

**Discharge of Conditions Submission for
Alder Wood, Station Lane, Rushton Spencer, SK11 0QU**

Planning application Ref: SMD/2024/0025

1. Introduction

This document is provided to support the Conditions 1 to 21 as required by the Decision on the planning application Ref: SMD/2024/0025 and contained within SMD Application Ref:

The current status of the Conditions, as shown by the SMDC Portal where relevant and by the application of accepted principles, is addressed directly in the table below.

The status shows that all Conditions have been addressed or are not necessary prior to commencement of the build. For this reason, it requested that the application to discharge conditions is accepted such that the build can commence.

2. Conditions Status

Condition (from SMDC Decision)	Required Timescale	Status
<i>1.The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.</i>	Commence build before 05 December 2026	Noted and Agreed
<i>2. The development hereby permitted shall be carried out in accordance with the approved plan in drawing 001 dated 16.01.2024 and drawings 02E; 03E; 04E and 05E dated 25.03.24</i>	Pre-commencement	Noted and Agreed
<i>3. Samples of all external facing and roofing materials shall be submitted to and approved in writing by the Local Planning Authority.</i>	Pre-commencement	We will be using the same materials (previously accepted on SMD/2023/0067): Old Clamp Blend Brick in red/brown – Agreed Staffordshire Blue Clay Roof Tiles – Agreed Agate Grey Windows - Agreed Solar Panels in a similar blue to the roof tile - Agreed
<i>4. No site work of any kind shall take place on the site until the protective fence(s) has (have) been erected around the retained trees in the position and to the specification shown on within Site Plans Dwg no 002 E and Dwg no 3 E.The Local Planning Authority shall be given not less than two weeks prior written notice by the developer of the commencement of works on</i>	Pre-commencement	Noted and Agreed. Fences have been erected for some time and can be inspected by SMDC to confirm the

<i>the site in order that the council may verify in writing that the approved tree protection measures are in place when the work commences. The approved fence(s) shall be in place before any equipment, machinery or materials are brought on to the site for the purposes of the development and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Within the fenced area(s) there shall be no scaffolding, no stockpiling of any materials or soil, no machinery or other equipment parked or operated, no traffic over the root system, no changes to the soil level, no excavation of trenches, no site huts, no fires lit, no dumping of toxic chemicals and no retained trees shall be used for winching purposes. If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the council.</i>		tree protection is in place.
<i>5.No development shall take place, including any works of demolition, until a Construction Environment Management Plan, including Pollution Risk Assessments and Method Statements, has been submitted to, and approved in writing by the local planning authority. The Statement shall provide for:</i> <i>i. Protection of surface and groundwater resources;</i> <i>ii. Best practise on the use and storage of fuels, oils and chemicals, to remove the risk of causing pollution during construction;</i> <i>iii. the parking of vehicles of site operatives and visitors;</i> <i>iv. loading and unloading of plant and materials;</i> <i>v. storage of plant and materials used in constructing the development;</i> <i>vi. wheel washing facilities;a scheme for recycling/disposing of waste resulting from demolition and construction works; The approved Construction Method Statement shall be adhered to throughout the construction period for the development.</i>	Pre-Commencement	AGREED and ACCEPTED. See CEMP. To be managed during the build phase. Note: Initial concerns raised by United Utilities on our previous application were discharged on 09.05.24 and they now have no objection. (DC/24/1197)

<i>6. The development shall be carried out in accordance with the applicant's submitted reports as referenced by the EA in their letter of 22nd Feb 2024, ensuring that the specified package sewage treatment plant is installed and used to discharge to the neighbouring surface watercourse and ensuring that there is no discharge of foul effluent to ground. The development shall only utilise drainage pipework to the upgraded standard as previously requested/agreed with the EA and the pipe trenches shall be lined with 0.6mm HDPE membrane along with the Package treatment plant and inspection chambers. The installed pipework shall be integrity tested and CCTV surveyed post installation and prior to the first coming into use of the development hereby approved and the testing and surveying details shall be submitted to the LPA to be approved in writing prior to the first coming into use of the development.</i>		Noted and Agreed – See SEA Report
<i>7. Soft landscaping scheme shall be implemented and shall be maintained thereafter for a period of not less than 10 years to the satisfaction of the Local Planning Authority. This maintenance shall include the replacement of any tree or shrub which is removed, or dies, or is seriously damaged, or becomes seriously diseased, by a species of similar size to those originally planted. The hard landscaping and boundary treatment shall be implemented in accordance with the approved details prior to the first occupation of the development and retained thereafter at all time.</i>	In the first planting season following occupation ie Spring 2025	Noted and Agreed.
<i>8. Any waste material associated with the demolition or construction shall not be burnt on site but shall be kept securely for removal to prevent escape into the environment. All waste transfer records should be retained for inspection by officers of the Local Planning Authority; No activity hereby permitted shall cause dust to be emitted beyond the site boundary so as to adversely adjacent residential properties and/or other sensitive uses and/or the local environment. In the event dust is</i>		Noted and Agreed

<i>caused to escape the site boundary the activity shall be stopped until sufficient dust suppression has been undertaken to prevent further escape. There shall always be the appropriate means and sufficient water resources on site for dust suppression. These should be made available for inspection when required by officers of the Local Planning Authority</i>		
<i>9. Contamination – Remediation Strategy – No development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, property, adjoining land and ground and surface waters have been submitted to and approved in writing by the LPA. The scheme must include a submitted site investigation, a remediation strategy and a validation plan. The scheme must 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.</i>	Pre-Commencement	Noted and Agreed – see Soiltechnics for site investigation, remediation strategy and validation plan – all of which have been accepted by Environmental Health, EA and UU
<i>10. Contamination – Validation – prior to bringing the development into first use, a validation report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted and approved, in writing, by the LPA, including any long term maintenance.</i>	Pre-Occupation	Noted and Agreed – see Soiltechnics for site investigation, remediation strategy and validation plan – all of which have been accepted by Environmental Health, EA and UU
<i>11. In the event that contamination is found, no development other than that required to be carried out as part of an approved scheme of remediation shall take place until the approved remediation scheme has been carried out in accordance with its terms. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification</i>		Noted and Agreed

<i>report that demonstrates the effectiveness of the remediation carried out must be produced, and be approved in writing of the Local Planning Authority.</i>		
<i>12. Soil importation. No soil is to be imported to the site until it has been tested for contamination and assessed for its suitability for the proposed development; a suitable methodology for testing this material shall be submitted to and agreed in writing by the Local Planning Authority prior to the soils being imported to site. The methodology shall include the sampling frequency, testing schedules, criteria against which the analytical results will be assessed and source material information. Validatory evidence shall be submitted to and approved in writing to by the LPA prior to the soil being brought on to the site.</i>		Noted and Agreed
<i>13. Unless prior permission has been obtained in writing from the Local Planning Authority, all noisy activities shall be restricted to the following times of operations.</i> <i>• 08:00 - 18:00 hours (Monday to Friday)</i> <i>• 08:00 - 13:00 hours (Saturday)</i> <i>• No working is permitted on Sundays or Bank Holidays.</i> <i>In this instance a noisy activity is defined as any activity (for instance, but not restricted to, building construction/demolition operations, refurbishing and landscaping) which generates noise that is audible at the site boundary.</i>		Noted and Agreed
<i>14. The artificial lighting incorporated into this site in connection to this application shall not increase the pre-existing illuminance at the adjoining light sensitive locations when the light (s) is (are) in operation. Details of all artificial lighting to be installed under this permission should be submitted to and approved by the Local Planning Authority prior to development commencing.</i>		Noted and Agreed See External Lighting Plan and Alder Wood Biodiversity Enhancement Plan
<i>15. The development hereby permitted shall not be brought into use until the access, parking, servicing and turning areas have been provided in</i>		Noted and Agreed

<i>accordance with the approved plan Proposed Site Plan (DWG 002 E) The parking, turning and servicing areas shall thereafter be retained unobstructed as parking, turning and servicing areas for the life of the development.</i> <i>Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) 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 of private motor vehicles associated with the residential occupation of the property and ancillary domestic storage without the grant of further specific planning permission from the Local Planning Authority.</i>		
<i>16. The drainage for the development hereby approved, shall be carried out in accordance with the principles set out in the submitted document referenced L-00149-002 dated 12th January 2024 which was prepared by SEA consulting engineers. Prior to occupation of the proposed development, the drainage scheme shall be completed with the approved details and retained thereafter for the lifetime of the development</i>		Noted and Accepted This has been accepted by UU, EA and EH
<i>17. Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas and hardstandings shall be passed through an oil interceptor designed and constructed to have a capacity and details compatible with the site being drained. Roof water shall not pass through the interceptor.</i>		This has now been accepted by EA to enable commencement of the build. No oil interceptor is required.
<i>18. Prior to the first occupation of the dwellinghouse hereby approved, a phasing plan (or timetable) for the implementation of the biodiversity measures as proposed in table 3 of the Biodiversity Enhancement Plan shall be submitted to and approved in writing by the Local Planning Authority together with locational and quantity details and this shall thereafter be implemented in accordance with the phasing, site position and amounts as subsequent approved.</i>	Pre-Occupation	Noted and Accepted – See Alder Wood Biodiversity Enhancement Plan

<i>19. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) 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 of private motor vehicles associated with the residential occupation of the property and ancillary domestic storage without the grant of further specific planning permission from the Local Planning Authority.</i>	Pre-occupation	Noted and Accepted
<i>20. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that order with or without modification), no development as specified in Part 1 Class(es) AA, A, B, C, D, E and F or Part 2 Class(es) A to C shall be carried out without express planning permission first being obtained from the Local Planning Authority.</i>	Pre-occupation	Noted and Accepted
<i>21. The Annex hereby approved shall remain ancillary to the main dwelling hereby approved and shall not be sold, let or otherwise occupied as a separate unit of accommodation, including as a short-term holiday let at any time</i>	Pre-occupation	Noted and Accepted