

Public Document Pack



**North East
Derbyshire**
District Council

Our Ref:

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Date: Monday, 14 September 2020

To: **Members of the Planning Committee**

Please attend a meeting of the Planning Committee to be held on **Tuesday, 22 September 2020 at 10.00 am by Conference Call**. Access credentials to the meeting will be sent to you separately. The public parts of the meeting will be streamed from the Council's website.

Virtual Attendance and Hybrid Meetings

I have provided the Leader and Deputy Leader with advice on the holding of "hybrid" meetings outlining the risks including to employees dealing with the Chamber and to Members. Hybrid meetings are those where some attendance is in person in the Council Chamber and some is virtual.

I would encourage you all to attend virtually.

Accordingly if you attend in person you will be deemed to have accepted the following disclaimer as applying.

Risk Assessment Disclaimer

When attending this meeting in person, I confirm that I have read and understood the contents of each of the following risk assessments and agree to act in line with its content.

- RA – Return to Work Mill Lane Covid 19 V9
- Mill Lane Coronavirus Control Measures V4

Both documents have been emailed to Members and are available on the Modern.Gov App library.

The same advice is given to officers who are also encouraged to participate in the meeting remotely.

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 William Armitage Councillor Peter Elliott Councillor Mark Foster Councillor Carol Huckerby Councillor Maureen Potts Councillor Alan Powell	Councillor Jayne Barry Councillor Tracy Reader Councillor Jacqueline Ridgway Councillor Kathy Rouse
Liberal Democrat Group	Independent Group
Councillor Ross Shipman	Councillor Andrew Cooper

Any substitutions required are to be made to Alan Maher, Senior Governance Officer by 12 Noon on the day before the Committee meeting.

For further information about this meeting please contact: Alan Maher 01246 217391

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 Reports of the Planning Manager - Development Management

- (a) NED/19/01202/FL - Land to rear of Hamhill Close and 14 to 19 John Street, Hephthorne Lane (Pages 4 - 16)
- (b) NED/20/00500/FL - 11 Wellington Park, Shirland (Pages 17 - 27)
- (c) NED/20/00435/FLH - 13 Westthorpe Road, Killamarsh (Pages 28 - 33)
- (d) Late Representations - Summary Update Report
To Follow

4 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

我们会说你的语言

If you require
this agenda in
large print

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format
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**01246
217753**

If you require an adjustment to enable you to participate in or access the meeting please contact the Governance Team at least 72 hours before the meeting starts.

PLANNING COMMITTEE –

REFERENCE NUMBER: 19 / 01202 Application Expiry Date: 03 August 2020
Application Type: Full Planning Permission

Proposal Description: Construction of 4no four-bed detached dwellings with garages (Departure from the Development Plan) (Affecting Public Right of Way).

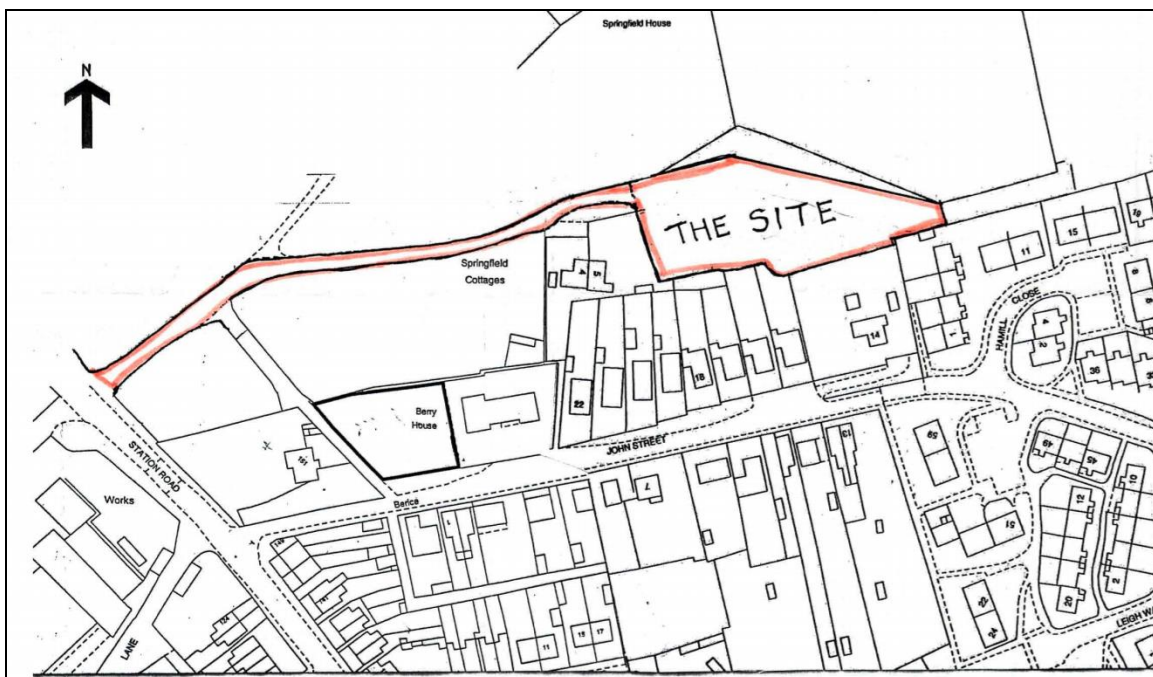
At: Land To The Rear Of Hamhill Close And 14 To 19 John Street Accessed From Station Road Hephthorne Lane North Wingfield

For: Mr Featherstone (D.F. Blasting Contractors) C/O Mitchell Proctor

Third Party Reps: 2 **Parish:** North Wingfield
Ward Name: North Wingfield Central Ward

Author of Report: Aspbury Planning **Date of Report:** 10 July 2020

MAIN RECOMMENDATION: GRANT (Subject to Conditions)



1.0 Reason for Report

- 1.1 Two Ward Members, Cllr Jayne Barry and Cllr Nigel Barker, formally requested that, should the application be recommended for approval, the application be determined by Planning Committee.

2.0 Proposal and Background

Site Description

- 2.1 The application site is roughly 0.36ha, located north of John Street and Hamill Close, North Wingfield. It is accessed from Station Road via a gravelled shared track in the ownership of Derbyshire County Council.
- 2.2 The dwellings are proposed to the eastern end of the site which slopes gently upwards to the east. The site is largely grassland with encroaching brambles. There are self-set saplings throughout the site and larger trees around the perimeter.
- 2.3 Historical mapping shows the site to have been a brick and tile works and, from the 1970s, a coal distribution yard. Although largely overgrown, there is evidence of this past use onsite including hard surfacing and collapsed brick buildings.
- 2.4 To the north are open fields and Springfield House. To the west is a pair of semi-detached houses accessed by the shared track. The track also serves three detached houses granted permission in August 2017 on land adjacent to Berry House. To the south are detached bungalows on John Street and two storey terraced and semi-detached houses on Hamill Close. There are open fields and young woodland to either side of the access track.

Proposals

- 2.5 The full planning application is for 4 detached four bed houses with detached single or double garages. They will be orientated with their front elevation to the north. The rear gardens will back onto the rear gardens of the bungalows on John Street.
- 2.6 The access is to be widened to 4.1m and will include a vehicle turning space for use of emergency vehicles and service/delivery vehicles to the eastern boundary of the site
- 2.7 The proposal is not EIA development.

3.0 Relevant Planning History

- 77/00685/FL - On land adjoining to the east Renewal of Temporary Permission for use of land for stocking and bagging of coal and smokeless fuels - Conditionally Approved.
- 14/00679/OL - Outline application (all matters reserved) for the extension of an access road, creation of an area of grassland and the erection of 8 dwellings with parking - Conditionally Approved in 2015, expired 2018.

4.0 Consultation Responses

- 4.1 The **Parish Council** is concerned regarding the access to the site and its preparation to an adoptable standard and also the site representing an extension of the village envelope into the open countryside – The issues raised in these comments are dealt with at Section 7.
- 4.2 **The Coal Authority** was consulted and initially raised concerns regarding the potential impact of coal mining legacy on the application site. Following submission of further details, the authority lifted its concerns, subject to conditions (Condition 5 and 6 below). The conditions, necessary for appropriate remediation, have been accepted by the applicant.
- 4.3 **Derbyshire County Council Highways** raised no objections from a highway safety perspective, subject to conditions (Condition 7 to 12 below), which have been accepted by the applicant.
- 4.4 **Derbyshire County Council Flood Risk Management team** has no objection subject to conditions 16 to 19 below, which have been accepted by the applicant.
- 4.5 **Derbyshire Wildlife Trust** welcome that the proposals take on board the agreement from the previous permission to retain some of the existing species-rich grassland, as is retention and improvement of the hedgerows. DWT has no objection, subject to conditions 13 and 14 below, which have been accepted by the applicant.
- 4.6 **The Water Authority (Yorkshire Water)** made no objection to the proposals requiring a condition to protect the local aquatic environment and Yorkshire Water infrastructure (see Condition 15 below). This has been accepted by the applicant.
- 4.7 **NEDDC Environmental Health Officers** were consulted on the application - no comments were received.

4.8 **Chesterfield and North East Derbyshire + Bolsover Ramblers Association** were consulted and offered no objection to the proposals.

5.0 Representations

5.1 The application was publicised by neighbour letter and a site notice on 4th March 2020 – no correspondence has been received.

5.2 Ward Members, Councillor Jayne Barry and Councillor Nigel Barker support the Parish Council and object to the proposal. It is commented that the principle of development is contrary to the Local Plan and raises concerns on drainage capacity, residential amenity and impact upon the character of the area. These comments are dealt with at Section 7.

6.0 Relevant Policy and Strategic Context

North East Derbyshire District Local Plan

6.1 The North East Derbyshire Local Plan (November 2005) forms the Development Plan for the area. The Local Plan policies most relevant to the proposals are set out below;

- GS1 – Sustainable Development
- GS6 – New Development in the Countryside
- BE1 – General Design Principles
- H12 – Design and Layout of New Housing
- NE1 – Landscape Character
- NE6 – Development Affecting Naturally Rare Species
- T2 – Highways Access and the Impact of New Development
- T9 – Car Parking Provisions
- CSU4 – Surface and Foul Water Drainage

6.2 The emerging Local Plan was submitted for examination in May 2018, with public hearings taking place in November/December 2018 and March 2019. The Inspector issued her interim findings in letters dated 18 February and 21 March, 2019. Following local elections in May 2019, the Plan was paused, pending consideration of its options around housing numbers and Green Belt release. On 27 February, 2020 the Council announced the un-pausing of the Plan to allow it to proceed to the next stage of consultation on the Main Modifications. It is expected that this consultation will take place in the autumn, with Plan adoption in early 2020. The emerging Local Plan is therefore at an advanced stage and should be attributed appropriate weight in decision making.

6.3 The following Local Plan: Publication Draft policies are relevant to this application and are material consideration. Policies most relevant in the determination of this application are set out below.

- SS1 – Sustainable Development
- SS9 – Development in the Countryside
- SDC4 – Biodiversity and Geodiversity
- SDC12 – High quality Design and Place-Making
- ID3 – Sustainable Travel

National Planning Policy Framework

6.4 The overarching aims of the National Planning Policy Framework (NPPF) have been considered in the assessment of this application.

Successful Places

6.5 North East Derbyshire District Council's 'Successful Places' Interim Planning Guidance is applicable in the assessment of this application.

7.0 Planning Issues

7.1 The planning considerations for this application are 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 land uses, highway safety issues, drainage and ecology.

Impact upon the Character of the Area

7.2 The 4 four bedroom detached houses are to be built in red brick with stone heads and cills, with the roofs of dark grey tiles.

7.3 The layout respects that of the John Street homes that it backs onto, with rear gardens backing onto rear gardens. John Street and the surrounding area has a mix of house types with varying ages and styles with no single local style. Local Plan (2005) Policy BE1 stipulates that new development should a) respect the character and appearance of the surrounding area; and (b) contribute towards providing a safe and secure local environment. Policy SDC12 of the draft LP 2014-2034 stipulates that new development should respond positively to local character and context to preserve and, where possible, enhance the quality and local identity of existing communities and their surroundings. It is considered that the proposals comply with the LP 2005 policies BE1 and draft LP 2014-2034 policy SDC12.

- 7.4 It is acknowledged that the application site is situated outside the Settlement Development Limit (SDL), the sites southern boundary runs along the SDL boundary. However, North Wingfield is one of the more sustainable villages in the District. The site is well related to the built up area of the village which has a good range of facilities and a bus service to surrounding settlements. The site is a sustainable location. Permission was granted in 2015 for 8 houses. There has been no material change to the principal planning issues to warrant a change in recommendation for this reduced scheme which remains acceptable.
- 7.5 Policy GS6 of the North East Derbyshire Local Plan states that in the countryside, new development will only be permitted where: (a) the development is for the operation of a use appropriate to such a location; (b) it is in keeping with the character of the countryside; (c) it causes minimal disturbance to farming and minimises the loss of agricultural land, particularly that of the best and most versatile quality; (d) it does not require major new or improved infrastructure provision; (e) it causes minimal problems of noise, disturbance and pollution and other environmental impact; and (f) it does not represent a prominent intrusion into the countryside.
- 7.6 The concerns received from Ward Member Cllr. Barry include the sites location outside the SDL, in open countryside, the impact of the erosion of the village's greenfield areas and the detracting from the character, quality and setting of the area.
- 7.7 The comments include that the application site has only ever been used for agriculture and grazing and is as such a greenfield site. However, appraisal of historical mapping, the presence of hard standing and fallen buildings, and the sites planning history, suggests the site had non-agricultural uses in the past and is a brown field site.
- 7.8 Local Plan (2005) Policy NE1 Landscape Character, outlines that the varied and distinctive landscape character of the District should be conserved and/or enhanced. Development proposals that result in the loss of distinctive features that contribute towards and add value to the landscape character of an area will not be permitted.
- 7.9 When standing on site, the evident past use and site character results in it contributing little to the setting of the open countryside beyond and providing little to no value as village greenfield. Likewise, views into the site from beyond are limited by the surrounding trees, thus any harm to the character and landscape of the area is negligible and the proposal does not represent a prominent intrusion into the countryside. It therefore complies with LP (2005) Policy NE1.

Impact on Neighbouring Properties

- 7.10 The four houses back onto the back gardens of the bungalows of John Street to the south. Policy H12 (b) states that proposals will only be permitted if they do not have a detrimental effect on the amenities of neighbouring occupiers and land uses and adequate standards of privacy and outlook are maintained. The Publication Draft Local Plan Policy SDC12 (e) seeks to protect the amenity of existing occupiers and create a good quality of amenity for future occupants of land or buildings and a high quality environment for future occupiers in terms of privacy, overlooking, overshadowing and/or any overbearing impacts. The policy is consistent with the NPPF and full weight can be attributed to it.
- 7.11 The Council's adopted Interim Design Guide 'Successful Places' seeks to ensure that developments respond positively without having detrimental impacts upon existing land uses. It promotes different levels of separation distances that relate to different situations (orientation, layout, design) to ensure overlooking, loss of privacy and light is avoided.
- 7.12 The proposed layout exceeds the recommended 21 metres (window to window) and is screened further by the existing trees along the boundary, all of which are to be retained. The site layout is of an appropriate size and shape to accommodate the dwellings and garages, parking and amenity space without resulting in detrimental impacts to residents of existing and proposed homes. No neighbour objections have been received.
- 7.13 The proposal therefore meets the requirements of Local Plan (2005) Policy H12 and emerging Local Plan Policy SDC12 (e).

Highways considerations

- 7.14 Paragraph 109 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 7.15 The access is currently formed of crushed stone. The Highway Authority has raised no objection subject to conditions relating to repair, improvement and resurfacing of the access; a construction site compound with wheel washing facilities; visibility splays and space for the parking and turning all vehicles expected to visit the houses. These conditions are recommended for any permission.
- 7.16 The Highway Authority has indicated that no right of access exists over its land i.e. the access track for the proposed 4 dwellings. Whilst this has obvious implications for the delivery of the proposed scheme, the applicant is aware and would need to agree access rights to implement the

- development. This does not represent a planning constraint to the development. The matter has been brought to the attention of the applicant and will also be highlighted in an informative note.
- 7.17 The access from Station Road carries Footpath No 37 North Wingfield No objection to the proposals was received from the Chesterfield and North East Derbyshire + Bolsover Ramblers Association.
- 7.18 The additional traffic could lead to significant wear and tear to the track surface and will be upgraded accordingly. The agreement for the private right of way between the County Council and developer will also agree any future maintenance contributions that would be required. Again, this has been brought to the attention of the applicant and can also be highlighted as condition to secure the improvements.
- 7.19 The comments of the Parish Council and Ward Members include concerns as to the non-adoptable standard of the access and the resulting harm of further traffic. The Highways Authority has included conditions requiring repair, improvement and resurfacing of the access. The applicant has agreed to all conditions recommended in this report. These would result in an improved access for all users.
- 7.20 Each property is provided with parking in accordance with the size of the dwelling. The proposals comply with the Adopted Local Plan policies T2 and T9 and Draft Local Plan policies SDC12 and ID3.

Drainage issues

- 7.21 The Derbyshire County Council Flood Risk Management team has raised no objection to the proposals subject to conditions relating to the development not increasing flood risk; surface water being directed to the most appropriate waterbody; surface water is managed appropriately during the construction and ensuring that the drainage system is constructed to the national technical standards for sustainable drainage.
- 7.22 Ward Member comments included concerns over surface water drainage. The submitted plans indicate that foul and surface water drainage will be to the public sewer at Station Road. The conditions stipulated by DCC Flood Management Team sufficiently address issues arising from the proposals. The drainage of the site is not a constraint to development. Yorkshire Water has also asked for a condition relating to the piped discharge of surface water from the development being in place prior to completion of the homes.
- 7.23 Adopted Local Plan Policy SCU4 stipulates that permission will only be granted where development can be (a) adequately drained of surface water and where possible incorporates sustainable drainage principles,

unless it can be demonstrated that their use would be inappropriate; and (b) adequately drained of foul water or contaminated surface water without giving rise to pollution. Subject to the conditions stipulated by DCC and YWA, which have been accepted by the applicant, the proposals comply with Policy CSU4.

Ecology

- 7.24 The Derbyshire Wildlife Trust has commented that sufficient survey works have been carried out which follow good practice. The DWT note that proposals take on board agreements from the previous planning permission to retain some of the existing species-rich grassland. This is welcomed, as is retention and improvement of the hedgerows.
- 7.25 The DWT concluded that should the ecological mitigation and compensation measures be fully implemented in accordance with the submitted Ecological Impact Assessment and Mitigation, Compensation and Management Plan a net loss of biodiversity can be avoided. Adopted Local Plan Policy NE6, Development Affecting Nationally Rare Species, stipulates that development likely to have adverse impact upon species with no or very limited legal protection and which are known to be nationally rare will only be granted if; mitigation and/or compensatory measures can be put in place that allows the favourable conservation status of the species to be maintained on site.
- 7.26 In light of the above, and subject to conditions recommend by DWT, it is not considered that there are any ecological constraints to the proposed development and that they comply with Policy NE6.

8.0 Summary and Conclusion

- 8.1 The proposal seeks full planning permission for 4 four bedroom houses and detached garages, on a site outside but adjoining the Settlement Development Limit of North Wingfield. The site contributes little to the character of the area both in terms of village greenfield land or providing to the openness of the countryside beyond.
- 8.2 The proposal would not cause a loss of residential amenity to nearby occupants or harm the character of the area. There are no highway safety objections or policy restrictions that preclude development of the site.
- 8.3 The proposal will not result in loss of village greenfield land and whilst it will increase the village envelope, the site provides a logical extension to the settlement boundary. Access improvements will be achieved via condition as will foul and surface water drainage.

8.4 The proposals represent an acceptable form of development in accord with applicable Policies of the North East Derbyshire Local Plan and National Planning Policy Framework.

9.0 Recommendation

9.1 GRANT Full Planning Permission subject to the following conditions.

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 submitted plans** drawing numbers 19-770-01,02 and 03 dated September 2019 unless otherwise specifically agreed in writing by the Local Planning Authority or otherwise required by any other condition in this decision notice.
3. Notwithstanding the submitted details, before any above ground works commence, 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 dwellings is hereby approved.
4. Notwithstanding any submitted details before any above ground works commence, **specifications or samples** of the walling and roofing materials to be used, shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details. Unless otherwise agreed in writing by the Local Planning Authority.
5. No development shall commence until intrusive site investigations have been carried out on site to establish the exact situation in respect of both shallow and areas of opencast **coal mining legacy**. The findings of the intrusive site investigations shall be submitted to the Local Planning Authority for consideration and approval in writing. The intrusive **site investigations** shall be carried out in accordance with authoritative UK guidance.
6. Where the findings of the intrusive site investigations (required by condition 5 above) identify that **coal mining legacy** on the site poses a risk to surface stability, no development shall commence until a **detailed remediation** and mitigation scheme to protect the development from the effects of such land instability has been submitted to the Local Planning Authority for consideration and approval in writing. Following approval, the remedial works shall be implemented on site in complete accordance with the approved details.

7. Before any other operations are commenced, detailed designs shall be submitted to the Local Planning Authority for written approval indicating the repair, improvement and **resurfacing of the vehicular access** route between Station Road and the application site. The dwellings hereby permitted shall not be occupied until these works have been completed in accordance with the approved details.
8. Before any other operations are commenced, excluding Condition No 7 above, space shall be provided within the site for storage of plant and materials, **construction site accommodation**, loading, unloading and manoeuvring of goods vehicles, parking and manoeuvring of employees and visitors vehicles, laid out and constructed in accordance with detailed designs first submitted to and approved in writing by the Local Planning Authority. Once implemented the facilities shall be retained free from any impediment to their designated use throughout the construction period.
9. Throughout the period of development vehicle **wheel cleaning facilities** shall be provided and retained within the site. All construction vehicles shall have their wheels cleaned before leaving the site in order to prevent the deposition of mud and other extraneous material on the public highway.
10. Prior to the first occupation of a dwelling on the site the junction of the access with Station Road shall be provided with **visibility sightlines** extending from a point 2.4m back from the nearside carriageway edge measured from the centreline of the access, for a distance of 47m in each direction measured along the nearside carriageway edge, or in accordance with such other scheme as may subsequently be submitted to and approved by the Local Planning Authority. The area in advance of the visibility sightlines shall be retained permanently clear of any object greater than 1m in height (0.6m in the case of vegetation) relative to the adjoining nearside carriageway channel level.
11. No dwelling shall be occupied until space has been laid out within the site in accordance with drawing No DL-1145-01-HW-001 for the **parking** and manoeuvring of residents', service and delivery vehicles, laid out, surfaced and maintained throughout the life of the development free from any impediment to its designated use.
12. No part of the development shall be occupied until details of arrangements for **storage of bins** and collection of waste have been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the agreed details and the facilities retained for the designated purposes at all times thereafter.
13. The development shall be carried out in strict accordance with the **Ecological Mitigation** and Compensation Management Plan including the species Working Method Statements, with any amendments agreed in writing.

14. A landscape and **biodiversity enhancement and management plan** (LBEMP) shall be submitted to, and be approved in writing by, the LPA prior to the commencement of the development. The LBEMP should combine both the ecology and landscape disciplines and include the following:-
- a) Description and location of features to be created, planted, enhanced and managed.
 - b) Aims and objectives of management.
 - d) Appropriate management methods and practices to achieve aims and objectives.
 - e) Prescriptions for management actions.
 - f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a ten-year period).
 - g) Details of the body or organization responsible for implementation of the plan.
 - h) Ongoing monitoring visits, targets and remedial measures when conservation aims and objectives of the plan are not being met.
 - i) Locations of bat boxes, bird boxes, hedgehog holes and habitat piles (include specifications/installation guidance/numbers).

The LBEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The approved plan will be implemented in accordance with the approved details.

15. The site shall be developed with separate **systems of drainage** for foul and surface water on and off site. There shall be no piped discharge of surface water from the development prior to the completion of surface water drainage works, details of which will have been **submitted** to and approved by the Local Planning Authority. If discharge to public sewer is proposed, the information shall include , but not be exclusive to:
- i) evidence that other means of surface water drainage have been properly considered and why they have been discounted; and
 - ii) the means of discharging to the public sewer network at a rate to be agreed by the Local Planning Authority in consultation with the statutory sewerage undertaker. (To ensure that no surface water discharges take place until proper provision has been made for its disposal).
16. No development shall take place until a detailed design and associated **management** and maintenance plan of the **surface water** drainage for the site, in accordance with the principles outlined within:
- a. The proposed drainage strategy
 - b. And DEFRA's Non-statutory technical standards for sustainable drainage systems (March 2015), have been submitted to and approved in writing by the Local Planning Authority.

17. No development shall take place until a detailed assessment has been provided to and approved in writing by the Local Planning Authority, to demonstrate that the proposed **destination for surface water** accords with the drainage hierarchy as set out in paragraph 80 reference ID: 7-080-20150323 of the planning practice guidance.
18. Prior to commencement of the development, the applicant shall submit for approval to the LPA details indicating how additional **surface water** run-off from the site will be avoided during the **construction phase**. The applicant may be required to provide collection, balancing and/or settlement systems for these flows. The approved system shall be operating to the satisfaction of the LPA, before the commencement of any works, which would lead to increased surface water run-off from site during the construction phase.
19. Prior to the first occupation of the development, a verification report carried out by a qualified drainage engineer must be submitted to and approved by the Local Planning Authority. This must demonstrate that the **drainage** system has been **constructed** as per the agreed scheme (or detail any minor variations), provide the details of any management company and state the national grid reference of any key drainage elements (surface water attenuation devices/areas, flow restriction devices and outfalls).

PLANNING COMMITTEE – 22 September 2020

REFERENCE NUMBER: 20/00500/FL

Application Expiry Date:
24.08.2020

Application Type: Full application

Proposal Description:
At:

**Application for the change of use of double garage to beauty salon
11 Wellington Park, Shirland**

For: **Mr Glen Gent**

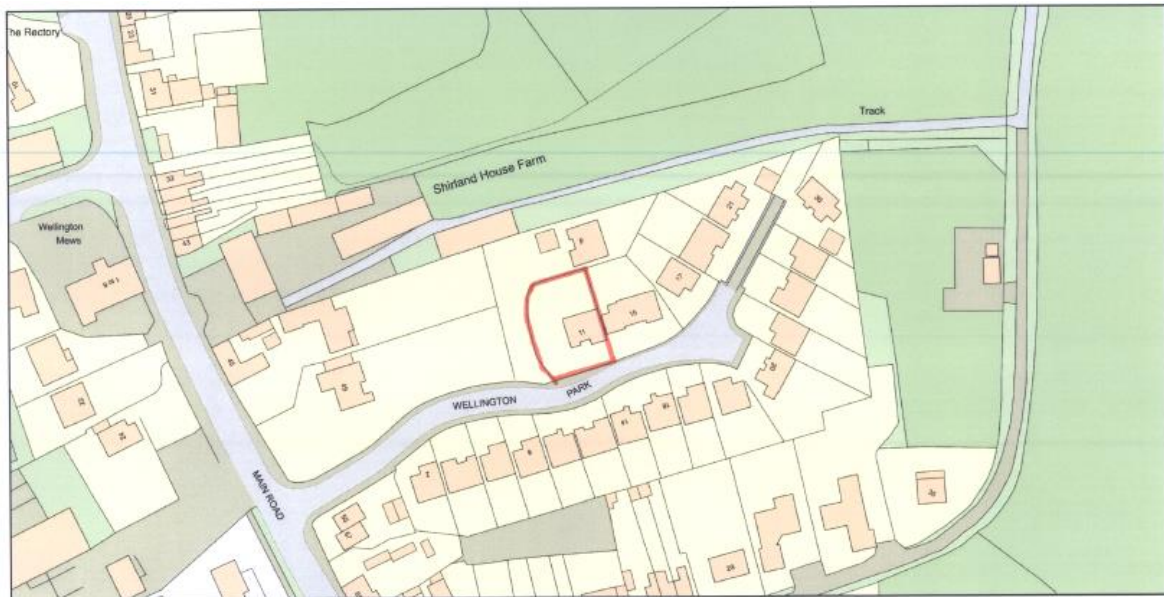
Third Party Reps:
16 against 1 for

Parish: Shirland Parish Council
Ward Name: Shirland

Author of Report: Emily Cartwright

Date of Report: 07 September 2020

MAIN RECOMMENDATION: CONDITIONALLY APPROVE



1.0 Reason for Report

- 1.1 Local ward member Councillor Liggett has requested that it be considered by members of planning committee because residents are considered about a residential cul-de-sac being used as a commercial site and the parking issues associated.

2.0 Proposal and Background

Site Description

- 2.1 The application site comprises a detached brick and rendered dwelling with detached garage to the side, sited within a large plot to the north of Wellington Park.
- 2.2 The dwelling has previously been extended and altered, and features a large driveway to the front which allows for the off road parking of a number of vehicles.
- 2.3 Wellington Park is a residential cul-de-sac comprising of detached dwellings which vary in design, scale and materials.
- 2.4 The application site is located within the defined settlement limits of Shirland.

Proposal

- 2.5 Full permission is sought for the change of use of double garage to beauty salon, to allow the applicant to run a business from home.
- 2.6 The garage door would be replaced by a single door and two windows, which would match the main dwelling. The blockwork would be rendered and painted white to match the main dwelling.
- 2.7 The applicant is intending to operate three days a week, covering Thursday, Friday and Saturday. The hours would be restricted to 10.00am – 16:00pm on all three days.
- 2.8 A single allocated off road parking space will be designated for the customers of the beauty business to the front of the garage.

3.0 Relevant Planning History

- 3.1 02/00268/FL – Conversion of existing garage to dining room and construction of a double garage and hardstanding (Conditionally Approved)

- 3.2 08/00335/OL – Outline Planning Permission for the erection of one dwelling (All Matters Reserved) (Conditionally Approved)
- 3.3 12/00147/FLH – Removal of existing garage and construction of a two-storey side extension (Amended Plans) (Conditionally Approved)

4.0 Consultation Responses

- 4.1 The **Parish Council** raised concerns that the proposal would mean parking issues on this cul-de-sac. The Parish Council are also concerned that these works have already been carried out.
- 4.2 County **Highways Authority** raised no highway objections in principle based on the limited hours of operation proposed subject to the inclusion of conditions.
- 4.3 The **Councils Environmental Health Officer** were consulted on the application, however did not provide any comments.
- 4.4 The **Environmental Health Officer** has considered the application in relation to the potential environmental impacts, and can confirm I have no objections to the proposal in principle.

5.0 Representations

- 5.1 The application was publicised by way of neighbour letters and the display of a site notice.
- 5.2 One letter of support and 16 letters of objections have been received. The representations can be summarised as follows:

Objections

Use/Character related concerns

- All properties on Wellington Park are subject to a 'Deeds of Covenant' which clearly restricts all buildings present and future to private use only. This also precludes any form of advertising, signage and promotion of a commercial nature (officer note – this is not a material planning consideration)
- The proposed business use is not in keeping with the stylistic nature of the residential properties which exist on the road. The construction of a business premises will be totally out of character for this small residential road.
- Opportunities exist within the locality to acquire premises to operate this commercial business without compromising a residential neighbourhood and significantly affecting the safety of other residents

- The applicants partner already owns and runs a Salon, therefore this home salon wouldn't benefit from slow and organic growth which would enable residents to get used to the increased traffic slowly, over a period of time. I instead the increase would be from day 1 as it would be 'client fed' from the existing business (officer note – this is not a material planning consideration)
- I consider the application to be an un-neighbourly form of development in that it is inappropriate and unsympathetic to the other residential properties
- A commercial property simply wouldn't be in keeping with Wellington Park and the surrounding area
- The Government and Local Government have been tasked with revitalising our High Street and are supposed to be encouraging business and customers to return there. High streets have empty shops and an infrastructure already in place. I believe the approval of this application would set a dangerous precedent which would encourage commercial properties to open in residential areas instead
- Whilst the comments from the Highway Authority impose certain conditions for the granting of permission one of which states that 'the beauty salon shall remain ancillary to and operated by the residents of the adjoining property (11 Wellington Park) with no additional employees. It shall not be sub-let or operated independently of the main dwelling' there is no reference to who the residents of the adjoining property may be now or in the future. This suggests that the property could be sold in the future, the existence of an ancillary business premises at the same address could be used as a means to attract a future buyer who may not wish to run a beauty salon, but an alternative business from the same site. It could also provide the opportunity for the property to be a let to a tenant who may also wish to operate another type of business from the ancillary building. This is cause for concern as if permission is granted for this ancillary building.

Amenity related concerns

- We would be disturbed by cars pulling up and van/couriers delivery the necessary goods to run the premises
- Clients visiting the business will add to the loss of privacy for ourselves and neighbours.
- Under the Human Rights Act 1998, Protocol 1, Article 1, I have the right to a respect for my home and the peaceful enjoyment of that home and garden. The proposal to run a business would have a direct impact on myself and my wife.

Highway safety related concerns

- Concern for safety of residents as the street is already congested with parking and the road width is restricted outside No 11. Any further parking on the road will compromise road safety
- The applicant states that he has five parking spaces, however due to the design of the drive it will mean that there is difficulty using all five spaces.
- Slope of the drive at No 11 restricts the view of anyone reversing off said drive and a collision has previously happened as a direct consequence of this
- Adding a commercial property to the cul-de-sac, will only increase traffic resulting in a increase of pollution
- The plan of the proposal does not indicate how narrow the road is at the point nor how narrow the distance is between No 11 and over selves at No 12
- Current visitors to No11 and surrounding properties park on the road and pavements. This is already a concern for man residents
- I understand that the applicant's partner, who will be running the business, already advertises at her current business premises in Selston that she holds children's make up parties. These children will be driven to Wellington Park by their parents, who may or may not remain with their children, but they will have to park up outside the beauty salon causing problems for the rest of the road users, including pedestrians and the children that play and cycle up and down the pavements and road.

Other concerns

- The applicant has stated on the Planning Application form that work has not started. This is not the case. The front façade of the garage already resembles the propose elevations in the application and it is also clear that work has also commenced internally
- Devaluation of neighbouring properties(officer note – this is not a material planning consideration
- We are not given any scope of what this beauty salon will do. We may assume there are likely to use of toxic chemicals, Acetone, Acetonitrile, Isopropanol etc. How are these to be stored and managed safely? We know from the application that waste will go down the drains. I am sure Severn Trent may take a dim view of this. In addition to the compliance to building regulations regarding fire protection, lighting, welfare, access and egress etc. I would suggest the Environmental health division of the council takes a serious view of this situation. The garage is not large enough to achieve required air changes so use of acetone fumes etc is likely to increase in air. Some of these chemicals are quite noxious and flammable require extraction which requires abatement before release to air.

- The applicant makes no mention of where trade waste bins will be located at the address which will no doubt have to be located on the driveway with the other vehicles. I assume that the collection for trade waste by the authority is at a different time and date to the domestic service, which will be yet another nuisance to the residents

Support

- If we do for any reason need a hazardous waste collection for the salon, I would just like to say that I do already have this due to using catheters which is collected every Tuesday and has been done for over 8 years. This has obviously never been noticed or any issue to anyone of the street.
- We haven't said we are putting a sign up so I don't know where that assumption has come from, if we are allowed then we may but otherwise we won't
- Also with children's parties, it is always car share only and only the birthday child's parent is allowed to stay during the party, this has always been the rule at Tanya's current salon because the room is very small just like our garage. They are not regular and can be very spaced out through the year

6.0 Relevant Policy and Strategic Context

North East Derbyshire Local Plan (Adopted November 2005)

- 6.1 The following policies of the Local Plan are material to the determination of this application:

GS1 Sustainable Development
 GS5 Development in the Settlement
 GS7 Change of Use and Conversion
 BE1 General Design Principles
 E8 Employment Development in Other Areas
 T2 Highway Access and the Impact of New Development
 T9 Car Parking

Emerging North East Derbyshire Local Plan (Under Examination)

- 6.2 The Draft Local Plan (DLP) was submitted for examination in May 2018, with public hearings taking place in November/December 2018 and March 2019. The Inspector issued her interim findings in letters dated 18 February and 21 March, 2019. Following local elections in May 2019, the Council paused the Plan, pending consideration of its options around housing numbers and Green Belt release. On 27 February, 2020 the Council announced the un-pausing of the Plan to allow it to proceed to the next stage of consultation on the Main Modifications. It is expected that this consultation will take place in the autumn with Plan adoption by the end of 2020 or early 2021.

- 6.3 The emerging Local Plan is therefore at an advanced stage and should be attributed appropriate weight in decision making.
- 6.4 The following emerging Local Plan policies are material to the determination of this application:

SS1 Sustainable Development
SS7 Development on Unallocated Land within Settlements within defined Settlement Development Limit
SDC12 High Quality Design and Place Making
ID3 Sustainable Travel

National Planning Policy Framework (NPPF)

- 6.5 The overarching aims of the National Planning Policy Framework (NPPF) have been considered in the assessment of this application. The main sections are covered in the assessment below.

Other Material Planning Considerations

- 6.6 Successful Places Interim Planning Guidance, adopted December 2013.

7.0 Planning Issues

Principle of Development

- 7.1 The proposed site is located within the defined Settlement Development Limit for Shirland.
- 7.2 Local Plan Policy GS5 indicates that the general principle of development is acceptable provided that (a) it would not be detrimental to the character and appearance of the site and its surrounding environment; and (b) it would not have a detrimental impact on the amenities of neighbouring occupiers and uses.
- 7.3 Local Plan Policy GS7 relates to the change of use and conversion of existing buildings and states that planning permission for change of use will be permitted provided that the use, scale or type of operation will not have an adverse effect upon the character of the area or neighbouring land uses.
- 7.4 Local Plan (2005) 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.

- 7.5 The Council is now at an advanced stage in the production of a 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 emerging local plan retains the SDL's and the application site remains within the SDL for Shirland.
- 7.6 Emerging Policies within the Publication Draft include Policy SS7 which considers redevelopment of unallocated land within Settlement Development Limits. This policy is supportive of development, providing it's of a scale and design that would be in keeping with the character of the surrounding area. The policy accords with the NPPF and should therefore carry weight in the decision making process.
- 7.7 The NPPF looks to support sustainable development, good design is a key aspect of this. Development should be visually attractive, sympathetic to the local character and history of the area and maintain a good sense of place.
- 7.8 In view of the above, it is considered that the proposed development within the Settlement Development Limit to be acceptable in principle.

Character of the Area Considerations

- 7.9 Local Plan Policies GS5 and BE1 and Publication Draft Local Plan 2013-2034 Policies SS7 and SDC12 seek for new development to respect the character and appearance of the surrounding area.
- 7.10 11 Wellington Park is located amongst other dwellings, sitting within a residential cul-de-sac. The street scene features detached dwelling which vary in scale, design and materials. A few of which have been extended and altered.
- 7.11 The external alterations to the appearance of the garage comprise of the removal of the garage door, which has been replaced by a door and two window to match the main dwelling. The block work has been rendered and painted white to match the main dwelling. The scheme of works does not include any form of advertisement.
- 7.12 A number of concerns have been raised relating impact of the change of use to the character and appearance of the street scene. It is considered, that the visually changes made to the external front elevation of the garage minimal. Whilst it is acknowledged that there would be some change to the street scene, it is not deemed to be detrimental to the character and appearance of Wellington Park.
- 7.13 It is noted that the external works to the garage have already been undertaken by the applicant, and that these works did not require planning consent as they fell under permitted development rights.

- 7.14 It is therefore considered that the proposal is compliant with Local Plan (2005) policies GS5(a), BE1 and emerging Publication Draft Local Plan 2014-2034 policy SS7 and would not have a detrimental impact upon the character of the area due to its modest scale.

Privacy and Amenity Considerations

- 7.15 Policy GS5, GS7 and BE1 of the North East Derbyshire Local Plan (2005) and Policy SDC12 of the North East Derbyshire Local Plan Publication Draft (2018) requires that proposals must not result in a detrimental effect on the amenities of neighbouring occupiers and uses.
- 7.16 Objections have been received from neighbouring properties raising concerns with regard to loss of privacy and adverse impacts on residential amenity as result of the change of use.
- 7.17 The proposed hours of opening are limited to a total of 18 hours per week. These hours would operate over three days a week, covering Thursday, Friday and Saturday. The hours would be restricted to 10.00am – 16:00pm on all three days. The applicant would operate an appointment based system with 15 to 30 minutes between appointments to avoid multiple customers being on site at any one time.
- 7.18 The operation of a beauty business has potential to impact upon the character of the area, particularly if it was to be intensely operated. Such and intensive use would alter the nature of the site and would result in a material change which would be out of keeping with the residential nature of the area.
- 7.19 It is, however, considered that due to the siting of the garage away from neighbouring properties and the limited hours of operation the proposed change of use would not have any adverse impact the any of the neighbouring residents.
- 7.20 Environmental Health was consulted, who have considered the application in relation to the potential environmental impacts and confirm that they have no objections to the proposal in principle.
- 7.21 In terms of overlooking and loss of privacy, openings are limited to the front south (facing) elevation only. The closest facing neighbouring property is sited approximately 24m away. As such, it is not considered that there would be any loss of privacy to the neighbouring properties to the south.
- 7.22 The external works associated with the change of use are not considered to result in any significant impacts in neighbouring amenity terms. Therefore the application is not considered to be in conflict with Policy GS5, GS7 and BE1 of the North East Derbyshire Local Plan (2005) or Policy SDC12 of the North East Derbyshire Local Plan Publication Draft (2018).

Highway Safety Considerations

- 7.23 The submitted site plan identifies sufficient space for one designated parking space to be made available for the proposed visitors of the beauty salon. The remainder of the driveway would allow for a minimum of three vehicles, which meets the minimum parking standards.
- 7.24 The County Highways Authority was consulted on the proposal and consider the development acceptable in highway terms based on the limited hours of operations. Despite the objections received on highway safety measures, they raised no highway objections providing highway safety conditions are included on any decision issued.
- 7.25 Given the small scale operation of the business, as proposed, there are no highway safety concerns. Accordingly, the proposal is considered to be in accordance with Policies T2 and T9 of the North East Derbyshire Local Plan (2005) and Policy ID3 of the North East Derbyshire Local Plan Publication Draft (2018).

Other Considerations

- 7.26 The application site is with Flood Zone 1, which has a low probability of flooding.
- 7.27 The application site lies within a Development Low Risk Area as defined by the Coal Authority.

8.0 Summary and Conclusion

- 8.1 Having taken into account all the material considerations, the proposed change of use would not have significant detrimental impact on the character and appearance of the site and its surrounding, the amenity of neighbouring uses or on highway safety.
- 8.2 The proposal is therefore in accordance with policies GS1, GS5, GS7, BE1, T2 and T9 of the North East Derbyshire Local Plan and policies SS1, SS7, SDC12 and ID3 of the North East Derbyshire Local Plan; Publication Draft (2014-2034).
- 8.3 As such the proposed development should be conditionally approved.

9.0 Recommendation

- 9.1 APPROVE Permission subject to the following 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 submitted plans, unless otherwise specifically agreed in writing by the Local Planning Authority or otherwise required by any other condition in this decision notice.
3. Before the garage is first brought into use, the one designated parking space shall be provided in accordance with the submitted Site Plan (date stamped 15.06.2020) and shall be retained as such thereafter. The parking area shall not be used for any purpose other than the parking of customers to the salon.
4. Three onsite parking spaces for the residential use of 11 Wellington Park shall be retained on the driveway and shall be retained as such thereafter. The parking and manoeuvring area shall not be used for any purpose other than the parking and manoeuvring of vehicles.
5. The use hereby permitted shall only be carried out by the occupiers of 11 Wellington Park, with no additional employees. It shall not be sub-let or operated independently of the main dwelling.
6. The use hereby permitted shall operate on an appointment based system only, with 15 to 30 minutes between appointments to avoid multiple customers being on site at any one time
7. The premises shall only be used between the hours of 10:00am to 16:00pm on Thursday, Friday and Saturday.

PLANNING COMMITTEE – 22nd September 2020

REFERENCE NUMBER: 20/00435/FLH Application Expiry Date: 25/09/2020
Application Type: Householder Planning Permission

Proposal Description: Erection of a detached garage in rear garden
At: 13 Westthorpe Road, Killamarsh S21 1ET.

For: Mr. R Ley

Third Party Reps: 3 **Parish:** Killamarsh
Ward Name: Killamarsh West

Author of Report: Case Officer: Kevin Figg **Date of Report:** 2020

MAIN RECOMMENDATION: Grant permission



1.0 Reason for Report

- 1.1 There have been 3 letters of objection received from local residents raising concerns regarding the proposed development. A Ward Member has requested that the application be decided by Planning Committee to allow Committee Members to assess the potential impact on local residents and their amenity due to the size of the proposed building.

2.0 Proposal and Background

- 2.1 The application property is a detached dwelling on a long sloping plot currently undergoing a scheme of extension and refurbishment to change a bungalow into a two-storey dwelling and previously approved. The other properties in the vicinity are a mix of single and two-storey dwellings of differing design and appearance. The land slopes steeply up from north to south.
- 2.2 The application property lies within the settlement development limits for Killamarsh where domestic development is acceptable in principle.
- 2.3 The current proposal is for a large detached garage in the rear garden to be used for the storage and maintenance of the applicant's classic cars.

3.0 Relevant Planning History

- 3.1 Outline application for the construction of an additional bungalow and garage in the rear garden was approved in 2015 (14/01214/OL) but Reserved Matters were not submitted.
- 3.2 Conversion of the original bungalow to a two-storey dwelling was approved in 2018 (18/00253/FLH).
- 3.3 The erection of a triple detached garage to the rear of the property was approved in 2018 (18/00592/FLH).

4.0 Consultation Responses

- 4.1 Ward Members – Following receipt of objections from neighbouring residents, one Member requested that the application be presented to Planning Committee to allow Committee Members to assess the potential impact on local residents and their amenity due to the size of the proposed building.

Parish Council – raised no comments.

5.0 Representations

- 5.1 Comments have been received from neighbouring residents with the following concerns:
- The area is residential in nature and not suitable for workshops, there is space available at Westthorpe Fields Industrial Estate for such uses;
 - The proposed development would have a negative impact on the amenity of neighbours through noise, overlooking, overshadowing, smells, loss of daylight, loss of privacy, dust, vibration and late night activities;
 - The proposed building would be out of scale with surrounding buildings and not respect the local context or character of the area;
 - The property already has a triple garage to the rear for storage of vehicles;
 - The siting of the proposed garage would involve the loss of a Silver Birch tree and may impact on other nearby trees;
 - The proposed building would appear industrial in appearance;
 - The proposed building and access to it would introduce noise and pollution into the adjoining private garden area;
 - The proposed garage does not comply with the regulations of Class E of the Town and Country Planning (General Permitted Development) (England) Order 2015 [*Officer comment – the applicant has applied for planning permission for the garage*];
- 5.2 Comments have also been received concerning the parking of cars and vans to the front of the property relating to the ongoing scheme of refurbishment but this is not considered to be relevant to the current application.

6.0 Relevant Policy and Strategic Context

- 6.1 Adopted North East Derbyshire District Local Plan
BE1 (General Design Principles)
GS5 (Settlement Development Limits)
H5 (Domestic Extensions)
- 6.2 Emerging North East Derbyshire District Local Plan
The emerging Local Plan was submitted for examination in May 2018, with public hearings taking place in November/December 2018 and March 2019. The Inspector issued her interim findings in letters dated 18 February and 21 March, 2019. Following local elections in May 2019, the Council paused the Plan, pending consideration of its options around housing numbers and Green Belt release. On 27 February, 2020 the Council announced the un-pausing of the Plan to allow it to proceed to the next stage of consultation on the Main Modifications. It is expected that

this consultation will take place in Autumn, with Plan adoption by the beginning of 2021. The emerging Local Plan is therefore at an advanced stage and the following policies should be attributed appropriate weight in decision making.

SS7 (Development within Settlements)
LC5 (Residential Extensions)

6.3 National Planning Policy Framework

The overarching aims of the revised National Planning Policy Framework (NPPF) are also material in the assessment of this application.

7.0 **Planning Issues**

- 7.1 Policy BE1 of the Adopted Local Plan requires that new development should respect the character and appearance of the surrounding area. Policy GS5 requires that development should not be detrimental to the character and appearance of the site and should not have a detrimental effect on the amenities of neighbouring occupiers and uses. Policy H5 requires that domestic development should be in keeping with the property and streetscene in terms of their style, proportion and materials and should avoid significant loss of amenity for the neighbouring properties.
- 7.2 Comments have been received from neighbouring residents with concerns over the scale, appearance and use of the outbuilding now proposed. The current application is for the erection of a detached garage to be used for the storage and maintenance of the applicant's classic cars. The building would have a footprint of 11m x 11.5m with a maximum height to the ridge of 5m and be constructed of block work and timber cladding with a profiled sheeting roof and a roller shutter metal door to the northern elevation facing the dwelling.
- 7.3 Officers acknowledged that the proposed building is significantly larger than that which would normally be found within a residential setting. However, the proposed building would be located at the southern end of the applicant's elongated plot and would be approximately 50m away from the rear of the applicant's dwelling and 70m from the highway edge. The building proposed would not be easily visible from public viewpoints along Westthorpe Road being mostly screened from view by existing dwellings. It is likely that it would be partially visible from the public footpath to the rear (PROW 49) and the adjacent dwellings on Heath Avenue to the south but would be well screened by the existing vegetation. The building, although large in comparison to a standard domestic garage, would not be overly prominent from public viewpoints.

- 7.4 It has been suggested that the garage would be out of keeping with its residential setting appearing more as an industrial unit rather than a domestic outbuilding. The adjacent properties to the east are residential, with detached dwellings set in extensive gardens. The property to the west is a plant nursery with a single dwelling and associated buildings and glasshouses. The area of land adjacent to the proposal is the site of two large glasshouses and a number of polytunnels and it is in the context of these non-residential structures that the proposed outbuilding will also be perceived.
- 7.5 The nearest other dwelling along Westthorpe Road is number 11 to the east. The building now proposed would be sited approximately 50m from the rear elevation of that property. It is likely that it would result in some shadowing of the adjacent garden when compared to the existing situation but any impact would be limited to the bottom of the neighbours garden and this would not be significantly harmful to the amenity of the neighbouring residents.
- 7.6 Comments have been received concerning the potential for overlooking and loss of privacy as a result of the garage. Given the proposed use of the building for garaging and vehicle maintenance and its location at the bottom of the applicant's garden, it would not result in any significant overlooking or loss of privacy for neighbouring residents.
- 7.7 Comments have also been received concerning the potential increase in vehicular movements and the associated increase in noise and pollution. The intended use of the garage is for the storage and maintenance of the applicant's classic cars as a hobby ancillary to the residential use rather than the owner's everyday vehicles or for any business use. Everyday use vehicles would be stored in the existing detached garage nearer to the house. This use would result in a small amount of additional vehicle movement compared to the existing situation.
- 7.8 There is a large Silver Birch tree in the applicant's garden that is likely to be impacted or lost by building the garage. However, the tree is only partially visible from public viewpoints and has low public amenity value. The tree does not merit Preservation Order.

8.0 Summary and Conclusion

- 8.1 The application is for the construction of a garage in the rear garden for the storage and maintenance of the applicant's classic cars ancillary to the main use of the property as a dwelling. The garage is an appropriate use in this locality.

- 8.2 Although it is acknowledged that the building is large, given its siting at the bottom of the garden and its separation from other properties, it would have no significant impact on the amenity of the neighbouring residents or the character of the surrounding streetscene in accordance with policies BE1, GS5 and H5 of the Adopted Local Plan.

9.0 Recommendation

9.1.1 Grant Planning Permission subject to the following conditions:

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

Reason: To comply with the provision of Section 91 (as amended) of the Town and Country Planning Act 1990.

2. The development hereby approved shall be carried out in accordance with the details shown on the submitted plans and elevations drawings received 21/05/2020; 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.

Reason: For clarity and the avoidance of doubt.

3. The outbuilding hereby approved shall be for ancillary domestic use only and not for any business use.

Reason: In the interests of the amenity of neighbouring residents and in accordance with policy GS5 of the North East Derbyshire Local Plan.