. The site is currently an open, grassed, vacant area and is used for informal parking by the surrounding industrial units with vehicular access to the site gained via Village Farm Road.

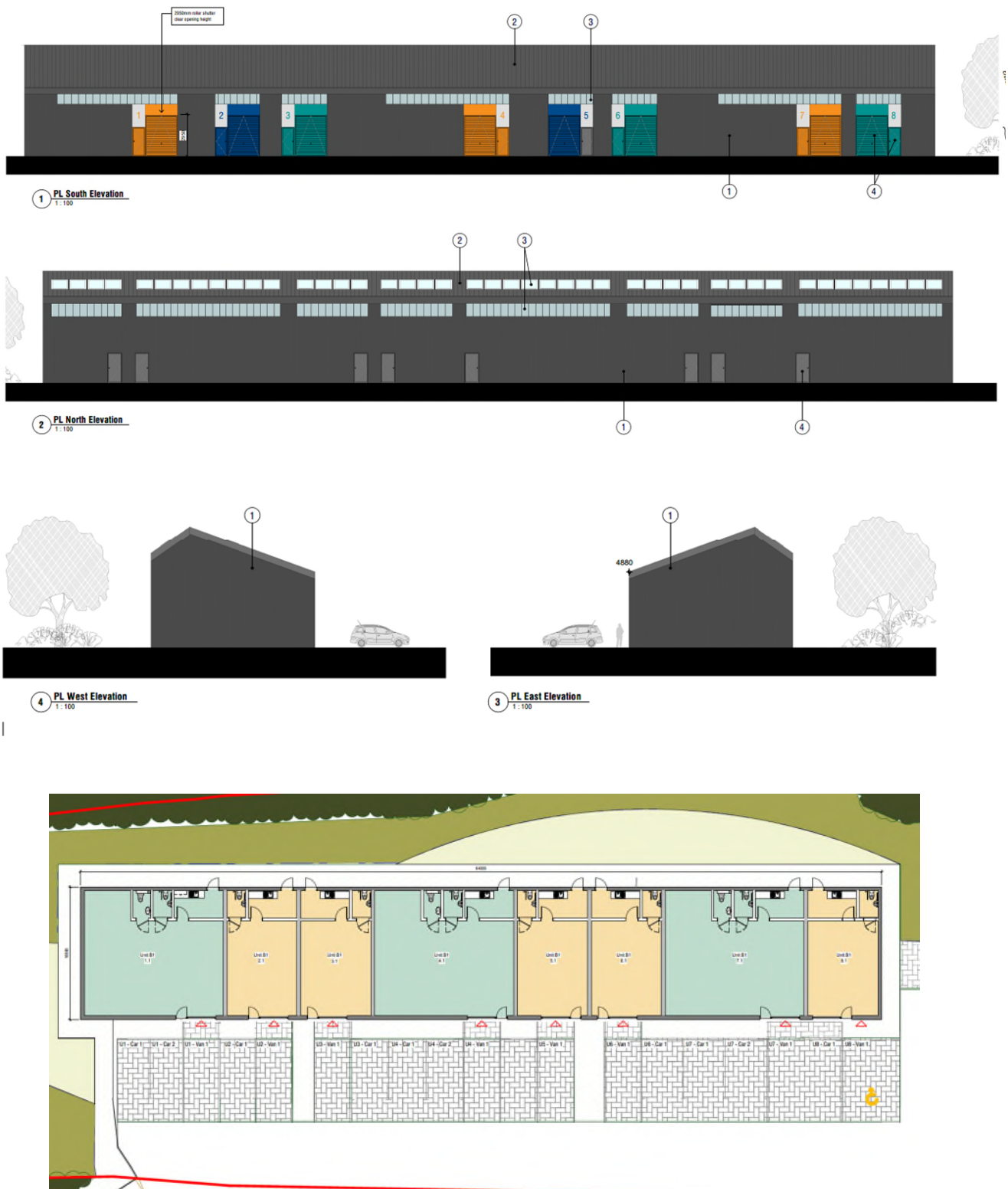
Figure 1 – Site Location Plan:



The proposed scheme comprises 8 new build industrial units with a combined gross internal floor area of 634 sq m. The scheme proposes a single block building consisting of three larger units (111 sq m) and five smaller units (56 sq m) with associated vehicular and cycle parking. The proposed building is to be single storey measuring approximately 63.5m x 10.5m and to a height of 7.8m with a pitched roof to the front and a cat slide roof to the rear. The building will be finished with standing seam metal roofing, profile metal cladding, polycarbonate glazed windows and metal door sets with accent coloured roller

shutters for each individual unit. The majority of the windows will be located in the rear elevation of the building with a number of velux roof lights located within the roof slope.

Figure 2 - Proposed Elevations and Floor Plan:



The application proposes the use of the starter units to fall within B1, B2 and B8 uses of the Town and Country Planning Act (Use Classes Order) 1987.

The site will be accessed off an existing access known as Village Farm Road with 18 off-street parking spaces located to the front of the units, one disabled parking space and 2 cycle stands which will be located to the side of the proposed building. There will be an

attenuation pond located at the entrance to the site with small scale landscaping also proposed within the site. The application site is also located within a Flood C2 Zone.

Figure 3 - Proposed Site Layout:



The following documents has been submitted in support of the application:

- Transport Assessment prepared by Curtins;
- Interim Travel Plan;
- Flood Consequence Assessment and Drainage Strategy prepared by Curtins;
- Landscaping Details;
- Detailed Elevations and Floor Plans;
- Design and Access Statement

RELEVANT HISTORY

None

PUBLICITY

The application was advertised on site.

Neighbours have been notified of the receipt of the application.

The period allowed for response to consultations/publicity expired on 24 April 2020.

CONSULTATION RESPONSES

Transportation Officer (Highways) – No objection subject to a number of conditions and a Traffic Order for a scheme for road markings (double yellow lines and double kerb lines) and signage at the site.

Land Drainage Officer – No objection subject to a condition for the submission of a comprehensive drainage scheme prior to development commencing on site.

Natural Resource Wales (NRW) – objection to the proposed development as the Flood Consequence Assessment (FCA) fails to demonstrate the risks and consequences of flooding and how they can be managed to an acceptable level in line with TAN15 and

there has been no assessment of third party impacts.

Welsh Water Developer Services – Initially raised concerns regarding the close proximity of the development to a main sewer at the site however, further surveys have been undertaken and submitted which shows the proposed development is located outside of the 3m protection zone and DCWW therefore raises no objection to the proposed development subject to the standard advisory notes.

Destination and Countryside Manager (Ecology) – Initially raised concerns regarding the proposed type of invasive shrubs to be used on the site however, this has now been amended by the applicant. No objection subject to advisory notes regarding the inclusion of nesting bird and bat boxes within the development.

Head of Public Protection (Contamination) – No objection subject to standard condition and advisory notes.

REPRESENTATIONS RECEIVED

One letter of concern has been received from Celtic Recycling stating that they do not object to the principle of developing the site however, they have concerns regarding the impact of the proposed development on the use of their existing access that they have used for over 20 years and which serves their business.

RELEVANT POLICIES

Planning Policies and Guidance

Adopted Bridgend Local Development Plan 2006-2021

Policy SP1 – REGENERATION LED DEVELOPMENT

Policy SP2 – DESIGN AND SUSTAINABLE PLACE MAKING

Policy SP3 – STRATEGIC TRANSPORT PLANNING PRINCIPLES

Policy PLA1 – SETTLEMENT BOUNDARY AND URBAN MANAGEMENT

Policy PLA11 – PARKING STANDARDS

Policy ENV5 – GREEN INFRASTRUCTURE

Policy ENV6 – NATURE CONSERVATION

Policy ENV7 – NATURE RESOURCE PROTECTION AND PUBLIC HEALTH

Policy ENV15 – WASTE MANAGEMENT IN NEW DEVELOPMENT

Policy REG1 – EMPLOYMENT SITES

Planning Policy Wales:

National Planning guidance in the form of Planning Policy Wales (Edition 10, December 2018) (PPW) is of relevance to the determination of this application.

Technical Advice Notes:

The Welsh Government has provided additional guidance in the form of Technical Advice Notes. Technical Advice Note 12 – Design and Technical Advice Note 15 – Development and Flood Risk is of relevance

Supplementary Planning Guidance:

In addition to the adopted Local Development Plan, the Council has approved Supplementary Planning Guidance (SPG) – SPG19: Biodiversity and Development is of relevance.

Well Being of Future Generations (Wales) Act 2015

The Well-being of Future Generations Act (Wales) 2015 places a duty on the Council to take reasonable steps in exercising its functions to meet the seven sustainable development (or wellbeing) goals/objectives. This report has been prepared in consideration of the Council's duty and the "sustainable development principle" as set out

in the 2015 Act. In reaching the recommendation set out below, the Council has sought to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.

COMMENTS ON REPRESENTATIONS RECEIVED

The concerns raised above have been addressed within the highway appraisal section of this report.

APPRAISAL

The application is referred to Committee for consideration due to the formal objection received from Natural Resource Wales regarding flood risk at the site.

The main issues for consideration in the assessment of this application are the principle of the development, visual impact regarding proposed scale, design and materials, impact on neighbouring properties, ecology, drainage, flood risk and highway safety.

Principle of Development

The application seeks consent for the erection of 8 industrial units on Village Farm Industrial Estate, Pyle.

The application site is located on the Village Farm Industrial Estate which is allocated and protected for development falling within B1, B2 and B8 employment uses under Policy REG1 (36) in the Bridgend Local Development Plan 2006-2021. Although no end users have been identified at this point, the applicant's agent has confirmed that the units are to be used for B2 – General Industrial Use. In view of the proposed use of the industrial units, it is considered that their use for general industrial purpose (B2) is acceptable due to their location within an existing industrial estate. The application site is surrounded by a number of other industrial units which are similar to that being proposed. The application site is located next to a number of existing business including Celtic Recycling.

As the development will result in 8 new industrial units within the existing industrial estate, the proposed development is in keeping with the use of the wider industrial estate and therefore accords with Policy REG1 (36) of the Bridgend Local Development Plan 2006-2021 and the Council's SPG21 – Safeguarding Employment Areas.

Design and Visual impact

The application site is currently vacant and is a grassed open area which is currently used for informal parking by existing industrial units adjacent to the site. The application proposes 8 new units comprising of three larger units and five smaller units with associated vehicle and cycle parking on the site.

The overall design and scale of the proposed building is considered to be acceptable with all units contained within one profiled metal clad building. The roller doors for Units 1, 4 and 7 will be finished in an orange colour, Units 2 and 5 in a deep blue shade and Units 3, 6 and 8 finished in a light green colour. The proposed design and materials of the proposed building are also considered to reflect the existing industrial units surrounding the site.

The layout and number of units proposed is also considered acceptable in view of the size of the application site and they are considered to integrate well within the existing context of the site. In view of the above, it is considered that the proposed development accords with Policy SP2 of the BLDP (2013).

Access and Parking

The Transportation Officer has assessed the scheme and notes that the applicant has submitted a revised site layout plan which addresses a number of concerns raised by the Highway Authority and an adjacent business.

The revised plan ref A-PL52 rev 4 (received on 3 September 2020) evidences via a swept path analysis that the proposal will not affect the ability of the existing businesses to the rear to receive goods and deliveries. In addition, the swept path analysis required certain changes to the layout which have now been incorporated into the scheme as follows:-

- Relocation of the cycle storage to a more prominent place to encourage usage.
- Removal off the footway along the eastern side of Unit 8 to accommodate HGV/forklift truck movements.
- Scheme of white lining for parking bays, double yellow lines/hatching protecting the HGV turning areas within the site.
- Parking as per SPG 17.
- The provision of a new footway linking the site to the existing footway on Village Farm Road.

In support of the planning application, the applicant has submitted a Transport Assessment to quantify the likely impact on the local highway network and to provide evidence that the proposed development will not materially impact the network or highway and pedestrian safety.

The Transport Assessment also concludes that the traffic generated by this development would result in a 3% increase in traffic in the AM peak and a 2% increase in the PM peak. This percentage increase is below the 5% materiality threshold and demonstrates that the development will not have a severe impact on the local highway network and will not give rise to an unacceptable impact on highway and pedestrian safety. The Highway Authority broadly agrees with the outcomes and conclusions of the Transport Assessment however, to ensure that any impact is further reduced the Highway Authority has requested additional footpath and cycle linkages to encourage the use of sustainable modes of transport to access the site.

It is also noted that Village Farm Road benefits from road markings that provide a 1 metre wide cycle segregation space on the carriageway. The markings terminate some 100 metres from the access to the proposal site. Therefore, to increase the sustainability credentials of the site, it is considered necessary to attach a condition requesting a scheme of segregated cycle lane road markings to be submitted and agreed by the Local Planning Authority.

Finally, in order to protect the turning head of Village Farm Road from indiscriminate on-street parking to the detriment of highway safety, a condition for a scheme for double yellow lines with double kerb lines in the turning head is to be submitted and agreed by the Local Planning Authority.

This parking restriction scheme should be agreed in the first instance with the Highway Authority's traffic management section and should be implemented within 12 months from the date of any planning consent. Monies to pay for the associated Traffic Order would normally be secured through a S106 obligation but as the Council is landowner and Local Planning Authority that route is not necessary. Arrangements for payment will need to be made between the respective departments and the applicant has agreed to pay the required sum.

Accordingly, it is considered that the proposed development is acceptable in highway terms and accords with Policy SP2(6) and Policy PLA11 of the BLDP(2013) and the Council's Supplementary Planning Guidance SPG17: Parking Standards.

Noise

In view of the proposed B2 use of the site and although the nearest residential property to the site is located approximately 250m away, it is considered appropriate to attach a condition to the consent restricting the hours of operation of the units in order to safeguard the residential amenities of the surrounding area to accord with Policy SP2 of the Bridgend Local Development Plan 2006-2021 and guidance contained in Technical Advice Note (TAN) 11 – Noise.

Drainage

The Council's Land Drainage Officer has assessed the submitted scheme and notes that the proposed development is located within Flood Risk Zone C2, is located within 20m of a watercourse and does not propose to increase flood risk elsewhere.

The application states that the surface water will be disposed via a sustainable drainage system however, no surface water drainage layout has been provided. The mapping database does not identify any public sewers located within the vicinity of the proposed development. The applicant has been in discussions with the BCBC SuDS Approval Body and a connection to the existing highway drainage network is proposed (as existing) via a SuDS system. In view of this, it is considered necessary to attach a condition to the consent requiring the submission of a comprehensive drainage scheme in accordance with Policy SP2 (13) of the BLDP (2013).

Flood Risk

The application site lies within a Flood Risk C2 Zone (as identified in the Welsh Government Development Advice Map (DAM) contained in TAN15). A C2 Flood Risk Zone is classified as an area of the floodplain without significant flood defence infrastructure and is used to indicate that only less vulnerable development should be considered subject to the application of justification tests, including acceptability of the consequences of flooding. Emergency services and highly vulnerable development should not be considered in this zone. The proposed development use (as an industrial unit) would be classed as less vulnerable development as stated within TAN15 and as demonstrated in the table below:

Table 2: (Extract TAN 15) Flood Risk Vulnerability Classification

Development category	Types
Emergency services	hospitals, ambulance stations, fire stations, police stations, coastguard stations, command centres, emergency depots and buildings used to provide emergency shelter in time of flood
Highly vulnerable development	all residential premises (including hotels and caravan parks), public buildings (e.g. schools, libraries, leisure centres), especially vulnerable industrial development (e.g. power stations, chemical plants, incinerators), and waste disposal sites
Less vulnerable development	General industrial, employment, commercial and retail development, transport and utilities infrastructure, car parks, mineral extraction sites and associated processing facilities, excluding waste disposal sites

As a result of this, a Flood Consequence Assessment (FCA) was submitted to support the application. Following further consultation with Natural Resource Wales (NRW), a formal objection to the proposed scheme was raised as the FCA failed to demonstrate that the risks and consequences of flooding could be managed to an acceptable level in accordance with national guidance over the lifetime of the development and that there had been no assessment of 3rd party impacts as a result of the proposed development.

The applicant's agent was advised of the comments from NRW who responded that the development is unlikely to meet the requirements set out in TAN15 and therefore the building has been designed to be flood resilient to account for this. Also, as the proposal relates to an industrial use, it is reasonably considered to be a less vulnerable development which is supported to be located within a Flood C2 Zone by TAN15.

With regard to third party impacts, the submitted FCA demonstrates that there will be an overall uplift of water on the site of 300 sq m and therefore, it is not considered to have any significant additional adverse impacts by way of water displacement onto the surrounding areas and units. Furthermore, Village Farm Industrial Estate is allocated within the BLDP(2013) as a Strategic Employment Site - Policy REG1(36) and therefore the proposed scheme is considered to contribute to new employment and the protection of employment uses within the Country Borough.

Overall, whilst NRW concerns have been taken into account, in view of the proposed flood resilient design of the building, the proposed industrial use as a less vulnerable development, the minimal risk of displacement of water to third parties and the economic benefits of the scheme by way of providing suitable accommodation for start ups and fledgling businesses, it is considered that the development is acceptable and generally accords with Policy ENV7 of the BLDP(2013).

Landscaping

From assessing the submitted plans it is evident that a small amount of planting has been proposed within the site. Details have been provided showing the proposed hard and soft landscaping to be implemented at the site including details of species, plant size and densities along with means of enclosure, car parking layouts and other vehicle and pedestrian access areas. Initially, the Council's Ecologist raised concerns regarding invasive species however, amended plans were received on 5 May 2020 which addressed this issues and these are now considered acceptable to accord with Policy ENV6 of the BLDP(2013).

Biodiversity/Ecology

"Section 40 of the Natural Environment and Rural Communities Act 2006 states that 'every public authority must, in exercising its function, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity'. This "duty to conserve biodiversity" has been replaced by a "biodiversity and resilience of ecosystems duty" under Section 6 of the Environment (Wales) Act 2016 which came into force on 21 March, 2016.

Section 6 (1) states that "a public authority must seek to maintain and enhance biodiversity in the exercise of functions in relation to Wales, and in so doing promote the resilience of ecosystems, so far as consistent with the proper exercise of those functions." Section 6(2) goes on to state that "In complying with subsection (1), a public authority must take account of the resilience of ecosystems, in particular:

- (a) diversity between and within ecosystems;
- (b) the connections between and within ecosystems;
- (c) the scale of ecosystems;
- (d) the condition of ecosystems (including their structure and functioning); and

(e) the adaptability of ecosystems.”

Regulation 9 of the Conservation of Habitats & Species Regulations 2010 requires LPAs to take account of the presence of European Protected Species at development sites. If they are present and affected by the development proposals, the Local Planning Authority must establish whether "the three tests" have been met, prior to determining the application. The three tests that must be satisfied are:

1. That the development is "in the interests of public health and public safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment".
2. That there is "no satisfactory alternative"
3. That the derogation is "not detrimental to the maintenance of the populations of the species concerned at a favourable conservation status in their natural range"

Given the nature of the application site as an open grassed area located on an active industrial estate it is considered that overall, there will be no significant adverse residual impacts on biodiversity. Therefore, the proposal is considered to comply with the requirements of the Habitats Regulations 1994 (as amended), Section 6 of the Environment (Wales) Act 2016, guidance contained within TAN 5: Nature Conservation and Planning (2009) and relevant LDP policies.”

CONCLUSION

This application is recommended for approval because the development complies with Council policy and the Council’s guidelines in terms of its proposed use, scale and design and does not adversely affect visual amenities, neighbouring amenities, noise, ecology, drainage, flood risk or highway safety to warrant refusal.

Whilst NRW concerns have been taken into account, on balance it is considered that the scheme can be supported due to the proposed flood resilient design of the building, the intended industrial use of the units as a less vulnerable development, the minimal risk of displacement of water to third party land and the positive economic benefits of the scheme, it is considered that the development is acceptable and accords with Policies REG1, SP2, SP3, PLA1, ENV6 and ENV7 of the BLDP(2013), Council’s Supplementary Planning Guidance SPG02: Householder Development and SPG17: Parking Standards and advice contained in Planning Policy Wales (Ed.10) December 2018 and Technical Advice Note 12: Design and Technical Advice Note 15: Development and Flood Risk.

RECOMMENDATION

(R28) That for the purposes of Regulation 4 of the Town and Country Planning Regulations 1992 that permission be deemed to be GRANTED subject to the following conditions:-

1. The development shall be carried out in accordance with the following approved plans and documents:
 - Drawing No. PL50 – Site Location Plan;
 - Drawing No. PL53 – Ground Floor Plan;
 - Drawing No. PL54 – Roof Plan;
 - Drawing No. PL55 – Site Sections;
 - Drawing No. PL56 – Building Sections;
 - Drawing No. PL57 – Elevations 01;
 - Transport Assessment prepared by Curtins;
 - Flood Consequence Assessment and Drainage Strategy prepared by Curtins received on the 19 February 2020;
 - Amended Landscaping Plans 002 Rev E and 004 Rev A received on 5 May 2020;

Swept Path Analysis – received on 12 August 2020; and
Amended Site Layout Drawing No PL53 Rev 4 received on 3 September 2020.

Reason: To avoid doubt and confusion as to the nature and extent of the approved development.

2. The use of the 8 industrial units hereby approved shall be limited to uses falling within Classes B1, B2 and B8 of the Town and Country Planning (Use Classes) Order 1987.

Reason: For the avoidance of doubt as to the extent of permission granted and to ensure that the Local Planning Authority retain effective control over the use of the land.

3. No machinery shall be operated, no process carried out, no deliveries taken or dispatched and no waste shall be collected from the site outside the times of 07:30 hours and 19:30 hours Monday-Saturday nor at any times on Sundays or Bank Holidays.

Reason: To maintain noise levels at a sustainable level in the interests of residential amenities.

4. No development shall commence on site until a scheme for the comprehensive and integrated drainage of the site, showing how foul, road and roof/yard water will be dealt with, including the future maintenance requirements, has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to beneficial use of the industrial units.

Reason: To ensure that effective drainage facilities are provided for the proposed development and that flood risk is not increased

5. 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 buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason: To ensure that the visual amenities in the area are protected.

6. All means of enclosure associated with the development hereby approved shall be in accordance with a scheme to be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of development. The means of enclosure shall be implemented in accordance with the approved details prior to the development being put into beneficial use and shall thereafter be retained in perpetuity.

Reason: To maintain and improve the appearance of the area in the interests of visual amenity and to promote nature conservation.

7. No development shall commence until a scheme for the provision of segregated cycle lane road markings to link to the existing marking on Village Farm Road has been submitted to and agreed in writing by the Local Planning Authority. The scheme shall be completed in permanent materials in accordance with the approved layout prior to the development being brought into beneficial use.

Reason: In the interests of highway safety and promoting sustainable modes of transport to and from the site and meeting the requirements of PPW10 and Active Travel Act.

8. Within 12 months from the date of consent the necessary Road Traffic Order(s), road markings (double yellow lines and double kerb lines) and signage shall have been implemented.

Reason: In the interests of highway safety.

THE FOLLOWING ARE ADVISORY NOTES NOT CONDITIONS

- a. This application is recommended for approval because the development complies with Council policy and the Council's guidelines in terms of its proposed use, scale and design and does not adversely affect visual amenities, neighbouring amenities, noise, ecology, drainage, flood risk or highway safety to warrant refusal.
- b. Whilst NRW concerns have been taken into account, on balance it is considered that the scheme can be supported due to the proposed flood resilient design of the building, the intended industrial use of the units as a less vulnerable development, the minimal risk of displacement of water to third party land and the positive economic benefits of the scheme, it is considered that the development is acceptable and accords with Policies REG1, SP2, SP3, PLA1, ENV6 and ENV7 of the BLDP(2013), Council's Supplementary Planning Guidance SPG02: Householder Development and SPG17: Parking Standards and advice contained in Planning Policy Wales (Ed.10) December 2018 and Technical Advice Note 12: Design and Technical Advice Note 15: Development and Flood Risk.
- c. The applicant may need to apply to Dwr Cymru/Welsh Water for any connection to the public sewer under S106 of the Water industry Act 1991. If the connection to the public sewer network is either via a lateral drain (i.e. a drain which extends beyond the connecting property boundary) or via a new sewer (i.e. serves more than one property), it is now a mandatory requirement to first enter into a Section 104 Adoption Agreement (Water Industry Act 1991). The design of the sewers and lateral drains must also conform to the Welsh Ministers Standards for Gravity Foul Sewers and Lateral Drains, and conform with the publication "Sewers for Adoption"- 7th Edition. Further information can be obtained via the Developer Services pages of www.dwrcymru.com
- d. In order to satisfy the drainage condition, the following supplementary information is required:
 - Provide an agreement in principle with DCWW for the proposed foul connection to the public sewer;
 - Provide an agreement in principle from NRW with regards to the findings and recommendations of the FCA.
- e. The applicant is advised that businesses that wish to occupy this site and undertake B2 activities that may give rise to noise, odour or dust problems will require a full review of the proposed use of the building. This may include the submission of any specialist reports where deemed necessary by the Local Planning Authority. Any mitigation measures that are identified as a result of the review shall be implemented in full.
- f. The developer will be required to enter into an agreement with the Highway Authority to fund a Traffic Order for the implementation of parking restrictions and road markings. The agreement should be agreed on consent being granted and the required funding will be in the sum of £8000.00 to cover the legal costs and publication of the Order etc. Failure to enter into the agreement or provide the

funding will result in a reversion to a highway objection on the basis of highway safety concerns and impact on the surrounding properties.

- g. The Developer is reminded that consent under the Town and Country Planning Act 1990 conveys no approval under the Highways Act 1980 for works to be undertaken affecting any part of the public highway including verges and footways and that before any such works are commenced the developer must:
 - obtain the approval of Bridgend County Borough Council as Highway Authority to the details of any works to be undertaken affecting the public highway;
 - indemnify the County Borough Council against any and all claims arising from such works;
 - give not less than one calendar months' notice in writing of the date that the works are to be commenced to the Policy, Development and Transport Team Leader, Bridgend County Borough Council, Civic Offices, Angel Street, Bridgend. Telephone No. (01656) 642541.
- h. The Public Protection Section draws your attention to the possibility of gases (landfill gases, vapours from contaminated land sites and naturally occurring methane and carbon dioxide but not radon gas) being generated at the site or land adjoining thereto and recommend investigation and monitoring of the area.
- i. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it should be reported in writing within 2 days to the Public Protection Section, all associated works should stop and no further development should take place until a scheme to deal with the contamination found has been approved.
- j. Any topsoil [natural or manufactured] or subsoil, to be imported, should be assessed for chemical or other potential contaminants and only chemical or other potential contaminants free material should be imported.
- k. Any aggregate (other than virgin quarry stone) or recycled aggregate material to be imported should be assessed for chemical or other potential contaminants and only chemical or other potential contaminants free material should be imported.
- l. Any site won material including soils, aggregates, recycled materials should be assessed for chemical or other potential contaminants and only chemical or other potential contaminants material should be reused.
- m. The contamination assessments and the effects of unstable land are considered on the basis of the best information available to the Planning Authority and are not necessarily exhaustive. The Authority takes due diligence when assessing these impacts, however you are minded that the responsibility for the safe development and secure occupancy of the site rests with the development.
- n. It is an offence under Section 33 of the Environmental Protection Act 1990 to deposit controlled waste on a site which does not benefit from an appropriate waste management license. The following must not be imported to a development site:
 - Unprocessed / unsorted demolition wastes.
 - Any materials originating from a site confirmed as being contaminated or potentially contaminated by chemical or radioactive substances.
 - Japanese Knotweed stems, leaves and rhizome infested soils. In addition to Section 33 above, it is also an offence under the Wildlife and Countryside Act 1981 to spread this invasive weed.

JONATHAN PARSONS
GROUP MANAGER PLANNING & DEVELOPMENT SERVICES

Background papers

None