**Simon Gladwin**
**Executive Director (Operations)**
**Development Management**

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# TOWN AND COUNTRY PLANNING ACT 1990

In pursuance of the powers vested in the Amber Valley Borough Council under the above Act and Orders and taking into account Government policy and guidance and the saved policies of the Adopted Amber Valley Borough Local Plan 2006, and with reference to your application (**Office Code: AVA/2022/0169**) which was valid on the 3 March 2022 for permission for **Variation of conditions 2, 28 and 29 of AVA/2019/0856 to amend design of dwellings, minor layout amendments, including car parking layout and retaining walls at Land At Old Coppice Side Old Coppice Side Marlpool**

In the manner described in the application and shown on the accompanying plan(s) and drawing(s) **NOTICE IS HEREBY GIVEN** that permission for the proposed development is **GRANTED subject to the following conditions:**

**Conditions/Reasons**

1. The development hereby permitted shall be begun before the expiration of three years from the date of planning permission AVA/2019/0856 (16th June 2021).

   **Reason**: To comply with the requirements of Section 91(1) of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out only in accordance with the details and specifications set out below and the conditions within this decision notice:
   Site Location Plan drawing no 2403-001C, Rev C
   Site Masterplan drawing no. 3459-TS01, Rev C
   Site layout, units 33, 1-9 drawing no. 3459-TS02, Rev B
   Site layout, units 10-15 drawing no. 3459-TS03, Rev C
   Site layout, units 16-25 drawing no. 3459-TSO4, Rev B

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Site layout, units 26-32 drawing no. 3459-TS05, Rev B
Plots 1 & 33, floor plans drawing no. 3459-TL06
Plots 1 & 33, elevations drawing no. 3459-TE07
Plots 2, 3, 4 floor plans drawing no. 3459-TL08
Plots 2, 3, 4, elevations drawing no. 3459-TE09
Two-bed semi-detached, (plots 5&6 7&8, 14&15, 24&25) floor plans drawing no. 3459-TL10
Two-bed semi-detached, (plots 5&6 7&8, 14&15, 24&25) elevations drawing no. 3459-TE11
Two bed detached, (plot 9) floor plans drawing no. 3459-TL12
Two bed detached, (plot 9) elevations drawing no.3459-TE13
Two-bed terraced, (plots 16-18) floor plans drawing no 3459-TL14
Two-bed terraced, (plots 19-21) floor plans drawing no. 3459-TL15
Two-bed terraced, (plots 16-21) elevations drawing no. 3459-TE16
Three-bed semi, (plots 10&11, 12&13, 22&23, 26&27) floor plans drawing no. 3459-TL17
Three-bed semi, (plots 10&11, 12&13, 22&23, 26&27) elevations drawing no. 3459-TE18
Three-bed semi, (plot 28) floor plans drawing no. 3459-TL19
Three-bed semi, (plot 28) elevations drawing no. 3459-TE20
One-bed apartments, (plots 29 -32) floor plans drawing no. 3459-TL21
One-bed apartments, (plots 29 -32) elevations drawing no. 3459-TE22
Design and Access Statement;
Drainage Strategy Private Scheme drawing no. C2976 DS002 Rev D;
Drainage Strategy Impermeable Area Plan drawing no. C2976 DS003 Rev A;
Coal Mining Risk Assessment dated February 2019;
HSP Phase 1 Geo-environmental Desk Study Report, dated February 2019, ref: C2976/PI;
HSP Phase II Geo-environmental Assessment Report, dated January 2020, ref: C2976;
Drainage Appraisal dated 26 February 2019;
Flood Risk Assessment C2976-FRA Rev A December 2019;
Arboricultural Impact Assessment dated 22 July 2019;
Transport Statement dated July 2019;
Nocturnal Bat Survey Report dated 3, 14 and 29 June 2019; and,
Preliminary Ecological Appraisal and Roost Assessment dated 1 August 2019.

**Reason**: In order to define the permission.

3. a) No development shall commence until a Remediation Method Statement (the "RMS") to address the remediation required by the Assessment (HSP Phase II Geo-environmental Assessment Report, dated January 2020, ref: C2976). including a plan

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for how the remediation methods will be verified, has been submitted and approved in writing by the Local Planning Authority.
b. The development shall be undertaken in strict compliance with the requirements contained within the approved RMS. Any proposed revisions to the RMS must be submitted and approved in writing by the Local Planning Authority prior to any changes in remediation methods.
c. If during development works, any contamination is encountered which was not previously identified and is derived from a different source and/or of a different type to those already identified, then no further works shall take place until a revised RMS is submitted to and approved in writing by the Local Planning Authority and the works shall then be carried out in accordance with the revised RMS.
d. If during development work, site contamination is found in areas previously expected to be uncontaminated, then the remediation of those areas shall be carried out in accordance with the approved RMS.
e. No building shall be occupied unless and until a Verification Report in accordance with the RMS has been submitted to and approved in writing by the Local Planning Authority.

**Reason**: The undertaking of a site investigation prior to the commencement of development is necessary to ensure that adequate information pertaining to risks arising from land contamination is available to inform an assessment that the site is either suitable for its proposed use or appropriate remedial measures could make the site suitable for its proposed use. In order to ensure the safety of the development, in accordance with saved policy EN18 of the Adopted Amber Valley Borough Local Plan 2006 and paragraphs 178 and 179 of the National Planning Policy Framework.

4. If any part of the site is to be raised or filled using materials brought from outside the application site, the developer shall provide documentary evidence that all such materials are free from levels of contamination that would be in excess of current appropriate standards. In the event that no such evidence is available, the materials must be subjected to adequate chemical or other testing to demonstrate that the materials are suitable for their intended final use. All documentary evidence and/or sampling methodology and testing results shall be submitted to and agreed in writing by the Local Planning Authority prior to any material being brought onto site. No such materials shall be imported without prior approval.

**Reason**: The importation of contaminated materials may result in the need for remediation works at a later date if the land is subsequently identified as contaminated land under the terms of Part IIA of the Environmental Protection Act 1990.

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5. No development shall commence until;
a) a scheme of intrusive investigations has been carried out on site to establish the risks posed to the development by past 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 safe and stable for the development proposed. The intrusive site investigations and remedial works shall be carried out in accordance with authoritative UK guidance.

   **Reason**: This pre-commencement condition is required to ensure that effective remedial or mitigating measures are taken to treat, control or contain unstable land in accordance with saved policy EN18 of the Adopted Amber Valley Borough Local Plan 2006 and paragraphs 178 and 179 of the National Planning Policy Framework.

6. Prior to the occupation of the hereby approved development, full details of the proposed treatment of the boundary(ies) of the site shall be submitted to and approved by the Local Planning Authority. Any agreed scheme shall be implemented in full in accordance with a phasing scheme prior to the occupation of the development.

   **Reason**: To ensure both the satisfactory appearance of the completed development and an adequate level of amenity for the proposed dwellings in accordance with saved policies LS3 and H12 of the Adopted Amber Valley Borough Local Plan 2006.

7. The mitigation measures outlined in sections 5.3.10 and 5.3.11 of the Preliminary Ecological Appraisal and Roost Assessment dated 1 August 2019 shall be implemented in full.

   **Reason**: To ensure the development does not have an adverse impact upon species specifically protected under the schedules of the Wildlife and Countryside Act 1981 in accordance with saved policy EN13 and to improve the biodiversity of the local area in accordance with saved policy EN13 of the Adopted Amber Valley Borough Local Plan 2006.

8. Prior to the commencement of the development, a scheme of mitigation measures relating to nesting birds outlined in section 5.4 of the Preliminary Ecological Appraisal and Roost Assessment dated 1 August 2019 shall be submitted to and approved in writing by the Local Planning Authority. Such approved measures should be implemented in full prior to the occupation of the hereby approved development and maintained thereafter.

   **Reason**: This is a pre-commencement condition to ensure the development does not have an adverse impact upon species specifically protected under the schedules of

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the Wildlife and Countryside Act 1981 in accordance with saved policy EN13 and to improve the biodiversity of the local area in accordance with saved policy EN13 of the Adopted Amber Valley Borough Local Plan 2006.

9. No development shall take place until a detailed design and associated management and maintenance plan of the surface water drainage for the site, to include 40% climate change control to the hydraulic assessment of the proposed culvert and full detailed Micro drainage calculations and in accordance with the principles outlined within:

a. Technical Memorandums C2976/TM002 and C2976/TM001B Dated: 20 April 2020 and 26 February 2019 and Flood Risk Assessment C2976-FRA Rev A Dated Dec 2019 "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.

**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 in accordance with saved policy EN15 of the Adopted Local Plan 2006.

10. Prior to commencement of the development, the applicant shall submit for approval to the Local Planning Authority details indicating how additional surface water run-off from the site will be avoided during the construction phase. The approved system shall be operating to the satisfaction of the Local Planning Authority, before the commencement of any works, which would lead to increased surface water run-off from site during the construction phase.

**Reason**: This pre-commencement condition is required in order to ensure surface water is managed appropriately during the construction phase of the development, so as not to increase the flood risk to adjacent land/properties or occupied properties within the development in accordance with saved policy EN15 of the Adopted Local Plan 2006.

11. Prior to the first occupation of the development, a verification report carried out by a qualified drainage engineer shall be submitted to and approved by the Local Planning Authority. This must demonstrate that the drainage system has been constructed as per the agreed scheme (or detail any minor variations), provide the details of any

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management company and state the national grid reference of any key drainage elements (surface water attenuation devices/areas, flow restriction devices and outfalls).

**Reason**: To ensure surface water is managed appropriately during the construction phase of the development, so as not to increase the flood risk to adjacent land/properties or occupied properties within the development in accordance with saved policy EN15 of the Adopted Local Plan 2006.

12. Before any other operations are commenced, space shall be provided within the site for storage of plant and materials, site accommodation, loading, unloading and manoeuvring of goods vehicles, parking and manoeuvring of employees and visitors vehicles, laid out and constructed in accordance with detailed designs first submitted to and approved in writing by the Local Planning Authority. Once implemented the facilities shall be retained free from any impediment to their designated use throughout the construction period.

    **Reason**: In the interests of highway safety in accordance with saved policies H12, TP1 and TP6 of the Adopted Amber Valley Borough Local Plan 2006.

13. Throughout the period of development vehicle wheel cleaning facilities shall be provided and retained within the site. All construction vehicles shall have their wheels cleaned before leaving the site in order to prevent the deposition of mud and other extraneous material on the public highway.

    **Reason**: In the interests of highway safety in accordance with saved policies H12, TP1 and TP6 of the Adopted Amber Valley Borough Local Plan 2006.

14. No development shall take place until full construction details of the residential estate road and footways including layout (generally in accordance with revised application drawing number 102 Rev M), levels, gradients, surfacing and means of highway surface water drainage, have been submitted to and approved in writing by the Local Planning Authority. The works shall be implemented in accordance with the agreed details.

    **Reason**: In the interests of highway safety in accordance with saved policies H12, TP1 and TP6 of the Adopted Amber Valley Borough Local Plan 2006.

15. The carriageway of the proposed estate roads shall be constructed in accordance with Condition 14 above up to and including at least road base level, prior to the commencement of the erection of any dwelling intended to take access from that roads. The carriageways and footways shall be constructed up to and including base

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course surfacing to ensure that each dwelling prior to occupation has a properly consolidated and surfaced carriageway and footway, between the dwelling and the existing highway. Until final surfacing is completed, the footway base course shall be provided in a manner to avoid any upstands to gullies, covers, kerbs or other such obstructions within or abutting the footway. The carriageways, footways and footpaths in front of each dwelling shall be completed with final surface course within twelve months (or three months in the case of a shared surface road) from the occupation of such dwelling.

**Reason**: In the interests of highway safety in accordance with saved policies H12, TP1 and TP6 of the Adopted Amber Valley Borough Local Plan 2006.

16. No development shall be commenced until a temporary access for construction purposes has been provided off Old Coppice Side, in accordance with a detailed design first submitted to and approved in writing by the Local Planning Authority. The access shall be retained in accordance with the approved scheme throughout the construction period, or such other period of time as may be agreed in writing by the Local Planning Authority, free from any impediment to its designated use.

    **Reason**: In the interests of highway safety in accordance with saved policies H12, TP1 and TP6 of the Adopted Amber Valley Borough Local Plan 2006.

17. No dwelling shall be occupied until the new vehicular and pedestrian junction has been formed to Old Coppice Side generally in accordance with the revised application drawing No. 102 Rev K, and provided with visibility sightlines of 2.4m x 43m, the land in advance of the visibility sightlines being level and forming part of the adopted highway.

    **Reason**: In the interests of highway safety in accordance with saved policies H12, TP1 and TP6 of the Adopted Amber Valley Borough Local Plan 2006.

18. Prior to the commencement of the development details shall be submitted to and approved in writing by the Local Planning Authority showing the means to prevent the discharge of water from the drives/accesses/shared drives onto the proposed adopted 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 in accordance with saved policies H12, TP1 and TP6 of the Adopted Amber Valley Borough Local Plan 2006.

19. No development shall be commenced until details of the proposed arrangements for future management and maintenance of the proposed streets within the development

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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 in accordance with saved policies H12, TP1 and TP6 of the Adopted Amber Valley Borough Local Plan 2006.

20. No dwelling shall be occupied until access has been formed to the new estate street, provided with 2m x 33m visibility sightlines, the area in advance maintained free from any objects exceeding 1m in height (600mm if vegetation) relative to the adjacent carriageway channel level, and 2no 2m x 2m x 45º pedestrian intervisibility splays, the area in advance maintained free from any objects exceeding 600mm unless otherwise agreed in writing with the Local Planning Authority.

    **Reason**: In the interests of highway safety in accordance with saved policies H12, TP1 and TP6 of the Adopted Amber Valley Borough Local Plan 2006.

21. No dwelling shall be occupied until space has been laid out within the site in accordance with the application drawing for car parking, minimum dimensions 2.4m x 5.5m (widened by 0.5m on either side if bounded by wall/fence/ etc).

    **Reason**: In the interests of highway safety in accordance with saved policies H12, TP1 and TP6 of the Adopted Amber Valley Borough Local Plan 2006.

22. The garages/parking spaces hereby permitted shall be kept available for the parking of motor vehicles at all times. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and/or re-enacting that Order) the garage/car parking space(s) hereby permitted shall be retained as such and shall not be used for any purpose other than the garaging and/or parking of private motor vehicles associated with the residential occupation of the property without the grant of further specific planning permission from the Local Planning Authority.

    **Reason**: In the interests of highway safety in accordance with saved policies H12, TP1 and TP6 of the Adopted Amber Valley Borough Local Plan 2006.

23. There shall be no gates or barriers within 5m of the highway boundary and any such gates shall open inwards only.

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**Reason**: In the interests of highway safety in accordance with saved policies H12, TP1 and TP6 of the Adopted Amber Valley Borough Local Plan 2006.

24. The proposed driveways shall be no steeper than 1:12 and shall be constructed of a solid bound material.

    **Reason**: In the interests of highway safety in accordance with saved policies H12, TP1 and TP6 of the Adopted Amber Valley Borough Local Plan 2006.

25. No part of the development served by a 'shared private drive' shall be occupied until details of arrangements for temporary storage of bins on collection days, located immediately adjacent to the proposed adopted highway, have been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the agreed details and the facilities retained for the designated purposes at all times thereafter.

    **Reason**: In the interests of highway safety in accordance with saved policies H12, TP1 and TP6 of the Adopted Amber Valley Borough Local Plan 2006.

26. No dwelling hereby permitted shall be occupied until surface water drainage works have been implemented in accordance with details that have been submitted to and approved in writing by the Local Planning Authority. Before these details are submitted an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system in accordance with the principles set out in Annex F of PPS25 (or any subsequent version), and the results of the assessment provided to the Local Planning Authority. Where a sustainable drainage scheme is to be provided, the submitted details shall:

    i. provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;

    ii. include a timetable for its implementation; and

    iii. provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

    **Reason**: In the interests of highway safety in accordance with saved policies H12, TP1 and TP6 of the Adopted Amber Valley Borough Local Plan 2006.

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27. The first floor, rear (north west facing) window serving bedroom 1 to plot 33 shall be glazed in highly obscured (non see through) glass and be non-opening only unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed. Such work shall be completed prior to the commencement of use of the development and maintained as such thereafter.

    **Reason**: For the avoidance of doubt and to safeguard the privacy and amenities of the occupiers of adjoining properties in accordance with saved policies H12 and LS3 of the Adopted Amber Valley Borough Local Plan 2006.

28. No development shall commence on the external elevations of the hereby approved development until there has been submitted to and approved in writing by the Local Planning Authority details and/or samples of the materials and finishes to be used for the external elevations and roof of the proposal, and the development shall be carried out with those materials.

    **Reason**: To ensure the satisfactory appearance of the completed development in accordance with saved policies LS3 and H12 of the Adopted Amber Valley Borough Local Plan 2006.

29. The finished floor levels of all approved buildings shall be constructed in accordance with the details submitted on the Site Masterplan drawing no. 3459-TS01, Rev C. The agreed levels shall be implemented in full.

    **Reason**: To safeguard the privacy and amenities of the occupiers of adjoining properties in accordance with saved policies LS3 and H12 of the Adopted Amber Valley Borough Local Plan 2006.

30. Prior to the occupation of the hereby approved development a hard and soft landscaping scheme and maintenance schedule, including mitigation planting for lost trees and hedgerow and which demonstrates a net gain for biodiversity, shall be submitted to and approved by the Local Planning Authority. All planting, seeding or turfing indicated on the approved landscaping scheme shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of five 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 written consent to any variation. The approved scheme shall be implemented and retained as such thereafter.

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**Reason**: To ensure the satisfactory overall appearance of the completed development and to help assimilate the new development into its surroundings in accordance with saved policies EN8 and EN13 of the Adopted Amber Valley Borough Local Plan 2006.

31. All site preparation, demolition and construction activities shall comply with the following:
a) Operating hours: No works, or deliveries to and from the site, shall occur other than between 08:00 and 18:00 hours on weekdays and between 08:00 and 13:00 hours on Saturdays. No works shall take place on Sundays or bank holidays. Any essential extension to these hours, other than for emergency works, shall be agreed with the Local Planning Authority before work commences. Activities that do not create noise and disturbance to residents may still take place outside these hours;
b) Noise and vibration: All activities shall comply with British Standard BS 5228 'Code of practice for noise and vibration control on construction and open sites'.
A health and safety risk management system shall be designed and implemented to eliminate or minimise reversing and the use of high-pitched reversing alarms, for example, use of broadband reversing alarms - see Health and Safety Executive (HSE) guidance at: https://www.hse.gov.uk/workplacetransport/information/reversing.htm;
c) Dust/Particulate emissions: No visible dust/particulate matter shall be emitted beyond the site boundary. At such times as the prevention of nuisance is not possible, dust/particulate generating activities shall temporarily cease until such time as dust suppression measures become effective. No vehicle shall leave the site unless in a clean condition such that it does not deposit dust or mud on the highway. Any such deposits shall be removed from the highway at least once daily;
d) Waste: No unwanted materials shall be disposed of on site by burning;
e) Lighting: Any temporary site lighting shall be positioned on site to minimise light trespass and glare.

**Reason**: To protect the amenity of the residents of adjacent properties in accordance with saved policies H12 and EN16 of the Adopted Amber Valley Borough Local Plan 2006.

32. Prior to works commencing, an updated arboricultural report shall be submitted to the Local Planning Authority and agreed in writing. The works shall be carried out in accordance with the agreed details. This report should be in the format of BS5837:2012 'Trees in relation to design, demolition and construction - Recommendations' to support the application. This should include an up to date Arboricultural Impact Assessment, tree protection plans and appropriate method statements (as per section 5 & 6 of BS5837:2012).

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This report should include up to date information on the following:

- A survey of all trees which are likely to be impacted upon by the proposed development, with details and categorisation results provided in `an appropriate schedule (a per BS5837:2012 sections 4.4 - 4.6)
- Trees clearly identified as either retained or removed (including trees on land adjacent to the site with canopies or RPAs which encroach onto the site).
- Clear specifications for all proposed management works to retained trees.
- A realistic assessment of the probable impacts between the trees and development (as per BS5837:2012 section 5.3.4) and including an assessment of the potential impacts to surrounding ASNW (as per NE & FC Standing Advice)
- Root protection areas (RPA) and construction exclusion zones.
- Exclusion zone protective barriers (giving precise locations and specification).
- The position of all new underground services in relation to RPAs.
- Detailed specification and installation method statement for any proposed new structure, hardstanding, underground service or works access into RPAs.
- Method statements for all other construction operations which impact on trees.
- Positions and specification (following BS8545:2014 'Trees: from nursery to independence in the landscape - Recommendations' as appropriate) for all new tree planting.
- Reinstatement and ground preparation for new tree planting and areas of soft landscaping.

**Reason**: This pre-commencement condition is required in order to prevent unnecessary damage to existing trees and to ensure the appropriate pattern and composition of trees, woodlands and field boundaries in accordance with saved policies EN7 and EN8 of the Adopted Amber Valley Borough Local Plan 2006.

33. No development shall take place until a detailed design scheme for the works to the existing watercourse (proposed culvert) have been submitted to and approved in writing with the Local Planning Authority. The works shall be carried out in accordance with the approved scheme.

**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 in accordance with saved policy EN15 of the Adopted Local Plan 2006.

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34. No development, including preparatory works, shall commence until a Risk Assessment/Method Statement for reptiles, detailing Reasonable Avoidance Measures, has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved Risk Assessment/Method Statement.

    **Reason**: This is a pre-commencement condition to ensure the development does not have an adverse impact upon species specifically protected under the schedules of the Wildlife and Countryside Act 1981 in accordance with saved policy EN13 and to improve the biodiversity of the local area in accordance with saved policy EN13 of the Adopted Amber Valley Borough Local Plan 2006.

**Notes**

**Attention is drawn to the attached notes:**

**Reasons for Granting Permission**

In granting permission for this development the Borough Council has taken into account all material planning considerations arising from the views of statutory and other consultees and public representations about the application, Government guidance as detailed in the National Planning Policy Framework and the saved policies of the Adopted Amber Valley Borough Local Plan 2006:

LS1 - Sustainability criteria
LS3 - Design
LS5 - Section 106 Agreements
H5 - Housing development outside settlements
H10 - Urban affordable housing
H12 - Design and amenity considerations
EN1 - Countryside
EN7 - Landscape Character Areas
EN8 - Landscape Features
EN13 - Nature Conservation
EN15 - Development and Flood Risk
EN16 - Pollution
EN18 - Derelict, Unstable And Contaminated Land
TP1 - Impact on the Transport Network
TP6 - Parking
LC1 - Provision of outdoor playing space
LC2 - Childrens Play Areas
LC3 - Open space

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**In detail:**

The National Planning Policy Framework (NPPF) is a material consideration in planning decisions. In accordance with Paragraph 186 of the NPPF the local planning authority has approached the decision making process in a positive way to foster the delivery of sustainable development and has worked proactively with the applicant/agent to secure a development to improve the economic, social and environmental conditions of the area.

The development complies with the provisions of the development plan for the locality and raises no unresolved issues in relation to the location of the site, privacy, amenity, character and design, landscape or heritage features and highway safety.

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**NOTES**

1. **If the applicant is aggrieved by the decision of the Local Planning Authority to refuse planning permission or approval for the proposed development or to grant permission or approval subject to conditions, he may appeal to the Secretary of State for the Environment in accordance with Section 78/79 of the Town and Country Planning Act 1990, within six months of the date of this notice. The Secretary of State has power to allow a longer period for the giving of a notice but will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission of the proposed development could not have been granted by the Local Planning Authority or could not have been so granted otherwise that subject to the conditions imposed on them, having regard to the statutory requirements, to the provision of the development order, and to any directions given under the order.**
2. **Cadent Gas own and operate the gas infrastructure within the area of your development. Contact Cadent's Plant Protection Team for approval before carrying out any works on site and ensuring requirements are adhered to. Email plantprotection@cadentgas.com. Alternatively you can register on www.beforeyoudig.nationalgrid.com**
3. **If permission to develop land is refused or granted subject to conditions, whether by the Local Planning Authority or by the Secretary of State for the Environment, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the Council of the County/District in which the land is situated, a purchase notice requiring that council to purchase his interests in the land in accordance with the provisions of Section 180 of the Town and Country Planning Act 1990.**
4. **In certain circumstances a claim may be made against the Local Planning Authority for compensation where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Sections 137 and 138 of the Town and Country Planning Act 1990.**
5. **This permission relates to planning controls only. Any other statutory consent necessary including submission under the building regulations must be obtained from the appropriate Authority.**
6. **If it is intended to give notice of appeal in accordance with Paragraph 1 above, this should be done on the appropriate form obtainable from:-**

   **The Planning Inspectorate**
   **3/23 Hawk Wing, Temple Quay House, 2 The Square Temple Quay Bristol BS1 6PN**
   **(Tel. No. 0117 372 8000) www.planning-inspectorate.gov.uk**

7. **If the condition of consent or reasons for refusal, make reference to a Division of the Department, the appellant may, if he so wishes, require the attendance of a representative from the Department by notification to the Local Planning Authority. Such a representative would not be liable to cross-examination on questions of departmental policy, but only on matters of fact and expert opinion in relation to the appeal site.**
8. **Where a vehicle is habitually drive across a grass verge or kerbed footway to and from premises adjoining a highway, the occupier of the premises may after being given due notice by the appropriate authority, be required to pay the cost of construction of a carriage crossing or the strengthening of a footway, as the authority considers it necessary, or may be required to comply with conditions imposed by the authority.**
9. **In the case of building or premises to which the public are to be admitted whether on payment or otherwise, attention is drawn to Sections 4 and 7 of the Chronically Sick and Disabled Persons Act 1970 and the associated Code of Practice (BS5810:1979). In the case of premises to which the Offices, Shops and Railway Premises Act 1963 or the Factories Act 1962 applies, attention is drawn to Sections 7 and 8A of the Chronically Sick and Disabled Persons Act and to the same code of practice. In the case of Educational Buildings, attention is drawn to Sections 7 and 8 of the Chronically Sick and Disabled Persons Act 1978 and to the Design Note 18 "Access for the Physically Disabled Educational Buildings".**
10. **If the development site is crossed by an electric line or is within 15 metres (50ft) of the nearest part of a line (measure horizontally along the ground) or if there is reason to believe that it may be crossed by an underground electric cable, the applicant should contact the Electricity Board to ascertain if and what special safety precautions are necessary.**
11. **The grant of planning permission does not entitle developers to obstruct a public right of way. Development on so far as it affects a right of way, should not be started, and the right of way should**

**be kept open for public use, until the necessary order under Section 247 and 257 of the Town and Country Planning Act 1990 for the diversion of extinguishment of the right of way has been made and confirmed.**