

PLANNING COMMITTEE - 25TH OCTOBER 2000

DECISION SCHEDULE

<p>00/0768/DC Town & Country Planning (Gen) Regs 1992 Director of Education</p>	<p>The Glebelands, Newport Replacement primary school, all weather pitch, soft and hard play areas and residential development</p>	<p>St Julians</p>	<p>HPS - reported that following the decision to defer this application pending receipt of additional information requested by the Environment Agency, the Agency had had been agreed with the Agency.</p> <p>Councillor Marks expressed concern regarding the contamination on site and requested that an independent health and safety expert be appointed to oversee the contamination mitigation measures.</p> <p>HPS - suggested that in light of Members' concerns regarding the treatment of contamination, a condition could be imposed to require on-site supervision and the submission of a certification report.</p>	<p><u>Recommendation</u></p> <ol style="list-style-type: none"> 1. Granted with Conditions. 2. That a full time officer be appointed by the Council to supervise and oversee the contamination remediation work in the interest of safeguarding future users of the site. <p><u>Additional Condition</u></p> <ol style="list-style-type: none"> 1. To require the developers to appoint a qualified engineer to oversee the works and, on completion, submit a certification report confirming that all works have been conducted in compliance with the relevant planning conditions and associated contamination mitigation assessment.
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APPLICATION DETAILS

No: 00/0768/DC Ward: **ST JULIANS**

Type: DEEMED CONSENT

Expiry Date: 01/09/00

Applicant: DIRECTOR OF EDUCATION

Site: **THE GLEBELANDS NEWPORT**

Proposal: **REPLACEMENT PRIMARY SCHOOL, ALL WEATHER PITCH, SOFT AND HARD PLAY AREAS AND RESIDENTIAL DEVELOPMENT**

REPORT

CONSULTATIONS

PRESS NOTICE, SITE NOTICE AND NEIGHBOURS: 2-136 (even) and 1-141 (odd) Stockton Road; 1-8 Charnwood Road; 17-23 (odd) and 24-26 (even) Oak Street; 2-10 (even) and 1-11 (odd) Filey Street; 23-57 (odd), 16-20 (even) Stafford Road, 26-72 (even) and 19-41 (odd) Orchard Street; 1-59 (odd) and 2-28 (even) Margaret Avenue; 2-24 (even) and 13-43 (odd) Rockfield Street; 6-16 Orchard Mews; 13-42 (inclusive) Riverside; 58-60 Constance Street; 1-35 (odd) and 2-28 (even) Morgan Street; 1-15 (odd) and 2-4, 24-48 (even) Crawford Street; 1-37 (odd) and 2-24 (even) Collier Street; 1-16 (inclusive) Courtney Street; 1 and 3 Harrogate Road; 1-7 (inclusive) Scarborough Road; 1-20 (inclusive) Darlington Court; 72-98 (even) and 1-45, 59-101 (odd) Sutton Road; 1-19 (odd) and 2-14, 16-30 (even) Bank Street; 1-3 and 39-40 Highbanks; 185-203 (odd) and 196-202 (even) Durham Road; 319-329 Caerleon Road; 39-65 (odd) and 30-42 (even) Corelli Street; 40-48 Llanvair Road; 1-23 (odd) and 2-18 (even) Clayton Street; 6-12 Turner Street - 31 letters of objection received on the grounds that the proposal site is dangerous for a school being sandwiched between the railway line, river, reën, motorway, etc; the proposal will cause/exacerbate traffic congestion and local roads cannot cope; the ground for the school is toxic and parents will refuse to send their children there; the proposal will result in the loss of a popular and easily accessible recreational facility; the proposed cycleway/footpath will make an existing footpath serving Riverside into a common right of way and the footpath is dangerous; the lottery's reën has caused flooding in the past during periods of heavy rainfall and high tide; the project should not be financed by PFI but from community funds; the Compton Webb site is more suitable for the school as it is large enough, has existing foundations and slabs, is not contaminated and would not result in the loss of the existing recreational ground development on the old stadium site and the influx of additional families from the new housing will result in an increase in crime and vandalism because of the loss of the popular recreational ground; the use of the Charnwood Road underpass by children is unacceptable and unsafe; redevelopment of the existing Durham Road site is preferable; the use of Turner Street, Collier Street, etc by construction traffic and the associated vibration dust, and noise is unacceptable and will reduce quality of life; local houses rely upon on-street parking and this is at a premium; narrowing of the roads will cause hold-ups and tail-backs; the whole community should be involved in an issue of this importance but only some members of the community have received notification letters; the bridge at Turner Street cannot cope with the existing flow of traffic; the increase in traffic after construction will cause congestion and danger for all in an already hazardous area; the proposal will result in a loss of property value; the transportation of waste out of the area for safe disposal is unsuitable as the whole community become susceptible to exposure to the waste as it is transported through streets; the building of housing stock for the more privileged members of society will be at the expense of the poor who actually use the recreational ground; access to the Glebelands at present is very restricted and the Bank Street bridge is already being used by more traffic than originally intended; and the additional traffic generated by a school and housing will cause traffic chaos.

GLEBELANDS ACTION GROUP: Objects to the proposal on the grounds that the Compton Webb site is better for the school; there is no need for new houses in the area; the access is inadequate; the site is not large enough to accommodate the new influx of families; the scheme could be financed from Barrage funds; the nursery provision would not be adequate.

HEAD OF LEISURE: Supports the proposal. The scheme as outlined, opens up the river bank as a recreational amenity and the housing development utilises a brownfield position thereby allowing the natural integration between the school site and the facilities at the Glebelands. Not only will the present playing fields at the Glebelands be preserved but the plans for the school will add an all-weather playing field, floodlighting and a multi-use recreation area. This will provide a year round resource for the local clubs and the community and will extend, rather than reduce, the present range of facilities.

HEAD OF ENGINEERING AND TRANSPORTATION: No objections in principle and refer to findings of access report prepared by Gwent Consultancy.

HEAD OF PUBLIC PROTECTION: No objection but recommends that conditions be attached to any consent

relating to the requirement for land gas monitoring, risk assessment, and a remediation strategy.

ENVIRONMENT AGENCY: No objection subject to an assessment of the likely impacts of the preferred method of foundation construction for the school on the underlying groundwater bodies, suitable pollution prevention measures being agreed to minimise the impact of development on the aquatic environment, appropriate site investigations being undertaken across the site prior to any demolition or development, a survey for the presence of landfill gas being carried out on the land prior to the application being determined, a topographical survey being conducted and the developer ensuring that the site is raised to a level of 9.8 metres above Ordnance Datum with finished floor levels set 600 mm above this level. Recommend imposition of conditions relating to foul and surface water disposal, investigation of landfill gas and control over imported material.

COUNTRYSIDE COUNCIL FOR WALES: No objection but require the Council will need to conduct an appropriate assessment in accordance with the Conservation (Natural Habitats, Sc) Regulations 1994 to assess and control the impact of the proposal upon the River Usk Special Area of Conservation. Recommend that measures to avoid adverse impacts can be enforced through the implementation of appropriate conditions attached to any planning permission.

HEAD OF ECONOMIC DEVELOPMENT AND REGENERATION: Supports the proposal. Requests consideration of the requirements for a segregated pedestrian/cycle route within the riverside boulevard, provision of safe pedestrian/cycle routes linking the boulevard to the school and housing development, need for layout to accommodate a future pedestrian/cycle route connection between the application site and Charnwood Road, and provision of safe cycle access via other potential access routes.

GWENT POLICE: No objections.

GLAMORGAN GWENT ARCHAEOLOGICAL TRUST: No response to date.

TRANSCO: No objections.

WELSH WATER: No response to date.

SWALEC: No response to date.

RAILTRACK: No response to date.

ST JULIANS BRANCH LABOUR PARTY: Supports the principle of building a replacement school, subject to assurances that the contamination issue will be dealt with and that there is a distinct separation between the housing and school sites. Express concerns for access and housing sites and object if housing encroaches on the site designated for a school.

LIBERAL DEMOCRATS: Object on the grounds that the proposal will result in the loss of sports facilities and pitches at the Glebelands stadium site, loss of open space, will place an unacceptable strain on an already overloaded local road network; and express concerns for the toxic waste on the Glebelands site and arrangements to cope with the additional sewerage generated by the proposal.

COUNCILLORS MARKS, SWEETING AND PERRY: Have been notified.

SITE HISTORY

92/0765/DC Erection of new infants and junior school together with playing fields on former Compton Webb site. Objection forwarded 20th October 1995.

POLICY CONTEXT

Policy H1 of the Adopted Gwent Structure Plan (1991-2006) requires that a sufficient supply of land be made available for housing during the plan period. Policy H2 requires that housing and associated developments be located in suitable locations identified by local planning authorities.

Policy H9 of the Adopted Usk Riverfront Local Plan (1993-2003) allocates approximately 5 hectares (12 acres) covering the existing Glebelands stadium site and the former Compton Webb site for residential development. Policy E(1) of the Plan allocates a 2 hectare (5 acre) site for a new primary school within the 12 acre housing allocation (H9). Policy REC(5) states that the open space at the Glebelands will be maintained until the housing and school are imminent.

Policy SP9 (Housing) of the Deposit Unitary Development Plan requires that the Authority make sufficient land available for new housing. Some of this supply will be met by allocations made under Policy H1.

Policy H1(5) of the Deposit Unitary Development Plan (1996-2011) allocates 2.83 hectares of land for housing on the former Compton Webb site and the redgra area. Policy CF15(i) allocates the stadium site for a new primary school.

Policy CD30 identifies a corridor of land adjacent to the River, recreational land north of the M4, and the recreational ground north of and including the existing car park as Environmental Space which will be safeguarded for its recreational and amenity value.

Policy CE6 seeks to protect the special interest of the River Usk SSSI and cSAC.

Policies CD34, CE40, CE35 and T14 support the principle of achieving high standards of design in new development and an accessible environment.

Policy U12 (contaminated land) requires that proposals affecting sites known to be contaminated must be subject to a comprehensive site assessment and development only permitted if effective measures can be taken to ensure that occupiers and adjacent users are not exposed to unacceptable risk, and contamination does not affect any watercourse.

ASSESSMENT

Background: The Site and the Proposal.

This is an outline application made on behalf of the Director of Education at Newport County Borough Council for the development of a primary school, to replace the existing facility at Durham Road, and residential development. The application site comprises part of the land known as the Glebelands recreational ground and the adjoining site formerly occupied by Compton Webb.

All matters, including access, have been reserved for subsequent approval, however an indicative layout plan of the site has been submitted.

The application site consists of 4 distinct parcels of land. These are as follows:

A The sports stadium and adjoining car park currently accessed via the Bank Street railway bridge;

B The land known as the redgra area and located immediately south of the stadium site;

C The land formerly occupied by the company known as Compton Webb; and

D The riverside walkway extending south from the Lottery's reen to Collier Street/Riverside.

The indicative layout suggests that the proposed new school, all weather pitch, hard surfaced play area and playing field would be sited on the stadium site (A). New residential development would be located on the redgra area and former Compton Webb site (B and C) It is important to note that none of the recreational ground north of the Bank Street access and car park nor the allotment gardens are included in the application site.

A Draft Planning Brief for the site has been prepared by the Head of Planning Services independently of this application. A separate consultation exercise has been conducted on the Brief in parallel with a large scale notification exercise as part of the application consideration procedure. In addition to notices in both the press and near the site, over 600 householders have been notified of the application by individual letter.

The results of the consultation exercise on this planning application are reported above.

The Development Plan.

The site is allocated for a new primary school and residential development in both the adopted Usk Riverfront Local Plan and the Deposit Unitary Development Plan. The application and indicative site layout provided accords with the housing and primary education allocations and associated policies contained within both documents. These currently constitute the development plan for the area.

Notwithstanding the support afforded to the proposal by the residential and education policies of the Plan, the site has a number of constraints to development which require careful consideration. In view of this and the objections and concerns raised by local residents and community groups, these are discussed and evaluated below.

Land Contamination:

A significant number of objectors to this proposal raise the issue of ground contamination and its effects upon human health as a primary concern.

A contamination investigation report prepared for the Council by Gwent Consultancy in June 2000 included an assessment of contamination at the site (including the presence of land-gas and groundwater contamination) and the risk posed to human health during future construction work. The report confirms that there is evidence of contamination on both the stadium site and the former Compton Webb site. Chemical analysis of both soil and groundwater samples indicate that there are localised elevated levels of contaminants within or immediately adjoining the application site. The majority of "hotspots" of both soil and groundwater contamination are located outside the application site on land along the river embankment north of Lottery's reen. "Hotspots" detected within the site area include land immediately south of the redgra area and at the Compton Webb site. Across the site there is evidence of the presence of heavy metals, hydrocarbons, asbestos, amosite and chrysotile. Of these, amosite is considered the most hazardous to human health if disturbed and inhaled. This has not been detected on the site indicatively allocated for the school. Additionally, there is no evidence of radioactive contamination at the site which could affect health.

It is clear that the sites previous uses have affected the quality of soils and groundwater within this area. This will directly affect the future development of the site. Contaminants which have been identified, and particularly those that are known to be capable of presenting a threat to health, will need to be either removed or treated on site. On the basis of the contamination testing results which are known, it is considered that the effects of contamination can be remediated.

Residents have expressed understandable concerns for the long term implications of developing the site. However, despite numerous studies of contamination at the site over the last 10 years, there is no evidence to suggest that the contamination cannot be safely cleared or treated or should pose a long term risk to users of future development. It is accepted that remediation will be required and procedures for developing contaminated land will need to be carefully observed. A comprehensive contamination remediation package, method of construction works, and detailed schedule of pre and post construction environmental Management of the site need to be secured by planning condition. Any remediation package may include a requirement for additional site investigation work and all such works will need to be completed and checked prior to any development commencing on the site.

In view of the above it is considered that these works and associated monitoring over the long term, can ensure that contaminants on the site are removed or made safe to recognised standards and that the levels and effects of contamination and the success of the remediation works can be evaluated with a view to ensuring that there are no known immediate or long term effects or risks to human health.

Highways and Access:

Details of access have not been submitted for consideration however access to the site is known to be severely limited. There are currently two substandard, single carriageway access points via which traffic could access the site. These include the bridge at Bank Street and below the railway line at Turner Street. There is a pedestrian underpass at Charnwood Road, however this is not included within the application site.

In order to meet current highway design standards, the proposed development would require 2 points of vehicular access. The draft planning brief for the site identifies several options including a new Bank Street bridge, access via Herbert Road, Mucksons Lane, or via a riverfront boulevard off Collier Street.

The most favoured access at present for the proposed housing is the proposal for a riverside boulevard which has been identified in the planning brief for the site. This would be accessed via Collier Street. Residents in this area have expressed concerns for the impact of additional traffic on amenities and safety, particularly the adequacy of the Turner Street Bridge. These concerns have been assessed as follows:

Highway Safety: Turner Street

The Deposit Unitary Development Plan estimates that the Glebelands housing allocation could result in an additional 105 units. At present, the riverside boulevard is an informal track that skirts the eastern bank of the river with access off the corner of Collier Street and Courtney Street.

An access report prepared on behalf of the Council has confirmed that the junction of Turner Street and Caerleon Road currently operates at capacity during peak hours. At present the Turner Street bridge operates with a priority system. It is considered that the additional traffic generated by the proposal will require the introduction of traffic signals and this will prevent existing queuing associated with the current priority system. Increased use of the East Usk Road access and associated Cenotaph junction have also been considered and the requirement for works to increase capacity at this point have been evaluated as part of more wide scale highway improvement works associated with additional housing development in the area generally. These assessments and the more specific conclusions on the recent access report confirm that off site public highway works will be required to increase capacity in order to minimise existing congestion and alleviate the burden of additional traffic associated with this proposal.

It is reasonable and likely that these off site works will proceed and be implemented and therefore it is considered that a Grampian style condition requiring that off site public highway works be completed prior to use of the development would be necessary.

In contrast, one of the merits of the proposal includes the fact that the creation of a riverside boulevard off Collier Street will facilitate and improve access to the Glebelands recreational ground and the proposed school by vehicles, pedestrians and cyclists travelling from this area. This is a densely populated network of streets and it is reasonable to assume that the proximity of the proposed school to the existing housing will encourage a large number of trips by foot. Safe pedestrian access should also be a fundamental part of any detailed scheme. Similarly, a more direct access for this part of the community to the new and existing facilities is likely to reduce short vehicle trips. This in turn would minimise the burden on traffic upon other principal access routes. It is likely that the Turner Street bridge will discourage the majority of vehicles from accessing the school site via this route off Caerleon Road. It is therefore envisaged that Bank Street will form the principal access route for school traffic.

Highway Safety: Bank Street

As with the Collier Street area, traffic impact data confirms that Bank Street can cope with the additional traffic estimated to be generated by the proposal. Bank Street is a relatively wide residential street. However, the Bank Street Bridge is a substandard single lane and is controlled by traffic lights. The existing bridge would not be suitable for construction traffic.

Traffic data assuming that all school traffic uses the Bank Street access confirms that its existing junction with Caerleon Road would be over capacity by 2011 and would exacerbate existing traffic queuing during morning peak periods. This is a worst case scenario as it is anticipated that some school traffic will use the riverside boulevard. However, it is clear that improvements to the junction will be required in the long term. The access report prepared on behalf of the Council states that the Caerleon Road/Bank Street junction will need to be signal controlled in the long term to cope with additional traffic generated by the proposal and to alleviate current congestion. It is reasonably expected that this will occur.

Overall, the proposal will increase traffic along principal access routes. There is no evidence to indicate that the affect of this additional traffic upon highway safety or the free flow of traffic will be significant or adverse if various off-site highway improvement works are implemented. However, it is clear that these will need to be secured via a Grampian condition on any approval in the interest of both highway safety and amenity.

Residential Amenities

The proposal will increase the flow of traffic upon principle access routes. Whilst access has been reserved for subsequent consideration, the options for access are relatively limited. The creation of a riverside boulevard to principally serve new housing development with school traffic predominantly accessing the site via Bank Street is currently the preferred option having regard to access information available to date and other factors including land ownership. However, traffic congestion during peak times has been identified along these routes as a result of existing uses. The implementation of off site highway works to increase capacity are being considered as part of a strategic infrastructure enhancement exercise based upon an assessment of existing and planned developments in this area. These are currently reasonably expected to occur over the long term, particularly if transport forecasts up to 2011 are realised. It is considered that if the development progresses prior to such

works being implemented, the congestion on local roads and the impact of this upon amenity will be significant with traffic queues and associated disturbance and inconvenience increasing. This is not acceptable. Whilst existing congestion exists on principal routes, it is evident that this will rise to unacceptable levels on completion and occupation of the development.

However, if off site highway works which accord with relevant traffic and access data are implemented, most notably at the Turner Street bridge and Bank Street/Caerleon Road junction (based upon current preferred access arrangements) it is considered that the increased traffic will not, at these points, demonstrably worsen the existing situation and is likely, particularly over the short term, to lessen the disturbance associated with traffic backlogs.

Traffic will inevitably increase along principal access routes. Residents along these routes will be affected compared to the existing situation. However, the site is allocated for development in an adopted development plan and has been recognised as a preferred site for a new school for some considerable time, most notable since the publication of the adopted Usk Riverfront Local Plan in 1993. The refusal of the proposal on the basis that it would increase traffic would prevent the release of a brown field site which the government seeks to encourage and would be contrary to the Council's strategic objective of directing housing to urban areas. On this basis it is considered inequitable to withhold planning permission for this reason.

Loss of Open Space/Recreational Facility:

The Glebelands stadium has long since been replaced as the town's centre of athletics excellence by the modern stadium at Spytty. There is now relatively little demand for the very outdated athletics facility. The present changing rooms are in need of total refurbishment and the stadium and redgra area generally appear rundown and in a poor state of repair and maintenance.

The Glebelands recreational ground as a whole is a very popular local leisure facility. A large number of objectors to the scheme cite the loss of part of this facility as a major concern.

However, the playing fields on the Glebelands are to be preserved. The plans for the school will add an all-weather playing field and multi-use recreation area that will provide a year-round resource for local clubs and the community. This will extend the existing range of facilities by providing an up-to-date alternative to the under-utilised track and redgra area. The soccer pitch in the middle of the running track will be relocated within the recreation ground and the area generally enhanced through the reinforcement of existing landscaping.

Access to the site for recreational activity will be significantly improved and facilities for both cyclists and pedestrians secured by planning condition as part of the detailed design of the scheme.

Existing pedestrian and cyclist routes are very poor, particularly along the river embankment. Inadequate surfacing, poor drainage and varying land levels currently discourage access by some sectors of the community. The area is well served by the playing field provision north of the application site which will be unaffected by these proposals and these facilities will be enhanced by the proposal for additional, up to date, facilities as part of the school scheme.

It is therefore considered that the proposal, in principle, will enhance existing recreational facilities and improve all round accessibility to the recreational ground and pitches.

Flooding and Flood Risk:

The Environment Agency have advised that the site may be at risk of tidal flooding and some objectors have confirmed that flooding around the Lotterys Reen area has previously occurred during periods of excessive rainfall and high tide. The Agency have advised that the site be raised to a level of 9.8 metres above Ordnance Datum. Topographical data over the site area has confirmed that the land will need to be raised. Land levels across the stadium site currently range from 9.5m to 9.89 m AOD and therefore this area will not need to be significantly raised. The redgra area ranges from 8m adjacent to Lotterys Reen to 9.4m adjacent to the stadium site. Compton Webb is an average 7m AOD and the river embankment is at a level of between 8.5m and 9.5m (increasing on the approach to Collier Street).

The most notable increase in land levels will therefore be required on the former Compton Webb site. At present this site appears well below the level of the adjoining river embankment walkway which is at approximately 9.3m AOD at this point.

The raising of this land will complement a contamination remediation programme with some hotspots being located in areas where land levels currently fall below 8.5 metres AOD. Details of land filling operations including details of the type of material to be imported and how this will be controlled will need to be submitted as part of the programme.

The visual characteristics of the site will not be adversely affected by the land raising required. The minimal land raising required across the stadium site will make little difference to the land form in this area. The more significant land raising required across the redgra and Compton Webb land will not be obtrusive, providing a more level surface across the entire site. Notwithstanding this, future residential development layout and design will need to have regard to the requirement for land raising in this area in terms of the relationship of development on the raised land to existing uses. The requirement for flood risk alleviation across the site can be secured by condition. This should include a requirement for comprehensive cross sectional drawings of the site in relation to adjoining land in order to illustrate how the detailed design of the scheme has had regard to the requirement for land raising. Flood prevention measures will need to include provisions to minimise increased risk of flooding elsewhere as a result of the land raising required to safeguard the site. Similarly a method of works will be required and should include details of the amount of material which will need to be imported, the

number of vehicles required to transport the material, the route to be taken, measures to minimise nuisance, timetable for the works and a restoration plan.

Impact upon the River Usk cSAC and SSSI

The River Usk is a candidate Special Area of Conservation (cSAC) and Site of Special Scientific Interest (SSSI). The conservation objectives for the site are enforced by both national and European law.

Having regard to the information submitted as part of this application and advice provided by the Countryside Council for Wales and the Environment Agency, Newport County Borough Council has conducted an appropriate assessment of the impact upon the integrity of the river Usk cSAC and has evaluated the impact of the proposal upon the SSSI. It is considered that the imposition of conditions or restrictions on the way the proposal is to be carried out would avoid adverse effects on the integrity of the site. These conditions have been formulated in discussion with both the Countryside Council for Wales and the Environment Agency.

CONCLUSIONS

There is a requirement to replace the inadequate Durham Road school with a new 360 place Junior and 270 place Infants school (with 26 place nursery) on one site. The existing school is currently operating at capacity with its facilities spread over several sites. This is far from ideal.

This application relates to one of the options albeit the preferred site, for the school's replacement. It is not within the remit of this application to determine how the development will be financed. The main issues to be considered have been outlined above.

The case has significant merit and is supported by its allocation in the development plan. Issues such as land contamination and highway safety clearly and quite understandably cause local residents a great deal of concern. The fact is that the site is contaminated and the proposal will generate traffic. However, studies have shown that these are not insurmountable constraints to development and there is no evidence to suggest that the concerns for highway safety and risk of contamination to human health cannot be addressed.

It is considered that the recreational resource at the Glebelands could be preserved and enhanced, a riverside boulevard could improve access to the site for all in accordance with the Councils objectives for sustainable transport provision, flooding could be prevented without significant detriment to the appearance of the site and its relationship to its surroundings, and the integrity of the River Usk's nature conservation objectives can be preserved.

It is hoped that the cessation of school traffic to the existing Durham Road School sites will ease the congestion on some local roads and improved accessibility will, overall, limit the potential for the relocation of congestion to other local highways. Traffic calming and other off site highway improvement works will alleviate and in some areas improve existing highway safety concerns.

It is concluded that the development will not give rise to demonstrable harm and would accord with national and local planning objectives.

Members will recall that this item was deferred from the last Council meeting pending receipt of additional information requested by the Environment Agency. The Agency has confirmed that this information can be secured by condition and condition 05 (below) is a replica of the Agency's recommended condition.

It is therefore recommended that consent be granted subject to the following conditions.

RECOMMENDATION TO FULL COUNCIL

GRANTED WITH CONDITIONS.

Reserved matters

01 Approval of reserved matters.

02 Details provided in accordance with condition (1) and pursuant to discharging access as a reserved matter, shall include provisions to facilitate safe access for both cyclists and pedestrians. This shall include the provision of a segregated pedestrian/cycle route that will provide access from Collier Street to the Glebelands recreational ground and the proposed school and housing development; and provision for a pedestrian/cycle route that will enable connection to the existing pedestrian access route under the existing railway underpass at Charnwood Road.

03 Landscape Implementation.

04 Details provided in accordance with condition (1) and pursuant to discharging landscaping as a reserved matter shall include details of existing trees and hedgerows on the site, identifying those features which are to be removed or retained, details of the method by which they will be protected during the course of construction, and provisions for landscape buffers north of Lotterys reen, separating new residential and existing industrial developments and along the riverfront.

05 Details provided in accordance with condition (1) and pursuant to discharging siting as a reserved matter, shall include a quantitative risk assessment that assesses levels of contamination on site and their potential to impact controlled water (groundwater and surface water) identified end receptors. The risk assessment will have regard to the layout and design of the end development/use, particularly the foundation works required on site. Such a risk assessment must be based upon information acquired following an investigation of the mobility of contamination on site in addition to the results of the site investigation entitled "Durham Roads Schools PFI

Project: Contamination Investigation Interpretative Report (June 2000) and previous investigations of the area. The risk assessment must identify any/all clean up levels required to ensure the integrity of controlled waters and identified receptors.

A remediation strategy shall be formulated and approved in writing by the Local Planning Authority and the agreed scheme shall be implemented in accordance with the approved details.

Reason: To safeguard the aquatic environment and prevent pollution from the physical disturbance associated with construction works in the short term and re-development of the site in the longer term, and to protect the integrity of the River Usk candidate Special Area of Conservation.

Contamination Remediation

06 Prior to the commencement of development on the site (including any demolition or land raising works) the following shall be conducted:

(i) a site investigation to ascertain the presence of landfill gas having regard to the end use of the site. A report on the investigation shall be submitted for the consideration and approval of the Local Planning Authority. This assessment must include the results of the survey and recommendations regarding any structural precautions to be incorporated into the buildings; and

(ii) a quantitative risk assessment of the ground conditions on the site having regard to the end use of the site. Such a risk assessment must use both the results of the site investigation entitled "Durham Road Schools PFI Project: Contamination Investigation Interpretative Report" (June 2000) and previous investigations in the area.

A remediation strategy in relation to both (i) and (ii) above, shall be formulated and approved in writing by the Local Planning Authority and the agreed scheme shall be carried out prior to the commencement of any works on site.

Reason: In the interests of the safety and future occupants/users of the site and building(s).

07 Post construction environmental management of the site and long term monitoring.

Access

08 No development shall commence on the approved scheme until the following off site highway works have been carried out and completed in accordance with details first approved in writing by the Local Planning Authority:

(i) traffic signal controlled junction at Bank Street/Caerleon Road; and

(i) traffic signal controlled junction at Turner Street bridge.

09 Provision of a wheel wash during construction.

Flood Prevention

10 Prior to any construction work occurring on site the site shall be raised to a level of 9.8 metres Above Ordnance Datum with the finished floor levels of all development set 600mm above the 9.8 metres standard in accordance with details which shall first be submitted to and approved in writing by the Local Planning Authority. These details shall include the following:

(i) comprehensive cross sectional drawings illustrating existing and proposed land levels across the site, the relationship between existing and proposed development, and confirmation of finished slab levels; and

(ii) programme of land raising works which shall contain information relating to the amount of material to be imported, the type of material to be imported, the number and size of vehicles required to import the material, the route by which traffic will travel, a timetable for land-raising works, a detailed method of dust suppression during the course of land raising activity, and a restoration plan for the site.

Reason: To safeguard against flooding and protect residential amenities.

Pollution Prevention and Safeguarding of Conservation Objectives

11 Nothing other than uncontaminated excavated natural materials shall be tipped on the site.

Reason: To prevent pollution of the water environment and safeguard the conservation objectives of the River Usk cSAC.

12 There shall be no discharge of foul or contaminated drainage from the site into either groundwater or any surface waters, whether direct or via soakaways.

Reason: To prevent pollution of the water environment and to safeguard the conservation objectives of the River Usk cSAC.

13 No development shall commence on the construction of the approved scheme until a scheme for the disposal of foul and surface waters has been submitted to and approved in writing by the Local Planning Authority. No part of the development shall be occupied/used until the scheme has been implemented and completed in accordance with the approved details.

Reason: To prevent pollution of the water environment, in the interest of amenities and to safeguard the conservation objectives of the River Usk cSAC.

14 No development (including roads, buildings or other structures which would impede access to the riverfront for maintenance purposes) and no storage of materials during construction shall occur within 7 metres of the riverbank unless otherwise agreed in writing by the Local Planning Authority.

Reason: To preserve conservation interests in the riparian area.

15 Programme of construction works to protect integrity of River Usk cSAC (as per CCW recommendations).

16 Restriction on construction period (ie not March-May) and hours of construction (amenity reasons and to avoid other feeding times).

Archaeology

17 Archaeological watching brief.

NOTE TO APPLICANT

This decision relates to plan Nos :-
