

## PLANNING COMMITTEE – 25<sup>th</sup> April 2023

**REFERENCE NUMBER:** 21/01495/FL      **Application Expiry Date:** 30.09.2022

**Application Type:** Full Planning Permission

**Proposal Description:** Development to provide 41 dwellings (Revised Scheme of 20/01024/FL) (Major Development/Affecting Public Footpath)

**At:** Land to the Rear of 151-181 Chesterfield Road Holmewood

**For:** Mr. D Atkinson

**Third Party Reps:**      **Object**      **Parish:** North Wingfield

**Ward Name:** Holmewood and Heath

**Author of Report:** Adrian Kirkham      **Date of Report:** 10.04.2023

**MAIN RECOMMENDATION:**      **GRANT Planning Permission**

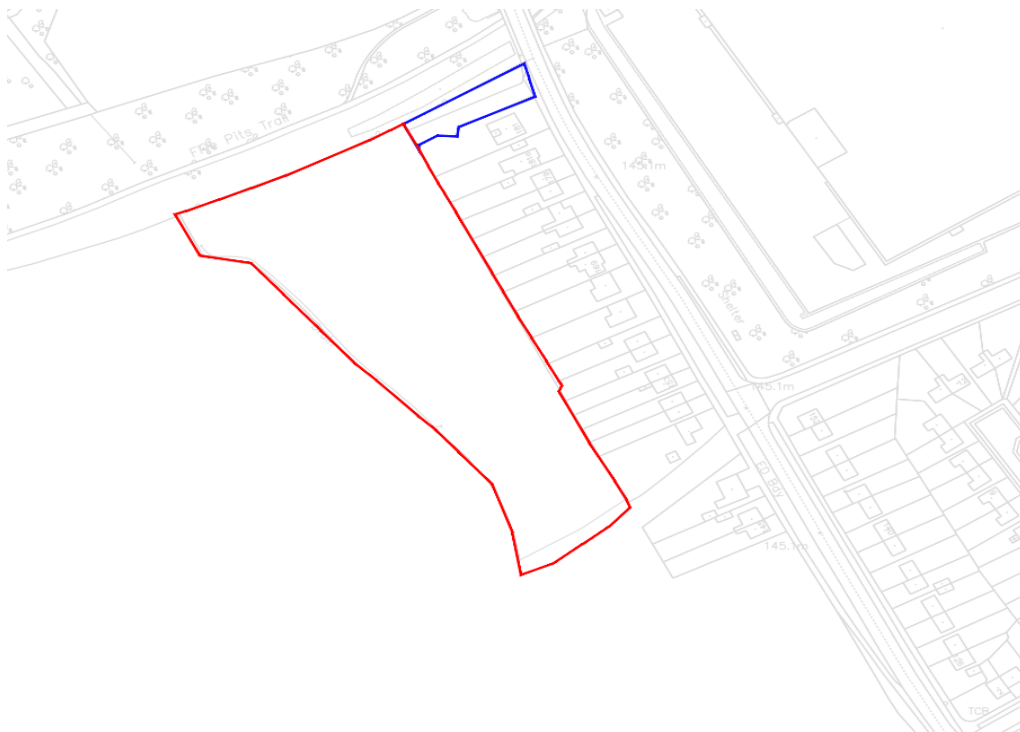


Figure.1 Application site

## **1.0 REASON FOR REPORT**

- 1.1 The Planning Manager has deemed this application be reported for consideration by Planning Committee as it raises issues that should be properly considered by the Planning Committee.

## **2.0 PROPOSAL AND BACKGROUND**

### **SITE DESCRIPTION**

- 2.1 The application site is located to the rear of existing residential development located off Chesterfield Road, Holmewood. The site is approximately 1.1 hectares in size. Part of the site was previously used in connection with a commercial/residential use.
- 2.2 The site is bounded to the south by a public footpath and to the west (and beyond the footpath) by ongoing residential development, part of a larger development site. This area of development is now well under way with construction ongoing. Recently constructed and established residential development is located on land to the east abutting the site. Photos from the site can be seen in Figure 2 below.
- 2.3 To the north is the Five Pits Trail and an existing/former site access that now has consent for residential development in its own right.

### **PROPOSAL**

- 2.4 The applicant seeks consent to erect 41 units of housing on the site comprising a mix of house types and levels of accommodation ranging from two bedded to four bedded units and comprising terraced, semi-detached and detached units.
- 2.5 The site would be accessed from a single access point off the main spine road serving the larger residential site(s) referred to above. A limited amount of landscaping is proposed.



Figure 2: Photos from the application Site





- 3.3 NED/20/01024/FL: Application to erect 41 dwellings (including 22 Housing Association homes). Application approved.

#### **4.0 CONSULTATIONS AND REPRESENTATIONS**

- 4.1 **Ward Councillors:** No comments received.
- 4.2 **North Wingfield Parish Council:** No comments received.
- 4.3 **Highways Section:** Note the layout is similar to that for 20/01024. There are no objections in principle to the scheme subject to conditions.
- 4.4 **NEDDC Streetscene:** No objection subject to conditions.
- 4.5 **Environmental Health Officer:** Should permission be granted it should include conditions 11 and 12 of the previously approved scheme 20/01024.
- 4.6 **DCC Planning Policy (Infrastructure):** Requests that £460,533.76 (plus monitoring fees) is paid towards additional primary and secondary education facilities to mitigate the 10 primary pupils and 11 post 11 pupils resulting from this development. Request that DCC Officers are party to any further negotiation on developer contributions.
- 4.7 The Adult and Social Care team support the amount of affordable provision and the mix of housing types. However, they would prefer fewer dwellings to meet the national space standards and that all the homes meet the space standards and Lifetime Home standards.
- 4.8 **NEDDC Employment and Skills Officer:** No objection subject to the submitted local employment scheme.
- 4.9 **The Ramblers Association:** Comments as per previously approved application. [They were as follows: No objection to make providing there has been no change to the proposals under application 19/01151 for Footpath 7. General comment - A link to footpath 41 could be added to the north-western end of the site to improve access to green space.]
- 4.10 **Yorkshire Water Services Ltd:** No objection subject to conditions.
- 4.11 **DCC (LLFA):** No objection subject to conditions.
- 4.12 **NEDDC Housing Consultation:** The need is for 2 and 3 bedroomed houses as affordable rent units. Any affordable housing should be owned and managed by a Housing Association or Registered Provider.

- 4.13 It is encouraging to see the provision of some 4 bedded units and the level of market rent is in line with the necessary definition as is the proposal to offer the units through the Council's choice based letting system.
- 4.14 **Environment Agency:** No objections – reference to be made to the LLFA.
- 4.15 **The Coal Authority:** No objection.
- 4.16 **Derbyshire Wildlife Trust (DWT):** The proposal will result in a net loss of biodiversity and a strategy for offsetting is requested (potentially through section 106 payments). An updated bat survey is requested as should the information on newts and badgers.
- 4.17 A CEMP should be required to ensure site clearance is appropriately undertaken and the LEMP updated to require swift bricks instead of bird boxes.
- 4.18 Conditions are recommended by DWT.
- 4.19 **NEDDC Parks Department:** Request £34,716.46 (plus maintainance of £10,975.40) for off-site play provision. Seeks clarity on future open space ownership. Suggests a tree protection plan is provided and implemented and discrepancies on the landscaping plans.
- 4.20 **Health and Safety Executive:** No objection.
- 4.21 **Derbyshire Community Health Services NHS Trust:** request that a section 106 contribution as per 20/01024 is provided. This was for £19,200.
- 4.22 21 neighbouring properties were consulted on the application. **3 letters of representation have been received.** These make the following points:
- The new housing will effectively be in our back garden. The development started at 11 units and it is now 41. The land is too small for that amount and the development comprises overdevelopment and excessive.
  - Why are bungalows no longer proposed? The development is out of character with the existing properties and Holmewood will soon be characterised by typical, cramped housing.
  - Affordable housing allows developers to ram more houses on sites. More houses equates to more money and targets met.
  - Amenity will be compromised. The houses will be built at 90 degrees to the boundary and create a 30 foot high brick wall which will be overbearing and affect the sunlight getting to gardens.
  - There will be overlooking issues.

- The developer focusses on views and landscaping. Mine will be lost.
- Chesterfield Road is horrendous and another 80 cars will worsen the situation.
- The lovely views will be lost.
- Is account being taken of pollution?
- There are enough houses in Holmewood as it is.
- If I had wanted to live on a housing estate I would have bought a house there. Revenue and profit are seen as more important than the level of traffic that will be on Chesterfield Road.
- The Five Pits Trail will be overwhelmed.
- The site is in a high risk area (for coal mining legacy). Have the necessary investigations been done and there is no danger posed by the development.
- Local service swill struggle.
- The volume of traffic on Chesterfield Road is already high. 1500 additional cars will be introduced. Existing residents will have to deal with the additional danger, noise and pollution.
- The noise being endured is excessive. How many more years will have to be endured?
- The amount of new housing proposed here is not proportionate.

## **5.0 PLANNING POLICY CONSIDERATIONS**

### **5.1 The Development Plan comprises of the North East Derbyshire Local Plan 2014-2034.**

The following policies are those considered most important to the determination of the application:

SS1 Sustainable Development  
 SS2 Spatial Strategy and the Distribution of Development  
 LC1 Housing Allocations  
 LC 2 Affordable Housing  
 LC4 Type and Mix of Housing  
 SDC4 Biodiversity and Geodiversity  
 SDC11 Flood Risk and Drainage  
 SDC12 High Quality Design and Place Making  
 SDC13 Environmental Quality  
 SDC14 Land potentially affected by Contamination or Instability  
 SDC15 Developments near Hazardous Uses  
 ID1 Infrastructure delivery and Developer Contributions  
 ID3 Sustainable Travel  
 ID4 New Social Infrastructure  
 ID7 Green Infrastructure  
 ID8 Greenways and Public Rights of Way  
 ID10 Open Space, Sports and recreation Facilities

## **National Planning Policy Framework**

- 5.2 The overarching aims of the National Planning Policy Framework (NPPF) are also material in the assessment of this application and have been taken into account.

## **Other Material Considerations**

- 5.3 Successful Places Interim Planning Guidance

## **6.0 PLANNING ISSUES**

### **Issue of Principle**

- 6.1 The site is located within the Settlement Development Limits (SDL) for Holmewood as set out in the Local Plan. It forms part of the wider HO1 (housing) allocation located to the west of the Chesterfield Road.
- 6.2 Additionally, the site benefits from an extant approval for 41 units of largely the same form and layout as the now proposed scheme (NED/20/01024 refers dated 13.08.2021). Subsequent to that, planning consent was granted for the development of not only this site for housing, but also a substantial area of land to the site's west and south which is currently under ongoing development. This wider area also forms part of housing allocation HO1 as set out in the Local Plan (Figure 4 below).

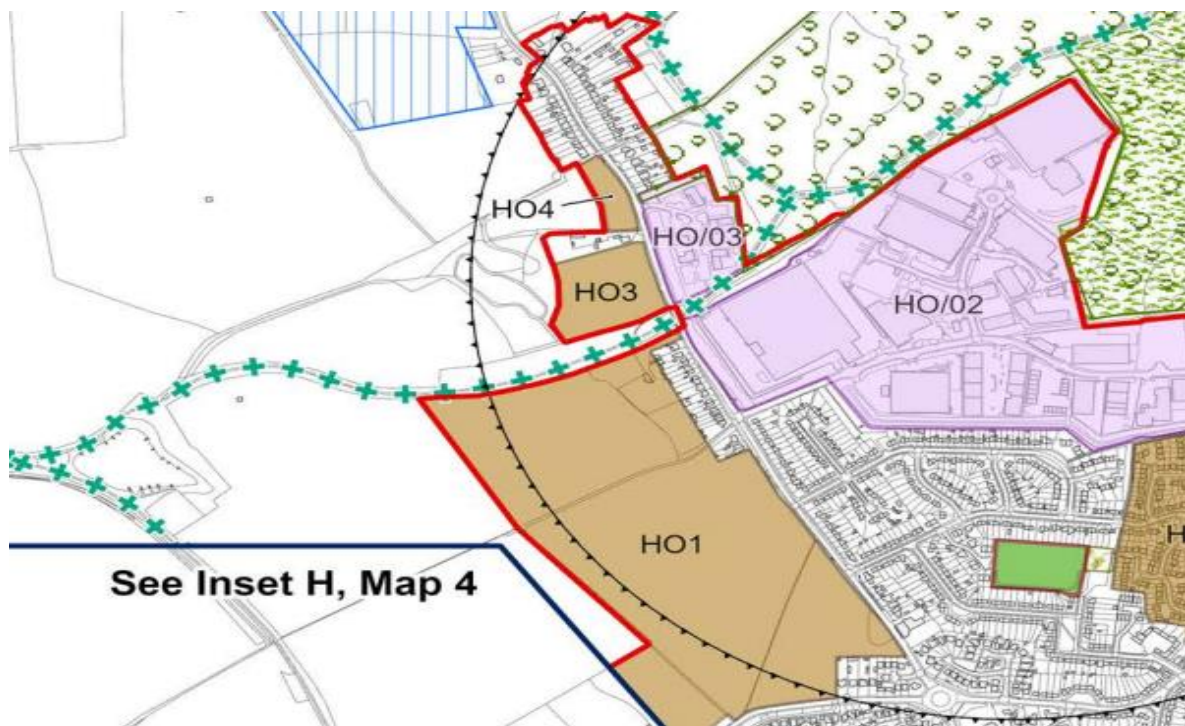


Figure 4: Local Plan extract showing housing allocation H01



- 6.3 As such, the application site now sits within the redrawn settlement limits for Holmewood and is part of a wider development area and as such, the site is considered to offer a generally sustainable development and so is, in principle, acceptable and in accord with the Development Plan.

### **Housing Mix**

- 6.4 A scheme of 41 units is proposed with a mix of 4 bedded units (2), 3 bedded units (23) and 2 bedded units (16). This is considered an appropriate mix for this site and area and generally in accord with the requirements of policy LC4 of the Development Plan.
- 6.5 The application is made seeking consent for 41 houses. However, it will include for 22 grant funded units (54%) as per a submitted affordable housing statement, which, if the application is approved, would comprise an appendix to the section 106 agreement discussed below. These grant funded units would comprise 2no. 4 bed units, 10no. 3 bed units and 10no. 2 bed units. The advice of the Housing Officer is that these units would add positively to the housing mix and tenure in the area.
- 6.6 The 22 grant funded units would be taken on by a specialist Housing Association and will be delivered through an agreed affordable housing statement appended to the section 106 agreement.
- 6.7 The issue of viability is discussed below at para 6.33. The applicant is prepared to provide a social mitigation package of £208,000 secured by way of section 106 agreement.
- 6.8 Notwithstanding this, Officer's conclude that the housing mix, along with the 22 grant funded units on the site, is an acceptable balance in this case and adds weight in supporting the scheme.
- 6.9 The development plan also requires at policy LC4 that 20% of the units should also be accessible and adaptable dwellings. This is a matter that can be required by condition and has been agreed with the applicant.

### **Design**

- 6.10 Policies of the Development Plan, most notably policy SDC12, seek to secure good standards of design in new development.
- 6.11 The application proposes 41 units served off a single point of access formed from the newly created spine road serving the larger development site referred to above. It is the same scheme as previously approved by way of application NED/20/01024 and so offers the same issues for consideration.

- 6.12 The design of the scheme, although now proposing more housing, in turn follows similar design principles to that approved under application NED/17/01354.
- 6.13 Through negotiation, Officer's sought to achieve an outward facing design not overly car dominated. This was successful in part but there remains car frontage parking along the main access road, albeit broken up by some landscaping, and the "dual aspect" dwellings have some limited added interest on the secondary elevations including that towards the public footpath to the south.
- 6.14 The boundary treatments are generally timber fencing, which is regrettable. However, they have limited public impact and prominence and so, on balance, are considered by Officers acceptable in this case.
- 6.15 Distances between the proposed units meet in all cases the minimum distances sought by "Successful Places" thereby ensuring an acceptable level of amenity is secured for future residents of the dwellings. The proposed garden sizes likewise achieve, overall, the minimum levels required.
- 6.16 On balance, bearing in mind the site history, it is considered by Officers an acceptable design finish has been achieved.

**Impact on neighbouring properties.**

- 6.17 Existing residential units occupy land to the north east of the proposed units. These properties have lengthy rear gardens, generally in excess of 20 metres and in some cases considerably more, such that there will be no adverse impact on the amenity of any of the houses themselves. In addition, the properties on the site boundary are set back at least a further metre, to ensure access around the units is achieved, meaning that they do not occupy boundary locations.
- 6.18 The new dwellings will have some impact on the amenity of the respective rear gardens, particularly on dwellings at 181, 177-179, 171 and 165 Chesterfield Road. However, these properties do already have some impact on the amenity afforded to their gardens either by trees on or near the boundary and/or buildings located within the gardens themselves (See Figure 5 below). In addition, the new housing will be set down and into the land levels of the site to varying degrees and this too will mitigate any impact on the amenity of the gardens (See Figure 6 below).
- 6.19 Finally, the layouts previously approved did also result in some dwellings occupying the area close to the site boundary and so some impact has already been accepted.



Figure 5: Rear view of adjoining properties



Figure 6: Level changes

6.20 Therefore, overall, the limited impact on the amenity of adjoining residents is considered acceptable and not overriding.

## **Technical issues**

- 6.21 In view of the comments made there is no health and safety issues to address, as there are no vulnerable buildings proposed, and the site lies within Flood Zone 1 and so any flood risk matters can be addressed by condition, as recommended by statutory consultees.
- 6.22 Land contamination can be addressed by condition and there are no objections from a footpath point of view.
- 6.23 The comments of the Coal Authority (CA) are noted and no objection is raised to the scheme.

## **Ecology**

- 6.24 Development Plan policy SDC4 seeks to secure development that protects and enhances the District's environment.
- 6.25 Derbyshire Wildlife Trust (DWT) note that the submitted information shows that the site's development would result in a net biodiversity loss although this does not impact directly on any protected species.
- 6.26 This is regrettable, however, it is noted that the site has consent to be developed in the form now proposed and development is ongoing on the site adjoining the application site. Further, the site was in part previously developed and has now been stripped (See Figure 5 and 6 above). In addition, the nearby Five Pits Trail provides a corridor of habitat and other habitats exist close by in the adjoining countryside.
- 6.27 Therefore, subject to some amendment to the previously imposed conditions as per the DWT comments above, it is considered that this matter is not overriding in this case and, whilst acknowledging there is some ecological deficit, through conditions some replacement habitats can be created.

## **Highways**

- 6.28 The Highway Authority originally raised some technical issues in respect of the road layout. These have generally now been overcome and the road layout is considered acceptable and there will be no impact on the safety or the use of the highway network.
- 6.29 A link to the Five Pits Trail is shown in the adjoining residential area and so will allow ready access to the trail. It is not considered a separate access is required from this development to the trail itself.



- 6.30 The Streetscene team also originally raised some issues in respect of the provision of bin store areas and the accessibility of the relevant vehicles. These matters too have been overcome.

### **Social Mitigation**

- 6.31 Local Plan policy ID1 seeks to ensure that new development secures the necessary social infrastructure and mitigation to offset the impact of the development.
- 6.32 In this case, the following requests for mitigation have been requested:

£460,533.76 towards primary and secondary education provision  
£19,680 towards Health provision  
£34,716.46 (plus £10,975.40 10 year maintenance fee) towards off-site play provision.

20% affordable housing would also generally be required as per the policies of the Development Plan.

- 6.33 Discussions over viability have taken place during the consideration of the application and the submitted information independently verified. It has been concluded, as at March 2023, that the site is viable in providing Section 106 contributions of either 5 affordable units or £208,000 (as well as the grant funded affordable housing). Members will note that this falls short of the overall package of £525,225.62 and 20% affordable housing.
- 6.34 The applicant will provide a Section 106 contribution of £208,000. Officers have considered this and conclude, on balance, that due to the sites viability constraints, independently verified, the contribution of £208,000 is acceptable and recommend it is divided, pro rata, among the 3 requestors.
- 6.35 The issue of affordable housing is discussed above. In addition, the applicant will provide 22 affordable units through a registered provider and this can be secured through an appendix attached to the Section 106 and its constituent affordable housing statement. This adds weight to the Officer conclusion to accept the financial offer made.

### **Conclusion**

- 6.36 The site, the subject of this application, lies within the settlement framework for Holmewood as set out in the Local Plan. Additionally, it has previously been granted consent for development and sits between existing residential development and a site that has permission for, and is being developed, as such, for housing. Therefore, the application is considered in general terms to represent sustainable development and an appropriate site for housing development in accord with the Development Plan.

- 6.37 The design of the scheme and the impact of it on neighbouring properties is considered acceptable and there are no technical reasons, subject to conditions, that would lead to a refusal of planning consent.
- 6.38 The full level of social mitigation cannot be achieved and the shortfall is significant. However, a viability exercise has been carried out and the agreed level of contribution consistent with that. Officers attach significant weight to the fact that in addition 22 grant funded units will also be provided.
- 6.39 Therefore, on balance and in conclusion, the application is considered acceptable subject to the imposition of appropriate conditions and the prior completion of a Section 106 agreement to secure the delivery of £208K in community benefits and the delivery of 22 grant funded affordable units via the submitted affordable housing statement.

## **7.0 RECOMMENDATION**

**GRANT** permission subject to conditions, as follows, and the subsequent completion of a section 106 agreement securing £208,000 for social mitigation as set out in the Officer report (and 22 grant funded units through the appendix) with delegated authority given to the Planning Manager to finalise the wording of conditions and the section 106 agreement.

- 1 The development hereby permitted shall be started within 3 years from the date of this permission.
- 2 The development hereby approved shall be carried out in accordance with the submitted plans as per the details set out at Appendix A of this decision notice.
- 3 The site shall be developed in accord with the levels details (both finished floor levels and finished ground levels) as shown on drawing 2956/03/P1 (J Roberts Design Ltd) dated 18.06.2021.
- 4 All planting, seeding or turfing shown on drawing MR18-0143/101/G (TEL Landscape Architects) shall be carried out in the first planting and seeding season following the first occupation of the 37th dwelling (of the 41) hereby approved or the completion of the development, whichever is the sooner. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.
- 5 Prior to the first occupation of the 40<sup>th</sup> dwelling, hereby approved, details of how the areas to be located outside of the domestic curtilages are to be

maintained and managed shall be submitted to and be approved in writing by the Local Planning Authority. The site shall then be maintained and managed in accordance with the approved details thereafter.

- 6 Prior to the first occupation of the 40<sup>th</sup> dwelling, hereby approved, all the hard surfaced areas of the site and the boundary treatments contained within and around it, including the proposed retaining walls, shall be completed as per drawings 19-776-100 Rev G, 2956/21/P1 (Retaining wall details) and 2956/20/P2 (Site levels and retaining walls) . Once installed the hard surfacing and boundary treatments shall be retained as approved thereafter.
- 7 Within 28 days of the development, hereby approved, commencing, a detailed design and associated management and maintenance plan of the surface water drainage for the site, in accordance with the principles outlined within:
  - a. J. Roberts Design Ltd., (23/11/2021), SW & FW Drainage Design Report, ref: 2956 rev-B, including any subsequent amendments or updates to those documents as approved by the Flood Risk Management Team, and,
  - b. DEFRA's Non-statutory technical standards for sustainable drainage systems (March 2015),

shall be submitted to and be approved in writing by the Local Planning Authority.

The site shall then be developed as per the agreed details and be retained as such thereafter.

- 8 Before any part of the development, hereby approved, commences, details of how any additional surface water run-off from the site will be avoided during the construction phase shall be submitted to and be approved in writing by the Local Planning Authority. The agreed scheme shall then be implemented as agreed and be retained as such during the entire construction phase of development.
- 9 Prior to the occupation of the 37<sup>th</sup> dwelling (of 41), hereby approved, a verification report shall be submitted to and be approved in writing by the Local Planning Authority which shows that the surface water drainage system has been constructed as per the agreed scheme.
- 10 Before the development, hereby approved, commences further works to investigate the potential land contamination issues identified in the Phase 1 and Phase 2 Geotechnical and Geo-environmental site investigation (Eastwood and Partners (Consulting Engineers) Ltd ref: 39639 dated 3rd May 2016) shall be submitted to and be approved in writing of the Local Planning Authority.

Where the investigation identifies unacceptable levels of contamination, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment shall be submitted to and be approved in writing by the Local Planning Authority. [The submitted scheme shall have regard to CLR 11 and other relevant current guidance.]

The approved scheme shall include all works to be undertaken, proposed remediation objectives and remediation criteria and site management procedures. The scheme shall ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

No dwelling, hereby approved, shall not be occupied until:

- a) The approved remediation works have been carried out in full.
- b) If during the construction and/or demolition works associated with the development hereby approved 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 submitted and approved in writing by the local planning authority and the local planning authority shall be notified as soon as is reasonably practicable of the discovery of any suspected areas of contamination. The suspect material shall be re-evaluated through the process described above.
- c) Upon completion of the remediation works required as set out above a validation report shall be prepared and be submitted to and approved in writing by the local planning authority. The validation report shall include details of the remediation works and Quality Assurance/Quality Control results to show that the works have been carried out in full and in accordance with the approved methodology. Details of any validation sampling and analysis to show the site has achieved the approved remediation standard, together with the necessary waste management documentation shall be included.
- d) In the event that it is proposed to import soil onto site in connection with the development, the soil to be imported shall be sampled at source and analysed in a laboratory that is accredited under the MCERTS Chemical Testing of Soil Scheme for all parameters previously agreed in writing with the Local Planning Authority, the results of which shall be submitted to and shall be approved in writing with the Local Planning Authority.

- 11 Prior to the development, hereby approved, commencing a scheme of dust mitigation measures and for the control of noise emanating from the site



during the construction period has been submitted to and been approved in writing by the Local Planning Authority. The approved measures shall then be implemented throughout the entire construction period.

- 12 The scheme, hereby approved, shall be undertaken in accordance with the submitted scheme to enhance and maximise employment and training opportunities during the project, that accompanied the e-mail from Stephen Haslam dated 27<sup>th</sup> February 2023.
- 13 The facing materials to be used to implement the development, hereby approved, shall be as per those set out on drawing 19-776-100Rev F in respect of roofing used and otherwise in accord with details submitted accompanying the e-mail of Stephen Haslam dated 12.01.23 and specifically the material schedule.
- 14 Prior to the first occupation of the 37th dwelling (of 41), hereby approved, details of the arrangements for the future management and maintainance of the proposed streets shall be submitted to and be approved in writing by the Local Planning Authority. The site shall then be managed in accordance with the agreed scheme.
- 15 The development, hereby approved, shall be undertaken in accordance with the submitted Construction Management Plan and the additional details set out in the e-mail from Stephen Haslam dated 19<sup>th</sup> January 2023 (15:29).
- 16 No dwelling, hereby approved, shall be occupied until the details shown for the storage and collection of refuse, have been implemented as per the details shown on drawing 21-854-100 Rev H and the courtyard shown to properties 24-27 and 38-41 tarmacked to NHBC standard. Once provided the agreed locations and areas for the storage and presentation of bins shall be retained for that purpose only.
- 17 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 and then implemented as approved.
- 18 Prior to building works commencing above foundation level, 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 shall 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.

- 19 Notwithstanding any previously submitted details within 56 days of the date of this permission, a revised Biodiversity Enhancement Plan (BEP) shall be submitted to, and be approved in writing by, the Local Planning Authority prior to the commencement of the development.

It shall include the following:-

- a) Description and location of features to be retained, created, enhanced and managed.
- b) Aims and objectives of management.
- c) Appropriate management methods and practices to achieve aims and objectives.
- d) Prescriptions for management actions.
- e) Preparation of a work schedule (including a five-year work plan capable of being rolled forward in perpetuity).
- f) Details of the installation of 30 integrated swift bricks and 5 bat boxes
- g) Details of hedgehog highways to ensure connectivity between gardens.
- h) Details of the body or organization responsible for implementation of the plan.
- i) A monitoring schedule to assess the success of the enhancement measures
- j) A set of remedial measures to be applied if conservation aims and objectives of the plan are not being met.
- k) Requirement for a statement of compliance upon completion of planting and enhancement works.

The BEP 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 shall then be implemented as agreed.

- 20 The site shall be developed with separate systems of drainage for foul and surface water on and off site. The separate systems should extend to the points of discharge to be agreed.
- 21 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.

- 22 Notwithstanding the submitted details, prior to work commencing above DPC level, a scheme for providing 20% accessible and adaptable dwellings to meet the requirements of M4(2) of the Building Regulation 2015 (or any subsequent government standard) shall be submitted to and approved by the Local Planning Authority. The approved scheme shall then be carried out in accordance with the approved details and be retained as such thereafter.