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**North East
Derbyshire**
District Council

Our Ref: AM/MD
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Date: 24 May 2019

To: **Members of the Planning Committee**

Please attend a meeting of the Planning Committee to be held on **Tuesday, 4 June 2019 at 2.00 pm in the Council Chamber**, District Council Offices, 2013 Mill Lane, Wingerworth, Chesterfield.

A number of parking spaces will be reserved for Member use on the day of the meeting.

Yours sincerely

A handwritten signature in black ink that reads "Sarah Steuberg".

Joint Head of Corporate Governance and Monitoring Officer

Members of the Committee

Conservative Group	Labour Group
Councillor Diana Ruff Councillor Pat Antcliff Councillor William Armitage Councillor Stephen Clough Councillor Peter Elliott Councillor Roger Hall Councillor Carol Huckerby Councillor Heather Liggett Councillor Maureen Potts Councillor Alan Powell	Councillor Jayne Barry Councillor Bette Hill Councillor Clive Hunt Councillor Tracy Reader Councillor Jacqueline Ridgway Councillor Kathy Rouse
Liberal Democrat Group	Independent Group
Councillor David Hancock	Councillor Andrew Cooper

Any other Member can be requested to act as a substitute for this meeting.

All substitutions to be made in writing to the Governance Team by 12 Noon on the day of the Committee meeting.

For further information about this meeting please contact: Alan Maher

AGENDA

1 Apologies for Absence and Substitutions

To receive any apologies for absence and notices of substitutions from Members.

2 Declarations of Interest

Members are requested to declare the existence and nature of any disclosable pecuniary interests and/or other interests, not already on their register of interests, in any item on the agenda and withdraw from the meeting at the appropriate time.

3 Minutes of Last Meeting (Pages 4 - 12)

To approve as a correct record and the Chair to sign the Minutes of Planning Committee held on 9 April 2019.

4 Reports of the Planning Manager - Development Management (Pages 13 - 52)

- (a) Report No PM/1/19-20 – Development Management Applications
- (b) Report No PM/2/19-20 – Planning Appeals – Lodged and Determined
- (c) Report No PM/3/19/20 – Section 106 Legal Agreements

5 Matters of Urgency

To consider any other matter which the Chair is of the opinion should be considered as a matter of urgency.



North East
Derbyshire
District Council

***We speak
your language***

Polish

Mówimy Twoim językiem

French

Nous parlons votre langue

Spanish

***Hablamos su
idioma***

Slovak

***Rozprávame Vaším
jazykom***

Chinese

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PLANNING COMMITTEE

MINUTES OF MEETING HELD ON 9 APRIL 2019

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PLANNING COMMITTEE

MINUTES OF MEETING HELD ON 9 APRIL 2019

Present:

Councillor H Laws	Chair
Councillor B Barnes	Vice-Chair
Councillor P Antcliff	Councillor C Hunt
“ W Armitage	“ A Powell
“ G Butler	“ B Ridgway
“ A Cooper	“ K Rouse
“ R Hall	“ C Smith
“ A Holmes	

Substitutes Present:

Councillor J Austen - acted as substitute for Councillor S Boyle
Councillor J Barry - acted as substitute for Councillor S Peters

Also Present:

Adrian Kirkham - Planning Manager – Development Management
Phil Slater - Principal Planning Officer
Richard Cooper - Planning Policy Officer
Graeme Cooper - Senior Planning Officer
Sue Wraith - Planning Officer
Jim Fieldsend - Team Leader Solicitor (non contentious)
Donna Cairns - Senior Governance Officer (BDC)

671 Apologies for Absence and Substitutions

Apologies for absence were received from Councillors S Boyle, C Cupit, P Elliott, C D Huckerby and S Peters.

The meeting was advised that Councillors J Austen and J Barry would act as substitutes for Councillors S Boyle and S Peters respectively.

672 Declarations of Interest

Members were requested to declare the existence and nature of any disclosable pecuniary interests and/or other interests, not already on their register of interests, in any item on the agenda and withdraw from the meeting at the appropriate time.

No declarations were made of the meeting.

673 Minutes of Last Meeting

RESOLVED – That the Minutes of the last meeting of the Planning Committee held on 12 March 2019 be approved as a correct record and signed by the Chair.

674 Development Management Applications

The Committee considered Report No PM/29/18-19/AK of the Planning Manager – Development Management together with visual presentations for each of the following applications.

NED/17/00269/FL

Outline application (with all matters reserved) for the variation of conditions 5 and 7 (Affordable Housing) pursuant to 14/01290/FL (Major Development) at land to the west side of Chesterfield Road, Holmewood for Mr S & G Dore.

The Committee was directed to the recent late comments/update report which had been issued the afternoon prior to the meeting.

The agent for the applicant exercised their right to attend the meeting and spoke in support of the application.

Members considered the application having regard to whether the conditions that require 20% affordable housing in the original consent granted were reasonable in the current circumstances and whether it would be appropriate to substitute revised conditions requiring 6% affordable housing and to reduce the level of education contribution.

RESOLVED – That application number NED/17/00269/FL be approved subject to conditions and with modification to the s106 legal agreement, and that the final wording of those conditions and the modification of the s106 legal agreement be delegated to the Planning Manager.

NED/19/00133/FL

Change of use to the keeping of horses and erection of stable building on concrete base (Amended Title) on land south of Jetting Cottage and Jetting Forge, Fallgate, Milltown for Mr Mark Barltrop.

The Committee was directed to the recent late comments/update report which had been issued the afternoon prior to the meeting.

Members considered the application having regard to the suitability of the proposal in the location in policy terms, its effect on the character of the site and the surrounding countryside designated as a Special Landscape Area, any ecological impacts, potential heritage impacts, the amenity of neighbouring uses and highway safety issues.

RESOLVED – That application number NED/19/00133/FL be approved with the final wording of conditions delegated to the Planning Manager.

- 1 The development hereby permitted shall be started within 3 years from the date of this permission.
- 2 The development hereby approved shall be carried out in accordance with the details shown on the following drawings unless otherwise subsequently agreed

through a formal submission under the Non Material Amendment procedures and unless otherwise required by any condition contained in this decision notice:

- o Proposed Site Plan
- o Building Layout Plan
- o Building Elevations for Proposed Horse Stable
- o Existing Site Plan
- o Location Plan

- 3 The stables and equestrian development hereby approved shall be used solely for the use of residents of Plot 5, Jetting Street immediately to the north of the site (edged in red on the plan included in this decision) and those of their immediate family only and shall not be used for any commercial purposes (e.g. riding school, livery or DIY livery).
- 4 The site shall not be floodlit or illuminated in any way.
- 5 No horse boxes, trailers, containers, caravans, other vehicles or storage areas shall be located or stored on the application site.

NED/18/00798/FL

Application for a winery building and associated hard standing (Revised scheme of 15/00287/FL) on land approximately 150m to the east of Stanford, Back Lane, Wessington for Mr B Lewis.

The Committee was directed to the recent late comments/update report which had been issued the afternoon prior to the meeting.

Members considered the application having regard to the suitability of the proposal in the location in policy terms, its effect on the character of the site and the surrounding special landscape area, the amenity of neighbouring uses, its ecological impact on a designated wildlife site and highway safety issues.

RESOLVED – That application number NED/18/00798/FL be approved with the final wording of conditions delegated to the Planning Manager.

- 1 The development hereby permitted shall be started within 3 years from the date of this permission.
- 2 The development hereby approved shall be carried out in accordance with the details shown on the following drawings unless otherwise subsequently agreed through a formal submission under the Non Material Amendment procedures and unless otherwise required by any condition contained in this decision notice:
 - o 100/020 Rev A (Preliminary Landscape Plan)
 - o 100/010 Rev D (Indicative Drawing Details)
 - o 100/001 Rev A (Site Location Plan)
- 3 The building and hard standing hereby permitted shall be removed from the site within 3 months of it ceasing to be used for the purposes of agriculture, and, within 6 months of the removal of the building and the associated hard standing, the land shall be restored in accordance with a scheme of works that shall have been first submitted to and approved in writing by the Local Planning Authority.

- 4 Notwithstanding the submitted details, before above ground works start precise specifications (including the manufacturer, range and colour details where applicable) or samples of the walling and roofing materials to be used, shall be made available on site for inspection, and subsequent written approval, by the Local Planning Authority. The development shall then be carried out in accordance with the approved details.
- 5 Notwithstanding the submitted details, before development starts details of the final design of the cesspool foul drainage system shall be submitted to and approved in writing by the Local Planning Authority. The details to be submitted shall include the design, capacity, location and specification of the cesspool system. The approved cesspool system shall then be installed in full and retained for the lifetime of the development in accordance with the approved details prior to the first use of the winery building hereby approved.
- 6 Before development commences a scheme for the disposal of surface water shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full before the development is brought into use and shall be retained as such thereafter.
- 7 Notwithstanding the submitted details, before any other operations are commenced, space shall be provided within the site for the storage of plant and materials, site accommodation, loading, unloading and manoeuvring of goods vehicles along with wheel washing facilities, parking and manoeuvring of employees and visitors vehicles, laid out and constructed in accordance with the detailed design first submitted to and approved by the Local Planning Authority. Once implemented the facilities hereby approved shall be retained free from any impediment to their designated use throughout the construction period.
- 8 Before any other operations are commenced the existing access to Back Lane shall be modified and provided with a minimum width of 4.8m together with visibility sightlines extending from a point 2.4 metres from the carriageway edge, measured along the centreline of the access, for a distance of 101 metres to the west and 84 metres to the east, measured along the nearside carriageway edge. The land in advance of the visibility sightlines shall be retained throughout the life of the development free of any object greater than 1m in height relative to adjoining nearside carriageway channel level.
- 9 The proposed access drive to Back Lane shall be no steeper than 1:14 for the first 5m from the nearside highway boundary and 1:10 thereafter.
- 10 Notwithstanding the submitted details, before above ground works start a plan showing vehicle parking and manoeuvring areas and their surfacing shall be submitted to and approved in writing by the Local Planning Authority. Before the first use of the building hereby approved, the approved scheme shall be completed, surfaced and demarcated, and thereafter, the area shall be kept free of obstruction and available for the parking of vehicles associated with the development.
- 11 There shall be no gates or other barriers within 5m of the nearside highway boundary and any gates shall open inwards only.

- 12 Before development starts on any part of the access arrangements, 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 development onto the highway. The approved scheme shall then be undertaken and completed prior to the first use of the access and retained as such thereafter.
- 13 If during construction works associated with the development hereby approved, any areas suspected of being contaminated are discovered, all works shall be suspended until the nature and extent of the contamination is assessed and a report submitted and approved in writing by the local planning authority. The assessment shall take the form of a Phase I Contaminated land assessment (desk-study) and shall detail the site investigation strategy required to deal with the contamination identified. Any investigation required shall be undertaken in accordance with the scheme submitted and shall comply with current Government Guidance. The local planning authority shall be notified as soon as is reasonably practicable of the discovery of any suspected areas of contamination.

Upon completion of the remediation works carried out in accordance with the site investigation strategy; a validation report prepared by a competent person shall be submitted to and approved in writing by the local planning authority. The validation report shall include details of the remediation works and Quality Assurance/Quality Control results to show that the works have been carried out in full and in accordance with the approved methodology. Details of any validation sampling and analysis to show the site has achieved the approved remediation standard, together with the necessary waste management documentation shall be included.

- 14 The approved Management Plan (Produced by WDEC) Version 1.1, dated March 2019 shall be implemented in full for the lifetime of the Plan. All measures shall be implemented in accordance with the timescales within the Plan. All compliance statements and monitoring reports shall be submitted to the Local Planning Authority and any necessary revisions to the Plan shall be agreed in writing by the Local Planning Authority.
- 15 No hedgerow removal shall take place between 1st March and 31st August inclusive, unless preceded by a nesting bird survey undertaken by a competent ecologist. If nesting birds are present, an appropriate exclusion zone will be implemented and monitored until the chicks have fledged. No works shall be undertaken within the exclusion zones whilst nesting birds are present.
- 16 Prior to building works commencing above foundation level, a detailed lighting strategy shall be submitted to and approved in writing by the Local Planning Authority to safeguard bats and other nocturnal wildlife. This should provide details of the chosen luminaires and any mitigating features such as dimmers, PIR sensors and timers. A lux contour plan should be provided to demonstrate acceptable levels of light spill to any sensitive ecological zones/features. Guidelines can be found in Guidance Note 08/18 - Bats and Artificial Lighting in the UK (BCT and ILP, 2018). Such approved measures will be implemented in full prior to the first use of the building hereby approved.

- 17 Before development starts, details of a temporary protective fence to prevent the accidental spillage of spoil or stored materials and to prevent the inadvertent tracking across the retained grassland by machinery associated with the construction of the proposal (or the new fence line if appropriate) shall be submitted to and approved in writing by the Local Planning Authority. The approved temporary fencing scheme shall then be implemented in full and retained throughout the construction phase or until the first use of the building hereby approved.
- 18 The disposal of spoil shall occur off site and no materials or spoil shall be spread onto the retained grassland on site.
- 19 Before development starts a scheme of bat, bird and bee/insect mitigation measures shall be submitted to and approved in writing by the Local Planning Authority. The details to be submitted shall include the number, models and exact location of the mitigation features. The approved mitigation measures shall then be implemented in full prior to the first use of the winery building hereby approved and retained as such for the lifetime of the development.

NED/16/01260/OL

Application for outline planning permission for the development of up to 84 residential dwellings (Use Class C3) with access for determination and all other matters reserved for future determination (Major Development) (Departure from Development Plan) (amended plans/amended title) on Plot L, Coney Green Business Park, Clay Cross for Keepmoat Homes Ltd.

Members were advised the site was located within Pilsley Parish.

The Committee was directed to the recent late comments/update report which had been issued the afternoon prior to the meeting.

Two objectors exercised their right to attend the meeting and spoke against the application.

The agent for the applicant exercised their right to attend the meeting and spoke in support of the application.

Members considered the application having regard to the suitability of the proposal in this location in policy terms, its effect on the character of the site and the surrounding area, the amenity of neighbouring uses and highway safety issues.

RESOLVED – That application number NED/16/01260/OL be refused for the following reason:

The application site is on land allocated for employment uses under saved policy E6(a) of the adopted Local Plan (2005). On such sites Local Plan Policy E7 indicates that planning permission will not be granted for the change of use of (land or) buildings from employment purposes, unless the Local Planning Authority is satisfied that adequate local supplies of employment land and premises remain.

In this instance the local level of supply is limited and lacks flexibility against additional future losses. Therefore there is no justification for the loss of this site in these terms and, if this site was lost to potential employment development it would significantly compromise the prospects for employment in the local and wider area.

The application also fails to satisfy the relevant tests set out on the NPPF as the Council can demonstrate an adequate supply of housing land locally and there is a reasonable prospect of an application coming forward for the use allocated in an emerging Local Plan.

To grant permission is therefore contrary to policies E6 and E7 of the adopted Local Plan (2005), policy WC2 of the Publication Draft Local Plan and the policies of the NPPF when read as a whole.

675 Planning Appeals Lodged and Determined

The Committee considered Report No PM/30/18-19/AK of the Planning Manager – Development Management.

The following appeals had been lodged:-

Mr and Mrs Kavanagh- Proposal of a new single storey 3bed dwelling to the rear garden of 17 green Lea with associated landscape and access at 17 Green Lea, Dronfield Woodhouse (18/00685/FL)

Mr Robert Hadfield- Construction of a two-storey side extension, first floor extension over existing single-storey part of dwelling and erection of porch to front elevation at Brindwood House, Millthorpe Lane, Holmesfield (18/01221/FLH)

Midlands Biomass Solutions Ltd - Erection of timber drying facility and change of use of agricultural building for associated storage purposes with improvements to access track (Amended Details) at Averill Farm, Evershill Lane, Morton (18/00359/FL)

The following appeals had been dismissed :-

Mr Richard Akitt – Construction of bungalow (revised scheme of 17/00943/FL) on land adjacent at 43 Gosforth Lane, Dronfield, (18/00616/FL)

Executors of Mrs K Purdy – Erection of two detached stone built dwellings with attached garages on the land to the east (Conservation area) (Affecting Setting) at Barn At 1 Stone Close, Coal Aston, Dronfield (18/00309/FL)

Mr Mallett– Conversion of existing stables to 1no dwelling at Barn At Stable Mallett, Main Road, Holmesfield (18/00683/FL)

A claim for costs was dismissed.

Mr And Mrs Hamilton– Construction of a single-storey rear extension at Springwell Cottage, Wilday Green Lane, Barlow (18/01099/FLH)

Mr And Mrs Baker – Erection of a 2 bedroom bungalow at 2 Snape Hill Close, Dronfield (18/00842/FL)

Mr Robert Wilson – Application for a new dormer bungalow within existing farm grounds at Birch Hall Farm, Sylvia Road, Unstone (18/00642/FL)

No appeals had been allowed or withdrawn.

The Planning Manager advised Members that Decision Notices for every appeal are supplied to the relevant Ward Members and the Chair and Vice-Chair of the Planning Committee. The Planning Department can provide copies of any Decision Notice mentioned in the report to Members on request. They are also publicly available online.

The Planning Manager also provided an update to Members on the Council's performance in relation to the timely determination of planning applications and the percentage of both major and non-major appeals over a rolling two year period.

It was noted that the Council was performing well in determining applications on time. Members were reminded of their role in ensuring this performance standard was met particularly in considering calling in applications and requesting further information at Committee. In relation to performance regarding appeals, the Council was performing well in relation to appeals on non-major applications however, for major applications, the performance was marginal.

Members discussed the importance of ensuring any decision to refuse an application was based on clear planning grounds that could be supported at appeal. Members were also reminded that when an inspector at appeal also concludes that the Council has behaved unreasonably a costs award may be made. A recent costs award had been for a substantial amount.

RESOLVED – That the report setting out the appeals lodged and determined within the previous month be noted.

676 Urgent Business

There was no urgent business considered at the meeting.

The Chair thanked Members for the hard work during the year and all the Officers supporting the work of the Committee.

North East Derbyshire District Council

Planning Committee

4 June 2019

Development Management Applications

Report No PM/1/19-20/AK of the Planning Manager – Development Management

This report is public

Schedule of Planning and Other Applications under the Town and Country Planning (General Development Procedure) Order 2015, the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and the Town and Country Planning (Tree Preservation) (England) Regulations 2012

FOR THE INFORMATION OF MEMBERS

Legal and Financial Implications

Members are advised that there may be legal and financial implications arising from determination of planning and other applications and the authorisation of enforcement action.

There is a right of appeal against a refusal of planning permission or the imposition of conditions on a planning approval, which may attract an award of costs against the Council. Preparation of the District Council's case in such appeals may necessitate expenditure on legal advice or Counsel.

Breaches of planning control, such as unauthorised development or the unauthorised use of buildings and land, or failure to comply with conditions may be redressed by the District Council's powers to take enforcement action. Such action may lead to possible further action in the Magistrates' or Crown Courts which may involve expenditure on legal advice and costs.

There is a right of appeal against the service of an enforcement notice. If any appeal is upheld it may attract costs against the Council.

Human Rights Act 1998

The reports consider decisions by the Council which may affect property rights of the owner (Article 8 and Article 1 may be relevant). Under the Human Rights Act 1998 the Council must be in a position to show:

- its action is in accordance with clearly established law
- the objective is sufficiently important to justify the action taken
- the decisions taken are objective and not irrational or arbitrary
- the methods used are no more than are necessary to accomplish the legitimate objective
- the interference impairs as little as possible the right or freedom

All action taken in considering applications, consents, and enforcement is the lawful duty of this Authority as Local Planning Authority. Decisions are objective and proportional being based on consideration of the National Planning Policy Framework and the policies contained in the North East Derbyshire Local Plan and all other material considerations.

There is a right of appeal against all decisions made by the Council.

Environmental Considerations

There are environmental implications arising from the determination of planning applications and the authorisation of enforcement action. The consideration of the development of any site seeks to take into account the need to safeguard the environment, and the relevant issues are dealt with in each case in the Planning Assessment and Summary.

Community Safety Implications

Members are advised that there are Community Safety Implications arising from the determination of planning applications.

Crime prevention is capable of being a material consideration in the determination of planning applications as set out in the National Planning Policy Framework. Where relevant these matters are addressed in each case in the Planning Assessment and Summary.

The safety of development sites is the responsibility of the site's operative and enforced by specialist agencies.

Issues with regard to highway safety are relevant to the determination of planning applications. These issues where relevant are addressed in each case in the Planning Assessment and Summary with the relevant advice of the Highway Authority incorporated in the report.

Background Papers

The background papers relating to each application are the application forms, plans, representations received and replies to consultations, contained in the application file, the reference of which is given at the head of each report.

With reference to applications made for works to Protected Trees

Financial Implications

The prescribed format when a Tree Preservation Order is made includes a section which makes provision for the payment by the Local Planning Authority, subject to such exceptions and conditions as may be specified in the Order, of compensation in respect of loss or damage caused or incurred in consequence of:-

- (a) the refusal of any consent required under the Order; or
- (b) the grant of any such consent subject to conditions.

Liability for compensation may be avoided by the Local Planning Authority in relation to trees which are subject to a Tree Preservation Order made prior to 2nd August 1999, and incorporating the appropriate wording, where in refusing consent or imposing conditions on

an approval the Local Planning Authority are satisfied that their decision is in the interest of good forestry or that the tree(s) has/have an “outstanding” or “special” amenity value, unless the Council’s assessment of the amenity value of the Tree(s) is successfully challenged.

Legal Aspects

Once an Order is made, applications for consent are required in respect of any proposed cutting down, topping, lopping or uprooting of any trees. There is a right of appeal to the Secretary of State against the decision of the Council to either refuse consent or grant permission for works subject to condition.

Environmental Considerations

The making of a Tree Preservation Order, and the subsequent control of works to trees covered by Orders are likely to benefit the local environment through the contribution of the protected tree(s) to visual amenity and the retention of their ecological value. The assessment of all applications for consent for works balances this with the need for the works proposed.

Trees (Community Safety Implications)

The health of a protected tree and its safety remain the responsibility of the tree’s owner, even where the tree is covered by a Tree Preservation Order. If a tree is dead, dying or dangerous, works to rectify the danger may be undertaken without the consent of the District Council.

The safety and health of a tree covered by a Tree Preservation Order is a material consideration in the determination of any application to undertake work to a protected tree. However, this has to be balanced against all other material factors when considering any particular submission.

DEVELOPMENT MANAGEMENT APPLICATIONS INDEX

PARISH	APPLICATION NUMBER	TITLE	PAGE NUMBER
SHIRLAND & HIGHAM	NED/19/00154/FL	Change of use of existing domestic garage to provide pre-school playroom facility and erection of canopy to form covered play area at 7 Fern Lea, Shirland, Alfreton for Mrs Isabel Alvey.	5 - 15
ECKINGTON	NED/19/00208/FL	Conversion of existing outbuilding to a 3 bedroom, single storey dwelling (Conservation Area) at View House, Snowdon Lane, Troway, Marsh Lane, Sheffield S21 5RT for Mr K Lewis.	16 - 26

APPLICATION NO. 19/00154/FL

APPLICATION Change of use of existing domestic garage to provide pre-school playroom facility and erection of canopy to form covered play area.

LOCATION 7 Fern Lea Shirland Alfreton DE55 6EP

APPLICANT Mrs Isabel Alvey

CASE OFFICER Aspbury Planning – Denise Knipe

DATE RECEIVED 18th February 2019

DELEGATED APPLICATION REFERRED TO COMMITTEE BY: Councillor Cupit

REASON: To consider the impact of the application on the current character and streetscene of the area, on neighbouring amenity, and to evaluate potential highways issues

The Site Inspection Group will visit the site to consider the suitability of the site for the proposed use and its impact upon the character of the site and surrounds and highway safety and to assess any potential loss of residential amenity.

1.0 SITE DESCRIPTION

- 1.1 The application site is located at No. 7 Fern Lea which is a residential property situated within the settlement development limits for Shirland. The property is a large detached dwelling with a detached garage, located to the southeast corner of the cul-de-sac. Access is from a private drive off Fern Lea which has a shared access with numbers 5 and 9 Fern Lea.
- 1.2 Fern Lea comprises a modern estate built in the late nineties located to the north west of the village. Open countryside currently sits to the north of the estate with residential development to the east and south.

2.0 PROPOSAL

- 2.1 Full planning permission is sought for the change of use of the detached garage to be used for a pre-school child care service. A covered canopy is also proposed to be erected to the front of the garage to allow outdoor play. A proposed 1.6 metre high timber screen would secure the area.
- 2.2 The proposal also involves changes to the front elevation of the garage, swapping the garage doors with an entrance door within a glazed frame. The garage is constructed in timber painted dark grey and no further changes are proposed.
- 2.3 The applicant is seeking to provide specialist pre-school care for a maximum of nine children. The facility will also cater for children with recognised learning difficulties and specifically diagnosed with hearing impediments.
- 2.4 The facility would operate between the hours of 07.30 hrs and 17.00 hrs Monday to Friday only. It is stated that the number of children attending the facility will vary as not all children will necessarily attend the facility together, or indeed for the full day.

- 2.5 There will be a requirement to employ two staff members, this includes the applicant. Staffing and working hours will depend on the number of children attending the facility.
- 2.6 The children will generally be accommodated within the detached playroom building, with short supervised outdoor play sessions which will be implemented within the fenced canopy area.

3.0 AMENDMENTS

- 3.1 None.

4.0 PLANNING HISTORY

- 4.1 None.

5.0 PLANNING POLICY CONSIDERATIONS

- 5.1 The Development Plan comprises of the saved policies of the North East Derbyshire Local Plan (adopted November 2005).
- 5.2 In addition, the Publication Draft Local Plan 2014-2034 has been submitted to the Secretary of State for examination. The Council is now at an advanced stage in the production of the new Local Plan which reflects national guidance in the NPPF and provides for the development needs of the district for the period 2014 – 2034. The Plan was submitted to the Secretary of State for examination at the end of May 2018. This document has been subject to extensive consultation and sets out clearly the Council's strategy for sustainable development and should be afforded weight in decision making.

The most relevant policies are considered to be:

5.3 North East Derbyshire District Local Plan

- GS1 Sustainable Development
- GS5 Development within the Settlement Development Limits
- BE1 General Design Principles
- E8 Employment Development in Other Areas
- T2 Highway Access and the Impact on New Development
- T5 Walking and Cycling
- T9 Car Parking Provision
- CSU4 Surface and Foul Water Drainage

5.4 Publication Draft Local Plan 2014-2034 (relevant policies)

- SS1 Sustainable Development
- SS2 Spatial Strategy and the Distribution of Development
- SS7 Development on Unallocated Land within Settlements with defined Settlement Development Limits
- ID3 Sustainable Travel
- ID4 New Social Infrastructure

National Planning Policy Framework

- 5.5 The revised National Planning Policy Framework was published on 19 February 2019 and sets out the government's planning policies for England and how these are expected to be applied. This revised Framework replaces the previous National Planning Policy Framework published in July 2018. At the heart of the NPPF is a presumption in favour of sustainable development.
- 5.6 There are three dimensions to sustainable development that give rise to the need for the planning system to perform a number of roles; which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives - economic, social and environmental).
- 5.7 To promote sustainable development, the NPPF advises that these are objectives that should be delivered through Development Plans and the Framework. They are not criterion to adjudge planning applications against, that is the role of development plan policies which should play an active role in guiding development towards sustainable solutions taking into account local circumstances, to reflect the character, needs and opportunities of each area.
- 5.8 Paragraph 213 advises that existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).

6.0 PUBLICITY, CONSULTATIONS AND REPRESENTATIONS

- 6.1 The application was validated on the 18 February 2019 and due to expire on the 14 April 2019. An extension of time has been requested until the 7 June 2019 to allow consideration by the Planning Committee.
- 6.2 A site notice was placed at the entrance of the site by the Applicant on the 1 March 2019.
- 6.3 **Ward Councillors:** Councillor Cupit had called in the application to the Planning Committee. Concerns raised in relation to impact upon the character and streetscene of the area, on neighbouring amenity, and potential highways issues.
- 6.4 **Shirland and Higham Parish Council:** Comments have been received and concerns expressed in regards to the setting up of a nursery in a residential area, having two part time staff and being open from 7.30am till 5.00pm five days per week. Having a shared driveway with other properties and the play school being directly at the rear of the gardens on Goose Green Lane, neighbours will lose some degree of privacy and amenity. Concerns also expressed in regards to traffic and potential problems with dropping off and picking up children on the quiet cul-de-sac. The Parish Council do not think this is a suitable location.
- 6.5 **DCC Highways Authority:** Object to the proposal. The application proposal will not only remove the existing parking associated with the dwelling but is also likely to significantly increase the demand for parking on Fern Lea. This is a concern from a highway safety viewpoint as Fern Lea is a relatively narrow, tortuous cul-de-sac.

Therefore an increase in parking on the cul-de-sac is likely to cause an obstruction to the free flow of traffic and it's also likely to restrict/obstruct access to private driveways when parking takes place close to, over or opposite existing private accesses. Also, given the road layout, on-street parking is likely to obstruct any larger vehicles such as service/delivery vehicles from safely using the cul-de-sac.

6.6 Whilst it's the applicants' intention to manage the parking issue by encouraging parents to park elsewhere and walk to the site, it is presumed this could not be conditioned/enforced by the Local Planning Authority. Even if it could, it's unlikely parents with young children will park elsewhere and walk to the site, especially in bad weather. The likelihood is that the majority of parents will either park on the shared driveway or on the cul-de-sac. Both scenarios are likely to cause obstructions and lead to onerous manoeuvres on the public highway.

6.7 **NEDDC Environment Health/Protection:** No objection.

6.8 **Third Party Representations:** 17 objections have been received from 12 households and 3 separate letters of support. The objections are summarised below:

Impact upon Residents

- The business would impact upon the quiet cul-de-sac
- Inappropriate development in a quiet residential area
- Loss of residential amenity as a result of noise and disturbance
- A number of the residents are elderly or are shift workers their peace and enjoyment of their home will diminish
- The drop off and pick up times proposed would be when residents are home and would cause inconveniences to residents

Impact upon the Character of the Area

- The extension by reason of siting would result in loss of privacy to neighbouring properties
- The proposed canopy will be visually dominant and out of keeping
- The garage is not in keeping with the rest of the estate and the addition of the canopy would add to the impact

Impact upon Highway Safety

- Insufficient parking on site to support the use
- The addition of the canopy removes parking
- Proposes to employ two staff members insufficient parking for visitors
- The designated play area within the boundary of the property will not be sufficient for the number of pupils without any owner vehicles being parked away from the property
- Increase in parking problems in the area
- On street parking is already an issue for residents due to the design/layout of the road
- Numbers 5, 7 and 9 share a common off-road entrance which is easily blocked by visitors/deliveries - this will be worsened

- Parents will park on the driveway which will block residents cars in causing a hazard for residents
- There is a very limited turning circle at the head of the cul-de-sac for visiting vehicles to turn around
- Delivery vehicles already experience parking and have to park on the pavement (photos supplied)

Other considerations

- Insufficient notification of the application to home owners on the cul-de-sac
- The site notice was placed on the gate post some metres off the highway it should be on the lamppost so it would be easy to read
- The facility to be offered is already available in the centre of the local village, in a purpose built facility with all of the facilities required to meet the needs of the children
- There is already a childminder business which backs onto Fern Lea from the A61 which is creating noise pollution for us and local residents

Non Material Considerations (Officer Emphasis)

- Devaluation of properties and saleability
- There is a restrictive covenant preventing business use of the property
- Should use an alternative access from behind the garage off Common Lane (photos supplied)

Support

- The Nursery will cater for a range of children, including those with special educational and additional needs. This is a valuable local resource, and one which plays an important and significant role in the early education of children
- Common Lane can adequately accommodate this parking without significant disruption, as we have seen this practice for many years when the old Shirland Primary was sited close by
- Supporting the local community
- The proposed numbers is minimal compared to other similar ventures
- The offer of pre-school provisions to support parents and carers in the area is a commendable and positive development at a time when the country faces cuts to a range of services for children and teenagers

7.0 PLANNING CONSIDERATIONS

7.1 The main planning consideration is whether or not the principle of commercial development is supported in this location having regard to the policies within the extant Local Plan and the Publication Draft Local Plan (PDLP), and guidance within the NPPF. Thereafter, whether or not the development would respect the character of the area and residential amenity, along with highway considerations.

8.0 PLANNING ASSESSMENT

Principles of Development

- 8.1 The principle of development is acceptable given that the proposal is located within the Settlement Development Limits for Shirland. However this is subject to various other considerations as follows: whether it would be detrimental to the character and appearance of the site (BE1) and the surrounding area, if it would have a detrimental effect on the amenities of neighbouring occupiers (GS5) and whether there is adequate access and parking provision (T2 & T9). The Publication Draft Local Plan policy SS7 promotes development within settlements providing; the scale and design is appropriate and the use is compatible with adjacent sites and land uses.
- 8.2 Local Plan Policy E8 advises that within the Settlement Development Limits, proposals for new employment development including working from home, new development, changes of use and extensions to existing sites and buildings will be permitted provided that the proposals do not have an unacceptable effect on the character of the surrounding area through visual impact, noise or pollution resulting from the development or from traffic generated. Adequate parking and access provision will also be required.
- 8.3 The proposal is seeking to operate a pre-school facility from the current domestic garage and includes provision for outdoor play. The facility will operate with a maximum number of nine children at any one time and will be made available to families that have children with learning disabilities. The opening times will be from 07.30hrs with pick up times around 17:00hrs. The facility, dependant on the number of children attending at any one time, will employ two staff members, the applicant being one of the two. Whilst full days will be available there may be times when a child only attends for half a day. It is intended to be flexible but adhere to the maximum of 9no. children at any one time.

Impact upon the Character of the Area

- 8.4 The application site is situated in the corner of a residential estate and accessed from a shared private drive. The building, the subject of this application, is positioned in the eastern corner of the site adjacent to the boundary of No. 5 Fern Lea (north) and the rear gardens of properties fronting Goose Green Lane (south). The host dwelling sits to the west with the principle elevation fronting the domestic parking areas. Private, enclosed residential amenity/garden areas are located to the side (west and east) and rear (south) of the host dwelling.
- 8.5 Local Plan Policies GS5, BE1 and Publication Draft Local Plan policy SS7 require that new development respects the character and appearance of the surrounding area and not have a detrimental effect on the amenities of neighbouring occupiers and is compatible with the adjacent land uses.
- 8.6 Minimal external changes to the building are required and relate to an altered front elevation. They are domestic in scale and would be largely masked by the enclosure securing the area of play. This would be undertaken by creating a covered area secured by 1.6 metre timber fencing. The covered area would extend 4.7 metres from the front elevation of the building with the roof canopy in

translucent polycarbonate sheeting with uPVC fascia's. This form of construction is not dissimilar to a car porch which, it is considered, would not be out of context in this residential area.

- 8.7 Therefore, it is considered that the proposal is compliant with the relevant Local Plan policies GS5(a) and BE1 and evolving Local Plan policy SS7 and would not have a detrimental impact upon the character of the area due to the detailing proposed and the fact that it would be located approximately 22 metres from the highway behind the building line created by No.'s 3, 5, 9 and 11, Fern Lea.

Impact upon Neighbouring Properties

- 8.8 Policy GS5 (b) states that proposals will only be permitted providing it would not have a detrimental effect on the amenities of neighbouring occupiers and uses.
- 8.9 The proposal will introduce a new commercial use to an area within an established residential estate. It proposes to modify the existing domestic garage and create an outdoor play area. Whilst it is proposed to have a maximum of nine children using the facility at any one time, there would be disruption created to the existing residents, particularly to those off the shared drive and at the entrance, with an increase in activity at the site.
- 8.10 The site is set back from the highway but is within close proximity to a number of other residential properties. No.5 would be particularly affected given that the use would take place along its southern boundary. The creation of an outdoor play area; although the applicants have advised that the number of children using it would supervised and restricted, would undoubtedly result in noise and disturbance from 'noisy play' activities. No. 5 also has a rear conservatory and the play space would be close to that structure (approx. 6 metres). Furthermore given the construction of that building and the potential to have windows/doors open, particularly in the warmer weather, any noise impact would be exacerbated. Whilst it may be possible to provide noise mitigation to the application building itself this would not be possible for the outdoor area.
- 8.11 The properties to the rear of the building, those off Goose Green Lane, are set back a considerable distance from the site and the noise associated with the facility would be less of a concern to these properties as the open/play area would be located away from the mutual boundary and be masked/screened by the application building itself. The adjoining property to the west lies beyond the applicant's own property and so the impact on that unit would likewise be minimised due to this.
- 8.12 No.5, therefore, is the property most likely to suffer from a loss of residential amenity should the proposal be allowed. It is not considered that this impact can be appropriately mitigated and, as such, Officers conclude that the proposal does not comply with Local Plan Policy GS5(b) and E8 and should be refused on this ground alone.
- 8.13 The application has attracted a number of objections from local residents on grounds of noise and disturbance and the impact upon coming and goings as well as advising that there is a restrictive covenant on the estate preventing business uses operating. The latter issue is not a material planning consideration It is a civil matter.

- 8.14 The use would operate from 07.30 hrs until 17:00hrs. The applicant has provided a Planning Statement to address the objections raised and advises that it is unlikely that there would be a great number of drop offs/pick up at these times as parents requirements for using the facility will differ. It also suggests that stop off times would be relatively short and so the impact upon the residents would be relatively short lived.
- 8.15 Whilst this may be the intention of the applicants the Planning Authority would not be able to control the number of users dropping off/picking up at any one time. The worst case scenario would be potentially nine vehicles overlapping at the beginning or end of the day, with a smaller number of vehicles during the day. Given the design of the estate road and the limited off street parking provided, residents could be inconvenienced by an increase of traffic to the cul-de-sac and inconsiderate parking. (Discussed further under Highway Safety). This too is considered a reason to refuse the application.

Highway Safety

- 8.16 The application seeks a maximum of nine children on site at any one time, not as a maximum during the 07.30hrs-17:00hrs. This could lead to more children using the facility over the day and therefore potentially attracting more vehicles to the area over a staggered period.
- 8.17 The proposal would result in the loss of parking on the site given the garage is to be lost and an area in front of the garage fenced off to create the outdoor play space. The Highways Authority (HA) have been consulted and object to the proposal as not only will there be a loss of existing parking associated with the dwelling but it is also considered likely to significantly increase the demand for parking on Fern Lea. This is a concern from a highway safety viewpoint as Fern Lea is a relatively narrow cul-de-sac. Therefore an increase in parking on the cul-de-sac is likely to cause an obstruction to the free flow of traffic and also likely to restrict/obstruct access to private driveways when parking takes place close to, over or opposite existing private accesses. Also, given the road layout, on-street parking is likely to obstruct any larger vehicles such as service/delivery vehicles from safely using the cul-de-sac.
- 8.18 Whilst it's the applicant's intention to manage parking by encouraging parents to park elsewhere and walk to the site, this could not be controlled through planning conditions. Even if it could, it is unlikely parents with young children will park elsewhere and walk to the site, especially in bad weather. The likelihood is that the majority of parents will either park on the shared driveway or on the cul-de-sac. Both scenarios are likely to cause obstructions and lead to onerous manoeuvres on the public highway.
- 8.19 The applicants have responded to the objection raised by the Highways (and the residents) and advise that there is ample room for parking and manoeuvring on the site without causing obstruction. The Highways Authority maintain their objection and Officers concur with the concerns in this instance.

Conclusion

- 8.20 The proposal would provide a pre-school child care facility for residents and families living in the local community. The facility would also cater for children with recognised learning difficulties and specifically diagnosed with hearing impediments. The proposal would also provide employment opportunities for at least one other person in addition to the applicant.
- 8.21 The provision of a specialised facility would provide benefits to families in need of this care however as identified above there are dis-benefits associated with the proposal which would be harmful to those living in the localised area. These impacts are considered to outweigh the benefits identified and would result in a loss of amenity and impact upon highway safety.
- 8.22 It is acknowledged that under Permitted Development Rights child minding is permitted within existing dwellings providing the use remains ancillary to the primary use. Whilst the applicant can use the fall-back position, the increase in activity as proposed, and the development necessary, in the view of Officers, results in an unacceptable change and alters the character and nature of the residential use to such a degree that the impacts would be harmful. For this reason the proposal is not supported and recommended for refusal.

9.0 SUMMARY OF CONSULTATIONS

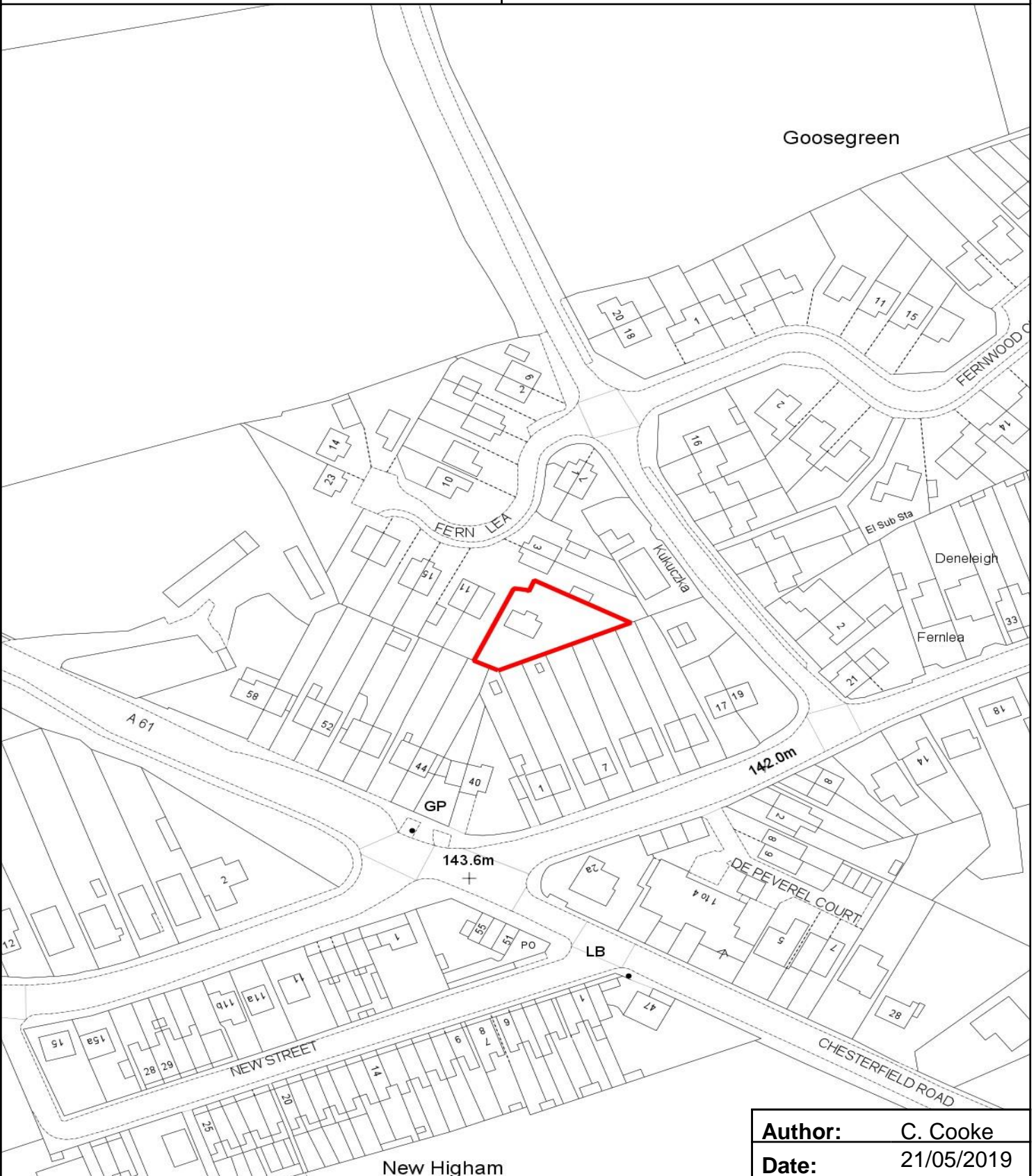
<u>County Highways:</u>	Objects
<u>County Planning:</u>	N/A
<u>Environmental Health:</u>	No objection
<u>Drainage:</u>	N/A
<u>Access Officer:</u>	N/A
<u>Footpath:</u>	N/A
<u>Neighbour:</u>	17 objections, 3 letters of support
<u>Ward Member:</u>	Cllr. Cupit call in
<u>Parish Council:</u>	Concerns

10.0 RECOMMENDATION

That Planning Permission is REFUSED for the following reason(s)

1. No adequate provision is included in the application proposals for the parking and manoeuvring of vehicles clear of the public highway, which would be likely to result in a significant increase in on-street parking on Fern Lea causing obstructions, or parking on the shared private driveway leading to obstructions and onerous manoeuvres to and from the public highway. Either scenario is against the best interests of highway safety and is likely to lead to potential danger and inconvenience to other highway users and interfere with the safe and efficient movement of traffic on the adjoining highway. The proposal is considered contrary to the North East Derbyshire Local Plan Policies GS5, E8, T2 and T9.
2. The proposed use of the building and construction of the canopy, due to its design and siting, is not considered acceptable for the use as proposed and

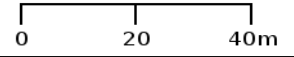
would materially alter the nature of the residential character of the area and cause harm to residential amenity as a result of noise and disturbance. In particular, the residents of No. 5, Fern Lea would be adversely affected due to the close relationship with the site of both the property and residential curtilage. The proposal is considered contrary to the North East Derbyshire Local Plan Policies GS5, BE1 and E8.



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Date:	21/05/2019

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APPLICATION NO. 19/00208/FL
APPLICATION Conversion of existing outbuilding to a 3 bedroom, single storey dwelling (Conservation Area)
LOCATION View House Snowdon Lane Troway Marsh Lane Sheffield S21 5RT
APPLICANT Mr K Lewis
CASE OFFICER Aspbury Planning Ltd – Denise Knipe
DATE RECEIVED 11 March 2019

DELEGATED APPLICATION REFERRED TO COMMITTEE BY: Cllr Gordon

REASON: To consider the Green Belt issues

The Site Inspection Group is to visit the site in order to assess the impact upon the Green Belt and appropriateness of the development.

1.0 SITE DESCRIPTION

- 1.1 The application relates to a domestic dwelling situated outside of any Settlement Development Limit therefore wholly within the designated Countryside and within the Green Belt and Moss Valley Conservation Area.
- 1.2 The site comprises a large detached residential dwelling with attached garage and outbuildings situated on a generous plot with views across the open countryside. To the rear of the site is a swimming pool (not in use). Access to the site is via Snowdon Lane (B6056) and ample parking available on site.
- 1.3 A mature Leylandii hedge forms the front boundary (south) situated behind a low stone wall. A walled boundary exists to the west and north of the site and a hedgerow to the east.
- 1.4 The host building is constructed from stone with the rear elevation rendered. The garage and outbuildings are constructed in stone.

2.0 PROPOSAL

- 2.1 Full planning permission is sought for the conversion of the stone range of outbuildings into a single residential property with associated access and parking.
- 2.2 The application is supported with a Structural Survey which confirms that the building is capable of being converted without major structural work. Works have been identified which require sections to be demolished and rebuilt due to minor defects. Partial demotion of the passageway is proposed to remove the link to the host building.
- 2.3 Parking for the future occupiers is proposed to the west with an amenity area provided to the north (rear) and south (front).

2.4 The proposal is similar to previous planning applications which were approved but no longer extant.

3.0 AMENDMENTS

3.1 Amendments were sought to the design of the roof structure and further clarifications in relation to volume of development and demolition/rebuilding of the structure.

3.2 Volume Calculations Existing Outbuildings

Area	Int. Footprint	Int. Height	Int. Volume
Garage	51.32m ²	2.74m	140.61m ³
Garage pitched roof			34.1m ³
Boiler Area	6.26m ²	2.16m	13.62m ³
Store rooms 1-5	78.79m ²	2.475m*	191.06m ³
		Total	378.39m³

*average-floor height differs

3.3 Volume Calculation Proposed

Area	Int. Footprint	Int. Height	Int. Volume
Floor plan inc. previous garage extent.	129.47m ²	2.45m	317.2m ³
Pitched roof above living area			40.65m ³
Pitched roof over bedrooms			31.36m ³
		Total	389.21m³

3.4 The increase in internal volume for proposed is 10.82m³ which is 2.86% of the original volume.

3.5 The plan drawing number for consideration are:

- 325/01, 325/11, 325/12, 325/31 and 325/33 received 17 May 2019

4.0 PLANNING HISTORY

4.1 75/00950/FL - Large garage, utility room and workshop: Conditionally Approved

77/01113/FL - Renovation of outbuildings to form stables: Permitted Development

97/00933/FL - Pitched roof over garage (Conservation Area): Conditionally Approved

06/00877/FL - Conversion of an existing single storey storage barn to a single dwelling (Conservation Area): Application Withdrawn

06/00878/FL - Conversion and extension to an existing single storey barn to a single dwelling (Conservation Area): Application Withdrawn

06/01465/FL - Conversion of an existing single storey storage barn to a single dwelling (resubmission of NED/06/00877/FL) (Conservation Area): Conditionally Approved

06/01466/FL - Conversion and extension to an existing single storey barn to a single dwelling (resubmission of NED/06/00878/FL) (Conservation Area): Conditionally Approved

07/01460/FL - Conversion of existing outbuildings to form a single dwelling (amended scheme) (Conservation Area): Conditionally Approved/P.D. Removed

5.0 PLANNING POLICY CONSIDERATIONS

5.1 The Development Plan comprises of the saved policies of the North East Derbyshire Local Plan (adopted November 2005).

5.2 In addition, the Publication Draft Local Plan 2014-2034 has been submitted to the Secretary of State for examination. The Council is now at an advanced stage in the production of the new Local Plan which reflects national guidance in the NPPF and provides for the development needs of the district for the period 2014 – 2034. The Plan was submitted to the Secretary of State for examination at the end of May 2018. This document has been subject to extensive consultation and sets out clearly the Council's strategy for sustainable development and should be afforded weight in decision making.

The most relevant policies are considered to be:

5.3 North East Derbyshire Local Plan (2005)

- GS1 - Sustainable Development
- GS2 – Green Belt
- GS6 – Development in the Countryside
- BE1 - General Design Principles
- BE11 – Development within and adjoining the Conservation Area
- NE1 - Landscape Character
- T2 – Highway Impact of New Development
- T9 – Car Parking Provision
- CSU4 - Surface and Foul Water Drainage

5.4 Publication Draft Local Plan 2014-2034 (relevant policies)

- SS1 - Sustainable Development
- SS2 - Spatial Strategy and the Distribution of Development
- SS9 – Development in the Countryside
- SS10 - North East Derbyshire Green Belt
- SDC3 - Landscape Character
- SDC5 - Development within Conservation Areas
- SDC12 - High quality Design and Place-Making
- ID3 - Sustainable Travel

5.5 National Planning Policy Framework 2018

The revised National Planning Policy Framework was published on 19th February 2019 and sets out the government's planning policies for England and how these are expected to be applied. This revised Framework replaces the previous National Planning Policy Framework published in July 2012 and 2018. At the heart of the NPPF is a presumption in favour of sustainable development. There are three dimensions to sustainable development that give rise to the need for the planning system to perform a number of roles; which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives) which include support economic, social and environmental objectives.

- 5.6 To promote sustainable development, the NPPF advises that these are objectives that should be delivered through Development Plans and the Framework. They are not criterion to adjudge planning applications against, that is the role of development plan policies which should play an active role in guiding development towards sustainable solutions taking into account local circumstances, to reflect the character, needs and opportunities of each area.
- 5.7 The NPPF 2019 states that within the Green Belt inappropriate development is, by, definition harmful and should not be approved except in very special circumstances. Local Planning Authorities should ensure that substantial weight is given to any harm to the Green Belt.
- 5.8 Paragraph 146 advises that certain other forms of development would not be considered inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. Reuse of buildings is one of the exemptions providing it is of permanent and substantial construction. Likewise material changes in use (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds) would not be considered inappropriate development.
- 5.9 NPPF Paragraph 193 advises that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Whilst at Paragraph 196 it advises that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
- 5.10 Paragraph 213 advises that existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).

5.11 Other (specify) – SPD’s /Successful Places Guidance

- Sustainable Buildings SPG
- Successful Places Interim Design Guidance

6.0 PUBLICITY, CONSULTATIONS AND REPRESENTATIONS

6.1 The application was valid on the 11 March 2019 and due to expire on the 5 May 2019. An extension of time has been mutually agreed until the 7 June 2019 to allow consideration by the Planning Committee.

6.2 A site notice was placed at the entrance of the site on the 18 March 2019 by the Applicant.

6.3 **Ward Councillor(s):** Councillor Gordon requested that the application is heard by the Planning Committee. The planning reasons given relate to inappropriate development in the Green Belt.

6.4 **Eckington Parish Council:** No comments have been received.

6.5 **Highways Authority:** No objections are raised by the Highway Officer who considers that conditions can be imposed to provide an appropriate visibility splays and onsite parking.

6.6 **Environment Health Officer:** Environmental Protection have reviewed the information submitted to support the application together with records contained at the Council and it is noted that the outbuilding has been used for domestic storage and garaging purposes only. On this basis it is advised that they have no comments to make in respect of the proposal.

6.7 **Yorkshire Water Authority:** Advised that they have no comments to make in respect of the proposal.

6.8 No representations have been received from local residents.

7.0 PLANNING CONSIDERATIONS

7.1 The key policy considerations are protection of the Green Belt, safeguarding the character of the area, highway safety, safeguarding residential amenity; and the character of the Conservation Area. .

7.2 The planning history for the site is also a material consideration. Whilst the planning permission granted have lapsed, the principle of conversion in the Green Belt has been accepted and still pertinent to the current Green Belt policies, both nationally and locally.

8.0 PLANNING ASSESSMENT

Principles of Development

8.1 The proposal lies within the Green Belt where the re-use of buildings is not inappropriate development provided that the buildings are of a permanent and substantial construction and preserve the openness of the Green Belt. The

site, subject to the application, is also outside any defined development limits where new housing is not generally supported. This proposal is for the re-use of existing buildings, and has been supported by a structural survey which has demonstrated that the buildings are of a permanent and substantial construction. On this basis it is considered that the proposals do not constitute inappropriate development provided that they preserve the openness of the Green Belt.

- 8.2 Policy GS6 & NE1 of the adopted Local Plan (2005), eLP policies SS9 and SDC3 seeks to ensure that proposals outside of defined settlements are in keeping with the countryside location and does not represent a prominent intrusion, whilst saved policy BE1, eLP policies SDC12 seeks to ensure that the design, scale and massing of development is in keeping with the surrounding character. LP (2005) policy GS7 and eLP policy SDC1 supports the conversion of buildings providing they are of substantial and permanent construction.
- 8.3 Local Plan (2005) Policy BE11 and eLP (2014-2034) policy SDC5 seek to ensure that development proposals would not be harmful to designated heritage assets. The NPPF seeks to ensure that where less than significant harm is identified this harm will be assessed against the public benefit of the proposal. The Moss Valley Conservation Area includes swathes of open countryside and the subdivision of the plot is not considered to have a harmful impact upon the designation. Furthermore the proposed redesign of the roof structure from flat corrugated to tiled pitch is considered to enhance the building and would enhance the character of the Conservation Area.
- 8.4 The proposal is seeking to re-use the existing range of stone out buildings and domestic garage to create a single storey residential dwelling. On consideration of the proposal it is considered that the principle of the development is acceptable. The proposal does not require major intervention in allowing the building to function as an independent dwelling, whilst some demolition and rebuilding is proposed it is not considered to be disproportionate.

Impact upon the Openness of the Green Belt

- 8.5 The proposal relates to the reuse and conversion of a substantial stone outbuilding and garage. The application has been accompanied with a Structural Survey that supports the conversion subject to some localised rebuilding of the rear elevation. Local Plan 2005 Policy GS2 and eLP 2014-2034 policy SS10 make reference to such proposals and subject to wider consideration supports them in principle providing they do not impact on openness. The National Planning Policy Framework (NPPF) states that the essential characteristic of Green Belts is their openness and permanence and that a fundamental aim of Green Belt policy is to prevent urban sprawl by keeping the land permanently open. The effect on openness is therefore a material consideration of significant weight.
- 8.6 The building sits adjacent to the existing dwelling and currently in domestic use. Whilst a pitched roof is proposed to the outbuilding, the opening up of the passageway to create a detached property, ensures that the overall volume of development is negligible. Furthermore planning permission was granted in 2006 and 2007 for the conversion of the outbuildings to residential and

proposed a mono pitch roof. The redesign of the roof structure creates a similar volume and is considered preserve the openness of the Green Belt.

- 8.7 Details of the boundary treatment has not been submitted and can be requested by condition in order to ensure that a suitable treatment can be provided to safeguard the character of the site, the character of the conservation area and respect the openness of the Green Belt.
- 8.8 The proposal will also utilise the existing hard standing areas to the west for parking and create a small amenity area in front of the outbuilding, creating a garden. No landscaping details of this area have been provided and this can be secured by condition. It is considered that the proposal will not have a detrimental or significant impact upon the general character of the Green Belt and the subdivision of the site would not have any greater impact upon the character of the area, or have a greater impact upon the openness than the current situation.

Impact upon Neighbouring Properties

- 8.9 The host dwelling is situated to the east of the buildings to be converted and sited side on. The passage way connecting the garage to the dwelling is to be opened up to provide a walkway to the rear of the site for the future occupiers of the conversion and provides a visual separation between the two dwellings.
- 8.10 Given the layout and orientation of the proposed conversion it is not considered that the residential amenity would be reduced to an unacceptable level.

Highway Safety

- 8.11 The conversion would be served from a separate access to the west of the existing vehicle access point which will continue to serve the host dwelling. Three parking spaces are to be provided to serve the conversion and would be separate from the host dwelling. The Highways Authority have been consulted and raise no objection to the proposal.
- 8.12 The proposal can be served by a safe access and parking can be provided within the site and therefore the proposal complies with policies T2 and T9 of the North East Local Plan.

Conclusion

- 8.13 The proposal is seeking to convert existing outbuildings to create a single storey three bedroom dwelling. The proposal is accompanied by a Structural Report which confirms that the buildings can be converted without major rebuilding, extension or alteration and that the buildings are structurally sound. Conversion of existing rural buildings in the Green Belt is supported by North East Derbyshire Local Plan Polies GS2 and GS7 and within the emerging Local Plan; and the NPPF paragraph 146, providing there would not be a greater impact upon the openness of the Green Belt. Very Special Circumstances are not therefore required to be demonstrated as the proposal is not considered to be inappropriate development in the Green Belt.

8.14 Taking into account all material considerations and comments received, the proposal is considered to be policy compliant and conditions requiring details of boundary treatments and landscaping ensures that the proposal can be made acceptable in terms of not having any adverse impacts upon Conservation Area and Green Belt. Accordingly the application is recommended for approval.

9.0 SUMMARY OF CONSULTATIONS

<u>County Highways:</u>	No objection, subject to conditions
<u>County Planning:</u>	N/A
<u>Environmental Health:</u>	No comment.
<u>Drainage:</u>	No comment.
<u>Access Officer:</u>	No comments received.
<u>Footpath:</u>	No comments received.
<u>Neighbour:</u>	none.
<u>Others:</u>	
<u>Ward Member:</u>	Councillors Gordon call in.
<u>Parish Council:</u>	No comments received.

10.0 RECOMMENDATION

10.1 That planning permission is **APPROVED** in accordance with officer recommendation, with the final wording of the conditions delegated to the Planning Manager.

10.2 Conditions

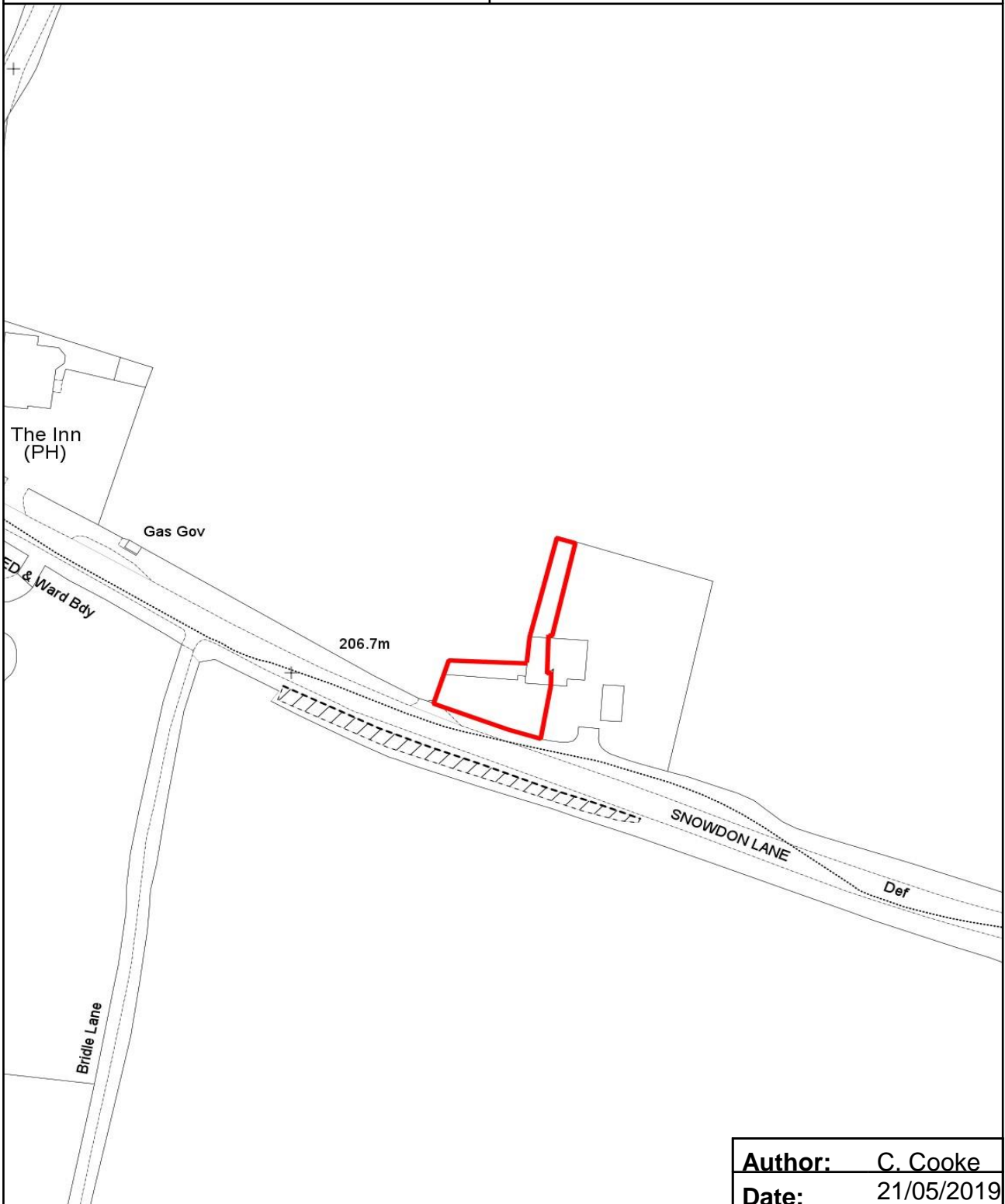
1. The development hereby permitted shall be started within three years from the date of this permission.
2. The development hereby approved shall be carried out in accordance with the amended Block Plan received on the 25 February 2019 and plans referenced 325/01, 325/11, 325/12, 325/31 and 325/33 received 17 May 2019 otherwise subsequently agreed through a formal submission under the Non Material Amendment procedures and unless otherwise required by any condition contained in this decision notice
3. The proposed walling materials shall match those of the existing building as closely as possible.
4. The roof shall be covered with natural slates to match the host dwelling. All fixings shall be corrosion resistant.
5. Windows and doors shall be set back 100mm from the face of the stonework and shall be constructed in painted timber and retained as such thereafter.
6. Prior to any above ground works commence, the following shall be submitted to and approved in writing by the Local Planning Authority:
 - a) a scheme of landscaping, which shall include indications of all existing trees and hedgerows on the land,

- b) the details of any trees and hedgerows to be retained, together with measures for their protection during development,
 - c) a schedule of proposed plant species, size and density and planting locations and
 - d) an implementation programme.
7. All planting, seeding or turfing in the approved scheme of landscaping shall be carried out in the first planting and seeding season following the occupation of the buildings or the completion of the development, whichever is the sooner. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.
8. Notwithstanding any submitted details, before completion of the conversion works a plan to show the positions, design, materials, height and type of boundary treatments to be erected and/or retained shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full before the occupation of the dwelling hereby approved and it shall be retained as approved.
9. Before occupation of the proposed dwelling, the proposed vehicular access to Snowdon Lane (B6056) shall be created in accordance with the application drawings, laid out, constructed and maintained in perpetuity free from any impediment to its designated use.
10. There shall be no vehicular gates or other barriers within 5m of the nearside highway boundary and any gates shall open inwards only.
11. Before occupation of the dwelling, the area shown on the approved plans as reserved for parking, garaging, circulation and standing of vehicles shall be provided in accordance with the approved details. Thereafter the area shall be used for those purposes only and maintained free from any impediment to its designated use.
12. Notwithstanding the provisions of Article 3(1) of the Town and Country Planning (General Permitted Development) Order 1995, (or any Order revoking and re-enacting that Order) no extensions (Part 1 Class A), dormer windows (Part 1 Class B) alterations to the roof (Part 1 Class C) and curtilage buildings (Part 1 Class E) shall be erected/constructed without first obtaining planning permission.
13. Notwithstanding the provisions of Article 3(1) of the Town and Country Planning (General Permitted Development) Order 1995, (or any Order revoking and re-enacting that Order), no doors or windows shall be installed in the building other than those shown on the approved application drawings.

- 14 The works shall be carried out strictly in accordance with the recommendations contained in the structural appraisal report produced by Freeman Design and Surveying Consultancy Ltd dated 1st May 2019. In particular, the areas of demolition and rebuilding shall be limited to those set out in the structural survey and as shown in the approved drawings.

19/00208/FL

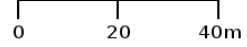
MyMaps - NEDDC and BDC



Author: C. Cooke
Date: 21/05/2019

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North East Derbyshire District Council

Planning Committee

4 June 2019

Planning Appeals Lodged and Determined

Report No PM/2/19-20/AK of the Planning Manager – Development Management

This report is public

Purpose of the Report

- To inform the Committee of the appeals lodged and determined.

1 Report Details

1.1 Appeals Lodged

The following appeals have been lodged:-

Mr Chris Sinclair- Change of use from Public House to Residential dwelling with alterations to openings and new glass balustrade to front (revised scheme of 18/00690/FL) (Amended Plans) at The Barrack Hotel, Barrack Road, Apperknowle (18/01006/FL)

Planning Officer – Colin Wilson– colin.wilson@ne-derbyshire.gov.uk

1.2 Appeals Allowed

Mr and Mrs Elliott – Application for 3 bedroom dwelling (Conservation area) at Ivydene, Palterton Lane, Sutton Scarsdale (18/00603/FL)

Means of Determination – Delegated

Planning Officer's Recommendation – Refuse

Planning Officer – Graeme Cooper – Graeme.Cooper@ne-derbyshire.gov.uk

Mr Terry Rogers – Construction of a detached double garage (revised scheme of 18/00472/FLH) (Conservation Area) at South View, Main Road, West Handley (18/00979/FLH)

Means of Determination – Delegated

Planning Officer's Recommendation – Refuse

Planning Officer – Kevin Figg – kevin.figg@ne-derbyshire.gov.uk

Mr and Mrs John Pritchard– Application for a Lawful Development Certificate for a Camp site for the siting of tents associated with leisure and recreation (for educational authorities) at Overton Park Camp, Coach Road, Overton, Ashover (18/00433/LDC)

Means of Determination – Delegated

Planning Officer's Recommendation – Refuse

Planning Officer – Colin Wilson – colin.wilson@ne-derbyshire.gov.uk

1.3 **Appeals Dismissed**

The following appeals have been dismissed :-

Mr M P Nightingale – Proposed change of use and conversion of former reservoir structure to a single dwelling at Land Opposite Barn Close House, Matlock Road, Walton (18/00781/FL)

Means of Determination – Delegated

Planning Officer's Recommendation – Refuse

Planning Officer – (AP) Susan Wraith – susan.wraith@ne-derbyshire.gov.uk

Mr and Mrs Sheldon– Proposed single storey rear extension (Conservation Area) at 4 Ridgeway Courtyard, Main Road, Ridgeway (18/00716/FLH)

Means of Determination – Delegated

Planning Officer's Recommendation – Refuse

Planning Officer – Kevin Figg – kevin.figg@ne-derbyshire.gov.uk

Mr Jeremy White– Proposed demolition of garden centre buildings and the erection of one dwellinghouse (Revised scheme of 16/00398/FL)(Conservation Area) at Land To The Rear Of The Fieldings Greenway Northridge And Four Winds , High Lane, Ridgeway (17/00081/FL)

Means of Determination – Delegated

Planning Officer's Recommendation – Refuse

Planning Officer – Adrian Kirkham – Adrian.Kirkham@ne-derbyshire.gov.uk

Mrs Margaret Simpson– Outline application with all matters reserved for the construction of 1no 3bed dwelling (Revised scheme of 17/01325/OL) at Land West Of Stables And Smithy Brook Farm, Smithy Moor, Stretton (18/00466/OL)

Means of Determination – Delegated

Planning Officer's Recommendation – Refuse

Planning Officer – Graeme Cooper – Graeme.Cooper@ne-derbyshire.gov.uk

1.4 **Appeals Withdrawn**

No appeals have been withdrawn.

2 Conclusions and Reasons for Recommendation

2.1 N/a.

3 Consultation and Equality Impact

3.1 N/a.

4 Alternative Options and Reasons for Rejection

4.1 N/a.

5 Implications

5.1 Finance and Risk Implications

N/a.

5.2 Legal Implications including Data Protection

N/a.

5.3 Human Resources Implications

N/a.

6 Recommendations

6.1 N/a.

7 Decision Information

Is the decision a Key Decision? A Key Decision is an executive decision which has a significant impact on two or more District wards or which results in income or expenditure to the Council above the following thresholds: <i>BDC: Revenue - £75,000</i> <input type="checkbox"/> <i>Capital - £150,000</i> <input type="checkbox"/> <i>NEDDC: Revenue - £100,000</i> <input type="checkbox"/> <i>Capital - £250,000</i> <input type="checkbox"/> <input checked="" type="checkbox"/> <i>Please indicate which threshold applies</i>	Yes/No
Is the decision subject to Call-In? (Only Key Decisions are subject to Call-In)	Yes/No
Has the relevant Portfolio Holder been informed	Yes/No
District Wards Affected	All
Links to Corporate Plan priorities or Policy Framework	All

8 Document Information

Appendix No	Title
Background Papers (These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Cabinet (NEDDC) or Executive (BDC) you must provide copies of the background papers)	
Report Author	Contact Number
Joanne Edwards	217163

AGIN4(b) PLANR (0604) Appeals/MD

North East Derbyshire District Council

Planning Committee

4 June 2019

Section 106 (Legal) Agreements Update

Report No PM/3/19-20/AK of the Planning Manager (Development Management)

This report is public.

Purpose of the Report

- To provide for all elected Members a detailed breakdown of all live section 106 (legal) agreements.
- To enable Members to play a full role in monitoring the making of section 106 agreements and the receipt and spending of money collected through them.
- For Members to endorse a proposal to continue reporting on this issue on an approximate half yearly basis.

1 Report Details

Section 106 Agreements

- 1.1 Members may recall the most recent report to the Planning Committee on this matter of October 2018 setting out information regarding the community benefits secured through planning consents and associated section 106 (legal) agreements. This report is a further update on this issue for Member information.
- 1.2 As previously reported the attached appendices set out information in respect of all current, live, section 106 agreements. Appendix A provides information in respect of agreements where funding has been secured whilst Appendix B sets out details of all the agreements where to date no money has been paid to the Council.
- 1.3 Whilst the onus is on the applicant to pay to the Council the money that has been promised/contracted to it, the Council does proactively pursue unpaid money but it is essential that the Council spends any money received within the appropriate time scales set out in the relevant section 106 agreement.
- 1.4 Therefore, Appendix A also sets out when money should be spent and “traffic lights” the level of risk for each payment with red being the colour where money needs to be spent within 2 years, amber within 3 years and green when it is in excess of 3 years. This assists Officers in ensuring money is properly used for the purposes obtained and also this will assist Members in monitoring the use of money within their respective communities.
- 1.5 There is currently two red records identified as follows:

- A. Application NED/14/01293 for 25 houses at Tupton, and,
- B. Application NED/ 08/00679/FL for housing at Eckington.

- 1.6 These both relate to the provision of play areas and/or associated facilities and the Council's Streetscene team are aware of the need to utilise these funds. Therefore, the appropriate mitigation to ensure they are spent properly is in place.

Reporting

- 1.7 Previously reports have been brought to Planning Committee on a quarterly basis. However, a recent audit report has suggested moving to a six monthly reporting timetable. Therefore, it is recommended this is implemented as it is considered this provides sufficient safeguards to ensure that funds are properly collected and spent and it accords with Officer update meetings that also take place.

2 Conclusions and Reasons for Recommendation

- 2.1 The proper monitoring of section 106 agreements and the income arising from them enables the Council to both secure proper community infrastructure funding and ensure it is properly apportioned.
- 2.2 This report and subsequent ones will enable Members to play an active role in those activities and support Officers in ensuring community priorities are secured.

3 Consultation and Equality Impact

- 3.1 None

4 Alternative Options and Reasons for Rejection

- 4.1 A failure to monitor section 106 agreements would leave the Council unable to secure the community infrastructure required to mitigate the impact of granting planning consent for new development. This is not considered a viable alternative.
- 4.2 More regular reporting on this matter to Planning Committee is possible. However, the making of section 106 agreements, the payments of money and its use can adequately be monitored on at least a six monthly basis. Members may need to consider if any agreed interval remains appropriate or whether an alternative timescale for reporting is preferable.

5 Implications

5.1 Finance and Risk Implications

- 5.1.1 The monitoring and proper accounting and use of money received through section 106 agreements has been consistently and properly accounted for. There is limited risk of not monitoring the income received as the onus for payment lies with the applicant of any approved scheme rather than the Council. The greatest risk to the Council is a failure to use money received by it within the given time scales. The monitoring that is in place mitigates this risk to a significant level.

5.2 Legal Implications including Data Protection

5.2.1 Section 106 agreements are public documents placed on the planning register. The statute of limitations regarding payments to the Council is 12 years.

5.3 Human Resources Implications

5.3.1 The proper monitoring and enforcing of section 106 agreements carries with it human resource implications. Currently these are being constrained within existing resources but if additional resourcing is required this will be sought through the proper channels.

6 Recommendations

6.1 That the information contained within Appendices A and B is noted.

6.2 That the contents of paragraphs 1.1 to 1.10 is noted and endorsed.

6.3 That this issue continues to be reported to Planning Committee on a (approximately) six monthly basis.

7 Decision Information

Is the decision a Key Decision? (A Key Decision is an executive decision which results in income or expenditure to the Council of £50,000 or more or which has a significant impact on two or more District wards)	No
Is the decision subject to Call-In? (Only Key Decisions are subject to Call-In)	No
District Wards Affected	All
Links to Corporate Plan priorities or Policy Framework	Unlocking development potential, providing good quality social housing, contributing to health and well being, increasing participation in sport and leisure activities, developing attractive neighbourhoods, making the best use of assets and demonstrating good governance.

8 Document Information

Appendix No	Title
A. B.	S106 agreements – payments received and spend to date S106 agreements – payments not yet due/received.
Background Papers (These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Cabinet (NEDDC) or Executive (BDC) you must provide copies of the background papers)	
None	
Report Author	Contact Number
Adrian Kirkham – Planning Manager (Development Management)	(01246) 217591

AGIN4(c) Planning 0604 – Section 106 Report

S106 Agreements - Payments not yet due/received

Ref No.	Address	Intended Use	Use By Date	Conditions/Triggers	Works Status	Date Inspected	Date S106 Due	Date Contributions Chased
	Recreation/Open Space:							
10	Land South Of Sunningdale Park And Poplar Drive And To The West Of 21 Elvin Way, New Tupton	Recreation	5 years of payment	Calculated on the basis of the number of dwellings finally approved & the received Council's Recreation and Open Space Supplementary Planning Document Appendix 2 Table 3 or any replacement thereto. Within 3 years. No more than 7 units to be occupied	Conditions discharged understood ground works. Work started	Mar-19	Not due yet	
13	Allotments, Masfield Avenue, Holmewood	Open Space	10 years of payment	Payable per annum for 10 years in the event that no skate park is included in received the reserved matters application or £12,631.06 payable per annum for 10 years if a skate park is included in the reserved matters application	Started on site. 80th dwelling not yet occupied	Mar-19	Not due yet	
31	Land between Main Road and Burnside Avenue and rear of Properties on the North Side of Hallfieldgate Lane, Shirland	Recreation	11/11/23 to be paid before occupation of 50% of approved dwellings		Started on site (none occupied)	Mar-19	Not due yet	
31	Land between Main Road and Burnside Avenue and rear of Properties on the North Side of Hallfieldgate Lane, Shirland	Maintenance	11/11/23 to be paid over a 10 year period & to be paid before occupation of 50% of approved dwellings		Started on site (none occupied)	Mar-19	Not due yet	
41	The Woolpack 26 Town End Shirland Alfreton	Recreation	27/01/24 to be paid before the occupation of 50% of approved dwellings		Started on site (about half occupied)	Mar-19	Due now	
41	The Woolpack 26 Town End Shirland Alfreton	Maintenance	27/01/24 to be paid before the occupation of 50% of approved dwellings		Started on site (about half occupied)	Mar-19	Due now	
42	The Former Avenue Site Derby Road Wingerworth	Open Space commuted sum	Within 15 years of N/A receipt		Started on site (none occupied)	Mar-19	Not due yet	
42	The Former Avenue Site Derby Road Wingerworth	Open Space Contribution	Within 15 years of N/A receipt		Started on site (none occupied)	Mar-19	Not due yet	
44	Allotments Main Road Shirland	Maintenance	03/03/24 to be paid over a 10 year period & to be paid before occupation of 50% of approved dwellings		Started on site	Aug-17	Not due yet	
44	Allotments Main Road Shirland	Play Space	03/03/24 to be paid before occupation of 50% of approved dwellings		Started on site	Aug-17	Not due yet	
55	Mile Hill House Mansfield Road Mile Hill Hasland	Maintenance	12/08/24 over a 10 year period & to be paid before occupation of 50% of approved dwellings		Agreement made (work not started)			
55	Mile Hill House Mansfield Road Mile Hill Hasland	Recreation	12/08/24 to be paid before occupation of 50% of approved dwellings		Agreement made (work not started)			
58	Windwhistle Farm Southend Grassmoor	Play Space	Within 10 years of to be paid before occupation of 50% of approved dwellings receipt of payment		Started on site	Mar-19	Due now	16.04.2018
58	Windwhistle Farm Southend Grassmoor	Maintenance	Within 10 years of over 10 year period & to be paid before occupation of 50% of approved receipt of payment dwellings		Started on site	Mar-19	Due now	16.04.2018
58	Windwhistle Farm Southend Grassmoor	Five Pits Trail Contribution	No date to be paid before occupation of 50% of approved dwellings		Started on site	Mar-19	Due now	16.04.2018
60	Site of Former Edward Revill Endowed School Burnside Avenue Shirland	Maintenance	02/10/24 over a 10 year period & to be paid upon completion of development		Finished on Site	Aug-17	Due now	Reminder letter sent 14.03.2017
61	Land To The South Of 123 Derby Road And North Of Tupton Youth Centre Derby Road Old Tupton	Recreation	20/10/24 over a 10 year period & to be paid before 50% of the dwellings are occupied		Agreement made (work not started)	Aug-17	Not due yet	No RM application
61	Land To The South Of 123 Derby Road And North Of Tupton Youth Centre Derby Road Old Tupton	Maintenance	20/10/24 over a 10 year period & to be paid before 50% of the dwellings are occupied		Agreement made (work not started)	Aug-17	Not due yet	No RM application
62	Land to the East of prospect House Highstairs Lane Stretton	Maintenance	within 10 years from date of completion of the play area	Over a 10 year period	Agreement made (work not started)	Mar-19	Not due yet	
62	Land to the East of prospect House Highstairs Lane Stretton	Recreation	within 5 years from the date of this agreement	no date	Agreement made (work not started)	Mar-19	Not due yet	
63	The Rectory Rectory Road Duckmanton	Maintenance	01/12/24 over a 10 year period & to be paid before occupation of 50% of approved dwellings		Agreement made (work not started)	Aug-17	Not due yet	
63	The Rectory Rectory Road Duckmanton	Recreation	01/12/19 to be paid before occupation of 50% of approved dwellings		Agreement made (work not started)	Aug-17	Not due yet	
72	Bradley Lomas Electrolok Ltd Church Street Eckington	Play Space	Within 10 years of to be paid before occupation of 50% of approved dwellings receipt of payment		Agreement made (work not started)	Feb-18	Not due yet	Application is due to expire 20.04.2018

72	Bradley Lomas Electrolok Ltd Church Street Eckington	Maintenance	Within 10 years of over a 10 year period & to be paid before occupation of 50% of approved receipt of payment dwellings	Agreement made (work not started)	Feb-18	Not due yet	Application is due to expire 20.04.2018
73	Hanging Banks Derby Road Wingerworth	Maintenance	Within 10 years of sum payable in accordance with the terms of this agreement and the receipt of payment Recreation and Open Space SPD towards maintenance of any on-site open space to be transferred to the council. To be paid at the same time as the transfer of any on site open space including drainage attenuation area	Started on site (none occupied)	Mar-19	Not due yet	
77	Land To The Rear Of 2 To 6 Westhill Lane Grassmoor	Play Space	04/09/25 to be paid before occupation of 5 of the approved dwellings	Agreement made (work not started)	Mar-19	Not due yet	
77	Land To The Rear Of 2 To 6 Westhill Lane Grassmoor	Maintenance	04/09/25 over a 10 year period & to be paid before occupation of 5 of the approved dwellings	Agreement made (work not started)	Mar-19	Not due yet	
80	Woolley Farm, Badger Lane, Woolley Moor	Recreation	30/11/20 to be paid upon occupation of the 3rd dwelling	Agreement made (work not started)	Mar-19	Not due yet	
80	Woolley Farm, Badger Lane, Woolley Moor	Maintenance	30/11/25 Over a 10 year period & to be paid upon occupation of the 3rd dwelling	Agreement made (work not started)	Mar-19	Not due yet	
81	Land On The South Side Of The Junction Between Crofters Close And Boiley Lane, Killamarsh	Maintenance	03/12/25 over a 10 year period & to be paid upon the occupation of 50% of dwellings	Started on Site (none occupied)	Mar-19	Not due yet	Unauthorised work
81	Land On The South Side Of The Junction Between Crofters Close And Boiley Lane, Killamarsh	Recreation	03/12/20 to be paid upon the occupation of 50% of dwellings	Started on Site (none occupied)	Mar-19	Not due yet	Unauthorised work
82	Manor Farm, Upperthorpe Road, Killamarsh	Recreation	TBC to be paid upon occupation of 50% of dwellings	Started on site (none occupied)	Mar-19	Not due yet	
82	Manor Farm, Upperthorpe Road, Killamarsh	Maintenance	15/12/25 over a 10 year period & to be paid upon occupation of 50% of dwellings	Started on site (none occupied)	Mar-19	Not due yet	
83	83A Clay Lane, Clay Cross	Recreation	21/12/20 to be paid before the occupation of 50% of approved dwellings	Started on site (none occupied)	Mar-19	Not due yet	
83	83A Clay Lane, Clay Cross	Maintenance	21/12/25 over a 10 year period & to be paid before the occupation of 50% of approved dwellings	Started on site (none occupied)	Mar-19	Not due yet	
84	125 Eckington Road, Coal Aston	Maintenance	28/01/26 over a 10 year period & to be paid upon occupation of 50% of dwellings	Started on site (none occupied)	Mar-19	Not due yet	
84	125 Eckington Road, Coal Aston	Recreation	28/01/21 to be paid upon occupation of 50% of dwellings	Started on site (none occupied)	Mar-19	Not due yet	
85	Land To The Rear Of 61 To 119 Nethermoor Road And 15 To 21 Deerlands Road, Wingerworth	Maintenance	No time limit Payable over a 10 year period & to be paid before occupation of 50% of prescribed in Section approved dwellings 106 agreement	Started on site	Feb-18	Due now	Reminder letter sent 14.03.2017
85	Land To The Rear Of 61 To 119 Nethermoor Road And 15 To 21 Deerlands Road, Wingerworth	Recreation	10/09/25 to be paid before occupation of 50% of approved dwellings	Started on site	Feb-18	Due now	Reminder letter sent 14.03.2017
91	Former Coalite Site on the North West and South East sides of Buttermilk Lane, Long Duckmanton	Commuted Sum towards upgrading recreational facilities	Within 10 years of To be paid in installments with a formula in the agreement receipt of payment	Agreement made (work not started)	Mar-19	Not due yet	
92	Land between Poplar Grove and Park House Farm, Pilsley Road, Lower Pilsley	Recreation	Within 5 years of To be paid before first occupation of 50% of approved dwellings on the receipt of payment development	Agreement made (work not started)	Aug-17	Not due yet	No RM application
92	Land between Poplar Grove and Park House Farm, Pilsley Road, Lower Pilsley	Maintenance	Within 10 years of To be paid before first occupation of 50% of approved dwellings on the receipt of payment development	Agreement made (work not started)	Aug-17	Not due yet	No RM application
95	Land Between Old Cancal and North Side of Primrose Lane, Killamarsh	Off Site Open Space Contribution	Within 5 years of £7,540.75 to be paid prior to the occupation of the 7th dwelling, £7,540.75 to be paid prior to the occupation of the 14th dwelling, £7,540.75 to be paid prior to the occupation of the 21st dwelling, remainder to be paid prior to the occupation of the 25th dwelling	Agreement made (work not started)	Mar-19	Not due yet	
97	Land south of Sports Ground at the Corner of Rupert Street and Hallgate Lane Pilsley	Off site Play Equipment	Within 5 years of to be paid within 14 days after the date of which half of the dwellings are receipt of payment occupied	Agreement made (work not started)	Mar-19	Not due yet	
99	Land to rear of 181 Chesterfield Road, Holmewood	Off site Play Equipment	Within 5 years of The 1st £13,000 to be paid prior to the 1st occupation of the 10th Dwelling. receipt of payment The remainder to be paid prior to the 1st occupation of the 22nd dwelling	Agreement made (work not started)	Mar-19	Not due yet	
99	Land to rear of 181 Chesterfield Road, Holmewood	Off site Play Equipment Maintenance	Within 5 years of Paid either £655 per annum on the date of and subsequent anniversary of the receipt of payment completion of the off site play equipment or as a lump sum of £6,550 on the date of completion of the off site play equipment	Agreement made (work not started)			
100	Land between 205 and 235 Chesterfield Road, Temple Normanton	Off site Play Equipment	Within 5 years of 1st £1,244 to be paid prior to the first occupation of the first dwelling. A further receipt of payment £1,244 to be paid prior to the first occupation of the 8th dwelling. The remainder to be paid prior to the first occupation of the 15th dwelling.	Agreement made (work not started)			
100	Land between 205 and 235 Chesterfield Road, Temple Normanton	Off site Play Equipment Maintenance	Within 5 years of receipt of payment	Agreement made (work not started)			
101	Land North and West of Creg Ny Baa, Brackenfield Lane, Wessington	Off site Play Equipment and On site Public open space contribution	Within 5 years of 1st £23,945.20 to be paid prior to the first occupation of the 1st dwelling. The receipt of payment remainder to be paid prior to the first occupation of the 22nd dwelling	Agreement made (work not started)	Mar-19	Not due yet	
102	Land to the South of Ankerbold House, Ankerbold Road, Old Tupton	Off site Play Equipment Contribution	Within 5 years of 1st £3,900 to be paid prior to the first occupation of the first dwelling. A further receipt of payment £3,900 to be paid prior to the first occupation of the 6th dwelling. The remainder to be paid prior to the first occupation of the 11th dwelling	Agreement made (work not started)	Apr-19	Not due yet	
102	Land to the South of Ankerbold House, Ankerbold Road, Old Tupton	Off site Play Equipment Maintenance	Within 5 years of to be paid from the date of practical completion receipt of payment	Agreement made (work not started)	Apr-19	Not due yet	
105	Land East of Fanny Avenue, Killamarsh	Recreation Facilities	No Date to be paid prior to the occupation of any dwelling	Started on site	Apr-19	Need to check occupation	
105	Land East of Fanny Avenue, Killamarsh	Maintenance	No Date to be paid prior to the occupation of any dwelling	Started on site	Apr-19	Need to check occupation	
106	Land East of Rupert Street and South of Green Lane, Pilsley	Off site Play Equipment	Within 5 years of None listed receipt of payment	Agreement made (work not started)	Mar-19	Not due yet	
107	Land to rear of 14A-54 High Street, Stonebroom	Public Open Space Contribution	Within 5 years of To be paid upon occupation receipt of payment	Agreement made (work not started)			

107	Land to rear of 14A-54 High Street, Stonebroom	Public Open Space Maintenance	Within 5 years of receipt of payment	To be paid upon occupation	Agreement made (work not started)			
108	Danesmoor County Infant School, Pilsley Road, Danesmoor	Off site Public Open Space Contribution		No date No Trigger	Agreement made (work not started)	Mar-19	Not due yet	
109	Land to the East and North of 119 Top Road, Calow	Off site Public Open Space Contribution	Within 5 years of receipt of payment	upon occupation of 50% of the dwellings	Agreement made (work not started)	Mar-19	Not due yet	
109	Land to the East and North of 119 Top Road, Calow	Off site Public Open Space Maintenance Contribution	Within 5 years of receipt of payment	upon occupation of 50% of the dwellings	Agreement made (work not started)	Mar-19	Not due yet	
110	Manor Farm, Uppertorpe Road, Killamarsh	Recreation Contribution		No date to be paid upon occupation of 50% of the dwellings	Agreement made (work not started)			
110	Manor Farm, Uppertorpe Road, Killamarsh	Maintenance		No date to be paid upon occupation of 50% of the dwellings	Agreement made (work not started)			
112	Land North West of 66 Stretton Road, Morton	Public Open Space Maintenance	Within 5 years of receipt of payment	to be paid upon occupation	Agreement made (work not started)	Mar-19	Not due yet	
114	Land To The South Of Allotments At Ducksett Lane Accessed From Staveley Lane, Eckington	Recreation Contribution	Within 5 years of receipt of payment	to be paid before occupation of 50% of the dwellings	Started on Site			
	Land To The South Of Allotments At Ducksett Lane Accessed From Staveley Lane, Eckington	Maintenance	Within 5 years of receipt of payment	to be paid before occupation of 50% of the dwellings	Started on Site			
118	Watercress Farm, Watercress Lane, Danesmoor	Public Open Space Contribution	Within 5 years of receipt of payment	to be paid before the occupation of 50% of the dwellings	Started on Site	Mar-19	Not due yet	
118	Watercress Farm, Watercress Lane, Danesmoor	Public Open Space Maintenance	Within 5 years of receipt of payment	to be paid before the occupation of 50% of the dwellings	Started on Site	Mar-19	Not due yet	
119	Land North of Spindle Drive and East of Deerlands Road, Wingerworth	Public Open Space Maintenance	Within 5 years of receipt of payment	to be paid before the occupation of 75% of the dwellings	Agreement made (work not started)	Mar-19	Not due yet	
120	Land Adjacent The West Side Of 40 Church Meadows, Calow	Recreation Contribution	Within 10 years of date of receipt	to be paid before occupation of 50% of the dwellings	Agreement made (work not started)	Apr-19	Not due yet	
120	Land Adjacent The West Side Of 40 Church Meadows, Calow	Maintenance	Within 10 years of date of receipt	to be paid before occupation of 50% of the dwellings	Agreement made (work not started)	Apr-19	Not due yet	
121	Land to the North of West Street, Stonebroom	Off Site Play Equipment Contribution	Within 5 years of date of payment	to be paid upon occupation of 50% of the dwellings	Agreement made (work not started)	Mar-19	Not due yet	
121	Land to the North of West Street, Stonebroom	Off site Play Equipment Maintenance	Within 5 years of date of payment	to be paid upon occupation of 50% of the dwellings	Agreement made (work not started)	Mar-19	Not due yet	
	Highways:							
6	Biwater Industries Limited, Market Street, Clay Cross	Highways	Within 5 years of completion of development	Upon the grant of each reserved matters permissions	Agreement made (work not started)			
6	Biwater Industries Limited, Market Street, Clay Cross	Highways	Within 5 years of completion of development	Upon the grant of each reserved matters permissions	Agreement made (work not started)			
13	Allotments, Masfield Avenue, Holmewood	Highways		No date paid prior to commencement of development	Started on site	Feb-18	Due now	1st Letter sent 18.04.2017 Reminder Letter sent 16.04.2018
31	Land between Main Road and Burnside Avenue and Rear of properties on the North side of Hallfieldgate Lane, Shirland	Highways		11/11/23 to be paid before occupation of 50% of approved dwellings	Started on site (none occupied)	Mar-19	Not due yet	
39	Land Between Bypass And The Rear Of 109 To 247 Mansfield Road Hasland	Highways	Within 6 years from the date of completion	Notice from the Council to pay the Highway Contribution	Agreement made (work not started)	Aug-17	Not due yet	
39	Land Between Bypass And The Rear Of 109 To 247 Mansfield Road Hasland	Highways	Within 6 years from the date of completion	To be paid upon the commencement of development	Agreement made (work not started)	Aug-17	Not due yet	
42	The Former Avenue Site Derby Road Wingerworth	Highways		N/A £594,200.00 in three installments of £171,446.00 (First Highway Works Payment prior to the completion of the 190th Property), £251,754.00 (Second Highway Works Payment prior to the completion of the 350th property), £85,000.00 (Third Highway Works Payment prior to the first employment land trigger date) & £85,500.00 (Fourth Highway Works Payment prior to the second employment land trigger date)	Started on Site (none occupied)	Mar-19	Not due yet	
44	Allotments Main Road Shirland	Highways		03/03/24 to be paid before occupation of 50% of approved dwellings	Started on site	Aug-17	Not due yet	
50	Land To The South Of Pioneer House And To The Rear Of 1-59 Adlington Avenue Mill Lane Wingerworth	Highways	Within 15 years of receipt	to be paid before occupation of 85% of approved dwellings	Started on site	Feb-18	Not due yet	85% of dwellings not occupied
58	Windwhistle Farm Southend Grassmoor	Multi User Links Contribution		No date to be paid before occupation of 50% of approved dwellings	Started on site	Mar-19	Due Now	16.04.2018
73	Hanging Banks Derby Road Wingerworth	Highways	Within 15 years of receipt dwelling	to be paid before occupation of 85% of approved dwellings. Up to £1,900 per dwelling	Started on site (none occupied)	Mar-19	Not due yet	
91	Former Coalite Site on the North West and South East sides of Buttermilk Lane, Long Duckmanton	Highways	Within 10 years of receipt of payment	£2,000 to be paid prior to occupation of commercial development, £56,732 to be paid prior to occupation of 1st dwelling, £116,867 to be paid prior to occupation of 161st dwelling	Agreement made (work not started)	Aug-17	Not due yet	
95	Land Between Old Canal and North Side of Primrose Lane, Killamarsh	Cycle Link Contribution	Within 5 years of receipt of payment	£3,750.00 to be paid prior to the occupation of the 7th dwelling, £3,750.00 to be paid prior to the occupation of the 14th dwelling, £3,750.00 to be paid prior to the occupation of the 21st dwelling, remainder to be paid prior to the occupation of the 25th dwelling	Agreement made (work not started)	Mar-19	Not due yet	

95	Land Between Old Canal and North Side of Primrose Lane, Killamarsh	Right of Way Contribution	Within 5 years of receipt of payment to be paid prior to the occupation of the 7th dwelling, £21,000.00 to be paid prior to the occupation of the 14th dwelling, £21,000.00 to be paid prior to the occupation of the 21st dwelling, remainder to be paid prior to the occupation of the 25th dwelling	Agreement made (work not started)	Mar-19	Not due yet	
113	Land To The South Of Allotments At Ducksett Lane Accessed From Staveley Lane, Eckington	Bridleway Contribution	Within 5 years of receipt of payment to be paid before occupation of 50% of the dwellings	Started on Site			
113	Land To The South Of Allotments At Ducksett Lane Accessed From Staveley Lane, Eckington	Car Travel Plan Monitoring	Within 5 years of receipt of payment to be paid before occupation of 50% of the dwellings	Started on Site			
113	Land To The South Of Allotments At Ducksett Lane Accessed From Staveley Lane, Eckington	Footpath Contribution	Within 5 years of receipt of payment to be paid before occupation of 50% of the dwellings	Started on Site			
114	Cottagehill Farm and Land Between Avenue Access Road and Mill Lane, Derby Road, Wingerworth	Travel Plan Monitoring	No Date to be paid upon occupation of 50% of dwellings	Agreement made (work not started)			
114	Cottagehill Farm and Land Between Avenue Access Road and Mill Lane, Derby Road, Wingerworth	Highways	No Date to be paid upon occupation of 50% of dwellings	Agreement made (work not started)			
116	Former Biwater Site, Brassington Street, Clay Cross	Highways	No Date to be paid prior to occupation of 50% of approved dwellings	Agreement made (work not started)			
119	Land North of Spindle Drive and East of Deerlands Road, Wingerworth	Highways	Within 5 years of date of payment to be paid before the occupation of 30% of the dwellings	Agreement made (work not started)			
119	Land North of Spindle Drive and East of Deerlands Road, Wingerworth	Travel Plan Monitoring	Within 5 years of date of payment to be paid prior to the occupation of any of the dwellings	Agreement made (work not started)	Mar-19	Not due yet	
Education:							
27	Land Between Sitwell Villas And 85 Stretton Road, Morton	Education	Within 10 years of payment received To be paid prior to occupation of 80% of the dwellings	Finished on site	Aug-17	Due now	1st letter sent 29.03.2016. Reminder letter sent 03.11.2016
39	Land Between Bypass And The Rear Of 109 To 247 Mansfield Road Hasland	Education	Within 5 years of completion of development to be paid before occupation of 50% of approved dwellings	Agreement made (work not started)	Aug-17	Not due yet	
42	The Former Avenue Site Derby Road Wingerworth	Education	N/A N/A	Started on Site (none occupied)	Mar-19	Not due yet	
58	Windwhistle Farm Southend Grassmoor	Education	No date to be paid before occupation of 50% of approved dwellings	Started on site	Mar-19	Due Now	16.04.2018
62	Land to the East of prospect House Highstairs Lane Stretton	Education	used within 12 months to be paid on occupation of 50% of dwellings of occupation of 100% of the dwellings	Agreement made (work not started)	Mar-19	Not due yet	
74	S And A Parsons Building Contractors Ltd Mansfield Road Killamarsh	Education	05/05/20 to be paid before occupation of 50% of the approved dwellings	Agreement made (work not started)	Feb-18	Not due yet	
89	Land On The West Side of Chesterfield Road, Holmewood	Education	No date Used within 5 years of the date of receipt of the whole contribution	Agreement made (work not started)	Aug-17	Not due yet	
92	Land between Poplar Grove and Park House Farm, Pilsley Road, Lower Pilsley	Education	Within 5 years of receipt of payment To be paid before first occupation of 50% of approved dwellings on the development	Agreement made (work not started)	Aug-17	Not due yet	No RM application
95	Land Between Old Canal and North Side of Primrose Lane, Killamarsh	Education	Within 5 years of receipt of payment to be paid prior to the occupation of the 7th dwelling, £17,098.00 to be paid prior to the occupation of the 14th dwelling, £17,098.00 to be paid prior to the occupation of the 21st dwelling, remainder to be paid prior to the occupation of the 25th dwelling	Agreement made (work not started)	Mar-19	Not due yet	
99	Land to rear of 181 Chesterfield Road, Holmewood	Education	Within 5 years of receipt of payment The 1st £52,500 to be paid prior to the 1st occupation of the 10th Dwelling. The remainder to be paid prior to the 1st occupation of the 22nd dwelling	Agreement made (work not started)	Mar-19	Not due yet	
100	Land between 205 and 235 Chesterfield Road, Temple Normanton	Education	Within 5 years of receipt of payment 1st £17,660 to be paid prior to the first occupation of the first dwelling. A further £17,660 to be paid prior to the first occupation of the 8th dwelling. The remainder to be paid prior to the first occupation of the 15th dwelling.	Agreement made (work not started)			
101	Land North and West of Creg Ny Baa, Brackenfield Lane, Wessington	Education	Within 5 years of receipt of payment £51,295.50 to be paid prior to the first occupation of the 1st dwelling. The remainder to be paid prior to the first occupation of the 22nd dwelling	Agreement made (work not started)	Mar-19	Not due yet	
102	Land to the South of Ankerbold House, Ankerbold Road, Old Tupton	Education	Within 5 years of receipt of payment 1st £17,660 to be paid prior to the first occupation of the first dwelling. A further £17,660 to be paid prior to the first occupation of the 6th dwelling. The remainder to be paid prior to the first occupation of the 11th dwelling	Agreement made (work not started)	Apr-19		
104	Allotments, Masfield Avenue, Holmewood	Primary Education	Within 5 years of receipt of payment 1st payment of £22,500 before 1st occupation of the 1st dwelling. 2nd payment of £22,500 before occupation of 26th dwelling. 3rd payment of £23,394.06 before occupation of 40th dwelling	Started on site			
104	Allotments, Masfield Avenue, Holmewood	Secondary Education	Within 5 years of receipt of payment 1st payment of £23,000 before 1st occupation of the 1st dwelling. 2nd payment of £23,000 before occupation of 26th dwelling. 3rd payment of £22,704.68 before occupation of 40th dwelling	Started on site			
106	Land East of Rupert Street and Sotuh of Green Lane, Pilsley	Primary Education	Within 5 years of receipt of payment 1st £34,130 to be paid prior to 1st occupation of the 1st dwelling. Further £34,130 to be paid prior to 1st occupation of 21st dwelling. Remainder to be paid prior to the 1st occupation of the 32nd dwelling	Agreement made (work not started)	Mar-19	Not due yet	
106	Land East of Rupert Street and Sotuh of Green Lane, Pilsley	Secondary Education	Within 5 years of receipt of payment 1st £58,961 to be paid prior to 1st occupation of the 1st dwelling. Further £58,961 to be paid prior to 1st occupation of 21st dwelling. Remainder to be paid prior to the 1st occupation of the 32nd dwelling	Agreement made (work not started)	Mar-19	Not due yet	
108	Danesmoor County Infant School, Pilsley Road, Danesmoor	Secondary Education	No Date No Trigger	agreement made (work not started)	Mar-19	Not due yet	
112	Land North West of 66 Stretton Road, Morton	Primary Education	Within 10 years of date of receipt 50% to be paid prior to the first occupation of the 1st dwelling and the remainder to be paid prior to occupation of the 51st dwelling	agreement made (work not started)	Mar-19	Not due yet	
112	Land North West of 66 Stretton Road, Morton	Secondary Education	Within 10 years of date of receipt 50% to be paid prior to the first occupation of the 1st dwelling and the remainder to be paid prior to occupation of the 51st dwelling	agreement made (work not started)	Mar-19	Not due yet	
114	Cottagehill Farm and Land Between Avenue Access Road and Mill Lane, Derby Road, Wingerworth	Education	No Date to be paid upon occupation of 50% of dwellings	agreement made (work not started)			
117	Land Between 1 St Leonards Place and Shirland Primary School, Park Lane, Shirland	Education	Within 5 years of date of payment to be paid before occupation of 50% of dwellings	agreement made (work not started)			
118	Watercress Farm, Watercress Lane, Danesmoor	Education	Within 5 years of date of payment to be paid before occupation of 50% of dwellings	Started on Site	Mar-19	Not due yet	

119	Land North of Spindle Drive and East of Deerlands Road, Wingerworth	Post 16 Education	Within 5 years of date of payment occupation of 50% before occupation of 30% of the dwellings and the balance before occupation of 65% dwellings	agreement made (work not started)	Mar-19	Not due yet	
119	Land North of Spindle Drive and East of Deerlands Road, Wingerworth	Primary Education	Within 5 years of date of payment occupation of 30% of the dwellings and the balance before occupation of 65% dwellings	agreement made (work not started)	Mar-19	Not due yet	
119	Land North of Spindle Drive and East of Deerlands Road, Wingerworth	Secondary Education	Within 5 years of date of payment occupation of 30% of the dwellings and the balance before occupation of 65% dwellings	agreement made (work not started)	Mar-19	Not due yet	
Cleansing/Waste:							
41	The Woolpack 26 Town End Shirland Alfreton	Waste	27/01/24 to be paid before the occupation of 50% of approved dwellings	Started on site (about half occupied)	Mar-19	Due now	
55	Mile Hill House Mansfield Road Mile Hill Hasland	Waste	to be spent within 12 months of occupation of 100% of the dwellings to be paid before occupation of 50% of approved dwellings/ to be spent within 12 months of occupation of 100% of the dwellings	Agreement made (work not started)	Aug-17	Not due yet	No RM application
62	Land to the East of prospect House Highstairs Lane Stretton	Waste	used within 12 months of occupation of 100% of the dwellings to be paid on occupation of 50% of dwellings	Agreement made (work not started)	Mar-19	Not due yet	
73	Hanging Banks Derby Road Wingerworth	Waste	Within 10 years of receipt of payment dwelling to be paid before occupation of 50% of approved dwellings. £25.18 per	Started on site (none occupied)	Mar-19	Not due yet	
85	Land To The Rear Of 61 To 119 Nethermoor Road And 15 To 21 Deerlands Road, Wingerworth	Waste	10/09/25 to be paid before the occupation of 50% of approved dwellings	Started on site	Aug-17	Due now	1st Letter sent 03.11.2016. Reminder letter sent 14.03.2017
113	Land To The South Of Allotments At Ducksett Lane Accessed From Staveley Lane, Eckington	Waste	Within 5 years of date of payment to be paid before occupation of 50% of the dwellings	Started on site			
Housing:							
47	White House, 69 Main Road, Morton	Affordable Housing	28/04/24 to be paid upon the 3rd dwelling	Finished on site and all occupied	Feb-18	Due now	1st letter sent 30.03.2016. Reminder letter sent 03.11.2016
54	Ridgeway Craft Centre Main Road Ridgeway	Affordable Housing	No date to be paid before occupation of 50% of approved dwellings	Started on site and more than 50% occupied	Feb-18	Not due yet	Reminder letter sent 03.10.2017
58	Windwhistle Farm Southend Grassmoor	Housing	Within 5 years of receipt of payment to be paid before occupation of 50% of approved dwellings	Started on site	Mar-19	Due Now	16.04.2018
59	Land To The South Of 205 Chesterfield Road Holmewood	Affordable Housing	No date to be paid prior to occupation of 50% of approved dwellings	Agreement made (work not started)	Aug-17	Not due yet	No RM application
92	Land between Poplar Grove and Park House Farm, Pilsley Road, Lower Pilsley	Affordable Housing	No date To be paid before first occupation of 50% of approved dwellings on the development	Agreement made (work not started)	Aug-17	Not due yet	
95	Land Between Old Canal and North Side of Primrose Lane, Killamarsh	Affordable Housing	Within 5 years of receipt of payment £78,025.50 to be paid prior to the occupation of the 7th dwelling, £78,025.50 to be paid prior to the occupation of the 14th dwelling, £78,025.50 to be paid prior to the occupation of the 21st dwelling, remainder to be paid prior to the occupation of the 25th dwelling	Agreement made (work not started)	Mar-19	Not due yet	
100	Land between 205 and 235 Chesterfield Road, Temple Normanton	Affordable Housing	Within 5 years of receipt of payment 1st £39,220 to be paid prior to the first occupation of the first dwelling. A further £39,220 to be paid prior to the first occupation of the 8th dwelling. The remainder to be paid prior to the first occupation of the 15th dwelling.	Agreement made (work not started)			
104	Allotments, Masfield Avenue, Holmewood	Affordable Housing	Within 5 years of receipt of payment None listed	Started on site			
109	Land to the East and North of 119 Top Road, Calow	Affordable Housing	Within 5 years of receipt of payment upon occupation of 50% of the dwellings	Agreement made (work not started)	Mar-19	Not due yet	
111	Land to the East of Prospect House Highstairs Lane Stretton	Affordable Housing	Within 5 years of receipt of payment to be paid upon occupation of 75% of the dwellings	Agreement made (work not started)			
121	Land to the North of West Street, Stonebroom	Affordable Housing	No date None listed		Mar-19	Not due yet	
Health:							
10	Land South Of Sunningdale Park And Poplar Drive And To The West Of 21 Elvin Way, New Tupton	Health	5 years of payment £512.56 per dwelling. Paid before occupation of 50% if the dwellings approved received under reserved matters	Started on site	Mar-19	Not due yet	
47	White House, 69 Main Road, Morton	Health	28/04/24 to be paid upon the 3rd dwelling	Finished on site	Feb-18	Due now	1st letter sent 30.03.2016. Reminder letter sent 03.11.2016
99	land to the rear of 181 Chesterfield Road, Holmewood	Health	within 5 years from receipt of payment The 1st £6,500 to be paid prior to the 1st occupation of the 10th Dwelling. The remainder to be paid prior to the 1st occupation of the 22nd dwelling	Agreement made (work not started)			
112	Land North West of 66 Stretton Road, Morton	Health	within 5 years from receipt of payment to be paid upon occupation (formula on the S106)	Agreement made (work not started)	Mar-19	Not due yet	
119	Land North of Spindle Drive and East of Deerlands Road, Wingerworth	Health	Within 5 years of date of payment to be paid before occupation of the 90th dwelling	Agreement made (work not started)	Mar-19	Not due yet	
General/Public Realm:							
41	The Woolpack 26 Town End Shirland Alfreton	Library Contribution	27/01/24 for a period of 10 years from receipt of the monies from the owners & to be paid before the occupation of 50% of approved dwellings	Started on Site (about half occupied)	Mar-19	Due now	
53	Royal Hotel 2 Station Road Eckington	Public realm	15/07/24 to be paid before occupation of the 4th dwelling	Started on site	Aug-17	Not due yet	Building looks abandoned KF - 10.08.2017
85	Land To The Rear Of 61 To 119 Nethermoor Road And 15 To 21 Deerlands Road, Wingerworth	Library Contribution	10/09/25 to be paid before the occupation of 50% of approved dwellings	Finished on Site	Aug-17	Due now	Reminder letter sent 14.03.2017