

Appendix 9 – LPA Planning Conditions

- 1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91(1) of the Town and Country Planning Act, 1990 (As amended).

- 2) The development shall be carried out strictly in accordance with the approved plans, drawings and documents:

House type H P24-1425_DE_003_07B
House type E P24-1425_DE_003_05B
House type G P24-1425_DE_003_06B
House type D P24-1425_DE_003_03B
House type C2 P24-1425_DE_003_02B
House type L1 P24-1425_DE_003_04-1B
House type L P24-1425_DE_003_04B
House type L2 P24-1425_DE_003_04-2B
House type C P24-1425_DE_003_01B
House type AH3B P24-1425_DE_003_09B
House type AH1B Bungalow P24-1425_DE_003_08B
Garages P24-1425_DE_003_10B
Garages P24-1425_DE_003_11B
Affordable Housing Plan P24-1425_DE_002_C_10
Building Heights Plan P24-1425_DE_002_C_09
Parking Plan P24-1425_DE_002_D_07
Enclosures and Surfaces Plan P24-1425_DE_002_C_05
Materials Plan P24-1425_DE_002_C_04
Site Location Plan P24-1425_DE_001_A_01
Refuse Strategy P24-1425_DE_002_D_08
Site Layout P24-1425_DE_002_E_02
Street Scenes P24-1425_DE_008_B_01
Proposed Site Layout SH5037-10PD-002 REV C
Refuse Vehicle Track SH5037-10PD-003 REV C
Proposed Vehicle Site Access Arrangement Via Tilstock Road SH5037-11PD-002
Pedestrian Access SH5037-11PD-004
LEMP P24-1425-EN_08B
Landscape Masterplan P24-1425_EN_06C
Detailed POS Hard and Soft Landscape Proposals Sheets 1-4 P24-1425_EN_07C
Detailed Soft On-plot Landscape Proposals Sheet 1-4 P24-1425_EN_010B
Revised Levels Strategy 48888ECXXXXDRC0005P04
Revised Drainage Areas 48888ECXXXXDRC0004P04

Reason: For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans and details.

- 3) (a) No development approved by this permission shall commence until a written scheme of investigation for a programme of archaeological work has been submitted to and approved by the local Planning Authority in writing. The submitted details shall include post-fieldwork reporting and appropriate publication.

(b) The approved programme of archaeological work set out in the written scheme of investigation shall be implemented in full and a report provided to the local planning authority prior to first use or occupancy of the development. The report shall include post fieldwork assessments and analyses that have been completed in accordance with the approved written scheme of investigation. This shall include evidence that the publication and dissemination of the results and archive deposition has been

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secured.

Reason: The site is known to hold archaeological interest.

- 4) No above ground works shall be commenced until full details of both hard and soft landscape works including surfaces, means of enclosures, structures, lighting, street furniture, have been submitted to and approved in writing by the local planning authority. The landscape works shall be carried out in full compliance with the approved plan, schedule and time scales. Any trees or plants that, within a period of five years after planting, are removed, die or become, in the opinion of the Local Planning Authority, seriously damaged or defective, shall upon written notification from the local planning authority be replaced with others of species, size and number as originally approved, by the end of the first available planting season.

Reason: To ensure the provision, establishment and maintenance of a reasonable standard of landscape.

- 5) Prior to the above ground works commencing details of the roofing materials and the materials to be used in the construction of the external walls shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in complete accordance with the approved details.

Reason: To ensure that the external appearance of the development is satisfactory.

- 6) No ground clearance, or construction work shall commence until a scheme has been submitted to and approved in writing by the local planning authority to safeguard trees to be retained on site as part of the development. The approved scheme shall be implemented in full prior to the commencement of any construction or ground clearance and thereafter retained on site for the duration of the construction works.

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Reason: To safeguard existing trees and/or hedgerows on site and prevent damage during building works in the interests of the visual amenity of the area, the information is required before development commences to ensure the protection of trees is in place before ground clearance, demolition or construction.

- 7) No development shall take place until a scheme of foul drainage, and surface water drainage has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented before the development is occupied/brought into use (whichever is the sooner).

Reason: The condition is a pre-commencement condition to ensure satisfactory drainage of the site and to avoid flooding.

- 8) a) In the event that further contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of (a) above, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of (b) above, which is subject to the approval in writing by the Local Planning Authority.

- b) Following completion of measures identified in the approved remediation scheme a Verification Report shall be submitted to and approved in writing by the Local Planning Authority that demonstrates the contamination identified has been made safe, and the land no longer qualifies as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to human health and offsite receptors.

- 9) No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by the local planning authority. The Statement shall provide for:
- Access;
 - the parking of vehicles of site operatives and visitors;
 - loading and unloading of plant and materials;
 - storage of plant and materials used in constructing the development;
 - wheel washing facilities;
 - measures to control the emission of dust and dirt during construction;
 - a scheme for recycling/disposing of waste resulting from demolition and construction works;
 - delivery and construction working hours.

The approved Construction Method Statement shall be adhered to throughout the construction period for the development.

Reason: In the interests of highway safety.

- 10) The development hereby permitted shall not be occupied until the means of access for vehicles has been constructed in accordance with the approved plan SH5037-11PD-002 The vehicle access shall be retained thereafter.

Reason: In the interest of highway safety.

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- 11) The development hereby permitted shall not be occupied until the means of access generally in accordance with plan SH5037-11PD-002 and SH5037-11PD-004 for pedestrians has been submitted and approved in writing to the Local Planning Authority been constructed in accordance with the approved plans. Pedestrian access shall be retained thereafter.

Reason: In the interest of highway and pedestrian safety.

- 12) Prior to the first occupation of each of the residential units hereby granted the parking facilities for each dwelling shall have been implemented in accordance with drawing no. P24-1425_DE_002_B_07 for cars to be parked and those spaces shall thereafter be kept available at all times for the parking of vehicles including garages.

Reason: In the interest of highway and pedestrian safety.

- 13) No development above ground level shall take place until details of the standards to which the unadopted roads and footpaths serving the development are to be constructed have been submitted to and approved in writing by the local planning authority. No individual dwelling shall be occupied until the agreed highway areas fronting that dwelling have been constructed in accordance with the approved details up to binder course level.

Reason: In the interest of highway and pedestrian safety.

- 14) No part of the development hereby approved shall be occupied until a scheme of works to upgrade PROW Footpath 0233/25/1 has been submitted and approved in writing by the Local Planning Authority and constructed in accordance with that approval.

Reason: To ensure a safe walking route is available for pedestrians.

- 15) Within six weeks prior to the commencement of development, a badger inspection shall be undertaken by an appropriately qualified and experienced ecologist and the outcome reported in writing to the Local Planning Authority. If new evidence, or a change in status, of badgers is recorded during the pre-commencement survey then the ecologist shall submit a mitigation strategy for prior approval that sets out appropriate actions to be taken during the works. These measures will be implemented as approved.

Reason: To ensure the protection of badgers under the Protection of Badgers Act 1992.

- 16) No development shall take place (including, ground works and vegetation clearance) until a Construction Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. The plan shall include:

- a) An appropriately scaled plan showing 'Wildlife/Habitat Protection Zones' where construction activities are restricted, where protective measures will be installed or implemented;
- b) Details of protective measures (both physical measures and sensitive working practices) to avoid impacts during construction;
- c) Requirements and proposals for any site lighting required during the construction phase;
- d) A timetable to show phasing of construction activities to avoid harm to biodiversity features (e.g. avoiding the bird nesting season);
- e) The times during construction when an ecological clerk of works needs to be present on site to oversee works;
- f) Identification of Persons responsible for:
 - g) i) Compliance with legal consents relating to nature conservation;
 - h) ii) Compliance with planning conditions relating to nature conservation;
 - i) iii) Installation of physical protection measures during construction;
 - j) iv) Implementation of sensitive working practices during construction;
 - k) v) Regular inspection and maintenance of physical protection measures and monitoring of working practices during construction; and
 - l) vi) Provision of training and information about the importance of 'Wildlife Protection Zones' to all construction personnel on site.
- m) Pollution prevention measures.
- n) All construction activities shall be implemented strictly in accordance with the approved plan.

Reason: To protect features of recognised nature conservation importance, in accordance with MD12, CS17 and section 187 of the NPPF.

- 17) No development shall take place (including demolition, ground works and vegetation clearance) until a District Level Licence with respect to great crested newts has been obtained from Natural England and submitted to the Local Planning Authority.

Reason: To ensure the protection of great crested newts, which are European Protected Species.

- 18) Prior to first occupation / use of the buildings, the makes, models and locations of bat and bird boxes shall be submitted to and approved in writing by the Local Planning Authority. The following boxes shall be erected on the site:

- A minimum of 30 artificial nests, of either integrated brick design or external box design, suitable for range of bird species.
- A minimum of 15 external woodcrete bat boxes or integrated bat bricks, suitable for nursery or summer roosting for small crevice dwelling bat species.
- A minimum of 10 invertebrate boxes.
- A minimum of 5 hedgehog boxes.
- A minimum of 5 refugia.

The boxes shall be sited in appropriate locations, at an appropriate height above the ground and with a clear flight path (where applicable), and where they will be unaffected by artificial lighting. The boxes shall thereafter be maintained for the lifetime of the development.

Reason: To ensure the provision of nesting and roosting opportunities, in accordance with MD12, CS17 and section 193 of the NPPF.

- 19) Prior to the erection of any external lighting on the site, a lighting plan shall be submitted to and approved in writing by the Local Planning Authority. The lighting plan shall demonstrate that the proposed lighting will not impact upon ecological networks and/or sensitive features. The submitted scheme shall be designed to take into account the advice on lighting set out in the Bat Conservation Trust's Guidance Note GN08/23: Bats and Artificial Lighting At Night, GN01/21: The Reduction of Obtrusive Light and Guidance Note 9/19: Domestic exterior lighting: getting it right. The development shall be carried out strictly in accordance with the approved details and thereafter retained for the lifetime of the development.

Reason: To minimise disturbance to bats, which are European Protected Species, badgers and other wildlife.