

PLANNING COMMITTEE – 5th November 2024.

Reference Number: 24/00601/FL

Application expiry: 18/11/2024

Application Type: FULL

Proposal Description: Removal of existing garages and hardstanding, and erection of 5 affordable bungalows with associated landscaping, shared drive and car parking (Amended Plans) (Amended Title)

At: Garage Site, Byron Grove, Stonebroom

For: Rykneld Homes Ltd

Third Party Reps: 2 objections

Parish: Shirland and Higham

Ward: Shirland and Higham

Report Author: Steven Wigglesworth

Date of Report: 17 October 2024

MAIN RECOMMENDATION: Grant permission, subject to conditions



Figure 1: Location plan, with site edged in red

1.0 Reason for Report

- 1.1.1 The applicant is Rykneld Homes, the Council's arm's length housing arm, and there have been objections received to the application meaning it cannot be dealt with under Officer delegated powers.

2.0 Proposal and Background

Site Description

- 2.1 The site is in Stonebroom, within the settlement development limits (see Figure 1 above). The Neighbourhood Plan identifies the area as the 'Stonebroom Crescent' character area. The site is accessed via a narrow track, approximately 2.8m wide for a length of approximately 31m, this runs between no.10 and no.12 Byron Grove. There is a mix of hedgerow and fencing either side of the access. The site itself is approximately 0.23 ha in area, located between the back gardens of Byron Grove, Cleveland Road and Kingsley Crescent, with one boundary onto open fields. The site currently has areas of open grass, with signs up stating no ball games and there are approximately 10 garages on the site.
- 2.2 There are no notable trees on the site.
- 2.3 No.10 Byron Grove has its vehicular access/drive from their property onto the land comprising the site. The same property currently has no vehicular access to the front, and the garden fronting Byron Grove is formed with a mature hedgerow.
- 2.4 The dwellings on Byron Grove are semidetached and a mix of buff brick/red brick and render with most of the roofs clad with pan tiles. Most of the dwellings have hipped roofs with the dwelling at the head of the culdesac being the exception.
- 2.5 Off site, opposite the access on the other side of Byron Grove is a pedestrian access onto an area designated as Urban Green Space.
- 2.6 The site is generally level.

Proposal

- 2.7 As submitted the applicant proposed the demolition of the garages and removal of the hardstanding and the erection of 7 no. affordable dwellings taking the form of bungalows.

Amendments

- 2.12 Following Officer concerns the scheme has been amended to seek consent for 5 no. dwellings (See Figure 2 below), all bungalows, comprising 2 pairs of semidetached dwellings and a detached dwelling.

The amended plans include –

- Block Plan 2021-711-1-01G
- Bungalow Type 1 2021-711-1-02D
- Bungalow Type 2 2021-711-1-03D
- M4(3) Bungalow 2021-711-1-04E
- Swept Path Analysis for refuse vehicle – 12444-TRCK/01 A

The dwellings are all two bed roomed, showing a single bedroom and a double bedroom, therefore in terms of their size they are considered three person dwellings. They have two parking spaces per dwelling.



Figure 2 - Proposed Block Plan 2021-711-1-01G

3.0 Relevant Planning History (not the full site history)

3.1 None relevant on the file.

4.0 Consultation Responses

- 4.1 NEDDC Streetscene - NEDDC operate an alternate week collection scheme where one week household waste in black bins is collected and the next green waste from the green bins and recycling in the burgundy bins is collected. The bins must be presented at the kerbside on the day of collection by the residents at 6.30 am and then returned to the storage point after emptying. All individual properties must have enough storage space for a black, green and a burgundy 240L bin.
- 4.2 Access is required for an RCV which has a GVW of 32t with a 22.8m turning circle, allowances should be made in the construction of highways for this vehicle and the need to consider its maneuverability. There are concerns over the accessibility of the development and a vehicle track for a 32t vehicle is required. There are concerns about other aspects of the development which may affect accessibility such as parked vehicles on Byron Grove & the hedges of 10 & 12 Byron Grove which boarder the development which may impede access.
- 4.3 As the size of the development is not one which would typically be adopted by DCC, an indemnity would normally be required to access the development with the refuse vehicles. This would involve an agreement being negotiated with a clause entitling the Council to terminate house to house collections immediately on written notice as appropriate, and for the residents to present their waste and recycling for collection at another point designated by the Council.
- 4.4 Should the development not be accessible to the refuse vehicles, the developer will need to provide a bin presentation point located as close to the existing highway off Byron Grove as possible. This collection point would need to be approved and large enough to present up to 14 bins. Residents would be expected to take their bins to the collection point.
- 4.5 DCC Highways – No objection subject to conditions. Prior to receipt of the amended plans the comments included - Site Access The single track site access is substandard, but already provides access to the garages. Due to the limited speed of traffic on Byron Grove the visibility splays from the access are acceptable. Trip Generation Proposal will not worsen highway conditions and will not result in a significant increase in vehicle movements from the site compared to the site's fallback position Internal Layout – Request swept vehicle paths of the largest vehicle that would enter and exit the site, demonstrating they can enter and exit the site in a forward gear.
- 4.6 Derbyshire Wildlife Trust – No objection subject to conditions and some revision to the BNG calculations, in particular the classifications that have been used.
- 4.7 Environmental Health Officer – No objection subject to conditions. Due to proximity of the site to residential properties conditions are required to protect amenity and ensure that any land contamination resulting from demolition is addressed.

4.8 The Coal Authority – No objection subject to conditions.

4.9 Severn Trent Water Ltd – No response to date

4.10 Shirland And Higham Parish Council - The Parish Council are concerned about the access and egress from this site and the effect on parking in the surrounding area. Access for emergency service vehicles and the refuse collection vehicle is of great concern.

4.11 Ward Councillor(S) – No response to date.

5.0 Representations

5.1 Two representations have been received. They both object to the scheme and raise the following issues –

- No 16 Byron Grove. Objects to the loss of garage plot, which they currently rent and enjoy the use of. The garage is not one of the Council owned/built garages.
- No 10. Are concerned that they will lose part of their garden including the front, rear and side. They are also concerned that they will not be able to access their property as the current access is to the rear off the hard standing on the site. Vehicular access onto the road is important and there are concerns about access to the site during construction as well as in the finished scheme. There is no on road parking and in general consider the proposal will have a detrimental impact on Byron Grove.

6.0 Relevant Policy and Strategic Context

6.1 The following policies of the Development Plan are material to the determination of this application:

North East Derbyshire Local Plan 2014-2034 (LP)

SS1 Sustainable Development

SS2 Spatial Strategy and the Distribution of Development

SS7 Development on Unallocated Land within Settlement with defined Settlement Development Limits

LC 2 Affordable Housing

LC4 Type and Mix of Housing

SDC2 Trees, Woodlands and Hedgerows

SDC3 Landscape Character

SDC4 Biodiversity and Geodiversity

SDC10 Decentralised, Renewable and Low Carbon Energy Generation

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
ID2 Provision and Safeguarding of Transport Infrastructure
ID3 Sustainable Travel
ID4 New Social Infrastructure
ID5 Loss of Existing Social Infrastructure
ID10 Open Space, Sports and recreation Facilities

Shirland and Higham Neighbourhood Plan

Policy 1 Sustainable Development
Policy 2 Infill Development
Policy 3 Protecting the Landscape Character
Policy 4 Protecting and Enhancing the Natural Environment
Policy 7 Achieving High Quality Design
Policy 8 Renewable Energy, Energy Efficiency and Low Carbon Technologies
Policy 9a Housing Mix and Type
Policy 9b Affordable Housing

National Planning Policy Framework (NPPF)

- 6.3 The overarching aims of the National Planning Policy Framework (NPPF) have been considered in the assessment of this application.

Other Material Planning Considerations

- 6.4 Successful Places Interim Planning Guidance (IPG), adopted December 2013

7.0 Planning Issues

Principle of Development

- 7.1 The site is located within the settlement development limits of Stonebroom which is a level 2 settlement within the Local Plan, meaning it is a settlement with a good level of sustainability. Local Plan Policy SS2(3) explains that level 2 settlements are areas on which to focus new housing development. Policy SS7 is permissive of new housing development of an appropriate scale, design and location, provided it does not result in the loss of a valued facility or service.
- 7.2 In the representations there are concerns raised about the loss of the garage site. However, the Neighbourhood Plan, in particular Policy 7: Achieving High Quality Design (part 12), explains that in the 'Stonebroom Crescent' character area proposals should [inter alia] repurpose underused garages and car park courtyards.
- 7.3 Therefore, Officers consider that the loss of the garaging (although of some value locally) is acceptable in planning terms because it is in accordance with the policies of the Development Plan and, in particular, Policy 7 of the Neighbourhood Plan.

- 7.4 The objectives of Neighborhood Plan Policy 9 are also noted with an emphasis on 4 bedroomed houses in Stonebroom and bungalows.
- 7.5 This development is proposed by an affordable housing provider to offset some of the loss of bungalows from the potential redevelopment of a larger site nearby. Therefore, the provision of the 2 bedroomed bungalows is supported by Neighborhood Plan Policy 9.
- 7.6 The principle of redeveloping the site for housing is, therefore, considered acceptable, subject to other more detailed criteria which will be discussed in the various sections below.
- 7.7 Although the application is described as affordable housing and made by an affordable housing provider, because of its location within a settlement there is no actual policy requirement for these dwellings to be restricted to being just affordable housing.

Design

- 7.8 The originally submitted scheme was not considered acceptable to Officers for various design reasons and as it was considered to represent a cramped form of development on the plot.
- 7.9 It showed poor outlook from dwellings onto blank elevations, with some failing the 45-degree tests as detailed in the "Successful Places" design guidance. Close boarded fencing also featured in the outlook from these dwellings and fronted onto the public realm and the layout was considered car dominated. There were also design concerns with complicated roof forms and poor articulation between the various sections and concerns about how the site could be accessed by refuse/emergency vehicles.
- 7.10 The amended scheme shows a much-improved layout with 5 dwellings fitting comfortably onto the site. Some parking is now off road to the side of the units and the detached house type has been redesigned and reorientated creating a simpler form and design.
- 7.11 A plan showing the swept paths for a refuse vehicle manoeuvring on the site has also been submitted demonstrating that such vehicles can enter and exit the site in a forward gear.
- 7.12 The amended scheme also includes environmental enhancements to achieve some renewable energy with solar panels to the roofs of the buildings as appropriate. This can be secured by way of planning condition, with the panels needing to be inset into the roofs, be of dark panels on dark frames and non-reflective.

7.13 It is considered that the proposal, as amended, offers an acceptable design that will not harm the character of the area in accord with Development Plan policies

Privacy and Amenity Considerations

7.14 The amended scheme achieves an adequate level of amenity for future occupants, The size of the dwellings meets (and marginally exceeds) the National Space Standards for such dwellings (which is 61m²) and the size of the gardens/private amenity space, as set out in the "Successful Places" guidance of 50m², is also exceeded.

7.15 The outlook from the dwellings will be acceptable with the fronts of plots 1 and 2 looking towards plot 5 slightly angled away, with a separation distance of nearly 19m being retained.

7.16 There is also a range of tree and hedgerow planting on the site which will add character to the site with a condition required to secure the final landscaping.

7.17 There will be no unacceptable impact on the amenity of neighbouring dwellings. The outlook will alter from looking towards the garage site towards dwellings but the new units are all single storey and so will not unacceptably affect privacy or amenity.

7.18 Some residents may lose an existing garage space. However, given the Neighbourhood Plan objective in policy 7, (12) a), to repurpose garage sites, and the fact that many of the existing dwellings in the vicinity already have their own driveways, providing adequate parking, and onstreet parking is available on the wider estate, the loss of the garages is not given significant weight by Officers. Its loss is otherwise a private matter between the parties.

7.19 Planning Committee should note that No.10 Byron Grove retains its access from the site and the proposal does not take land from No.10.

7.20 It is noted the EHO has recommended conditions in relation to protecting residential amenity during the construction phase in relation to the timing of works and the control of noise, dust, odour.

7.21 It is concluded that the proposal will provide adequate amenity to both future and existing residents.

Highway Safety Considerations

7.22 Each dwelling would be provided with 2 parking spaces which is adequate for two bedroomed dwellings.

7.23 The access to the site is narrow, and single track, but currently serves the garage site. There is no scope to widen the access track because it is tight between two

other properties. The visibility splay at the access is considered to be acceptable because the traffic will be travelling slowly on Byron Grove.

- 7.24 The Local Highway Authority (LHA) has explained in its consultation response that having taken into account the existing use of the site and other information it is its view that the proposal would not result in a significant increase in vehicle movements.
- 7.25 Swept paths have also been provided to demonstrate that the largest vehicle that would need to access the site can adequately enter and exit the site in a forward gear. The vehicle shown is a refuse vehicle.
- 7.26 Overall, the LHA has no objection subject to conditions and it is concluded that there would not be an unacceptable impact on highway safety and the residual cumulative impact on the wider road network would not be severe.

Drainage Considerations and Flood Risk

- 7.27 The site falls in Flood Zone 1 with the lowest probability of flooding. A flood risk assessment has therefore not been required to support this application.

Land Contamination/Land Stability Considerations

- 7.28 The site is within a development high risk area in respect of coal legacy. As such, the application is supported by a Coal Mining Risk Assessment Report. This has been reviewed by the Coal Authority and the EHO and conditions recommended for further investigations and appropriate remedial work.
- 7.29 Officers conclude that there are no technical reasons relating to land contamination or land stability that would preclude development.

Ecological Considerations

- 7.30 Biodiversity survey and reports have been submitted in support of the application. Derbyshire Wildlife Trust (DWT) has no objections subject to conditions.
- 7.31 The site was not found to be suitable for protected species with the exception of the hedgerow boundaries as their potential use by nesting birds.
- 7.32 DWT have commented that the submitted reports need updating slightly and to reflect the amended scheme but they do conclude, in any case, that the necessary 10% net gain can be achieved.

Trees

- 7.33 The application is supported by a comprehensive arboricultural report. The Tree Survey identifies two trees (T6 and T7) within the site and these are located along the northeastern boundary of the site, common with the rear gardens of properties along Kingsley Crescent. T6 is an Elder (*Sambucus nigra*), measuring 5 metres in height, and T7 is a young Ash (*Fraxinus excelsior*), measuring 5 metres in height. The arboricultural consultant has determined the quality of both T6 and T7 as low (Category C).
- 7.34 Officers agree with the assessment, which includes the removal of T6 and T7. Their loss would be readily compensated by extensive shrub and tree planting as set out in the submitted landscaping scheme.

Environmental Management

- 7.35 Officers have negotiated solar panels onto the roof of the proposed buildings, and these can be secured by planning condition. However, an environmental management condition can be used to pick up other mitigation measures, such as electric vehicle charging points.

Conclusion

- 8.1 Subject to conditions, the proposal is considered to be in accordance with the policies of the development plan and it will offer new housing, within the settlement development limits, on a currently underutilised garage.
- 8.2 There are no technical reasons to resist the application and the amenity of existing future occupiers will be safeguarded.

9.0 Recommendation

- 9.1 That planning permission is **APPROVED subject to the following conditions**, with the final wording delegated to the Planning Manager (Development Management): -

Conditions

No	Condition	Reason	Pre-commencement agreement
1.	Standard time limit	.	N/A
2.	Development in complete accordance with the amended plans – Block Plan 2021-711-1-01G,		N/A

	<p>Bungalow Type 1 2021-711-1-02D Bungalow Type 2 2021-711-1-03D M4(3) Bungalow 2021-711-1-04E Swept Path Analysis for refuse vehicle – 12444-TRCK/01 A</p> <p>and specifications, subject to the following conditions or modifications.</p>		
3.	<p>No above ground development shall commence (excluding the demolition of existing structures) until;</p> <p>a) a scheme of intrusive investigations has been carried out on site to establish the risks posed to the development by past shallow coal mining activity; and b) any remediation works and/or mitigation measures to address land instability arising from coal mining legacy, as may be necessary, have been implemented on site in full in order to ensure that the site is made safe and stable for the development proposed.</p> <p>The intrusive site investigations and remedial works shall be carried out in accordance with authoritative UK guidance.</p>	Coal Authority	Asked 14/10/2024
4.	<p>Prior to the occupation of the development, or it being taken into beneficial use, a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development shall be submitted to the Local Planning Authority for approval in writing. This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.</p>	Coal Authority	na
5.	<p>During the phases of site clearance and construction there should be no clearance of vegetation by burning, or disposal of other materials by burning owing to the proximity of neighbouring sensitive receptors.</p>	EHO - To protect the amenity of the locality, especially for people living and/or working nearby.	na
6.	<p>Development other than that required to be carried out as part of an approved scheme of remediation</p>	EHO – To ensure the development	

	<p>shall not commence until:</p> <p>a) A Phase I contaminated land assessment (desk-study) shall be undertaken and approved in writing by the local planning authority.</p> <p>b) The contaminated land assessment shall include a desk-study with details of the history of the site use including:</p> <ul style="list-style-type: none"> • the likely presence of potentially hazardous materials and substances, • their likely nature, extent and scale, • whether or not they originated from the site, • a conceptual model of pollutant-receptor linkages, • an assessment of the potential risks to human health, property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, ground waters and surface waters, ecological systems, archaeological sites and ancient monuments, • details of a site investigation strategy (if potential contamination is identified) to effectively characterise the site based on the relevant information discovered by the desk study and justification for the use or not of appropriate guidance. The site investigation strategy shall, where necessary, include relevant soil, ground gas, surface and groundwater sampling/monitoring as identified by the desk-study strategy <p>The site investigation shall be carried out by a competent person in accordance with the current U.K. requirements for sampling and analysis. A report of the site investigation shall be submitted to the local planning authority for approval.</p>	<p>adequately deals with any potential contamination of the site and To protect future occupiers of the development, buildings, structures/services, ecosystems and controlled waters, including deep and shallow ground water.</p>	
7.	<p>Before the commencement of the development hereby approved:</p> <p>Where the site investigation identifies</p>	<p>EHO – To ensure the development adequately deals with any potential</p>	

	<p>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 approved in writing by the local planning authority. The submitted scheme shall have regard to 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.</p> <p>The developer shall give at least 14 days notice to the Local Planning Authority (Environmental Health Division) prior to commencing works in connection with the remediation scheme.</p>	<p>contamination of the site and To protect future occupiers of the development, buildings, structures/services, ecosystems and controlled waters, including deep and shallow ground water.</p>	
8.	<p>No dwellings hereby approved shall be occupied until:</p> <p>a) The approved remediation works required by 7 above have been carried out in full in compliance with the approved methodology and best practice.</p> <p>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 in 6b to 7 above and satisfy 8a above.</p> <p>c) Upon completion of the remediation works</p>	<p>EHO – To ensure the development adequately deals with any potential contamination of the site and To protect future occupiers of the development, buildings, structures/services, ecosystems and controlled waters, including deep and shallow ground water.</p>	

	<p>required by 7 and 8a above a validation report prepared by a competent person shall 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.</p>		
9.	<p>Construction works on the site and deliveries to the site shall be undertaken only between the hours of 07.30am to 6pm Monday to Friday and 7.30am to 1pm on Saturday. There shall be no work undertaken on site or deliveries to the site on any Sunday or public holiday.</p>	EHO	
	<p>Before the commencement of construction works including any demolition in connection with the development hereby approved, a programme of measures to minimise the spread of airborne dust from the site during construction and demolition periods, shall be submitted to and approved in writing by the Local Planning Authority and include a dust risk assessment. The development shall be undertaken in accordance with the approved scheme.</p>	EHO	
10.	<p>Nesting Birds</p> <p>No building demolition or tree, scrub or hedgerow clearance shall take place between 1st March and 31st August inclusive, unless preceded by a nesting bird survey undertaken by a competent ecologist no more than 48 hours prior to clearance. If nesting birds are present, an appropriate exclusion zone will be implemented and monitored until the chicks have fledged. No works shall be undertaken within exclusion zones whilst nesting birds are present.</p>	<p>DWT - The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended (section 1), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning consent</p>	na

		<p>for a development does not provide a defence against prosecution under this act. (Trees and scrub are likely to contain nesting birds between 1st March and 31st August inclusive. Trees and scrub are present on the application site and are to be assumed to contain nesting birds between the above dates, unless a recent survey has been undertaken by a competent ecologist to assess the nesting bird activity on site during this period and has shown it is certain that nesting birds are not present).</p>	
11.	<p><u>Lighting</u></p> <p>Prior to the installation of any external lighting fixtures, a detailed lighting plan and strategy, including a timetable for its implementation, shall be submitted to and be approved in writing by the LPA. This should provide details of the chosen luminaires, their locations and any mitigating features such as dimmers, PIR sensors and timers. Dependent on the scale of the proposed lighting, a lux contour plan may be required to demonstrate acceptable levels of lightspill to any sensitive ecological zones/features. Guidelines can be found in Guidance Note 08/23 - Bats and Artificial Lighting at Night (BCT and ILP, 2023). The approved plan and strategy shall then be implemented in full as such, retained as agreed</p>	DWT - In the interests of the biodiversity of the site.	na

	thereafter and no other external light features shall be installed, placed or erected on the site.		
12.	<p><u>Herptiles</u></p> <p>The Reasonable Avoidance Measures outlined within section 6.7 of the Preliminary Ecological Appraisal (JM Ecology, July 2024) shall be adhered to and implemented in full to safeguard common herptiles during the course of site clearance and development works.</p>	DWT	na
13.	<p><u>Badger / Hedgehog</u></p> <p>The Reasonable Avoidance Measures outlined within section 6.8 of the Preliminary Ecological Appraisal (JM Ecology, July 2024) shall be adhered to and implemented in full to safeguard common herptiles during the course of site clearance and development works.</p>	DWT	na
14.	<p><u>Habitat Management and Monitoring Plan</u></p> <p>A Habitat Management and Monitoring Plan (HMMP) shall be submitted to, and be approved in writing by, the LPA prior to the commencement of the development. This shall identify the habitats to be retained, created and / or enhanced on the site and specify the appropriate management prescriptions to secure the predicted condition targets, as per the approved biodiversity metric for the application. The HMMP shall also set out a monitoring schedule to ensure targets are met and remedial actions to take if not. Guidance on producing a HMMP can be found here: https://www.gov.uk/guidance/creating-a-habitat-management-and-monitoring-plan-for-biodiversity-net-gain</p> <p>The approved HMMP shall then be implemented as agreed and be delivered as approved thereafter.</p>	DWT	Asked 14/10/2024
15.	<p><u>Species Enhancement Plan</u></p> <p>Prior to building works commencing above foundation level, a Species Enhancement Plan shall be submitted to and be approved in writing by the Local Planning Authority. The approved measures shall</p>	DWT	na

	<p>then be implemented in full as agreed and be maintained as such thereafter. The Plan shall clearly show the positions, specifications and numbers of features, which will include (but are not limited to) the following: • universal nest boxes at ratio of 1:1, in line with British Standard 42021:2022. • integrated bat boxes in 30% of dwellings. • insect bricks in 30% dwellings and / or towers in public open space. • fencing gaps 130 mm x 130 mm to maintain connectivity for hedgehogs in all gardens. A statement of good practice including photographs should be submitted to the local planning authority prior to the discharge of this condition, demonstrating that the enhancements have been selected and installed in accordance with the above. The enhancements should be implemented in accordance with the approved details and all features retained in that manner thereafter.</p>		
16.	<p>The solar panels shall be inset into the roof (so they are flush with the roof covering), be of black panels, with black frames, non-reflective and be installed prior to the first occupation of the dwelling to which they relate be permanently so maintained thereafter.</p>	LPA	na
17.	<p>Before the development hereby approved starts, a scheme for mitigating climate change through sustainable design, including (but not limited to) the provision of sources of renewable energy, EV charging points, etc. including a timetable for its implementation, shall be submitted to and be approved in writing by the Local Planning Authority. Thereafter the approved climate change scheme shall be implemented in full as agreed and be retained as such thereafter.</p>	LPA	Asked 15/10/2024
18.	<p>Prior to any above ground works commencing precise specifications (including the manufacturer, range and colour details where applicable) or samples of the walling and roofing materials to be used, shall be made available on site for inspection, and subsequent written approval, by the Local Planning Authority. The development shall then be carried out in accordance with the approved details.</p>	LPA	
19.	<p>Prior to the completion or first occupation of the</p>	To comply with the	

	<p>development hereby approved, whichever is the sooner; full details of all proposed tree planting shall be submitted to and be approved in writing by the Local Planning Authority. This will include planting and maintenance specifications, including cross-section drawings, use of guards or other protective measures and confirmation of location, species and sizes, nursery stock type, supplier and defect period. All tree planting shall be carried out in accordance with those details and at those times.</p> <p>Any trees that are found to be dead, dying, severely damaged or diseased within five years of the completion of the building works OR five years of the carrying out of the landscaping scheme (whichever is later), shall be replaced in the next planting season by specimens of similar size and species in the first suitable planting season.</p>	<p>duties indicated in Section 197 of the Town and Country Planning Act 1990 to safeguard and enhance the amenity of the area, to maximise the quality and usability of open spaces within the development, and to enhance its setting within the immediate locality in accordance with NEDDC Policy SDC2: Trees, Woodland and Hedgerows</p>	
20.	<p>Before development starts, the following shall be submitted to and approved in writing by the Local Planning Authority:</p> <ul style="list-style-type: none"> a) a scheme of landscaping, which shall include indications of all existing trees and hedgerows on the land, b) the details of any trees and hedgerows to be retained, together with measures for their protection during development, c) a schedule of proposed plant species, size and density and planting locations and d) an implementation programme. <p>All planting, seeding or turfing in the approved scheme of landscaping shall be carried out in the first planting and seeding season following the occupation of the buildings 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, unless the Local Planning Authority gives</p>	<p>In the interests of the appearance of the area and in accordance with policies of the North East Derbyshire Local Plan and the Neighbourhood Plan.</p>	

	written consent to any variation.		
21.	No development shall commence until full details of the ground floor level of the proposed dwelling in relation to existing and finished ground levels and relative to a fixed datum have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved levels.	In the interests of the appearance of the area and in accordance with Policies SDC12 of the North East Derbyshire Local Plan	pre
22.	The Development hereby approved shall not be occupied until the access, parking and turning facilities have been provided as shown on Site Block Plan, drawing no. 2021-711-1-01G	To ensure conformity with submitted details.	
23.	The development hereby approved shall not be occupied until visibility splays are provided from a point 0.6m above carriageway level at the centre of the access to the application site and 2.4 metres back from the near side edge of the adjoining carriageway, (measured perpendicularly), for a distance of 10 metres to the right (toward the end of the road) and a distance of 17 metres to the left measured along the nearside edge of the adjoining carriageway and offset a distance of 0.6 metres from the edge of the carriageway. These splays shall thereafter be permanently kept free of all obstructions to visibility over 0.6m in height above carriageway level.	In the interests of highway safety.	
24.	No individual dwelling in the development hereby approved shall not be occupied until sheltered, secure and accessible bicycle parking has been provided in accordance with details which shall first be submitted to and approved in writing by the Local Planning Authority. The storage area shall be maintained for this purpose thereafter.	To promote sustainable travel and healthy communities	
25.	Prior to commencement of the development hereby permitted details of a construction management plan shall be submitted to and approved in writing by the Local Planning Authority. The approved plan shall be adhered to throughout the demolition/construction	In the interests of safe operation of the adopted highway in the lead into development	pre

	<p>period. The plan/statement shall include but not be restricted to:</p> <ul style="list-style-type: none"> • Parking of vehicle of site operatives and visitors (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction); • Advisory routes for construction traffic; • Any temporary access to the site; • Locations for loading/unloading and storage of plant, waste and construction materials; • Method of preventing mud and dust being carried onto the highway; • Arrangements for turning vehicles; • Arrangements to receive abnormal loads or unusually large vehicles; • Methods of communicating the Construction Management Plan to staff, visitors and neighbouring residents and businesses. <p>In the interests of safe operation of the adopted highway in the lead into development both during the demolition and construction phase of the development.</p>	<p>both during the demolition and construction phase of the development.</p>	
26.	<p>Foul drainage shall connect to the mains.</p>	<p>To secure the detail submitted and ensure the proposal is in accordance with the NPPG.</p>	

Informatives:

- a) BNG (as appropriate)
- b) DISCON
- c) NMA
- d) Provision of bins
- e) Highways as suggested
- f) The proposed development is situated within a Smoke Control Area. This has legal implications for the type of solid fuel appliance which may be installed in

the proposed development and types of solid fuel which may be burnt in these appliances. Further information is available at <https://www.gov.uk/smoke-control-area-rules>

- g) The following British Standards should be referred to:
 - a) BS: 3882:2015 Specification for topsoil
 - b) BS: 3998:2010 Tree work – Recommendations
 - c) BS: 3936-1:1992 Nursery Stock - Part 1: Specification for trees and shrubs
 - d) BS: 4428:1989 Code of practice for general landscaping operations (excluding hard surfaces)
 - e) BS: 4043:1989 Recommendations for Transplanting root-balled trees
 - f) BS: 5837 (2012) Trees in relation to demolition, design and construction - Recommendations
 - g) BS: 7370-4:1993 Grounds maintenance part 4. Recommendations for maintenance of soft landscape (other than amenity turf).
 - h) BS: 8545:2014 Trees: from nursery to independence in the landscape - Recommendations
 - i) BS: 8601:2013 Specification for subsoil and requirements for use