



Appeal Decisions

Hearing held on 13 September 2022

Site visit made on 13 and 14 September 2022

by Mr M Brooker DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 October 2022

Appeal A Ref: APP/R1038/W/22/3291220

Land Between Old Canal and North Side Of Primrose Lane, Killamarsh S21 2DL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by W Redmile & Sons Ltd against the decision of North East Derbyshire District Council.
 - The application Ref 21/00976/FL, dated 4 August 2021, was refused by notice dated 14 December 2021.
 - The development proposed is 50 dwellings with associated roads, sewers, gardens, parking and garages
-

Appeal B Ref: APP/R1038/W/21/3287384

Land Between Old Canal and North Side Of Primrose Lane, Killamarsh

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by W Redmile & Sons Ltd against the decision of North East Derbyshire District Council.
 - The application Ref 20/00919/FL, dated 29 September 2020, was refused by notice dated 24 May 2021.
 - The development proposed is 50 dwellings associated roads, sewers, gardens, parking and garages.
-

Decision

1. In respect of Appeal A: The appeal is allowed and planning permission is granted for the development of 50 dwellings associated roads, sewers, gardens, parking and garages at Land Between Old Canal And North Side Of Primrose Lane Killamarsh, Killamarsh, in accordance with the terms of the application, Ref 21/00976/FL, dated 4 August 2021, subject to the conditions set out in the attached schedule A.
2. In respect of Appeal B: The appeal is allowed and planning permission is granted for Proposed development of 50 dwellings associated roads, sewers, gardens, parking and garages at Land Between Old Canal and North Side Of Primrose Lane Killamarsh, Killamarsh, in accordance with the terms of the application, Ref 20/00919/FL, dated 29 September 2020, subject to the conditions set out in the attached schedule B.

Applications for costs

3. An application for costs has been made on behalf of the appellant against North East Derbyshire District Council. That application is subject of a separate decision.

Preliminary Matters

4. As set out above there are two appeals on this site. The proposed development differs only slightly and the reason for refusal relating to highway safety in respect of the appeal B also refers to the absence of a capacity assessment of the existing junction of Primrose Lane and Sheffield Road. I have considered each proposal on its individual merits. However, to avoid duplication I have dealt with the two schemes together, except where otherwise indicated.
5. I have amended the description of development in respect of appeal A to remove reference to 'Major Development' and 'Departure from the Development Plan', 'Re-submission of 20/00919/FL' and 'Amended Plans' because these are not development.
6. At the hearing Late evidence was presented by local residents in the form of several images of the highways matters that are referred to in their earlier representations, as such I am satisfied that no party's interests would be prejudiced by this evidence.
7. Additional plans have been submitted in respect of specific house types and boundary treatments, amongst other matters. I am satisfied that no party's interests would be prejudiced if I were to consider these plans.

Main Issues

8. The main issues in respect of Appeals A and B are the effect of the proposed development on:
 - I. The character and appearance of the area, with particular regards to Policies SS1 and LC1 of the North East Derbyshire Local Plan.
 - II. Highway Safety, with particular regards to the junction of Primrose Lane and Sheffield Road and car parking on Primrose Lane.

Reasons

Character and Appearance

9. The appeal site consists of part of an open field bound by the remains of a canal described by the Council as a non-designated heritage asset, housing and, beyond the remainder of the field, industrial premises. The submitted plans show the appeal scheme being access off Primrose Lane.
10. The local area has a typically suburban feel, I saw at the site visit that the age, and therefore the character and appearance, of residential properties in the area around the appeal site varied considerably including Victorian and modern housing.
11. The Decision Notices refer to Policy SS1 - Sustainable Development of the North East Derbyshire Local Plan 2014 – 2034 (2021) (the LP), additionally, the Council's Statement of Case refers specifically to Criteria G, H and I, that amongst other matters, seek to ensure that new development creates well

designed places, enhancing local distinctiveness and protecting and enhancing the local character and appearance of the area.

12. The appeal schemes propose 50 residential dwellings of a mixture of sizes, laid out with a road running the length of the site from which accesses to other properties run perpendicular. Rows of residential properties are shown on the submitted plans fronting on to the old canal and on to the eastern boundary of the site. I note that these boundaries are shown as consisting of a hedgerow, that will assist the integration of the proposed built development into the neighbouring open grass field.
13. The use of hedges, amongst other matters, is specifically referred to in the document 'Successful Places: A Guide to Sustainable Housing Layout and Design', of which I have been provided with some extracts. However, I note that, as referred to by the Council, the document also seeks a looser knit urban grain towards the settlement edge, an aspect that is not featured within the appeal schemes. I understand that this document does not have the status of a Supplementary Planning Document and the extracts I have been provided with do not confirm the level of public consultation that has been carried out, I therefore afford the document only some weight. Nonetheless the document articulates established good design principles and I have had regard to it in reaching my decision.
14. The submitted plans show the opportunity for landscaping and tree planting to the front of the residential properties and to the edge of the site that will maintain and enhance the verdant character of the existing surrounding area. Conversely, the submitted plans show that the turning head to the Northern boundary of the site, in the absence of what the Council described at the hearing as a 'terminating feature', appears as an incomplete and jarring feature with the open grass field beyond.
15. Nonetheless I am satisfied that, in totality and subject to specific details that could be controlled by appropriately worded conditions, the appeal scheme would create a development that accords with the distinctiveness, character and appearance of the surrounding area and as such is in accordance with Policy SS1 of the LP.
16. As referred to previously, the remains of the canal are identified by the Council as being a non-designated heritage asset, being part of a "46-mile stretch of one of the country's earliest pioneering phase canals dating from 1775". The National Planning Policy Framework says that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application.
17. I note that the route of the former Chesterfield Canal includes both rural and urban environments and the contribution of the appeal site to the setting of the canal has changed over time. The submitted plans show that the appeal schemes would have a slight urbanising effect on a small part the setting of the canal but also that the appeal schemes make allowance for a step back from the canal edge, for the creation of a turning area for the canal and eventual restoration of the canal.
18. On the basis of the evidence before me I am satisfied that overall, the appeal schemes would not harm the setting of the former Chesterfield Canal.

19. Also referred to in the Decision Notices, Policy LC1 - Housing Allocations of the LP identifies the site for residential development and refers to "Approximate Capacity within Plan Period*" of 30.
20. The reference in Policy LC1 to 30 dwellings has clearly influenced the expectations of local residents and the Council as to the expected quantum of development on the appeal site. However, while the 50 dwellings proposed in the appeal schemes is clearly in excess of the "approximate capacity" referred to in the policy, I have no substantive evidence before me to suggest that the wording and therefore the function of Policy LC1 restricts or controls the number of dwellings to be brought forward in any proposed development on the appeal site. As such, on the basis of the evidence before me I am satisfied that the appeal scheme is not contrary to Policy LC1 of the LP.
21. To conclude this main issue, on the basis of the evidence before me I am satisfied that the appeal schemes would not harm the character and appearance of the area and as such are not contrary to policies SS1 and LC1 of the LP.

Highway Safety

22. Policy ID3 of the LP states "in all cases, planning permission will only be refused on transport grounds if there would be an unacceptable impact on highway safety, or where the residual cumulative impacts on the road network would be severe", echoing the provisions of the National Planning Policy Framework¹.
23. The submitted plans show that access for the proposed housing would be taken from Primrose Lane, linking the appeal site to Sheffield Road. Primrose Lane also links to Primrose Close, serving a number of residential properties.
24. I saw at the site visits that the junction of Sheffield Road and Primrose Lane is situated near to two schools, a pedestrian crossing and in-road bus stops. Evidence submitted by the local residents and the Council showed traffic queuing up to and obstructing the junction of Sheffield Road and Primrose Lane.
25. Local residents and the Council have raised concern with regards issues of congestion on Sheffield Road affecting the operation of the junction with Primrose Lane, in respect of car parking issues on Primrose Lane and Primrose Close and with regards access issues for larger vehicles. Furthermore, the impact of congestion elsewhere on road network on the level of traffic on Sheffield Road was also discussed.
26. Images of car parking problems on Primrose Lane and Primrose Close, including cars being parked on pavements or otherwise restricting the movement of vehicles, including larger delivery vehicles were presented at the hearing. It was suggested that the cars belonged to both local residents and parents of children attending the nearby schools. Furthermore, I understand that parking enforcement activities have been undertaken in the area, resulting in some fines being issued and presumably a reduction in inconsiderate parking.

¹ National Planning Policy Framework paragraph 111

27. The Council's Hearing Statement that addresses Highway Issues details that between 0820 and 0850 vehicles entering or exiting Primrose Lane "have to wait on occasion" as a result of "slow moving traffic". The appellants have produced extensive evidence with regards highways matters, in particular with regards the operation of the Sheffield Road and Primrose Lane Junction. In this regard the evidence shows that the junction will continue to have surplus capacity were the appeal scheme to be built out and occupied.
28. At the site visit, undertaken in the morning of 14 September at a time when parents were dropping children off at the nearby schools, I saw few instances of queuing traffic and at no stage did the queue of traffic reach the junction of Sheffield Road and Primrose Lane. Furthermore, residents acknowledged that the bus services serving the area are infrequent and thus queuing traffic as a result of buses using the in road lay bays would be equally infrequent.
29. Based on the evidence before me and my observations at the site visit it is my planning judgement that the instances of vehicles queuing to enter or exit Primrose Lane as a result of the use of a pedestrian crossing or in-road bus stops are short in duration and limited in occurrence. Therefore, I am satisfied that the assessment of the capacity of the junction on the basis of free-flowing traffic is not unreasonable.
30. It is not at dispute between the parties that the appeal scheme could generate up to 26 two-way movements in the morning peak and 27 two-way movements in the evening peak along Primrose Lane and the junction with Sheffield Road. I note that this is an increase of 10 and 11 trips respectively for the previously consented 30 dwelling scheme for the site. I note that the local highway authority, Derbyshire County Council (DCC), raised no objection to the appeal schemes, subject to the inclusion of a number of conditions.
31. The appeal scheme would increase vehicle movements on Primrose Lane and thus could potentially increase the current conflict between on-street parking in the area and traffic traversing along Primrose Lane, including during the construction phase of the proposed development. Furthermore, the additional traffic on Primrose Lane as a result of the appeal scheme could result in more traffic queuing to enter Sheffield Road. However, I have no substantive evidence before me that would lead me to conclude that this would result in an unacceptable impact on highway safety, or severe residual cumulative impacts on the road network.
32. For the reasons detailed above I find that the appeal schemes would not harm highway Safety, with particular regards to the junction of Primrose Lane and Sheffield Road and car parking on Primrose Lane and as such is not in conflict with Policy ID3 of the LP.

Other Matters

33. The submitted plans show a canal turning point (winding hole) located to the north of the proposed housing. It was discussed at the hearing that there were a number of access options to facilitate the restoration of the canal and it is not at dispute between the parties that the appeal schemes do not prevent the restoration of the canal. Based on the evidence before me I find no substantive reason to conclude otherwise.

34. The parties have referred to the provision of a 'newt mitigation area' (NMA) to be located to the north of the development site, outside of the redline boundary of the proposed development. The Officers Report details that the NMA will "cover approximately 0.41ha and comprise of piles of clean rubble covered with soil and areas of long tufted grass created between" and it was discussed at the hearing that the details of the NMA could be controlled by a Grampian style condition. As a result of this discussion, that included the landowners, I am satisfied that there is a more than reasonable prospect that the actions required by the condition can be performed and retained. This is in accordance with the Planning Practice Guidance² (PPG).

Conditions and planning obligation

35. The parties have agreed lists of suggested conditions in the Statement of Common Ground which I have considered against the National Planning Policy Framework and Planning Practice Guidance.
36. I have included conditions relating to the life of the permission and the approved plans, existing and proposed ground levels in the interests of clarity.
37. Conditions relating to the protection of hedgerows, landscaping and biodiversity, great crested newt protection measures, external lighting, surface water drainage and surface water run off during construction, storage of materials during construction, a construction environment management, contaminated land and coal mining and a scheme for water and energy efficiency plans have been included in the interests of the environment.
38. In the interests of highway safety, I have included conditions in respect of a construction management traffic plan, estate roads and pavements and wheel cleaning facilities.
39. I have included conditions with regards local training and employment opportunities, working hours, a scheme to minimise dust, maintenance of communal areas in the interests of local residents and in the interest of the appearance of the local area I have included conditions relating to boundary treatments, wall and roofing materials.
40. The appellant has submitted a planning obligation relating to contributions towards NHS facilities; off-site play provision; library stock and £194,717.25 towards the provision of off-site affordable housing. The provision of a canal winding hole is also referred to as is the provision of 7 affordable dwellings on site. On the basis of the evidence before me I am satisfied that the planning obligation meets the three tests set out in the Community Infrastructure Levy Regulations.

Conclusion

41. For the reasons given above I conclude that the appeals should be allowed.

Mr M Brooker

INSPECTOR

² PPG Paragraph: 009 Reference ID: 21a-009-20140306

APPEARANCES

FOR THE APPELLANT:

Miss Anna Meer
Mr Michael Edgar
Mr Jason Bolger
Mr Michael Fry
Mr John England
Mr Walt Selby
Mr Will Smith
Mr Kurt Hardy

FOR THE LOCAL PLANNING AUTHORITY:

Ms Susan Wraith
Mr Tom Carter
Mr Paul Wilson
Councillor Armitage
Councillor Foster

INTERESTED PARTIES:

Mr Rob Brady
Mrs Terry Brady
Mrs Laura Brady
Mr Kevin Wood
J Windle
Iony Lacey
Ian Bennett
Julie Bennett
E Jean Cookson
J R Aldous
J Newlie
A Platts
B Clamp

Schedule of Conditions – A

- 1) The development hereby permitted shall begin no later than 3 years from the date of this decision.

- 2) The development hereby permitted shall be carried out in accordance with the approved plans and drawings listed below:
 - i. PL/LP/01 LOCATION PLAN
 - ii. PL/LP/02 LOCATION PLAN
 - iii. Rev D HEDGEROW AND WILDLIFE PLAN
 - iv. PLK/SL/01D SITE LAYOUT
 - v. SD/DFSBT/01 1200MM TIMBER FENCE WITH 400MM TRELLIS
 - vi. SD/DFSB/01 1200MM TIMBER FENCE
 - vii. SD/SF/01 1800MM HIGH TIMBER FENCE
 - viii. SD/SF/DB/01 1800MM DOUBLE BOARDED SCREEN FENCE
 - ix. SD/PPW/02 1800MM HIGH PIER AND PANEL SOLID WALL
 - x. PROPOSED EASTERN BOUNDARY TREATMENT
 - xi. ESTATE RAILINGS IMAGES
 - xii. DG/FG/01 DOUBLE DETACHED GARAGE
 - xiii. SG/FG/01 SINGLE DETACHED GARAGE
 - xiv. SG/01 SALES GARAGE PLOT 43 PLAN
 - xv. 2B/S/A1/20RWD ALNWICK BUNGALOW PLANS AND ELEVATIONS (PLOTS 44 – 50 INCL)
 - xvi. 4B-D/BI-02 BIRCHOVER GROUND FLOOR PLAN
 - xvii. 4B-D/BI-03 BIRCHOVER FIRST FLOOR PLAN
 - xxviii. 4B-D/BI-04 BIRCHOVER ELEVATIONS
 - xix. 5B-D/Br-02 BRAMSALL GROUND FLOOR PLAN
 - xx. 5B-D/Br-03 BRAMSALL FIRST FLOOR PLAN
 - xxi. 5B-D/Br-04 BRAMSALL SECOND FLOOR PLAN
 - xxii. 5B-D/Br-05 BRAMSALL ELEVATIONS
 - xxiii. PL/BR/01 BRAMSALL PLANNING DRAWING
 - xxiv. PL/BR/02 BRAMSALL PLOT 23 PLANNING DRAWING
 - xxv. 3B-D/Cr-01E CROMFORD 3 BED DETACHED FLOOR PLANS
 - xxvi. 3B-D/Cr-02A CROMFORD 3 BED DETACHED ELEVATIONS
 - xxvii. PL/CR/01 CROMFORD PLANNING DRAWING
 - xxviii. 5B-D/Dd-02 DAGDALE 5 BED DETACHED GROUND FLOOR PLAN
 - xxix. 5B-D/Dd-03 DAGDALE 5 BED DETACHED FIRST FLOOR PLAN
 - xxx. 5B-D/Dd-04 DAGDALE 5 BED DETACHED SECOND FLOOR PLAN
 - xxxi. 5B-D/Dd- 05 DAGDALE 5 BED DETACHED ELEVATIONS
 - xxxii. PL/DA/01 DAGDALE FLOOR PLANS PLANNING DRAWING
 - xxxiii. PL/DA/02 DAGDALE ELEVATION PLANNING DRAWING
 - xxxiv. 4B-D/DO-02 DOVERIDGE GROUND FLOOR PLAN
 - xxxv. 4B-D/DO-04 DOVERIDGE ELEVATIONS
 - xxxvi. PL/DO/01 DOVERIDGE PLANNING DRAWING
 - xxxvii. 5B-D/ED-02 EDENSOR GROUND FLOOR PLAN
 - xxxviii. 5B-D/ED-03 EDENSOR FIRST FLOOR PLAN
 - xxxix. 5B-D/ED-04 REV A EDENSOR ELEVATIONS
 - xl. 5B-D/ED-11 EDENSOR GROUND FLOOR BI FOLD DOORS PLAN
 - xli. 5B-D/ED-12 EDENSOR BI FOLD DOORS ELEVATIONS
 - xl. 5B-D/ED-31 EDENSOR GROUND FLOOR PLAN PLOT 43
 - xl. 5B-D/ED-30 REV A EDENSOR ELEVATIONS PLOT 43
 - xliv. PL/ED/01 EDENSOR FLOOR PLANS PLANNING DRAWING

- xliv. PL/ED/02 EDENSOR ELEVATIONS PLANNING DRAWING
- xlvi. 5B-D/HA-02 HARDWICK GROUND FLOOR PLAN
- xlvii. 5B-D/HA-03 HARDWICK FIRST FLOOR PLAN
- xlvi. 5B-D/HA-04 HARDWICK ELEVATIONS
- xlix. PL/HA/01 HARDWICK FLOOR PLANS PLANNING DRAWING
- l. PL/HA/02 HARDWICK ELEVATIONS PLANNING DRAWING
- li. 4B-D/MO-02 MONSAL GROUND FLOOR PLAN
- lii. 4B-D/MO-03 MONSAL FIRST FLOOR PLAN
- liii. 4B-D/MO-04 MONSAL ELEVATIONS
- liv. PL/MO/01 MONSAL PLANNING DRAWING
- lv. 4B-D/TS+/02 TISSINGTON PLUS ELEVATIONS
- lvi. 4B-D/TS+/03 TISSINGTON PLUS GROUND FLOOR PLAN
- lvii. 4B-D/TS+/04 TISSINGTON PLUS FIRST FLOOR PLAN
- lviii. 4B-D/TS+/20 TISSINGTON PLUS HOUSE TYPE ELEVATIONS AND BIFOLD DOORS
- lix. 4B-D/TS+/21 TISSINGTON PLUS BID FOLD DOORS GROUND FLOOR PLAN
- lx. PL/TI/01 TISSINGTON PLANNING DRAWING
- lxi. 4B-D/WE02 WESSINGTON GROUND FLOOR PLAN
- lxii. 4B-D/WE05 WESSINGTON ELEVATIONS
- lxiii. 5B-D/WE02 WESSINGTON FIRST FLOOR PLAN
- lxiv. PL/WE/01 WESSINGTON FLOOR PLANS PLANNING DRAWING
- lxv. PL/WE/02 WESSINGTON ELEVATIONS PLANNING DRAWING
- lxvi. 4B-D/Wi/07 WIBBEN HOUSE ELEVATIONS
- lxvii. 4B-D/Wi/50 WIBBEN HOUSE TYPE GROUND FLOOR PLAN (M2 (4))
- lxviii. 4B-D/Wi/51 WIBBEN HOUSE TYPE FIRST FLOOR PLAN (M2 (4))
- lxix. 1079-22 REV A ACCESS GEOMETRY PLAN
- lxx. 1123-5 REV B MANHOLE SCHEDULE
- lxxi. 1123-13-1 REV C EXTERNAL WORKS
- lxxii. 1123-13-2 REV C EXTERNAL WORKS
- lxxiii. 1123-13-3 REV C EXTERNAL WORKS
- lxxiv. 1123-1 REV C ENGINEERING LAYOUT
- lxxv. 1123-2-1 REV C LONGITUDINAL SECTIONS
- lxxvi. 1123-2-2 REV C LONGITUDINAL SECTIONS
- lxxvii. 1123-2-3 REV C LONGITUDINAL SECTIONS
- lxxviii. 1123-2-4 REV B ROAD 1/DITCH X SECTIONS

- 3) No development shall commence until a scheme to enhance and maximise employment and training opportunities during the construction stage of the development, including a timetable for implementation, has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall then be implemented in accordance with the approved details and timetable.
- 4) No development shall commence until details of the existing ground levels, proposed finished floor levels of the dwellings and the proposed finished ground levels of the site, relative to a fixed datum point, have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the details and the levels as approved and shall be retained as such thereafter.
- 5) No removal of hedgerows, trees, shrubs or brambles shall take place between 1 March and 31 August inclusive, unless a recent survey has been

undertaken by a competent ecologist to assess the nesting bird activity on site during this period, and details of measures to protect the nesting bird interest on the site have first been submitted to and approved in writing by the Local Planning Authority. Works shall then proceed in accordance with the measures as approved.

- 6) No development shall commence (including ground works and vegetation clearance) until a great crested newt mitigation scheme and management plan has been submitted to and approved in writing by the Local Planning Authority. The scheme and management plan shall include details for: 1) the provision of a newt mitigation area as shown on Location Plan PL/LP/01; 2) maintenance and management measures; 3) arrangements of entry to the land for maintenance and management purposes; 4) arrangements that are in place for the ongoing retention of the newt mitigation area; 5) a timetable for implementation; and 6) a management/maintenance timetable. The scheme shall be implemented in accordance with the details and timetable as approved and the newt mitigation area shall thereafter be managed and maintained in accordance with the approved management/maintenance timetable and shall be so retained for the lifetime of the development.
- 7) No dwelling shall be occupied until a landscape and biodiversity enhancement and management plan (LBEMP) has been submitted to and approved in writing by the Local Planning Authority. The LBEMP shall combine both the ecology and landscape disciplines and shall include the following:- 1) Description and location of features to be created, planted, enhanced and managed including at least 0.4 ha of species rich grassland, scrub mosaic habitats and native species rich hedgerows; 2) Creation of amenity grassland using a 'flowering lawn' mix; 3) Details of 4 bat boxes, 6 general bird boxes, 15 integrated swift bricks, hedgehog access gaps and habitat piles (including specifications/installation guidance/numbers); 4) Aims and objectives of management; 5) Management methods and practices to achieve aims and objectives; 6) Prescriptions for management actions; 7) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a ten-year period); 8) Details of the body or organisation responsible for implementation and management of the LBEMP; 9) Ongoing monitoring visits, targets and remedial measures when conservation aims and objectives of the LBEMP are not being met; 10) The legal and funding mechanism(s) by which the long-term implementation of the LBEMP will be secured by the developer with the management body(ies) responsible for its delivery. The LBEMP shall be implemented in accordance with the details and timescales as approved.
- 8) There shall be no external lighting other than in accordance with a scheme that shall first have been submitted to and approved in writing by the Local Planning Authority.
- 9) No development shall commence until a scheme for surface water drainage from the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include: 1) Evidence of an assessment having been carried out of the potential for disposing of surface water by means of a sustainable drainage system and the results of the assessment; 2) Information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site

and the measures taken to prevent pollution of the receiving groundwater and/or surface waters; 3) Construction plans and details; 4) A timetable for implementation; and 5) A management and maintenance plan for the drainage scheme over the lifetime of the development.

- 10) No dwelling shall be occupied until a verification report, carried out by a qualified drainage engineer, confirming that the drainage system has been correctly constructed and installed has been submitted to and approved in writing by the Local Planning Authority. The report shall provide details of the management company responsible for the ongoing maintenance of the drainage system and shall state the national grid reference of any key drainage elements (surface water attenuation devices/areas, flow restriction devices and outfalls).
- 11) No development shall commence until a Phase 1 contaminated land assessment has been undertaken and approved in writing by the Local Planning Authority. If the report identifies unacceptable levels of contamination no development shall commence until a detailed remediation scheme to bring the site to a condition suitable for the intended use has been submitted to and approved in writing by the local planning authority. The remediation scheme shall include a timetable for implementation. The remediation scheme shall, thereafter, be implemented in accordance with the approved details and timetable. If during the construction works any suspected areas of contamination are discovered, which have not previously been identified, then all works shall be suspended until the nature and extent of the contamination is assessed and a report has been submitted to and approved in writing by the Local Planning Authority. The report shall include details of any further remediation works and a timetable for implementation. The works shall thereafter be implemented in accordance with the approved details and timetable. If remediation works have been necessary no dwelling shall be occupied until a validation report, prepared by a competent person, confirming that the land as remediated is suitable for its intended use has been submitted to and approved in writing by the Local Planning Authority.
- 12) No development shall commence until intrusive site investigations have been carried out to identify the risks posed to the development by past coal mining activity and details of those investigations and findings have been submitted to and approved in writing by the Local Planning Authority. Where the investigations have identified a need for mitigation measures no development shall commence until details of the works required have been submitted to and approved in writing by the Local Planning Authority and shall include a timetable for implementation. Thereafter the mitigation works shall be carried out in accordance with the details and timetable as approved.
- 13) If mitigation works referred to by condition 13 have been necessary no dwelling shall be occupied until a signed statement or declaration, prepared by a suitably competent person, confirming that the site has been made safe and stable for intended development has been submitted to and approved in writing by the Local Planning Authority.

- 14) No development shall commence until the extension of Primrose Lane into the new development, and junction with the existing private street serving house numbers 19 to 45, shall have been laid out and formed in accordance with Site Layout Plan PLK/SL/01 C, and the access shall be available for use by construction vehicles.
- 15) Other than the formation of the site access, no development shall be undertaken until space has been provided within the site for the storage of plant and materials, site accommodation, loading and unloading of goods vehicles, and for parking and manoeuvring of site operatives and visitors vehicles in accordance with details that shall first have been submitted to and approved in writing by the Local Planning Authority. The space(s) provided shall thereafter be retained and kept available for its (their) intended purposes for the duration of the construction phase of the development.
- 16) No development shall commence until a Construction Traffic Management Plan and Access Route for the routing of HGVs to and from the site has been submitted to and approved in writing by the Local Planning Authority. The Plan shall make provision for: 1) Monitoring of the approved arrangements during the construction phase of the development; 2) Ensuring that all drivers of vehicles under the control of the developer are made aware of the approved arrangements; 3) Instructions to suppliers for the routing of delivery vehicles; 4) The provision of signage (to be agreed by the Highway Authority) advising drivers of the vehicle routes; 5) Wheel cleaning facilities and their use/retention.
- 17) Throughout the construction phase of the development vehicle wheel cleaning facilities shall be provided within the site and shall be available for use by all construction vehicles for wheel cleaning before leaving the site.
- 18) Construction works on site and deliveries to the site shall be undertaken only between 0730 to 1800 hrs Monday to Friday and 0730 to 1300 hrs on Saturday. There shall be no work undertaken on site or deliveries to the site undertaken on Sundays or public holidays.
- 19) No development shall commence until a programme of measures to minimise the spread of airborne dust from the site during the construction phase has been submitted to and approved in writing by the Local Planning Authority. The construction phase shall thereafter be undertaken in accordance with the approved measures.
- 20) No development shall commence (including ground works and vegetation clearance) until a construction environmental management plan [CEMP: (Biodiversity)] has been submitted to and approved in writing by the Local Planning Authority. The CEMP (Biodiversity) shall include the following: 1) Risk assessment of potentially damaging construction activities; 2) Identification of "biodiversity protection zones"; 3) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements including those for reptiles and non-native invasive species); 4) The location and timing of sensitive works to avoid harm to biodiversity features; 5) The times during construction when specialist ecologists will be present on site to

oversee works; 6) Responsible persons and lines of communication; 7) The role and responsibilities on site of an ecological clerk of works or similarly competent person; 8) Use of protective fences, exclusion barriers and warning signs. The CEMP (Biodiversity) shall be operated throughout the construction phase in accordance with the details as approved.

- 21) No development shall commence until a scheme for avoiding surface water run-off from the site during the construction phase has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be operated throughout the construction phase in accordance with the details as approved.
- 22) Prior to the first occupation of any dwelling a scheme for the implementation and ongoing maintenance of all communal areas of open space within the site, and a timetable for implementation and ongoing maintenance, shall have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented as approved and in accordance with the approved timetable. The communal open spaces shall thereafter be maintained in accordance with the approved details and timetable and shall be retained as such for the lifetime of the development.
- 23) No above ground works shall commence until a full scheme of landscaping has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include: 1) Indications of all existing trees and hedgerows on the land; 2) The details of any trees and hedgerows to be retained together with measures for their protection during development; 3) A schedule of proposed plant species, size and density and planting locations; and 4) An implementation timetable. All planting, seeding and/or turfing in the approved scheme of landscaping shall be carried out in accordance with the implementation timetable. Any plants or trees which within a period of 5 years from implementation die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.
- 24) Prior to any particular dwelling being occupied its boundary treatments shall have been provided in accordance with the plans and drawings hereby approved. The boundary treatments shall thereafter be retained.
- 25) Before any above ground works commence a scheme for promoting environmental sustainability shall have been submitted to and approved in writing by the LPA. The scheme shall include measures for water and energy efficiency. Prior to any particular dwelling being occupied its environmental sustainability features, as approved, shall have been implemented in full and shall be retained as such thereafter.
- 26) Before any above ground works commence, precise specifications (including the manufacturer, range and colour details where applicable) or samples of the walling and roofing materials to be used, shall have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- 27) The estate roads shall be provided with 25m forward visibility sightlines around the inside of bends, the area in advance of the sightlines

being laid out as extended footway forming part of the estate road and not being part of any adjoining plot or other third party land.

- 28) Prior to any works exceeding site clearance being undertaken, details for the construction of the estate roads and footways (including layout, levels, gradients, surfacing and means of surface water drainage) shall have been submitted to and approved in writing by the Local Planning Authority.
- 29) Before any particular dwelling is occupied the carriageways and footways serving the dwelling shall have been constructed up to base course surfacing and in a manner that avoids any upstands to gullies, covers, kerbs or other such obstructions within or abutting the footway. The carriageways, footways and footpaths serving any particular dwelling shall be completed with final surface course within twelve months (or three months in the case of a shared surface road) from the occupation of such dwelling.
- 30) The gradient of the new estate roads shall not exceed 1:30 for the first 10m into the site from the existing highway boundary and 1:20 thereafter.
- 31) Prior to occupation of any particular dwelling its vehicular access shall have been formed to the new estate street with visibility sightlines extending from a point 2.4m from the carriageway edge, measured along the centreline of the access, for a distance of 25m in each direction measured along the nearside carriageway edge. The land in advance of the visibility sightlines shall be retained throughout the life of the development free of any object greater than 1m in height (0.6m in the case of vegetation) relative to adjoining nearside carriageway channel level.
- 32) The domestic access to any particular dwelling shall not be taken into use until 2m x 2m x 45° pedestrian inter-visibility splays have been provided on both sides of the access at the rear edge of the footway. The splays thereafter shall be kept clear of any object or vegetation greater than 0.6m in height above the adjacent footway level.
- 33) No particular dwelling shall be occupied until the estate street that serves it has been provided with arrangements to enable service and delivery vehicles to turn. Where interim turning arrangements are constructed these shall remain available for use until such time as the permanent estate street turning is available, in accordance with the approved estate street designs.
- 34) No particular dwelling shall be occupied until its parking spaces have been surfaced and provided in accordance with the site layout plan and details hereby approved. The parking spaces shall thereafter be retained for the life of the development and remain available for use for their intended purpose.
- 35) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) or any order revoking and re-enacting that Order with or without modification the integral and free standing garages shall not be altered in any way that would prevent their use for car parking.

- 36) The gradient of the new private driveways shall not exceed 1:12 for the first 5m from the nearside proposed new estate streets. Where sloping towards the proposed new estate streets, measures shall be installed at the interface between each private driveway and the proposed new estate streets to prevent the flow of surface water onto the highway.
- 37) The first 5m of the proposed access driveways shall not be surfaced with any loose material such as unbound chippings or gravel.
- 38) Any gates to the access driveways shall open inwards only or shall be set back a sufficient distance to avoid any part of their opening arc infringing the adjoining footway/highway.
- 39) Unless an Agreement has been entered into under s38 of the Highways Act 1980 for the adoption of all the streets in the development, no dwelling shall be occupied until details of the arrangements for the future management and maintenance of the streets have been submitted to and approved in writing by the Local Planning Authority. The streets shall thereafter be managed and maintained as approved for the lifetime of the development.
- 40) No dwelling shall be occupied until a scheme for the storage and collection of refuse and recycling bins has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a timetable for implementation. The bin storage and collection measures shall be implemented in accordance with the approved details and timetable and shall be retained as such and kept available for their intended purpose for the lifetime of the development.
- 41) No dwelling shall be occupied until a scheme of sound insulation has been submitted to and approved in writing the Local Planning Authority. The scheme shall be designed following the completion of a sound survey undertaken by a competent person. The scheme shall take account of the need to provide adequate ventilation, which shall be by mechanical means, where an open window would not achieve the following criteria. The scheme shall be designed to achieve the following criteria with the ventilation operating: 1) Bedrooms 30 dB Laeq (15 Minutes) (2300 – 0700 hrs); 2) Living/Bedrooms 35 dB Laeq (15 Minutes) (0700 – 2300 hrs); 3) All Other Habitable Rooms 40 dB Laeq (15 Minutes) (0700 – 2300 hrs); 4) All Habitable Rooms 45 dB Lamax to occur no more than 6 times per night (2300 – 0700 hrs); 5) Any outdoor amenity areas 55 dB Laeq (1 hour) (0700 – 2300 hrs). The scheme as approved shall be implemented in full and retained as such thereafter. Where any particular dwelling has been identified as needing sound insulation measures those measures, as approved, shall have been installed prior to the dwelling being first occupied.
- 42) No development shall commence until a timetable for the implementation of the proposed hedge adjacent to the east boundary of the site (beyond the site boundary) relative to occupation of the adjacent dwellings and a management plan for its ongoing retention, management and maintenance has been submitted to and approved in writing by the Local Planning Authority. The management plan shall include details of the

arrangements for entry to the land for management and maintenance purposes and a timetable for the management and maintenance measures. The hedge shall be provided in accordance with the details and timetable as approved and shall thereafter be retained, managed and maintained in accordance with the approved details and timetable for the lifetime of the development. Reason: In the interests of the appearance and ecology of the area and to accord with LP policies SDC4 and SDC12.

- 43) The dwellings on plots 5, 17, 39, 44, 45, 46, 47, 48, 49, and 50, shall be accessible and adaptable dwellings and shall be constructed to meet requirement M4(2) of the Building Regulations 2015.

End of Schedule

Schedule of Conditions – B

- 1) The development hereby permitted shall begin no later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the approved plans and drawings listed below:

- i. PL/LP/01 LOCATION PLAN
- ii. PL/LP/02 LOCATION PLAN
- iii. Rev D HEDGEROW AND WILDLIFE PLAN
- iv. PLK/SL/01D SITE LAYOUT
- v. SD/DFSBT/01 1200MM TIMBER FENCE WITH 400MM TRELLIS
- vi. SD/DFSB/01 1200MM TIMBER FENCE
- vii. SD/SF/01 1800MM HIGH TIMBER FENCE
- viii. SD/SF/DB/01 1800MM DOUBLE BOARDED SCREEN FENCE
- ix. SD/PPW/02 1800MM HIGH PIER AND PANEL SOLID WALL
- x. PROPOSED EASTERN BOUNDARY TREATMENT
- xi. ESTATE RAILINGS IMAGES
- xii. DG/FG/01 DOUBLE DETACHED GARAGE
- xiii. SG/FG/01 SINGLE DETACHED GARAGE
- xiv. SG/01 SALES GARAGE PLOT 43 PLAN
- xv. 2B/S/AI/20RevD ALNWICK BUNGALOW PLANS AND ELEVATIONS (PLOTS 44 – 50 INCL)
- xvi. 4B-D/BI-02 BIRCHOVER GROUND FLOOR PLAN
- xvii. 4B-D/BI-03 BIRCHOVER FIRST FLOOR PLAN
- xviii. 4B-D/BI-04 BIRCHOVER ELEVATIONS
- xix. 5B-D/Br-02 BRAMSALL GROUND FLOOR PLAN
- xx. 5B-D/Br-03 BRAMSALL FIRST FLOOR PLAN
- xxi. 5B-D/Br-04 BRAMSALL SECOND FLOOR PLAN
- xxii. 5B-D/Br-05 BRAMSALL ELEVATIONS
- xxiii. PL/BR/01 BRAMSALL PLANNING DRAWING
- xxiv. PL/BR/02 BRAMSALL PLOT 23 PLANNING DRAWING
- xxv. 3B-D/Cr-01E CROMFORD 3 BED DETACHED FLOOR PLANS
- xxvi. 3B-D/Cr-02A CROMFORD 3 BED DETACHED ELEVATIONS
- xxvii. PL/CR/01 CROMFORD PLANNING DRAWING
- xxviii. 5B-D/Dd-02 DAGDALE 5 BED DETACHED GROUND FLOOR PLAN
- xxix. 5B-D/Dd-03 DAGDALE 5 BED DETACHED FIRST FLOOR PLAN
- xxx. 5B-D/Dd-04 DAGDALE 5 BED DETACHED SECOND FLOOR PLAN
- xxxi. 5B-D/Dd- 05 DAGDALE 5 BED DETACHED ELEVATIONS
- xxxii. PL/DA/01 DAGDALE FLOOR PLANS PLANNING DRAWING
- xxxiii. PL/DA/02 DAGDALE ELEVATION PLANNING DRAWING
- xxxiv. 4B-D/DO-02 DOVERIDGE GROUND FLOOR PLAN
- xxxv. 4B-D/DO-04 DOVERIDGE ELEVATIONS
- xxxvi. PL/DO/01 DOVERIDGE PLANNING DRAWING
- xxxvii. 5B-D/ED-02 EDENSOR GROUND FLOOR PLAN
- xxxviii. 5B-D/ED-03 EDENSOR FIRST FLOOR PLAN
- xxxix. 5B-D/ED-04 REV A EDENSOR ELEVATIONS
- xl. 5B-D/ED-11 EDENSOR GROUND FLOOR BI FOLD DOORS PLAN
- xli. 5B-D/ED-12 EDENSOR BI FOLD DOORS ELEVATIONS
- xl. 5B-D/ED-31 EDENSOR GROUND FLOOR PLAN PLOT 43
- xl. 5B-D/ED-30 REV A EDENSOR ELEVATIONS PLOT 43
- xliv. PL/ED/01 EDENSOR FLOOR PLANS PLANNING DRAWING

- xliv. PL/ED/02 EDENSOR ELEVATIONS PLANNING DRAWING
- xlvi. 5B-D/HA-02 HARDWICK GROUND FLOOR PLAN
- xlvii. 5B-D/HA-03 HARDWICK FIRST FLOOR PLAN
- xlvi. 5B-D/HA-04 HARDWICK ELEVATIONS
- xlix. PL/HA/01 HARDWICK FLOOR PLANS PLANNING DRAWING
- l. PL/HA/02 HARDWICK ELEVATIONS PLANNING DRAWING
- li. 4B-D/MO-02 MONSAL GROUND FLOOR PLAN
- lii. 4B-D/MO-03 MONSAL FIRST FLOOR PLAN
- liii. 4B-D/MO-04 MONSAL ELEVATIONS
- liv. PL/MO/01 MONSAL PLANNING DRAWING
- lv. 4B-D/TS+/02 TISSINGTON PLUS ELEVATIONS
- lvi. 4B-D/TS+/03 TISSINGTON PLUS GROUND FLOOR PLAN
- lvii. 4B-D/TS+/04 TISSINGTON PLUS FIRST FLOOR PLAN
- lviii. 4B-D/TS+/20 TISSINGTON PLUS HOUSE TYPE ELEVATIONS AND BIFOLD DOORS
- lix. 4B-D/TS+/21 TISSINGTON PLUS BID FOLD DOORS GROUND FLOOR PLAN
- lx. PL/TI/01 TISSINGTON PLANNING DRAWING
- lxi. 4B-D/WE02 WESSINGTON GROUND FLOOR PLAN
- lxii. 4B-D/WE05 WESSINGTON ELEVATIONS
- lxiii. 5B-D/WE02 WESSINGTON FIRST FLOOR PLAN
- lxiv. PL/WE/01 WESSINGTON FLOOR PLANS PLANNING DRAWING
- lxv. PL/WE/02 WESSINGTON ELEVATIONS PLANNING DRAWING
- lxvi. 4B-D/Wi/07 WIBBEN HOUSE ELEVATIONS
- lxvii. 4B-D/Wi/50 WIBBEN HOUSE TYPE GROUND FLOOR PLAN (M2 (4))
- lxviii. 4B-D/Wi/51 WIBBEN HOUSE TYPE FIRST FLOOR PLAN (M2 (4))
- lxix. 1079-22 REV A ACCESS GEOMETRY PLAN
- lxx. 1123-5 REV B MANHOLE SCHEDULE
- lxxi. 1123-13-1 REV C EXTERNAL WORKS
- lxxii. 1123-13-2 REV C EXTERNAL WORKS
- lxxiii. 1123-13-3 REV C EXTERNAL WORKS
- lxxiv. 1123-1 REV C ENGINEERING LAYOUT
- lxxv. 1123-2-1 REV C LONGITUDINAL SECTIONS
- lxxvi. 1123-2-2 REV C LONGITUDINAL SECTIONS
- lxxvii. 1123-2-3 REV C LONGITUDINAL SECTIONS
- lxxviii. 1123-2-4 REV B ROAD 1/DITCH X SECTIONS

- 3) No development shall commence until a scheme to enhance and maximise employment and training opportunities during the construction stage of the development, including a timetable for implementation, has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall then be implemented in accordance with the approved details and timetable.
- 4) No development shall commence until details of the existing ground levels, proposed finished floor levels of the dwellings and the proposed finished ground levels of the site, relative to a fixed datum point, have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the details and the levels as approved and shall be retained as such thereafter.
- 5) No removal of hedgerows, trees, shrubs or brambles shall take place between 1st March and 31st August inclusive, unless a recent survey has

been undertaken by a competent ecologist to assess the nesting bird activity on site during this period, and details of measures to protect the nesting bird interest on the site have first been submitted to and approved in writing by the Local Planning Authority. Works shall then proceed in accordance with the measures as approved.

- 6) No development shall commence (including ground works and vegetation clearance) until a great crested newt mitigation scheme and management plan has been submitted to and approved in writing by the Local Planning Authority. The scheme and management plan shall include details for: 1) the provision of a newt mitigation area as shown on Location Plan PL/LP/01; 2) maintenance and management measures; 3) arrangements of entry to the land for maintenance and management purposes; 4) arrangements that are in place for the ongoing retention of the newt mitigation area; 5) a timetable for implementation; and 6) a management/maintenance timetable. The scheme shall be implemented in accordance with the details and timetable as approved and the newt mitigation area shall thereafter be managed and maintained in accordance with the approved management/maintenance timetable and shall be so retained for the lifetime of the development.
- 7) No dwelling shall be occupied until a landscape and biodiversity enhancement and management plan (LBEMP) has been submitted to and approved in writing by the Local Planning Authority. The LBEMP shall combine both the ecology and landscape disciplines and shall include the following:- 1) Description and location of features to be created, planted, enhanced and managed including at least 0.4 ha of species rich grassland, scrub mosaic habitats and native species rich hedgerows; 2) Creation of amenity grassland using a 'flowering lawn' mix; 3) Details of 4 bat boxes, 6 general bird boxes, 15 integrated swift bricks, hedgehog access gaps and habitat piles (including specifications/installation guidance/numbers); 4) Aims and objectives of management; 5) Management methods and practices to achieve aims and objectives; 6) Prescriptions for management actions; 7) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a ten-year period); 8) Details of the body or organisation responsible for implementation and management of the LBEMP; 9) Ongoing monitoring visits, targets and remedial measures when conservation aims and objectives of the LBEMP are not being met; 10) The legal and funding mechanism(s) by which the long-term implementation of the LBEMP will be secured by the developer with the management body(ies) responsible for its delivery. The LBEMP shall be implemented in accordance with the details and timescales as approved.
- 8) There shall be no external lighting other than in accordance with a scheme that shall first have been submitted to and approved in writing by the Local Planning Authority.
- 9) No development shall commence until a scheme for surface water drainage from the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include: 1) Evidence of an assessment having been carried out of the potential for disposing of surface water by means of a sustainable drainage system and the results of the assessment; 2) Information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site

and the measures taken to prevent pollution of the receiving groundwater and/or surface waters; 3) Construction plans and details; 4) A timetable for implementation; and 5) A management and maintenance plan for the drainage scheme over the lifetime of the development.

- 10) No dwelling shall be occupied until a verification report, carried out by a qualified drainage engineer, confirming that the drainage system has been correctly constructed and installed has been submitted to and approved in writing by the Local Planning Authority. The report shall provide details of the management company responsible for the ongoing maintenance of the drainage system and shall state the national grid reference of any key drainage elements (surface water attenuation devices/areas, flow restriction devices and outfalls).
- 11) No development shall commence until a Phase 1 contaminated land assessment has been undertaken and approved in writing by the Local Planning Authority. If the report identifies unacceptable levels of contamination no development shall commence until a detailed remediation scheme to bring the site to a condition suitable for the intended use has been submitted to and approved in writing by the local planning authority. The remediation scheme shall include a timetable for implementation. The remediation scheme shall, thereafter, be implemented in accordance with the approved details and timetable. If during the construction works any suspected areas of contamination are discovered, which have not previously been identified, then all works shall be suspended until the nature and extent of the contamination is assessed and a report has been submitted to and approved in writing by the Local Planning Authority. The report shall include details of any further remediation works and a timetable for implementation. The works shall thereafter be implemented in accordance with the approved details and timetable. If remediation works have been necessary no dwelling shall be occupied until a validation report, prepared by a competent person, confirming that the land as remediated is suitable for its intended use has been submitted to and approved in writing by the Local Planning Authority.
- 12) No development shall commence until intrusive site investigations have been carried out to identify the risks posed to the development by past coal mining activity and details of those investigations and findings have been submitted to and approved in writing by the Local Planning Authority. Where the investigations have identified a need for mitigation measures no development shall commence until details of the works required have been submitted to and approved in writing by the Local Planning Authority and shall include a timetable for implementation. Thereafter the mitigation works shall be carried out in accordance with the details and timetable as approved.
- 13) If mitigation works have been necessary no dwelling shall be occupied until a signed statement or declaration, prepared by a suitably competent person, confirming that the site has been made safe and stable for intended development has been submitted to and approved in writing by the Local Planning Authority.

- 14) No development shall commence until the extension of Primrose Lane into the new development, and junction with the existing private street serving house numbers 19 to 45, shall have been laid out and formed in accordance with Site Layout Plan PLK/SL/01 C, and the access shall be available for use by construction vehicles.
- 15) Other than the formation of the site access, no development shall be undertaken until space has been provided within the site for the storage of plant and materials, site accommodation, loading and unloading of goods vehicles, and for parking and manoeuvring of site operatives and visitors vehicles in accordance with details that shall first have been submitted to and approved in writing by the Local Planning Authority. The space(s) provided shall thereafter be retained and kept available for its (their) intended purposes for the duration of the construction phase of the development.
- 16) No development shall commence until a Construction Traffic Management Plan and Access Route for the routing of HGVs to and from the site has been submitted to and approved in writing by the Local Planning Authority. The Plan shall make provision for: 1) Monitoring of the approved arrangements during the construction phase of the development; 2) Ensuring that all drivers of vehicles under the control of the developer are made aware of the approved arrangements; 3) Instructions to suppliers for the routing of delivery vehicles; 4) The provision of signage (to be agreed by the Highway Authority) advising drivers of the vehicle routes; 5) Wheel cleaning facilities and their use/retention.
- 17) Throughout the construction phase of the development vehicle wheel cleaning facilities shall be provided within the site and shall be available for use by all construction vehicles for wheel cleaning before leaving the site.
- 18) Construction works on site and deliveries to the site shall be undertaken only between 0730 to 1800 hrs Monday to Friday and 0730 to 1300 hrs on Saturday. There shall be no work undertaken on site or deliveries to the site undertaken on Sundays or public holidays.
- 19) No development shall commence until a programme of measures to minimise the spread of airborne dust from the site during the construction phase has been submitted to and approved in writing by the Local Planning Authority. The construction phase shall thereafter be undertaken in accordance with the approved measures.
- 20) No development shall commence (including ground works and vegetation clearance) until a construction environmental management plan [CEMP: (Biodiversity)] has been submitted to and approved in writing by the Local Planning Authority. The CEMP (Biodiversity) shall include the following: 1) Risk assessment of potentially damaging construction activities; 2) Identification of "biodiversity protection zones"; 3) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements including those for reptiles and non-native invasive species); 4) The location and timing of sensitive works to avoid harm to biodiversity features; 5) The times during construction when specialist ecologists will be present on site to

oversee works; 6) Responsible persons and lines of communication; 7) The role and responsibilities on site of an ecological clerk of works or similarly competent person; 8) Use of protective fences, exclusion barriers and warning signs. The CEMP (Biodiversity) shall be operated throughout the construction phase in accordance with the details as approved.

- 21) No development shall commence until a scheme for avoiding surface water run-off from the site during the construction phase has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be operated throughout the construction phase in accordance with the details as approved.
- 22) Prior to the first occupation of any dwelling a scheme for the implementation and ongoing maintenance of all communal areas of open space within the site, and a timetable for implementation and ongoing maintenance, shall have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented as approved and in accordance with the approved timetable. The communal open spaces shall thereafter be maintained in accordance with the approved details and timetable and shall be retained as such for the lifetime of the development.
- 23) No above ground works shall commence until a full scheme of landscaping has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include: 1) Indications of all existing trees and hedgerows on the land; 2) The details of any trees and hedgerows to be retained together with measures for their protection during development; 3) A schedule of proposed plant species, size and density and planting locations; and 4) An implementation timetable. All planting, seeding and/or turfing in the approved scheme of landscaping shall be carried out in accordance with the implementation timetable. Any plants or trees which within a period of 5 years from implementation die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.
- 24) Prior to any particular dwelling being occupied its boundary treatments shall have been provided in accordance with the plans and drawings hereby approved. The boundary treatments shall thereafter be retained.
- 25) Before any above ground works commence a scheme for promoting environmental sustainability shall have been submitted to and approved in writing by the LPA. The scheme shall include measures to address energy and water efficiency. Prior to any particular dwelling being occupied its environmental sustainability features, as approved, shall have been implemented in full and shall be retained as such thereafter.
- 26) Before any above ground works commence, precise specifications (including the manufacturer, range and colour details where applicable) or samples of the walling and roofing materials to be used, shall have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

- 27) The estate roads shall be provided with 25m forward visibility sightlines around the inside of bends, the area in advance of the sightlines being laid out as extended footway forming part of the estate road and not being part of any adjoining plot or other third party land.
- 28) Prior to any works exceeding site clearance being undertaken, details for the construction of the estate roads and footways (including layout, levels, gradients, surfacing and means of surface water drainage) shall have been submitted to and approved in writing by the Local Planning Authority.
- 29) Before any particular dwelling is occupied the carriageways and footways serving the dwelling shall have been constructed up to base course surfacing and in a manner that avoids any upstands to gullies, covers, kerbs or other such obstructions within or abutting the footway. The carriageways, footways and footpaths serving any particular dwelling shall be completed with final surface course within twelve months (or three months in the case of a shared surface road) from the occupation of such dwelling.
- 30) The gradient of the new estate roads shall not exceed 1:30 for the first 10m into the site from the existing highway boundary and 1:20 thereafter.
- 31) Prior to occupation of any particular dwelling its vehicular access shall have been formed to the new estate street with visibility sightlines extending from a point 2.4m from the carriageway edge, measured along the centreline of the access, for a distance of 25m in each direction measured along the nearside carriageway edge. The land in advance of the visibility sightlines shall be retained throughout the life of the development free of any object greater than 1m in height (0.6m in the case of vegetation) relative to adjoining nearside carriageway channel level.
- 32) The domestic access to any particular dwelling shall not be taken into use until 2m x 2m x 45° pedestrian inter-visibility splays have been provided on both sides of the access at the rear edge of the footway. The splays thereafter shall be kept clear of any object or vegetation greater than 0.6m in height above the adjacent footway level.
- 33) No particular dwelling shall be occupied until the estate street that serves it has been provided with arrangements to enable service and delivery vehicles to turn. Where interim turning arrangements are constructed these shall remain available for use until such time as the permanent estate street turning is available, in accordance with the approved estate street designs.
- 34) No particular dwelling shall be occupied until its parking spaces have been surfaced and provided in accordance with the site layout plan and details hereby approved. The parking spaces shall thereafter be retained for the life of the development and remain available for use for their intended purpose.
- 35) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) or any order revoking and re-enacting that Order with or without modification

the integral and free standing garages shall not be altered in any way that would prevent their use for car parking.

- 36) The gradient of the new private driveways shall not exceed 1:12 for the first 5m from the nearside proposed new estate streets. Where sloping towards the proposed new estate streets, measures shall be installed at the interface between each private driveway and the proposed new estate streets to prevent the flow of surface water onto the highway.
- 37) The first 5m of the proposed access driveways shall not be surfaced with any loose material such as unbound chippings or gravel.
- 38) Any gates to the access driveways shall open inwards only or shall be set back a sufficient distance to avoid any part of their opening arc infringing the adjoining footway/highway.
- 39) Unless an Agreement has been entered into under s38 of the Highways Act 1980 for the adoption of all the streets in the development, no dwelling shall be occupied until details of the arrangements for the future management and maintenance of the streets have been submitted to and approved in writing by the Local Planning Authority. The streets shall thereafter be managed and maintained as approved for the lifetime of the development.
- 40) No dwelling shall be occupied until a scheme for the storage and collection of refuse and recycling bins has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a timetable for implementation. The bin storage and collection measures shall be implemented in accordance with the approved details and timetable and shall be retained as such and kept available for their intended purpose for the lifetime of the development.
- 41) No dwelling shall be occupied until a scheme of sound insulation has been submitted to and approved in writing the Local Planning Authority. The scheme shall be designed following the completion of a sound survey undertaken by a competent person. The scheme shall take account of the need to provide adequate ventilation, which shall be by mechanical means, where an open window would not achieve the following criteria. The scheme shall be designed to achieve the following criteria with the ventilation operating: 1) Bedrooms 30 dB LAeq (15 Minutes) (2300 – 0700 hrs); 2) Living/Bedrooms 35 dB LAeq (15 Minutes) (0700 – 2300 hrs); 3) All Other Habitable Rooms 40 dB LAeq (15 Minutes) (0700 – 2300 hrs); 4) All Habitable Rooms 45 dB L_{Amax} to occur no more than 6 times per night (2300 – 0700 hrs); 5) Any outdoor amenity areas 55 dB LAeq (1 hour) (0700 – 2300 hrs). The scheme as approved shall be implemented in full and retained as such thereafter. Where any particular dwelling has been identified as needing sound insulation measures those measures, as approved, shall have been installed prior to the dwelling being first occupied.
- 42) No development shall commence until a timetable for the implementation of the proposed hedge adjacent to the east boundary of the site (beyond the site boundary) relative to occupation of the adjacent dwellings and a management plan for its ongoing retention, management

and maintenance has been submitted to and approved in writing by the Local Planning Authority. The management plan shall include details of the arrangements for entry to the land for management and maintenance purposes and a timetable for the management and maintenance measures. The hedge shall be provided in accordance with the details and timetable as approved and shall thereafter be retained, managed and maintained in accordance with the approved details and timetable for the lifetime of the development.

- 43) The dwellings on plots 5, 17, 39, 44, 45, 46, 47, 48, 49, and 50, shall be accessible and adaptable dwellings and shall be constructed to meet requirement M4(2) of the Building Regulations 2015.

End of Schedule