

Proposed Amendments to Weldale Street Conditions for Non-Material Amendment Application

Number	Current Wording	Proposed Wording with amendments in red	Reason for Change/ Comments
1	The development hereby permitted shall be begun within three years from the date of this permission.	No change	
2	The development hereby permitted shall be carried out in accordance with the plans listed below.	No change	
3	The development shall be carried out in accordance with the approved phasing details specified on drawing 3622_0250 Rev C phasing plan, as received 20/10/17. Prior to first occupation of any unit within phase 2 (Block A1) details or plans as appropriate and a written schedule showing the provision of vehicle parking spaces, cycle parking and bin storage per phase of the development shall be submitted to and been approved in writing by LPA. The development shall only be carried out in accordance with the approved parking/ bin phasing details.	No change	
4	No development (barring demolition) shall take place until details of the materials to be used in construction of the external surfaces of the development and street furniture, including all external fixtures, fittings, window frames and mortar and details of window and doorway reveals, have been submitted to and approved in writing by the LPA. Details shall include manufacturers specification details of all external facing materials (to be submitted to the LPA) and samples of those materials (to be provided on site- 2 metres by 2 metres in size- approved details to then be retained on site throughout the duration of the construction of the development). The development shall be carried out using only the approved materials.	No development (barring demolition) shall take place until details of the materials to be used in construction of the external surfaces of the development and street furniture, including all external fixtures, fittings, window frames and mortar and details of window and doorway reveals, have been submitted to and approved in writing by the LPA Details shall include manufacturers specification details of all external facing materials (to be submitted to the LPA) and samples of those materials (to be provided on site- 2metres by 2 metres in size- approved details to then be retained on site throughout the duration of the construction of the development). The development shall be carried out using only the approved materials or, in the event such materials are no longer available such substitute materials as shall first have been approved by the LPA in writing.	
5	No development shall take place, including any works of demolition, until a construction method statement has been submitted and approved in writing by the LPA to provide for: • Space on site for vehicles of site operatives and visitors can be parked with details of how site operatives and visitors will be required to make use of the parking area provided. • Location on site for storage of plant and materials used in constructing the development; • The erection and maintenance (including removal of any graffiti or fly posters) of security hoarding around the site; • Any footpath closure or road closures needed during construction; • Wheel washing facilities on site; • A scheme for recycling waste resulting from the construction works; and • Provision for the control of noise and dust emanating from the site during the demolition and construction phases. The measures within the approved Construction Method Statement shall be maintained and adhered to throughout the course of the development unless changes are agreed in advance and in writing by the LPA.	No change	
6	The dwellings/ buildings hereby permitted (within the relevant phase of development) shall not be occupied until all vehicle parking spaces (associated with residential units within the relevant phase of development) have been provided in accordance with the approved plan. The spaces shall be kept available for parking at all times thereafter.	No change	
7	No dwelling/building (associated with the relevant phase of development) shall be occupied until the vehicle access serving it has been constructed on accordance with the approved drawing.	No change	

8	No dwelling/building hereby permitted (within the relevant phase of development) shall be occupied until the bicycle parking facilities for that dwelling/buildings (associated with residential units within the relevant phase of development) has been provided in accordance with the approved plan. The facility(is) shall be kept available for bicycle parking at all times thereafter.	No change	
9	No dwelling/ building hereby permitted (within the relevant phase of development) shall be occupied until the bin storage facility(is) for that dwelling/building (associated with residential units within the relevant phase of development) shown on the approved plans has been provided and the bin storage facility(is) shall be retained thereafter for use of occupiers of the dwelling/building at all times.	No change	
10	No residential unit hereby approved (within the relevant phase of development) shall be occupied until the council has been notified in writing of the full postal address of the unit (associated with residential units within the relevant phase of development). The notification shall be sent to the Council's planning manager quoting the application reference specified on this notice.	No change	
11	Prior to an agreement being entered into for a new occupation of, or transfer of any interest in, the residential unit hereby approved, the prospective occupier/transferee shall be informed that there is no entitlement to a car parking permit for an existing residential parking schemes and future schemes on adjacent and surrounding streets. All material used for advertising or marketing the residential units for letting or sale shall make it clear to prospective tenants and tenants that they will not be automatically entitled to a parking permit but any application for a parking permit will be considered on its merits.	No change	
12	Prior to the first occupation of the Class A1 or A3 unit hereby approved, details of how service vehicle deliveries to the site will be managed shall be submitted to and approved in writing by the LPA. Development shall take place in accordance with the approved details unless otherwise approved in writing by the LPA.	No change	
13	No building shall be first occupied until all the visibility splays shown on the approved drawings have been provided. All areas shall thereafter be kept free of all obstructions to visibility over a height of 0.6 meters above the carriageway level.	No change	
14	Prior to the first occupation of any residential unit within Block B1 (phase 4) hereby approved. All electronic vehicle charging points will be provided in accordance with the approved plan. The space(s) will be kept available thereafter.	No change	
15	Prior to the first occupation of any residential unit hereby approved a detailed scheme demonstrating sufficient mitigation to protect the occupants of the new dwelling hereby approved from poor air quality shall be submitted to and been approved in writing by the LPA. The scheme shall be implemented as approved prior to occupation of the relevant part of the development (associated with the relevant phase of development) and retained as approved at all times thereafter.	Prior to the first occupation of any residential unit (associated with the relevant phase of development) hereby approved a detailed scheme demonstrating sufficient mitigation to protect the occupants of the new dwelling hereby approved from poor air quality shall be submitted to and been approved in writing by the LPA. The scheme shall be implemented as approved prior to occupation of the relevant part of the development (associated with the relevant phase of development) and retained as approved at all times thereafter.	For clarity and allows for phasing.
16	The glazing and ventilation shall be installed in accordance with the specifications recommended within the relevant parts of the following relevant documents hereby approved as part of the application: Noise Planning Report by Hydrock ref WDS-HYD-ZZ-XX-RP-Y-0000 Noise Planning Report Issues 10 dated 22/03/17 as received 05/04/17; Air Quality Assessment by Hydrock Ref C16 1063-AQ-20160127 P02 Issue P02 dated 27/01/17 as received 28/02/17; Ventilation Strategy by Hydrock ref: C161063 Issue P03, dated 13/03/17 as received 15/03/17.	No change	
17	No mechanical plant shall be installed until a noise assessment of the proposed mechanical plant has been submitted and approved by this council. The assessment shall be carried out for in accordance with BS4141:2014 methodology. The predicted specific sound level (LAeq, TR)	No change	

	as measured at point 1 metre external to sensitive facades shall be at least 10dB below the existing background sound level, LA90,T when all plant/equipment (or any part of it) is in operation. The predicted rating level Lar,Tr (specific sound level plus any adjustment for the characteristic features of the sound) as measured as a point 1 metre external to sensitive facades shall not exceed the existing background level, LA90,T when all plant/equipment (or any part of it) is in operation. The plant shall thereafter only be installed in accordance with the assessment.		
18	No development shall take place until a detailed remediation scheme to bring the site to a condition suitable for intended use by removing unacceptable risks to human health, buildings and other property and the natural and historic environment has been submitted to and approved in writing by the LPA. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, an appraisal of remedial options, and proposals of the preferred options and a timetable of works and site management procedures. The scheme must also ensure the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.	No change	
19	The approved remediation scheme shall be implemented in accordance with the approved timetable of works. A validation report (that demonstrates the effectiveness of the remediation carried out) shall be submitted to and approved by the LPA prior to construction of the development.	The approved remediation scheme shall be implemented in accordance with the approved timetable of works. A validation report (that demonstrates the effectiveness of the remediation carried out) shall be submitted to and approved by the LPA prior to construction of the development. first occupation of the development.	In order to provide validation of the remediation work the works must have been started and completed. This is similar to condition 23 which is prior to first occupation.
20	In the event of contamination is found at any time when carrying out the approved development not previously identified, development shall be halted on that part of the site the contamination reported in writing to the LPA. An assessment of the nature and extent of the contamination shall be undertaken and where remediation is necessary a remediation scheme, together with a timetable for its implementation, shall be submitted to the LPA for its written approval. The measures in the approved remediation scheme shall be implemented in accordance with the approved timetable. Halted works shall not be recommenced until the measures identified in the approved remediation scheme have been completed and a validation report approved in writing by the LPA.	In the event of contamination is found at any time when carrying out the approved development not previously identified, development shall be halted on that part of the site the contamination reported in writing to the LPA. An assessment of the nature and extent of the contamination shall be undertaken and where remediation is necessary a remediation scheme, together with a timetable for its implementation, shall be submitted to the LPA for its written approval. The measures in the approved remediation scheme shall be implemented in accordance with the approved timetable. Halted works shall not be recommenced until the measures identified in the approved remediation scheme have been completed. A validation report shall be submitted to and approved in writing by the LPA prior to first occupation of the development.	For further clarification. This is similar to condition 23 which is prior to first occupation.
21	No development shall take place until a detailed land gas site investigation has been carried out by a competent person to fully and effectively characterize the nature and extent of land gas and its implications. The method and extent of this site investigation shall be agreed with the Local Planning Authority prior to the commencement of the work and shall then proceed in strict accordance with the measures approved.	No change	
22	No development shall take place until a scheme showing how the development is to be protected against the possibility of land gas has been submitted to and approved in writing by the LPA. The scheme as approved should be fully implemented and completed before the development is first occupied and those measures incorporated in other development is first occupied and those measures incorporated into the development shall thereafter be retained unless stated otherwise by LPA in writing.	No change	
23	The land gas remediation scheme shall be implemented in accordance with the approved timetable of works. A validation report (that demonstrates the effectiveness of the remediation carried out) must be submitted and approved by the LPA prior to any part of the accommodation hereby approved is occupied. Unless stated otherwise by LPA in writing.	No change	

24	No construction, demolition or associated deliveries shall take place outside the hours of 0800hrs to 1800hrs Monday to Friday, and 0900hrs to 1300hrs on Saturdays and not at any time on Sundays and Bank Holidays without prior written approval from the LPA.	No change	
25	No materials or green waste produced as a result of the clearance of the site, demolition works or construction works associated with the development hereby approved shall be burnt on site.	No change	
26	No development (barring demolition) shall take place until full details of both hard and soft landscaping have been submitted to and approved in writing by the LPA. The submitted details shall include: • Hard surfacing materials; and • Proposed and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines etc. indicating lines, manholes etc); and • Planting plans (including Green Wall); written specifications (including cultivations and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/ planting densities where appropriate) • Biodiversity enhancements (including swift bricks and a peregrine platform)	No development (barring demolition) shall take place until full details (associated with the relevant phase of development) of both hard and soft landscaping have been submitted to and approved in writing by the LPA. The submitted details shall include: • Hard surfacing materials; and • Proposed and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines etc. indicating lines, manholes etc); and • Planting plans (including Green Wall); written specifications (including cultivations and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/ planting densities where appropriate) • Biodiversity enhancements (including swift bricks and a peregrine platform)	For clarity and to allow for phasing.
27	No development (barring demolition) shall take place until full details of all tree pits and raised planters, including dimensions and soil volume provision, have been submitted to and approved in writing by the LPA.	No development (barring demolition) (associated with the relevant phase of development) shall take place until full details of all tree pits and raised planters, including dimensions and soil volume provision, have been submitted to and approved in writing by the LPA.	For clarity and to allow for phasing.
28	A landscaping management plan, including long term objectives, management responsibilities and maintenance schedules for the landscape areas (covering a minimum time period of 10 years) shall be submitted to and approved in writing with the LPA prior to the first occupation of any residential unit within the development or in accordance with a timetable to be agreed in writing with the LPA. The Landscape management plan shall be carried out as approved.	No change	
29	The hard and soft landscaping of the development hereby permitted shall be carried out, in accordance with the approved landscaping plan and documents. The soft landscaping (within the relevant phase of development) shall take place no later than during the first planting season following the date when the residential units within the relevant phase of development permitted is ready for occupation or in accordance with timetable agreed with the LPA.	No change	
30	The tree pits and raised planters of the development hereby permitted shall be carried out, in accordance with the approved plans and documents. The tree pits and raised planters (within the relevant phase of the development) shall be implemented no later than during the first planting season following the date when the residential units within the relevant phase of development hereby permitted are ready for occupation or in accordance with a timetable agreed in writing from the LPA.	No change	
31	All planted materials shall be maintained for five years and any trees or plants removed, dying, being severely damaged or becoming seriously diseased within 5 years of planting shall be replaced with others of similar size and species to those originally required to be planted.	No change	
32	No development should take place within the site until the applicant, or their agents or their successors in title, has secured the implementation of a programme of archaeological work (which may comprise more than one phase) in accordance with a written scheme of investigation, which will be submitted and approved in writing by LPA. The development shall only take place in accordance with the detailed scheme approved pursuant to this condition.	No change	

33	No building/dwelling (associated with the relevant phase of development) hereby permitted shall be occupied until the sustainable drainage scheme for the site has been completed in accordance with the submitted and approved details. The sustainable drainage scheme shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.	No change	
34	No development (barring demolition) shall take place until details of the implementation, maintenance and management plan of the sustainable drainage scheme have been submitted to and approved by the LPA. The plan shall include: • A timetable for its implementation • A management and annual maintenance plan of the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime. The scheme should be implemented and thereafter managed and maintained in accordance with the approved plan.	No development (barring demolition) shall take place until details (associated with the relevant phase of the development) of the implementation, maintenance and management plan of the sustainable drainage scheme have been submitted to and approved by the LPA. The plan shall include: • A timetable for its implementation • A management and annual maintenance plan of the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime. The scheme should be implemented and thereafter managed and maintained in accordance with the approved plan.	For clarity and to allow for phasing.
35	No infiltration of surface water drainage into the ground is permitted other than the written consent of the LPA. The development shall be carried out in accordance with the approved details.	No change	
36	Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the LPA, which may be given for the part of the site that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.	No change	
37	The relevant phase of development hereby permitted (a) phase 2- block A1, b) Phase 3- Block A2, c) Phase 4- Block B2, d) Phase 5- block B1) shall not be occupied until written documentary evidence has been submitted to , and receipt acknowledged in writing by the LPA demonstrating 50% of the dwelling permitted within each phase has achieved a minimum of a 19% improvement in the dwelling emission rate over the target emission rate, as defined in the Building Regulations for England Approved Document L1a: Conservation of Fuel and Power in New Dwellings (2013 edition). Such evidence shall be in the form of an as built standard Assessment Procedure, produced by an accredited energy assessor.	No change	
38	No dwelling hereby approved (associated with the relevant phase of development) shall be first occupied until the energy measures hereby approved in the Energy and Sustainability Report by Hydrock Ref C161063, Issue P02, dated 16/01/17 as received 28/02/17, have been completed.	No change	
39	No development concerned with the retail shop or restaurant and café unit (s) hereby approved shall take place until a copy of an Interim BREEAM Certificate is obtained in accordance with the BREEAM sustainability standard demonstrating compliance with a minimum standard of BREEAM Sustainability Standard demonstrating compliance with a minimum standard of BREEAM very good rating has been submitted to and receipt acknowledged by the LPA. Prior to the first use of the retail shop (Class A1) or restaurant and café (Class A3), a copy of a final BREEAM Certificate in accordance with the BREEAM Sustainability Standard has been submitted to and approved in writing by the LPA, demonstrating that the development has attained as a minimum standard set out in the interim BREEAM Certificate referred to in the above condition.	No change	
40	Prior to the first occupation of any residential unit hereby approved details of a scheme providing public art on site shall be submitted to and approved by the LPA. The approved details shall be installed before occupation of	No change	

	Block B1 (Phase 4) of the development and shall thereafter be maintained in accordance with the approved details.		
41	Prior to the first occupation of any residential unit hereby approved details of all external lighting to be installed within the development shall be submitted to and approved in writing by the LPA. The details shall include a plan indicating the locations of the lights, specifications, height, luminance; lens shape/ beam pattern and any hoods/ shades. The relevant area (in line with the approved phasing plan) of the approved scheme shall be installed before occupation of the relevant phase of development and the external lighting shall thereafter be maintained and operated in accordance with the approved details.	Prior to the first occupation of any residential unit hereby approved details of all external lighting to be installed within the relevant phase of the development shall be submitted to and approved in writing by the LPA. The details shall include a plan indicating the locations of the lights, specifications, height, luminance; lens shape/ beam pattern and any hoods/ shades. The relevant area (in line with the approved phasing plan) of the approved scheme shall be installed before occupation of the relevant phase of development and the external lighting shall thereafter be maintained and operated in accordance with the approved details.	For clarity and to allow for phasing.
42	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 windows marked on the plans as obscured glazed with obscure glass on parts below 1.7m as a minimum when measured from the floor level of the respective rooms, before occupation of that room, and shall be permanently maintained thereafter as non-opening and obscure glazed.	No change	
43	Prior to the first occupation of any residential unit hereby approved details of all on-site open-space facilities shall be submitted to , and approved in writing by the LPA. The details shall include a plan indicating the locations of facilities, specifications and designs of the equipment, maintenance and management arrangements. The approved scheme shall be installed before occupation of the relevant block of residential accommodation (prior to the occupation of Block A1 for the facilities serving Blocks A1 and A2; prior to the occupation of Block B1 for facilities serving Blocks B1 and B2) and shall thereafter be retained in accordance with the approved details.	Prior to the first occupation of any residential unit hereby approved details of all on-site open-space facilities (associated with the relevant phase of the development) shall be submitted to, and approved in writing by the LPA. The details shall include a plan indicating the locations of facilities, specifications and designs of the equipment, maintenance and management arrangements. The approved scheme shall be installed before occupation of the relevant block of residential accommodation (prior to the occupation of Block A1 for the facilities serving Blocks A1 and A2; prior to the occupation of Block B1 for facilities serving Blocks B1 and B2) and shall thereafter be retained in accordance with the approved details.	For clarity and to allow for phasing.
44	The Class A1 or A3 premises shall not be used by members of the public outside the hours of 0800 to 2300 on Monday to Saturday and 0800 to 2200 on Sunday or Bank holidays.	No change	
45	Prior to the first occupation of any residential unit hereby approved details of a site wide security, including CCTV details (including connection to the wider town centre system) and measures to be incorporated into the development to demonstrate how full and robust access control (incorporating best practice guidance Secured by Design Homes 2016) will be achieved shall be submitted to and approved in writing by the LPA. Measures in the relevant area (in line with the approved phasing plan) shall be in place before occupation of the relevant phase of development and permanently retained and maintained thereafter.	Prior to the first occupation of any residential unit (associated with the relevant phase of the development) hereby approved details of a site-wide security, including CCTV details (including connection to the wider town centre system) and measures to be incorporated into the development to demonstrate how full and robust access control (incorporating best practice guidance Secured by Design Homes 2016) will be achieved shall be submitted to and approved in writing by the LPA. Measures in the relevant area (in line with the approved phasing plan) shall be in place before occupation of the relevant phase of development and permanently retained and maintained thereafter.	For clarity and to allow for phasing.
46	No further lights, meter boxes, flues, vents or pipes, and no window cleaning or telecommunications equipment, building equipment, building maintenance unit, alarm boxes, television aerials or satellite dishes shall be fixed or installed on any external face or roof of the buildings, without the prior approval in writing of the LPA.	No change	
47	The roof area of the buildings hereby permitted shall not be used as balconies, roof gardens or similar amenity areas without the grant of further specific planning permission from the LPA.	No change	
48	Prior to the first occupation of any residential unit hereby approved details of an emergency service access strategy shall be submitted to and approved in writing by the LPA. Measures in the relevant area (in line with the approved phasing plan) shall be in place before occupation of the relevant phase of development and permanently retained and maintained thereafter.	No change	