

Case Officer: Sarah Kay
Tel. No: (01246) 345786
Ctte Date: 9th March 2020

File No: CHE/19/00131/OUT
Plot No: 2/3037 & 5774

ITEM 3

UPDATE / ADDENDUM REPORT

OUTLINE PLANNING PERMISSION FOR UP TO 400 DWELLINGS AND PROVISION OF AN AREA OF PUBLIC OPEN SPACE WITH ASSOCIATED LANDSCAPING AND ACCESS FROM INKERSALL ROAD AND INKERSALL GREEN ROAD AT LAND WEST OF INKERSALL ROAD, INKERSALL, CHESTERFIELD, DERBYSHIRE FOR HOLLINS STRATEGIC LAND LLP

Local Plan: Open Countryside / Other Open Land
Ward: Hollingwood & Inkersall; and Middlecroft & Poolsbrook

1.0 CONSULTATIONS

Environmental Health Officer	Comments received 29/01/2020 - amending condition wording
Lead Local Flood Authority	Comments received 14/01/2020 – amended condition wording
DCC Archaeology	Comments received 05/02/2020 – amending condition wording
Local Highways Authority	Discussion with Highways Officer 27/02/2020 re: amended condition wording

2.0 BACKGROUND

2.1 On the 19th November 2019 Planning Committee resolved to approve an outline planning application (subject to S106 agreement) under application reference CHE/19/00131/OUT for the following development:

‘Outline planning permission for up to 400 dwellings and provision of an area of public open space with associated landscaping and access from Inkersall Road and Inkersall Green Road’

2.2 Following the planning committee meeting negotiations have commenced between the Applicant and Legal team at CBC to

progress the S106 agreement; and alongside this process there has been an opportunity to review and rationalise the planning conditions set out in the original officer recommendation.

- 2.3 The case officer and applicant have worked through a series of amendments to the conditions originally agreed, and where appropriate consultees have been involved to agree changes / amendments to any conditions which they have been involved in or originally suggested (see table in section 1.0).
- 2.4 The review / rationalisation has led to the 47 no. conditions originally agreed being condensed into 38 no. conditions and some additional advisory notes also being added to provide clarity on the conditional requirements and expectations.
- 2.5 It should be noted that the nature of the development and the issues originally considered by planning committee have not changed.

3.0 **RECOMMENDATION**

- 3.1 It is therefore recommended that the list of planning conditions, previously agreed by planning committee on the 19th November 2019 be amended as per the revised list and advisory notes detailed below.
- 3.2 It is also requested that should any further revisions to condition wording be required as part of the drafting of the S106 agreement, that these changes are delegated to officers to avoid any further re-reporting to planning committee.

Conditions

- 01. Approval of the details of the layout, scale, appearance, landscaping and those remaining access details beyond the 2 no. key entry points at Inkersall Road and Inkersall Green Road approved by this permission (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development or phase of development is commenced on site or on that phase of development.

Reason – To enable the Local Planning Authority to control the development in detail and to comply with Section 92 of the Town and Country Planning Act 1990.

02. Applications for approval of all the reserved matters shall be made to the Local Planning Authority before the expiration of three (3) years from the date of this permission.

Reason – To enable the Local Planning Authority to control the development in detail and to comply with Section 92 of the Town and Country Planning Act 1990.

03. The development hereby approved shall be begun either before the expiration of five (5) years from the date of this permission or before the expiration of two (2) years from the date of approval of the reserved matters whichever is the later.

Reason – To enable the Local Planning Authority to control the development in detail and to comply with Section 92 of the Town and Country Planning Act 1990.

04. Prior to or no later than concurrent with the first reserved matters application submitted for the site the subject of this permission, a supplementary Development Framework Masterplan shall be submitted to the Local Planning Authority for approval in writing. The Framework shall seek to establish the overarching design approach for the entire site to inform any phased reserved matters proposals. The Framework should be compatible and expand upon the principles set in the Design and Access Statement (DAS) and those of the adopted Supplementary Planning Document 'Successful Places: Housing Layout and Design'.

Reason – To ensure that the development is constructed to appropriate design quality / standard in accordance with the requirements of policies CS2 and CS18 of the Core Strategy, the wider NPPF and the 'Successful Places' SPD.

05. The submission of the reserved matters applications shall be broadly in accordance with the details shown in the Design and Access Statement (DAS) and the Development

Framework Masterplan (agreed under the provisions of condition 4 above).

Reason – To ensure that the development is constructed to appropriate design quality / standard in accordance with the requirements of policies CS2 and CS18 of the Core Strategy, the wider NPPF and the ‘Successful Places’ SPD.

06. Prior to or no later than concurrent with the first reserved matters application submitted for the site the subject of this permission, a site wide phasing programme (that shall be generally in accordance with the submitted outline application) shall be submitted to the Local Planning Authority for approval in writing.

The phasing programme shall include details of the proposed sequence of development across the entire site, strategic drainage and SuDS infrastructure, the extent and location of individual development phases and the associated access arrangements and timescales for implementation of all the off-site highway improvements works (as required by conditions 8, 11, 12 and 13 below).

Reason – To ensure that the development is delivered in an appropriate manner, including the appropriate timing for the provision of any necessary infrastructure (to comply with policies CS1, CS2, CS7, CS8, CS9, CS18 and CS20 of the Core Strategy and wider NPPF).

07. No development shall commence until the site wide phasing programme required by condition 6 has been approved in writing by the Local Planning Authority and thereafter each subsequent reserved matters application for any phase (or part thereof) shall be accompanied by an updated programme or statement of compliance for approval by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the phasing programme as approved and / or updated.

Reason – To ensure that the development is delivered in an appropriate manner, including the appropriate timing for the provision of any necessary infrastructure (to comply with

policies CS1, CS2, CS7, CS8, CS9, CS18 and CS20 of the Core Strategy and wider NPPF).

08. No development shall take place within any phase (or sub-phase as may be agreed in writing by the Local Planning Authority under the terms of condition 6 and 7 above) until detailed designs for the following works has been submitted to the Local Planning Authority for written approval:-
- Proposed new estate street junction with Inkersall Road
 - Proposed new estate street junction with Inkersall Green Road
 - Proposed multi-user links with the Trans-Pennine-Trail, including upgrade of existing links where applicable
 - Proposed mitigation Works to footways on Inkersall Road north of the proposed development site

The Works shall thereafter be completed in accordance with the agreed sequencing / phasing programme (agreed under the terms of condition 6 and 7) unless otherwise agreed in writing by the Local Planning Authority.

Reason – In the interests of highway safety

09. No development shall take place within any phase (or sub-phase as may be agreed in writing by the Local Planning Authority under the terms of condition 6 and 7 above), including any works of demolition until a construction management plan or construction method statement for the proposed phase of development has been submitted to and been approved in writing by the Local Planning Authority. The approved plan/statement shall be adhered to throughout the construction period. The statement shall provide for:
- parking of vehicles of site operatives and visitors
 - routes for construction traffic
 - hours of operation
 - method of prevention of debris being carried onto highway
 - pedestrian and cyclist protection
 - proposed temporary traffic restrictions
 - arrangements for turning vehicles
 - details indicating how additional surface water run-off from the site will be avoided (as requested by the Lead Local Flood Authority – comments dated 09/05/2019).

Reason – In the interests of highway safety.

10. Development shall not be commenced within any phase (or sub-phase as may be agreed in writing by the Local Planning Authority under the terms of condition 6 and 7 above), until a detailed scheme of highway improvement works for the signalisation of the existing junction of Inkersall Road with Inkersall Green Road together with a programme for the implementation and completion of the works has been submitted to and approved in writing by the Local Planning Authority.

Thereafter the required highway improvement works shall be constructed in accordance with the approved details and shall be completed in accordance with the agreed programme for the implementation and completion of the works which should accord with the phasing / sequencing of development agreed under the terms of condition 6 and 7 above.

For the avoidance of doubt the developer will be required to enter into a 1980 Highways Act S278 Agreement with the Highway Authority in order to comply with the requirements of this Condition.

Reason – In the interests of highway safety.

11. Development shall not be commenced within any phase (or sub-phase as may be agreed in writing by the Local Planning Authority under the terms of condition 6 and 7 above), until a detailed scheme of highway improvement works for the provision of a pedestrian and cycle crossing facility of Inkersall Road together with a programme for the implementation and completion of the works has been submitted to and approved in writing by the Local Planning Authority.

Thereafter the required highway improvement works shall be constructed in accordance with the approved details and shall be completed in accordance with the agreed programme for the implementation and completion of the works which should accord with the phasing / sequencing of

development agreed under the terms of condition 6 and 7 above.

For the avoidance of doubt the developer will be required to enter into a 1980 Highways Act S278 Agreement with the Highway Authority in order to comply with the requirements of this Condition.

Reason – In the interests of highway safety.

12. Development shall not be commenced within any phase (or sub-phase as may be agreed in writing by the Local Planning Authority under the terms of condition 6 and 7 above), until a review of existing street lighting adjacent to the application Site on Inkersall Road and Inkersall Green Road has been carried out with a detailed scheme of improvement works to upgrade to the appropriate standards any lengths not meeting current design criteria together with a programme for the implementation and completion of the works has been submitted to and approved in writing by the Local Planning Authority.

Thereafter the required highway improvement works shall be constructed in accordance with the approved details and shall be completed in accordance with the agreed programme for the implementation and completion of the works which should accord with the phasing / sequencing of development agreed under the terms of condition 6 and 7 above.

For the avoidance of doubt the developer will be required to enter into a 1980 Highways Act S278 Agreement with the Highway Authority in order to comply with the requirements of this Condition.

Reason – In the interests of highway safety.

13. Before any other operations are commenced within any phase (or sub-phase as may be agreed in writing by the Local Planning Authority under the terms of condition 6 and 7 above), (excluding creation of the proposed temporary accesses for construction purposes), a scheme showing how all the existing vehicular and pedestrian accesses to the

public highway made redundant as a result of the development shall be permanently closed with a physical barrier and the existing vehicle crossovers reinstated as footway or verge shall be submitted to and approved in writing by the Local Planning Authority.

Thereafter the required works shall be constructed in accordance with the approved details and shall be completed in accordance with the agreed programme for the implementation and completion of the works which should accord with the phasing / sequencing of development agreed under the terms of condition 6 and 7 above.

For the avoidance of doubt the developer will be required to enter into a 1980 Highways Act S278 Agreement with the Highway Authority in order to comply with the requirements of this Condition.

Reason – In the interests of highway safety.

14. Prior to the commencement of the development within any phase (or sub-phase as may be agreed in writing by the Local Planning Authority under the terms of condition 6 and 7 above), details for the proposed phase of development shall be submitted to and approved in writing by the Local Planning Authority showing the means to prevent the discharge of water from the development onto the highway.

The approved scheme shall be undertaken and completed prior to the first use of the access and retained as such thereafter.

Reason – In the interests of highway safety.

15. The Approved Travel Plan shall be implemented in accordance with the timescales specified therein, to include those parts identified as being implemented prior to occupation and following occupation, unless alternative timescales are agreed in writing with the Local Planning Authority. The Approved Travel Plan shall be monitored and reviewed in accordance with the agreed Travel Plan targets.

Reason – In the interests of encouraging sustainable travel in accordance with the requirements of policy CS20 of the Core Strategy and wider NPPF.

16. No development shall be commenced within any phase (or sub-phase as may be agreed in writing by the Local Planning Authority under the terms of condition 6 and 7 above), until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved by the Local Planning Authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an Agreement has been entered into under Section 38 of the Highways Act 1980 or a private management and maintenance company has been established.

Reason – In the interests of highway safety.

17. No building or other obstruction including landscape features shall be located over or within 5 metres either side of the centre line of each of the public sewers i.e. protected strip widths of 10 metres per sewer, that cross the site. If the required stand-off distance is to be achieved via diversion or closure of a sewer, the developer shall submit evidence to the Local Planning Authority that the diversion or closure has been agreed with the relevant statutory undertaker and that prior to construction in the affected area, the approved works have been undertaken.

Reason - In order to allow sufficient access for maintenance and repair work at all times.

18. The site shall be developed with separate systems of drainage for foul and surface water on and off site. If sewage pumping is required, the peak pumped foul water discharge shall not exceed 6 (six) litres per second.

Reason - In the interest of satisfactory and sustainable drainage.

19. No piped discharge of surface water from the application site shall take place until works to provide a satisfactory outfall,

other than the existing local public sewerage, for surface water have been completed in accordance with details submitted to and approved by the Local Planning Authority.

Reason - To ensure that the site is properly drained and in order to prevent overloading, surface water is not discharged to the foul sewer network.

20. Development shall not commence within any phase (or sub-phase as may be agreed in writing by the Local Planning Authority under the terms of condition 6 and 7 above), until a detailed design and associated management and maintenance plan of the surface water drainage for the site, in accordance with the principles outline within:
- a. "Inkersall Road Staveley Flood Risk Assessment and Drainage Management Strategy", Betts Hydro Consulting Engineers (15/08/2018) including any subsequent amendments or updates to those documents as approved by the Flood Risk Management Team,
 - b. And DEFRA's Non-statutory technical standards for sustainable drainage systems (March 2015), have been submitted to and approved in writing by the Local Planning Authority. The approved drainage system shall be implemented in accordance with the approved detailed design, prior to the use of the building commencing.

Reason - To ensure that the proposed development does not increase flood risk and that the principles of sustainable drainage are incorporated into this proposal, and sufficient detail of the construction, operation and maintenance/management of the sustainable drainage systems are provided to the Local Planning Authority, in advance of full planning consent being granted.

21. Development shall not commence within any phase (or sub-phase as may be agreed in writing by the Local Planning Authority under the terms of condition 6 and 7 above), until a detailed assessment has been provided to and approved in writing by the Local Planning Authority, to demonstrate that the proposed destination for surface water accords with the drainage hierarchy as set out in paragraph 80 of the planning practice guidance.

Reason - To ensure that surface water from the development is directed towards the most appropriate waterbody in terms of flood risk and practicality by utilising the highest possible priority destination on the hierarchy of drainage options. The assessment should demonstrate with appropriate evidence that surface water runoff is discharged as high up as reasonably practicable in the following hierarchy:

I. into the ground (infiltration);

II. to a surface water body;

III. to a surface water sewer, highway drain, or another drainage system;

IV. to a combined sewer.

22. A. Development shall not commence within any phase (or sub-phase as may be agreed in writing by the Local Planning Authority under the terms of condition 6 and 7 above), until details as specified in this condition have been submitted to the Local Planning Authority for consideration and those details, or any amendments to those details as may be required, have received the written approval of the Local Planning Authority.

I. A site investigation/Phase 2 report (which accords with the conclusions of the Desk Study Assessment Report by Brownfield Solutions Ltd dated May 2018). The site investigation/Phase 2 report shall document the ground conditions of the site. The site investigation shall establish the full extent, depth and cross-section, nature and composition of the contamination. Ground gas, groundwater and chemical analysis, identified as being appropriate by the desktop study, shall be carried out in accordance with current guidance using UKAS accredited methods. All technical data must be submitted to the Local Planning Authority.

II. A detailed scheme of remedial works should the investigation reveal the presence of ground gas or other contamination. The scheme shall include a Remediation Method Statement and Risk Assessment Strategy to avoid any risk arising when the site is developed or occupied.

B. If, during remediation works any contamination is identified that has not been considered in the Remediation Method Statement, then additional remediation proposals for this material shall be submitted to the Local Planning

Authority for written approval. Any approved proposals shall thereafter form part of the Remediation Method Statement.

C. The development hereby approved shall not be occupied until a written Validation Report (pursuant to A I and A II only) has been submitted to and approved in writing by the Local Planning Authority. A Validation Report is required to confirm that all remedial works have been completed and validated in accordance with the agreed Remediation Method Statement.

Reason - To protect the environment and ensure that the redeveloped site is reclaimed to an appropriate standard.

23. In respect of each individual phase of development (or sub-phase as may be agreed in writing by the Local Planning Authority under the terms of condition 6 and 7 above), prior to the submission of reserved matters approval for each phase, a scheme of intrusive site investigations for the mine entries; high walls; and shallow coal workings shall be submitted to the Local Planning Authority for written approval. Thereafter those intrusive investigations shall be carried out as approved to inform any subsequent reserved matters application.

Reason - To fully establish the presence and / or otherwise of any contamination and / or coal mining legacy and to ensure that site is remediated, if necessary, to an appropriate standard prior to any other works taking place on site.

24. Concurrent with each reserved matters submission (inc. any phased development) in accordance with the provisions of the condition detailed above there shall be a report detailing the following:
- findings arising from both of the intrusive site investigations,
 - the submission of a layout plan which identifies the opencast high walls and appropriate zones of influence for the recorded mine entries within the site, and the definition of suitable 'no-build' zones;
 - the submission of a scheme of treatment for the recorded mine entries for approval; and
 - the submission of a scheme of remedial works for the shallow coal workings for approval.

Only those remedial details that receive detailed written approval alongside any reserved matters consent, or separate approval under the provisions of this condition shall be implemented on site.

Reason - To fully establish the presence and / or otherwise of any contamination and / or coal mining legacy and to ensure that site is remediated, if necessary, to an appropriate standard prior to any other works taking place on site.

25. No vegetation clearance works shall take place within any phase (or sub-phase as may be agreed in writing by the Local Planning Authority under the terms of condition 6 and 7 above), 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 and then implemented as approved.

Reason – To ensure that any ecological interest on site is appropriately addressed and can be mitigated against, prior to any development taking place, in accordance with policy CS9 of the Core Strategy and the wider NPPF.

26. No development shall take place (including demolition, ground works, vegetation clearance) within any phase (or sub-phase as may be agreed in writing by the Local Planning Authority under the terms of condition 6 and 7 above), until a construction environmental management plan (CEMP: Biodiversity) relevant to that phase of development has been submitted to and approved in writing by the local planning authority. This shall include recommendations in the Ecological Survey and Assessment, ERAP, 2018. The CEMP (Biodiversity) shall include the following.
- a) Risk assessment of potentially damaging construction activities.
 - b) Identification of “biodiversity protection zones”.
 - c) 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).

- d) The location and timing of sensitive works to avoid harm to biodiversity features.
- e) The times during construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

Reason - To ensure that any ecological interest on site is appropriately addressed and can be mitigated against, prior to any development taking place, in accordance with policy CS9 and the National Planning Policy Framework.

27. A landscape and ecological management plan (LEMP) shall be submitted to, and be approved in writing by, the Local Planning Authority prior to the commencement of the development within any phase (or sub-phase as may be agreed in writing by the Local Planning Authority under the terms of condition 6 and 7 above). This shall include recommendations in the Ecological Survey and Assessment, ERAP, 2018. The LEMP should combine both the ecology and landscape disciplines and include the following:
- a) Description and evaluation of features to be managed.
 - b) Ecological trends and constraints on site that might influence management.
 - c) Aims and objectives of management.
 - d) Appropriate management options for achieving aims and objectives.
 - e) Prescriptions for management actions.
 - f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a fifteen-year period).
 - g) Details of the body or organization responsible for implementation of the plan.
 - h) Ongoing monitoring visits, targets and remedial measures when conservation aims and objectives of the LEMP are not being met.

i) Locations of bat boxes, bird boxes, hedgehog holes and habitat piles (include specifications/installation guidance/numbers).

j) Key features of SuDS design to benefit wildlife.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The approved plan will be implemented in accordance with the approved details.

Reason - To mitigate against the loss of existing biodiversity and habitats and provide biodiversity benefit, in accordance with Policy CS9 and the National Planning Policy Framework.

28. Prior to building works commencing above foundation level within any phase (or sub-phase as may be agreed in writing by the Local Planning Authority under the terms of condition 6 and 7 above), a detailed lighting strategy shall be submitted to and approved in writing by the LPA to safeguard bats and other nocturnal wildlife. This should provide details of the chosen luminaires and any mitigating features such as dimmers, PIR sensors and timers. A lux contour plan should be provided to demonstrate acceptable levels of lightspill to any sensitive ecological zones/features. Guidelines can be found in Guidance Note 08/18 - Bats and Artificial Lighting in the UK (BCT and ILP, 2018). Such approved measures will be implemented in full.

Reason – To ensure that any ecological interest on site is appropriately addressed and can be mitigated against, in accordance with policy CS9 of the Core Strategy and the wider NPPF.

29. Concurrent with any reserved matters application concerning landscaping within any phase (or sub-phase as may be agreed in writing by the Local Planning Authority under the terms of condition 6 and 7 above), details of treatment of all parts on the site not covered by buildings shall be submitted to and approved in writing by the Local Planning Authority. The site shall be landscaped strictly in accordance with the approved details in the first planting season after completion or first occupation of the development, whichever is the sooner. Details shall include:

- 1) a scaled plan showing all existing vegetation and landscape/habitat features to be retained and trees/plants to be planted and new habitats created;
- 2) location, type and materials to be used for hard landscaping including specifications, where applicable, for:
 - a) permeable paving
 - b) tree pit design
 - c) underground modular systems
 - d) Sustainable urban drainage integration
 - e) use within tree Root Protection Areas (RPAs);
- 3) a schedule detailing sizes and numbers/densities of all proposed trees/plants;
- 4) specifications for operations associated with plant establishment and maintenance that are compliant with best practice; and
- 5) types and dimensions of all boundary treatments.

There shall be no excavation or raising or lowering of levels within the prescribed root protection area of retained trees, hedgerows and habitats unless agreed in writing by the Local Planning Authority.

Unless required by a separate landscape management condition, all soft landscaping shall have a written five year maintenance programme following planting. Any new tree(s) that die(s), are/is removed or become(s) severely damaged or diseased shall be replaced and any new planting (other than trees) which dies, is removed, becomes severely damaged or diseased within five years of planting shall be replaced. Unless further specific permission has been given by the Local Planning Authority, replacement planting shall be in accordance with the approved details.

Reason – To safeguard and enhance the character and amenity of the area, to provide ecological, environmental and bio-diversity benefits and to maximise the quality and usability of open spaces within the development, and to enhance its setting within the immediate locality.

30. Prior to the commencement of the development within any phase (or sub-phase as may be agreed in writing by the Local Planning Authority under the terms of condition 6 and 7 above), a scheme for the protection of the retained trees,

hedgerows and habitats in accordance with BS 5837:2012, including a tree protection plan(s) (TPP) and an arboricultural method statement (AMS) shall be submitted to and approved in writing by the Local Planning Authority.

The development thereafter shall be implemented in strict accordance with the approved details.

Reason - To satisfy the Local Planning Authority that the trees to be retained will not be damaged during demolition or construction and to protect and enhance the appearance and character of the site and locality and pursuant to section 197 of the Town and Country Planning Act 1990.

31. The landscaping details submitted to accompany any reserved matters application for any phase (or sub-phase as may be agreed in writing by the Local Planning Authority under the terms of condition 6 and 7 above), shall be accompanied by details for the proposed means of permanent management and maintenance for all public areas (any areas not proposed to be contained within the curtilage of any individual properties / dwellings) at all times following completion of that phase or sub-phase of development, including timescales for implementation. The agreed details shall thereafter be implemented and maintained in a manner as approved in perpetuity.

Reason – To ensure that appropriate means for the long term management and maintenance of all public areas is provide in the interest of the amenity, character and appearance of the development and its wider setting, in compliance with policies CS2, CS9 and CS18 of the Core Strategy and wider NPPF.

32. a) No development shall take place in any phase of the scheme until a Written Scheme of Investigation for archaeological work has been submitted to and approved by the local planning authority in writing, and until any pre-start element of the approved scheme has been completed to the written satisfaction of the local planning authority. The scheme shall include an assessment of significance and research questions; and

1. The programme and methodology of site investigation and recording
2. The programme for post investigation assessment
3. Provision to be made for analysis of the site investigation and recording
4. Provision to be made for publication and dissemination of the analysis and records of the site investigation
5. Provision to be made for archive deposition of the analysis and records of the site investigation
6. Nomination of a competent person or persons/organization to undertake the works set out within the Written Scheme of Investigation

b) No development shall take place other than in accordance with the archaeological Written Scheme of Investigation approved under condition (a).

c) No phase of the development shall be occupied until the site investigation and post investigation assessment for that phase has been completed in accordance with the programme set out in the archaeological Written Scheme of Investigation approved under condition (a) and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured.

Reason - To ensure that any archaeological interest is appropriately assessed and documented prior to any other works commencing which may affect the interest in accordance with policy CS19 of the Core Strategy and the wider NPPF.

33. Prior to development commencing within any phase (or sub-phase as may be agreed in writing by the Local Planning Authority under the terms of condition 6 and 7 above), an Employment and Training Scheme shall be submitted to the Local Planning Authority for consideration and written approval. The Scheme shall include a strategy to promote local supply chain, employment and training opportunities throughout the construction of the development.

Reason - In order to support the regeneration and prosperity of the Borough, in accordance with the provisions of Policy CS13 of the Core Strategy.

34. A residential charging point shall be provided for each new dwelling with an IP65 rated domestic 13amp socket, directly wired to the consumer unit with 32 amp cable to an appropriate RCD. The socket shall be located where it can later be changed to a 32amp EVCP. Alternative provision to this specification must be approved in writing, by the local planning authority. The electric vehicle charging points shall be provided in accordance with the stated criteria prior to occupation and shall be maintained for the life of the approved development.

Reason - In the interests of reducing emissions in line with policies CS20 and CS8 of the Core Strategy.

35. Construction work shall only be carried out on site between 8:00am and 6:00pm Monday to Friday, 9:00am to 5:00pm on a Saturday and no work on a Sunday or Public Holiday. The term "work" will also apply to the operation of plant, machinery and equipment.

Reason – In the interests of residential amenity.

36. Before construction works commence or ordering of external materials takes place within any phase (or sub-phase as may be agreed in writing by the Local Planning Authority under the terms of condition 6 and 7 above), precise specifications or samples of the walling and roofing materials to be used shall be submitted to the Local Planning Authority for consideration. Only those materials approved in writing by the Local Planning Authority shall be used as part of the development.

Reason - The condition is imposed in order to ensure that the proposed materials of construction are appropriate for use on the particular development and in the particular locality.

37. Prior to the commencement of the development within any phase (or sub-phase as may be agreed in writing by the Local Planning Authority under the terms of condition 6 and 7 above), details of the existing and proposed land levels and the proposed floor levels of the dwellings hereby approved shall be submitted to the Local Planning Authority for

consideration. The details submitted shall include sufficient cross sections to fully assess the relationship between the proposed levels and immediately adjacent land/dwellings. The dwelling shall be constructed at the levels approved under this condition unless otherwise agreed, in writing, by the Local Planning Authority.

Reason - The condition is imposed in order to enhance the appearance of the development and in the interests of the area as a whole.

38. The submission of reserved matters applications shall be made in accordance with the recommendations of the Noise Risk Assessment prepared by REC dated March 2019 and each phase (or sub-phase as may be agreed in writing by the Local Planning Authority under the terms of condition 6 and 7 above), shall be accompanied by an Acoustic Design Survey setting out appropriate noise mitigation measures to the dwellings hereby approved. The agreed details shall thereafter be implemented and maintained in a manner as approved in perpetuity.

Reason – In the interest of amenity and to ensure that appropriate mitigation measures are designed into the site layout and the new development / dwellings to protect existing neighbours and new occupiers in accordance with policy CS9 of the Core Strategy and the wider NPPF.

Notes

01. If work is carried out other than in complete accordance with the approved plans, the whole development may be rendered unauthorised, as it will not have the benefit of the original planning permission. Any proposed amendments to that which is approved will require the submission of a further application.
02. This approval contains condition/s which make requirements prior to development commencing. Failure to comply with such conditions will render the development unauthorised in its entirety, liable to enforcement action and will require the submission of a further application for planning permission in full.

03. Attention is drawn to the fact that, this permission is granted in conjunction with the completion of a separate planning obligation under Section 106 of the Town and Country Planning Act 1990 to which any developer should also refer.
04. Local Highway Authority –
 - a. The Highway Authority recommends that the first 6m of the proposed access driveway should not be surfaced with a loose material (i.e. unbound chippings or gravel etc.). In the event that loose material is transferred to the highway and is regarded as a hazard or nuisance to highway users the Authority reserves the right to take any necessary action against the landowner
 - b. Pursuant to Section 163 of the Highways Act 1980, where the site curtilage slopes down towards the public highway/ new estate street measures shall be taken to ensure that surface water run-off from within the site is not permitted to discharge across the footway margin. This usually takes the form of a dish channel or gully laid across the access immediately behind the back edge of the highway, discharging to a drain or soakaway within the site.
 - c. Pursuant to Section 278 of the Highways Act 1980, no works may commence within the limits of the public highway without the formal written Agreement of the County Council as Highway Authority. Advice regarding the technical, legal, administrative and financial processes involved in Section 278 Agreements may be obtained from the Strategic Director of Economy Transport and Community at County Hall, Matlock (tel: 01629 538658). The applicant is advised to allow approximately 12 weeks in any programme of works to obtain a Section 278 Agreement.
 - d. Pursuant to Section 38 and the Advance Payments Code of the Highways Act 1980, the proposed new estate roads should be laid out and constructed to adoptable standards and financially secured. Advice regarding the technical, financial, legal and administrative processes involved in achieving adoption of new residential roads may be obtained from the Strategic Director of Economy Transport and Community at County Hall, Matlock (tel: 01629 538578).

- e. Highway surface water shall be disposed of via a positive, gravity fed system (i.e. not pumped) discharging to an approved point of outfall (e.g. existing public sewer, highway drain or watercourse) to be sanctioned by the Water Authority (or their agent), Highway Authority or Environment Agency respectively. The use of soakaways for highway purposes is generally not sanctioned.
- f. Pursuant to Sections 149 and 151 of the Highways Act 1980, the applicant must take all necessary steps to ensure that mud or other extraneous material is not carried out of the site and deposited on the public highway. Should such deposits occur, it is the applicant's responsibility to ensure that all reasonable steps (e.g. street sweeping) are taken to maintain the roads in the vicinity of the site to a satisfactory level of cleanliness.
- g. The application site is affected by a Public Rights of Way (Footpath number 25 and 26 Staveley on the Derbyshire Definitive Map). The routes must remain unobstructed on their legal alignment at all times and the safety of the public using them must not be prejudiced either during or after development works take place. Advice regarding the temporary (or permanent) diversion of such routes may be obtained from the Strategic Director of Economy Transport and Community at County Hall, Matlock (tel: 01529 580000 and ask for the Rights of Way Officer).
- h. Car parking provision should be made in accordance with the Local Planning Authority guidelines. Each parking bay should measure 2.4m x 5.5m (larger in the case of spaces for use by disabled drivers) with adequate space behind each space for manoeuvring.
- i. Under the provisions of the New Roads and Street Works Act 1991 and the Traffic Management Act 2004, all works that involve breaking up, resurfacing and / or reducing the width of the carriageway require a notice to be submitted to Derbyshire County Council for Highway, Developer and Street Works. Works that involve road closures and / or are for a duration of more than 11 days require a three months notice. Developer's Works will generally require a three months notice. Developers and Utilities (for associated services) should prepare programmes for all works that are required for the development by all parties such that these can be

approved through the coordination, noticing and licensing processes. This will require utilities and developers to work to agreed programmes and booked slots for each part of the works. Developers considering all scales of development are advised to enter into dialogue with Derbyshire County Council's Highway Noticing Section at the earliest stage possible and this includes prior to final planning consents.

- j. The applicant is advised that to discharge Condition 16 that the Local Planning Authority requires a copy of a completed Agreement between the applicant and the Local Highway Authority under Section 38 of the Highways Act 1980 or the constitution and details of a Private Management and Maintenance Company confirming funding, management and maintenance regimes.
- k. It is advised that any subsequent reserved matters or full application include design of the internal layout of the site in accordance with the guidance contained in the Delivering Streets and Places Design Guide.

05. Lead Local Flood Authority -

- a. The County Council does not adopt any SuDS schemes at present (although may consider ones which are served by highway drainage only). As such, it should be confirmed prior to commencement of works who will be responsible for SuDS maintenance/management once the development is completed.
- b. Any works in or nearby an ordinary watercourse may require consent under the Land Drainage Act (1991) from the County Council. For further advice, or to make an application please contact Flood.Team@derbyshire.gov.uk.
- c. No part of the proposed development shall be constructed within 3-8m of an ordinary watercourse and a minimum 3 m for a culverted watercourse (increases with size of culvert). It should be noted that DCC have an anti-culverting policy.
- d. The applicant should be mindful to obtain all the relevant information pertaining to proposed discharge in land that is not within their control, which is fundamental to allow the drainage of the proposed development site.

- e. The applicant should demonstrate, to the satisfaction of the Local Planning Authority, the appropriate level of treatment stages from the resultant surface water discharge, in line with Table 4.3 of the CIRIA SuDS Manual C753.
- f. The County Council would prefer the applicant to utilise existing landform to manage surface water in mini/sub-catchments. The applicant is advised to contact the County Council's Flood Risk Management team should any guidance on the drainage strategy for the proposed development be required.
- g. The applicant should provide a flood evacuation plan which outlines:
 - The flood warning procedure
 - A safe point of extraction
 - How users can safely evacuate the site upon receipt of a flood warning
 - The areas of responsibility for those participating in the plan
 - The procedures for implementing the plan
 - How users will be made aware of flood risk
 - How users will be made aware of flood resilience
 - Who will be responsible for the update of the flood evacuation plan
- h. Flood resilience should be duly considered in the design of the new building/s or renovation. Guidance may be found in BRE Digest 532 Parts 1 and 2, 2012 and BRE Good Building Guide 84.
- i. Surface water drainage plans should include the following:
 - Rainwater pipes, gullies and drainage channels including cover levels.
 - Inspection chambers, manholes and silt traps including cover and invert levels.
 - Pipe sizes, pipe materials, gradients and flow directions and pipe numbers.
 - Soakaways, including size and material.
 - Typical inspection chamber / soakaway / silt trap and SW attenuation details.
 - Site ground levels and finished floor levels.
- j. On Site Surface Water Management;

- The site is required to accommodate rainfall volumes up to 1 in 100 year return period (plus climate change) whilst ensuring no flooding to buildings or adjacent land.
- The applicant will need to provide details and calculations including any below ground storage, overflow paths (flood routes), surface detention and infiltration areas etc, to demonstrate how the 100 year + 30% Climate Change rainfall volumes will be controlled and accommodated, also incorporating a sensitivity test to 40% Climate change. In addition an appropriate allowance should be made for urban creep throughout the lifetime of the development (to be agreed with the LLFA).
- Production of a plan showing above ground flood pathways (where relevant) for events in excess of 1 in 100 year rainfall, to ensure exceedance routes can be safely managed.
- A plan detailing the impermeable area attributed to each drainage asset (pipes, swales, etc.)
- Peak Flow Control
- For greenfield developments, the peak run-off rate from the development to any highway drain, sewer or surface water body for the 1 in 1 year rainfall event and the 1 in 100yr rainfall event, should never exceed the peak greenfield run-off rate for the same event.
- For developments which were previously developed, the peak run-off rate from the development to any drain, sewer or surface water body for the 1 in 1 year rainfall event and the 1 in 100 year rainfall event must be as close as reasonably practicable to the greenfield run-off rate from the development for the same rainfall event, but should never exceed the rate of discharge from the development, prior to redevelopment for that event.
- Volume Control
- For greenfield developments, the runoff volume from the development to any highway drain, sewer or surface water body in the 1 in 100 year, 6 hour rainfall event must not exceed the greenfield runoff volume for the same event
- For developments which have been previously developed, the runoff volume from the development to any highway drain, sewer or surface water body in the 1

in 100 year, 6 hour rainfall event must be constrained to a value as close as is reasonably practicable to the greenfield runoff volume for the same event, but must not exceed the runoff volume for the development site prior to redevelopment for that event.

- Note:- If the greenfield run-off for a site is calculated at less than 2 l/s, then a minimum of 2 l/s could be used (subject to approval from the LLFA).
 - Details of how the on-site surface water drainage systems shall be maintained and managed after completion and for the lifetime of the development to ensure the features remain functional
 - Where cellular storage is proposed and is within areas where it may be susceptible to damage by excavation by other utility contractors, warning signage should be provided to inform of its presence. Cellular storage and infiltration systems should not be positioned within highway.
 - Guidance on flood pathways can be found in BS EN 752.
 - The Greenfield runoff rate which is to be used for assessing the requirements for limiting discharge flow rates and attenuation storage for a site should be calculated for the whole development area (paved and pervious surfaces - houses, gardens, roads, and other open space) that is within the area served by the drainage network whatever size of the site and type of drainage system. Significant green areas such as recreation parks, general public open space etc., which are not served by the drainage system and do not play a part in the runoff management for the site, and which can be assumed to have a runoff response which is similar to that prior to the development taking place, may be excluded from the greenfield analysis.
- k. If infiltration systems are to be used for surface water disposal, the following information must be provided:
- Ground percolation tests to BRE 365.
 - Ground water levels records. Minimum 1m clearance from maximum seasonal groundwater level to base of infiltration compound. This should include assessment of relevant groundwater borehole records, maps and on-site monitoring in wells.

- Soil / rock descriptions in accordance with BS EN ISO 14688-1:2002 or BS EN ISO 14689-1:2003
- Volume design calculations to 1 in 100 year rainfall + 30% climate change standard. An appropriate factor of safety should be applied to the design in accordance with CIRIA C753 – Table 25.2.
- Location plans indicating position (Soakaways serving more than one property must be located in an accessible position for maintenance). Soakaways should not be used within 5m of buildings or the highway or any other structure.
- Drawing details including sizes and material.
- Details of a sedimentation chamber (silt trap) upstream of the inlet should be included.
Soakaway detailed design guidance is given in CIRIA Report 753, CIRIA Report 156 and BRE Digest 365.
- l. All Micro Drainage calculations and results must be submitted in .MDX format, to the LPA. (Other methods of drainage calculations are acceptable).
- m. The applicant should submit a comprehensive management plan detailing how surface water shall be managed on site during the construction phase of the development ensuring there is no increase in flood risk off site or to occupied buildings within the development.

06. Tree Officer -

Specific issues to be dealt with in the Tree Protection Plan (TPP) and Arboricultural Method Statement (AMS) (as required by condition 30 above) shall include:

- a) Location and installation of services/ utilities/ drainage.
- b) Details of construction or landscaping works within the RPA that may impact on the retained trees and habitats.
- c) a full specification for the installation of boundary treatment works.
- d) a full specification for the construction of any roads, parking areas and driveways, including details of the no-dig specification and extent of the areas of the roads, parking areas and driveways to be constructed using a no-dig specification.

Details shall include relevant sections through them.

- e) Detailed levels and cross-sections to show that the raised levels of surfacing, where the installation of no-dig surfacing within Root Protection Areas is proposed, demonstrating that

they can be accommodated where they meet with any adjacent building damp proof courses.

f) A specification for protective fencing to safeguard trees, hedgerows and habitats during both land clearance and construction phases and a plan indicating the alignment of the protective fencing.

g) a specification for scaffolding and ground protection within protection zones.

h) Tree, hedgerow and habitat protection during construction indicated on a TPP and construction and construction activities clearly identified as prohibited in this area.

i) details of site access, temporary parking, on site welfare facilities, loading, unloading and storage of equipment, materials, fuels and waste as well concrete mixing and use of fires

j) Boundary treatments within the RPA

k) Methods to improve the rooting environment for retained and proposed trees, hedgerow and landscaping

l) details of all proposed Access Facilitation Pruning (see BS5837:2012 for definition)