

**Strategic Planning Board – 21<sup>st</sup> October 2015**

**UPDATE TO AGENDA**

**APPLICATION No: 15/3665N**

**Proposal: Construction of a 4 storey office building on the site of an existing carpark**

**LOCATION: Bentley Motor Company, PYMS LANE, CREWE,**

**OFFICER REPORT**

**Land Contamination**

Since publication of the agenda, the applicant has been carrying out further monitoring of the ground conditions on the site. This further monitoring has revealed levels of methane in the ground that require further investigation. The applicant has also commenced development by carrying out some piling operations; however, these works have now stopped.

This site is within 250m of a known landfill site or area of ground that has the potential to create gas. The soil on site has been demonstrated to have concentrations of relevant contaminants lower than the relevant generic assessment criteria and is therefore considered to be suitable for use on the site. The gas risk assessment which was submitted is considered to be insufficient with respect to current best practice guidance. Further gas monitoring is required in order to further inform the remedial design of the site.

The applicant has proposed gas protection measures for the building itself. However, with the present information the gas regime is not fully understood. The developer has committed to undertake more ground investigation in the form of further gas monitoring to further inform and supplement the gas risk assessment. If necessary, gas protection measures can be further upgraded within the development or additional site gas protection measures can be installed. This can be secured by condition.

With respect to the effects of the proposed development on the wider gassing regime, including any potential effects on nearby properties, the proposed monitoring will seek to further assess this and if necessary, further site gas protection measures will be installed to mitigate the effects of the development. Monitoring will continue until it is demonstrated that the conditions have been thoroughly assessed. This will require a minimum of fortnightly monitoring for a further period of 2 months.

As noted above, the remedial measures for the site and/or the property may need updating should the results of further monitoring indicate that this is necessary. Further monitoring is required once the development is complete to verify that the development has not had a negative impact on the gas regime in

the wider area and that the development has not created further risks to nearby properties by virtue of its existence. This should be secured by condition.

### **Residential Amenity**

It is important to note that on page 182 of the agenda reports pack, the distance between the nearest neighbouring dwelling and the east facing elevation of the proposed building would measure 26.6 metres and not 54 metres as cited in the report (due to a scaling error).

When assessing the relationship between buildings on new residential developments, the minimum distance normally expected between principal elevations (main windows facing main windows) would be 21 metres or 30 metres in the case of flats. This is reduced down to 13.5 metres between a principal elevation and a flanking elevation (i.e. an elevation with no principal windows).

In this case, the gable end of the nearest neighbouring property is flanking and does not contain any principal windows. As such, in the context of this site, where there are adjacent commercial buildings which are greater in height than the nearest residential properties, it is considered that the impact on the amenity afforded to the nearest neighbouring properties would not be significant enough to materially harm these neighbouring properties by reason of loss of light, overshadowing or visual intrusion.

### **Other Matters**

The pre-commencement conditions recommended on page 184 of the agenda reports pack will be amended to account for the fact that development has commenced and to accommodate the additional information relating to contaminated land.

### **RECOMMENDATION**

No change to the recommendation subject to amendments to the conditions as set out below.

**APPROVE subject to the following conditions:**

- 1. Accordance with plans**
- 2. Materials in accordance with submitted detail**
- 3. Development to be carried out in accordance with submitted noise impact assessment**
- 4. Development to be carried out in accordance with submitted Environmental Management Plan**
- 5. Access constructed in accordance with submitted details prior to first occupation**
- 6. Survey for nesting birds (if works continue into bird nesting season)**
- 7. Details of foul water drainage to be submitted prior to its installation**

- 8. Surface water drainage strategy to be submitted prior to its installation**
- 9. Landscape to be submitted prior to first occupation**
- 10. Landscape implementation**
- 11. Hours of operation restricted**
- 12. Accordance with submitted Piling Method Statement**
- 13. Travel plan to be submitted prior to first occupation**
- 14. Details of external lighting to be submitted prior to its installation**
- 15. Contaminated Land Remedial Strategy to be submitted prior to any further works commencing**
- 16. Gas protection measures to be installed in accordance with approved detail prior to first occupation**
- 17. Additional Phase II contaminated land investigation to be submitted within 6 months or prior to first occupation (whichever is the sooner)**
- 18. On site gas monitoring verification / validation report to be submitted within 6 months following first occupation**