[redacted]

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Amber Valley Borough Council

[redacted]

Our Ref : SARAHP-COND/2013/0109
Your Ref : 2070
Date : 17 January 2014
Ask For : Sarah Pearce
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Email : sarah.pearce@ambervalley.gov.uk

COPY.

Dear [redacted]

Proposal **Discharge of conditions 2, 5, 7, 8, 9 and 13 of AVA/2010/0718**
Location **Bushes Farm Derby Road Denby**
Applicant [redacted]
Agent

I refer to the above discharge of condition request.

Condition 2
I can confirm that the Hansons Clumber Red Mixture brick, the Plastisol coated sheeting coloured Olive Green and the Plastisol coated sheeting coloured Goosewing Grey are acceptable and meet the requirements of the above condition.

Condition 5
Following consultation with the Borough Council's Landscape Manager, I can confirm that the landscaping scheme, as shown on drawing no. YOR.1715.001 received on 17 December 2013, is acceptable and meets the requirements of the above condition.

Condition 7
Following consultation, the Borough Council's Contamination Officer has made the following comments:

"I have reviewed the Ground Investigation Report and The Reclamation Strategy, both documents dated December 2013 and produced on behalf of the applicant by WYG Environment.

The investigations considered the findings of a previous 2003 investigation and included soil, groundwater and gas sampling/monitoring. The report found made ground across the site confirming a previously identified raised are of animal/poultry material and an area of material more consistent with 'landfill' materials including glass, plastic and ceramics.

The investigation identified moderately elevated petroleum hydrocarbons at 2 locations and elevated methane and carbon dioxide. The report assesses the hydrocarbons to not pose a

risk to human health. Groundwater may also being impacted by the animal\poultry wastes; these are matters the Environment Agency should be consulted on.

The report recommends gas protection measures consistent with Gas Characteristic Situation 2; the design of this protection is to be left to 'others'. It is essential that the building design and construction attains GCS2 requirements, this should not be overlooked.

The hardstanding around the proposed development will require the removal of an amount of animal/poultry wastes. The report has appropriately identified increased health risks and odour issues inherent with such an exercise. Excavated material will be removed from site and disposed of at an appropriate facility. The report clearly advises that the material will not be suitable for re-use.

The raised area will be excavated to the proposed formation level, should any evidence of animal wastes (other than just odour impacted soils) extend below this level, over-digging to remove this will be required. Excavation works may not remove all of the raised area, as only a part of this is proposed within the development plan for hardstanding.

Whilst the proposed hardstanding will require only a portion of the animal/poultry wastes to be removed an assessment will be made on completion of the excavations and consideration will be given to the necessity of further excavation to mitigate risks due to gas and leachates. Any materials imported to backfill over-dug areas will be 'clean'.

The recommended works will require validation, as anticipated in the Reclamation Strategy. I will not recommend complete discharge of the condition until with have accepted the Validation Report. Based on the information submitted I have no objections to development commencing and would not object to the partial discharge of the condition (para a, b, c) if you are minded to do so."

I can confirm that, there are no objections to the development commencing in line with the above comments.

Condition 8
As discussed, the submitted plans do not appear to show the finished floor level of the above replacement building. For the avoidance of doubt, I would be grateful if you could confirm the finished floor levels of the above replacement building, in relation to the levels provided on drawing no. YOR.1715.001 received on 17 December 2013, as soon as possible.

Condition 9
I can confirm that the boundary treatment, as shown on drawing no. YOR.1715.001 received on 17 December 2013, is acceptable and meets the requirements of the above condition.

Condition 13
I have consulted with the Environment Agency and will contact you again in due course once I have received their comments.

As you are aware, planning application AVA/2010/0718 expires on Friday 17 January 2014.

Following discussions with the Borough Council's Legal section, in order to ensure the permission does not lapse, a material start needs to be made on site on, or before, 17 January 2014. As discussed, I would therefore be grateful if you could provide the Borough Council with a list of works your client is proposing to undertake. I would also recommend that a recording of the works (including photos, date/times of the works) is also taken, in order to ensure that the works have been carried out prior to AVA/2010/0718 expiring. Finally, I would also ensure that any commencement works are carried out in such a way that they do not conflict with outstanding condition 13 of AVA/2013/0718 (i.e. only minimal ground disturbance should be undertaken prior to comments being received from the Environment Agency).

Yours sincerely

Sarah Pearce
Planning Officer