

PLANNING COMMITTEE

MINUTES OF MEETING HELD ON TUESDAY, 5 NOVEMBER 2024

Present:

Councillor Lee Hartshorne (Chair) (in the Chair)

Councillor Tony Lacey (Vice-Chair)

Councillor David Cheetham
Councillor Peter Elliott
Councillor Christine Gare
Councillor William Jones
Councillor Kathy Rouse

Councillor Andrew Cooper
Councillor Mark Foster
Councillor David Hancock
Councillor Fran Petersen

Also Present:

D Thompson	Assistant Director of Planning
G Cooper	Principal Planning Officer
P Slater	Principal Planning Officer
S Wigglesworth	Senior Planning Officer
A Jafri	Planning Solicitor
A Bryan	Governance Manager
T Fuller	Governance Officer
M E Derbyshire	Members ICT & Training Officer

PLA/ Apologies for Absence and Substitutions

26/2

4-25 None.

PLA/ Declarations of Interest

27/2

4-25 None.

PLA/ Declaration of Predetermination

28/2

4-25 None.

PLA/ Minutes of Last Meeting

29/2

4-25 RESOLVED – That the minutes of the meeting held on 1 October 2024 were approved as a true record.

PLA/ NED/24/00253/FL - ASHOVER

30/2

4-25 The Committee considered an application that had been submitted for the erection of a self-build dwelling plus associated hard and soft landscaping at Fall Hill Quarry, Ashover. The application had been referred to Committee by Councillor H Wetherall who had raised concerns about the proposal being located outside the settlement development limit and that guest accommodation would be used as regular holiday accommodation.

The recommendation by officers was to grant permission, subject to conditions and a legal agreement. The report to Committee explained the reasons for this.

Officers accepted that the proposal was contrary to the Local Plan and Ashover Neighbourhood Plan, in that it was an isolated dwelling in the countryside. However, officers, along with an independent design review, contended that the overall design of the scheme represented exceptional design. Therefore, it had the support of National Planning Policy Framework (NPPF). Further to this, the report suggested that the proposal would be sensitive to the defining characteristics of the former quarry setting and the local area.

The report informed Members that the proposal lay within a Site of Special Scientific Interest (SSSI). In this context, it was suggested that the design of the scheme would increase the quantity and quality of biodiversity and geodiversity on site. As such officers attributed weight in favour of the scheme as they considered it would protect the natural environment, including the SSSI.

Officers had concluded that the National Planning Policy Framework (NPPF) supported exceptional design such as this. They recommended, therefore, that the application be approved subject to conditions and legal agreement.

Before the Committee considered the application it heard from Local Ward Member, Councillor H Wetherall. It also heard from the applicant, P Kennedy, and the agent, M Gordon

Committee considered the application. It took into account the history of the site and how safe the land was currently. It considered the relevant Local and National Planning Policies. These included (and were not limited to) Local Plan policy SS9 concerning development in the countryside, Local Plan policy SDC4 concerning biodiversity and geodiversity, relevant policies within the Ashover Neighbourhood Plan and NPPF Paragraph 84 concerning the mitigating circumstances for isolated development.

Members discussed the application. Some Members had reservations over the visitors that the site would get. However, it was felt that reassurances from the applicant and conditions were suitable to address this. Committee debated the extent to which the proposal would enhance its immediate setting. Some members reflected that the site was currently rundown and trespassed upon and, therefore, supported the proposals aims to develop the site. Additionally, the biodiversity and geodiversity gains were regarded as enhancing to the setting of the site. In this context, there was support for the application as a means of protecting the future of the SSSI.

At the conclusion of the discussion Councillor D Hancock and Councillor P Elliot moved and seconded a Motion to approve the application. The motion was put to a vote and agreed.

RESOLVED -

That the application be approved, in line with officer recommendations.

That the final wording of the conditions and legal agreement be delegated to the Planning Manager (Development Management).

Conditions

General Conditions

- 1) The development hereby permitted shall be started within 3 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 following submitted plans;

- 08752-FPCR-XX-XX-DR-A-0001 P03 (Location Plan)
- 08752-FPCR-XX-XX-DR-A-0002 P06 (Proposed Ground Floor Plan)
- 08752-FPCR-XX-XX-DR-A-0003 P04 (Proposed First Floor Plan)
- 08752-FPCR-XX-XX-DR-A-0004 P04 (Proposed Roof Plan)
- 08752-FPCR-XX-XX-DR-A-0005 P05 (Site Section Elevation AA & BB)
- 08752-FPCR-XX-XX-DR-A-0006 P05 (Site Section Elevation CC & DD)
- 08752-FPCR-XX-XX-DR-A-0007 P05 (Site Section Elevation EE & FF)
- 08752-FPCR-XX-XX-DR-A-0008 P03 (Site Section ZZ)
- 08752-FPCR-XX-XX-DR-A-0050 P03 (Fire Strategy – Ground Floor Plan)
- 08752-FPCR-XX-XX-DR-A-0051 P03 (Fire Strategy – First Floor Plan)
- 8752-L-01 REV C (Landscape Plan – Brown Roof)
- 8752-L-02 REV C (Landscape Plan – Roof Garden)
- 8752-L-03 REV C (Landscape Plan – Ground Level)

unless otherwise specifically agreed in writing by the Local Planning Authority or otherwise required by any other condition in this decision notice.

[Reason: For clarity and the avoidance of doubt.]

Limitations of Use

- 3) Notwithstanding the provisions of Part C, Class C3 “Dwelling House” to the Schedule of the Town and Country Planning (Use Classes) Order 1987, (or any Order revoking or re-enacting that Order), the guest annexes hereby approved shall be used for the purpose of self-contained educational (geological/architectural) accommodation, holiday accommodation and/or for ancillary accommodation to the dwelling hereby approved only.

The property shall not be occupied by any persons for a total period

exceeding 28 days in any calendar year and the owner shall maintain a register of occupiers for each calendar year including names, addresses and length of stay, and a copy of the register shall be kept for inspection by the Local Planning Authority.

The accommodation shall not be sold off, sub-let or used as a separate unit of accommodation from the dwelling hereby approved.

[Reason: The creation of an independent unit of accommodation in this location is contrary to the provisions of the Development Plan and would lead to unacceptable impacts on neighbouring properties.]

Construction

- 4) Notwithstanding the submitted details, before above groundwork commences 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.

[Reason: In the interest of the character and appearance of the site and the surrounding countryside setting.]

- 5) Notwithstanding the submitted details, before development commences details of the existing ground levels, proposed finished floor levels of the dwelling and associated structures, and the proposed finished ground levels of the site, relative to a datum point which is to remain undisturbed during the development, 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 and the levels shall be retained as such thereafter.

[Reason: In the interest of the character and appearance of the site and the surrounding countryside setting.]

- 6) The proposed dwelling hereby approved shall be constructed to a Passivhaus Plus standard, all in accordance with the approved Design and Access Statement and Ecospheric Sustainability Report. Prior to the occupation of the dwelling a Passivhaus Plus certification, prepared by a suitably qualified professional, shall be submitted to the Local Planning Authority.

[Reason: In the interest of exceptional design that is truly outstanding, reflecting the highest standards in architecture helping to raise standards of design in North East Derbyshire and to ensure the proposal would significantly enhance its immediate former quarry setting, and be sensitive to the defining characteristics of the local area. All in accordance with Para 84 of the NPPF.]

- 7) Notwithstanding the submitted details, before above groundwork commences, a plan to show the positions, design, materials, height and

type of boundary treatment to be erected, along with a timetable for its implementation, shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall then be completed as agreed and then retained as such thereafter.

[Reason: In the interest of the character and appearance of the site and the surrounding countryside setting.]

Landscaping

- 8) Notwithstanding the submitted details, before above groundwork commences, 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

[Reason: In the interest of the character and appearance of the site and the surrounding countryside setting.]

- 9) 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, unless the Local Planning Authority gives written consent to any variation.

[Reason: In the interest of the character and appearance of the site and the surrounding countryside setting.]

Sustainability

- 10) Notwithstanding the submitted details, before above groundwork commences, a scheme for mitigating climate change through sustainable design, including (but not limited to) the provision of sources of renewable energy, EV charging points, etc. including a timetable for its implementation, shall be submitted to and be approved in writing by the Local Planning Authority. Thereafter the approved climate change scheme shall be implemented in full as agreed and be retained as such thereafter.

[Reason: In the interest of delivering sustainable development and to ensure a high standard of design is achieved in line with Passivhaus requirements.]

Highways

- 11) The Development hereby approved shall not be occupied until the access, parking and turning facilities have been provided as shown on Proposed Ground Floor Plan drawing no. 08752-FPCR-XX-XX-DR-A-0002 Revision P06

[Reason: In the interests of highway safety.]

- 12) The Prior to commencement of the development hereby permitted details of a construction management plan shall be submitted to and approved in writing by the Local Planning Authority. The approved plan shall be adhered to throughout the demolition/construction period. The plan/statement shall include but not be restricted to:

- Parking of vehicle of site operatives and visitors (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction);
- Advisory routes for construction traffic;
- Any temporary access to the site;
- Locations for loading/unloading and storage of plant, waste and construction materials;
- Method of preventing mud and dust being carried onto the highway;
- Arrangements for turning vehicles;
- Arrangements to receive abnormal loads or unusually large vehicles;
- Methods of communicating the Construction Management Plan to staff, visitors and neighbouring residents and businesses.

[Reason: In the interests of safe operation of the adopted highway in the lead into development both during the demolition and construction phase of the development.]

- 13) The development hereby approved shall not be occupied until visibility splays are provided from a point 0.6m above carriageway level at the centre of the access to the application site and 2.4m back from the near side edge of the adjoining carriageway, (measured perpendicularly), for a distance of 80m in each direction measured along the nearside edge of the adjoining carriageway and offset a distance of 1.0m from the edge of the carriageway. These splays shall thereafter be permanently kept free of all obstructions to visibility over 0.6m in height above carriageway level.

[Reason: In the interest of highway safety.]

- 14) The development hereby permitted shall not be occupied until such time as the access drive (and any turning space) has been surfaced with tarmacadam, or similar hard bound material (not loose aggregate) for a distance of at least 5m behind the highway boundary and, once provided, shall be so maintained in perpetuity.

[Reason: To reduce the possibility of deleterious material being deposited in the highway (loose stones etc.) in the interests of highway safety and in accordance with the National Planning Policy Framework (2023)]

Land Contamination

- 15) Prior to development commencing a Phase I contaminated land assessment (desk-study) shall be undertaken and approved in writing by the local planning authority.
- b. The contaminated land assessment shall include a desk-study with details of the history of the site use including:
- the likely presence of potentially hazardous materials and substances,
 - their likely nature, extent and scale,
 - whether or not they originated from the site,
 - a conceptual model of pollutant-receptor linkages,
 - an assessment of the potential risks to human health, property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, ground waters and surface waters, ecological systems, archaeological sites and ancient monuments,
 - details of a site investigation strategy (if potential contamination is identified) to effectively characterise the site based on the relevant information discovered by the desk study and justification for the use or not of appropriate guidance. The site investigation strategy shall, where necessary, include relevant soil, ground gas, surface and groundwater sampling/monitoring as identified by the desk-study strategy.

The site investigation shall be carried out by a competent person in accordance with the current U.K. requirements for sampling and analysis. A report of the site investigation shall be submitted to the local planning authority for approval.

[Reason: To protect future occupiers of the development, buildings, structures/services, ecosystems and controlled waters, including deep and shallow ground water.]

- 16) Before the commencement of the development hereby approved:

Where the site investigation identifies unacceptable levels of contamination, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment shall be submitted to and approved in writing by the local planning authority. The submitted scheme shall have regard to relevant current guidance. The approved scheme shall include all works to be undertaken, proposed remediation objectives and remediation criteria and site management procedures. The scheme shall ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

The developer shall give at least 14 days notice to the Local Planning Authority (Environmental Health Division) prior to commencing works in connection with the remediation scheme.

[Reason: To protect future occupiers of the development, buildings, structures/services, ecosystems and controlled waters, including deep and shallow ground water.]

17) The dwelling hereby approved shall not be occupied until:

a. The approved remediation works required by condition (15)2 above have been carried out in full in compliance with the approved methodology and best practice.

b. If during the construction and/or demolition works associated with the development hereby approved any suspected areas of contamination are discovered, which have not previously been identified, then 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 and the local planning authority shall be notified as soon as is reasonably practicable of the discovery of any suspected areas of contamination. The suspect material shall be re-evaluated through the process described in condition (15)1b to (16)2 above and satisfy condition (16)3a above.

c. Upon completion of the remediation works required by condition (15)2 and (16)3a above 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.

[Reason: To protect future occupiers of the development, buildings, structures/services, ecosystems and controlled waters, including deep and shallow ground water.]

Natural England

18) Prior to the occupation of the dwelling hereby approved, the details of interpretation/information boards shall be submitted to and approved by the Local Planning Authority. The details to be submitted shall include the overall design, number, position and timetable for implementation of the boards. The approved boards shall then be implemented in full in accordance with the approved timetable and retained for the lifetime of the development.

[Reason: In order to mitigate the impacts of the proposed development and to prevent damage or destruction to Fall Hill Quarry which is a designated SSSI.]

- 19) Before development commences on site, a comprehensive survey of the existing geological boulders impacted by the proposed development shall be submitted to and approved by the Local Planning Authority. The survey shall identify all key geological boulders which will be retained, removed and/or incorporated into the design process. The development shall then progress in accordance with the approved details and all boulders shall be retained in the agreed position for the lifetime of the development.

[Reason: In order to mitigate the impacts of the proposed development and to prevent damage or destruction to Fall Hill Quarry which is a designated SSSI.]

Drainage

- 20) Before development starts, a scheme for the provision of surface water drainage works, including details of any balancing and off-site works, 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.

[Reason: In the interests of the satisfactory drainage of the site.]

- 21) Before development starts, a scheme for the provision of foul drainage works 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 maintained as such thereafter.

[Reason: In the interests of the satisfactory drainage of the site.]

Dark Skies & Bats

- 22) Before above groundwork commences, a detailed external lighting strategy, including a timetable for its implementation, shall be submitted to and be approved in writing by the Local Planning Authority. This should provide details of the chosen luminaires, their locations and any mitigating features such as dimmers, PIR sensors and timers. Dependent on the scale of proposed lighting, a lux contour plan may be required to demonstrate acceptable levels of lightspill to any sensitive ecological zones/features. Guidelines can be found in Guidance Note 08/23 - Bats and Artificial Lighting at Night (BCT and ILP, 2023). The approved measures shall then be implemented in full and no other external lighting shall be installed, erected or placed on the site.

[Reason: In the interests of protecting the natural environment and to protect nocturnal mammals.]

Ecology

- 23) A site wide Landscape and Ecological Management Plan (LEMP), including a timetable for its implementation, shall be submitted to, and be approved in writing by, the Local Planning Authority prior to the commencement of the development, hereby approved. The aim of the

LEMP is to enhance and sympathetically manage the biodiversity value of onsite habitats, in accordance with the proposals set out in the submitted Ecological Technical Note – Priority Habitat Enhancements (FPCR, October 2024) and Biodiversity Metric update (date scanned 18/10/24) to achieve no less than a +2.56% net gain in habitat units. The LEMP should combine both the ecology and landscape disciplines and shall be suitable to provide to the management body responsible for the site. It shall include the following:-

- a) Description and location of features to be retained, created, enhanced and managed, as per the approved biodiversity metric. This shall also include habitats included within the curtilage such as green roof, ponds, etc
- b) Aims and objectives of management, in line with desired habitat conditions detailed in the metric.
- c) Appropriate management methods and practices to achieve aims and objectives.
- d) Prescriptions for management actions.
- e) Preparation of a work schedule (including a 30-year work plan capable of being rolled forward in perpetuity).
- f) Details of the body or organisation responsible for implementation of the plan.
- g) A monitoring schedule to assess the success of the habitat creation and enhancement measures at intervals of 1, 2, 3, 4, 5, 10, 15, 20 and 30 years which shall include the submission of a short statement to be submitted to the LPA at each interval confirming that monitoring of the habitats has taken place by a qualified ecologist.
- h) A set of remedial measures to be applied if conservation aims and objectives of the plan are not being met.
- i) Detailed habitat enhancements for wildlife.
- j) Requirement for a statement of compliance upon completion of planting and enhancement works.

The LEMP 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 agreed LEMP shall then be implemented in accordance with the approved details and then be retained as such thereafter.

[Reason: In the interests of protecting the natural environment and ensure a measurable biodiversity gain.]

- 24) Before development commences, a plan shall be submitted in writing to the Local Planning Authority defining the extent of domestic curtilage associated with the dwelling hereby approved. The extent of domestic curtilage shall be restricted tightly around the dwelling and associated garden/hardstanding area. Thereafter the approved domestic curtilage shall be restricted solely to the area outlined in red on the approved plan.

[Reason: In the interests of protecting the natural environment and to prevent an inappropriate urban intrusion.]

PLA/ NED/24/00601/FL - SHIRLAND & HIGHAM

31/2

4-25

The Committee considered an application that had been submitted for the removal of existing garages and hardstanding, and erection of 5 affordable bungalows with associated landscaping, shared drive and car parking on land at Byron Grove, Stonebroom. The application had been referred to the Committee because the applicant was Rykneld Homes, the Council's arm's length housing company, and objections had been received which meant it could not be dealt with under officer delegated powers.

Planning Committee was recommended to approve the application. The report to Committee explained the reasons for this.

Officers had attributed positive weight to the scheme due to it offering additional housing within the settlement development limits. The report contended that this would be an upgrade on the underutilised garages that currently occupied the site. Officers contended that there were no technical reasons to resist the application and the amenity of existing future occupiers would be safeguarded. Committee heard that late comments, submitted by the Coal Authority, had resulted in two conditions being withdrawn, due to the fact that the Coal Authority were now satisfied that the application site was safe and stable for the proposed development.

Officers concluded that the proposal was in accordance with the policies of the development plan. It was therefore recommended, that the application be approved subject to conditions.

Before the Committee considered the application it heard from D Wright, an objector to the application, and the applicant, N Clark.

Committee considered the application. It took into account the existing access track and garages. It considered the relevant Local and National Planning Policies. These included Local Plan policy SS7 concerning development on unallocated land within settlement limits, and Local Plan policy SDC12 concerning high quality design and place making.

Members discussed the application. Some members considered whether it would have been possible to retain some garage space on the site. It was felt the design of the scheme was necessary to allow for the 10% Biodiversity Net Gain (BNG) required.

At the conclusion of the discussion Councillor D Hancock and Councillor T Lacey moved and seconded a Motion to approve the application. The motion was put to a vote and agreed.

RESOLVED

That the application be approved, in line with officer recommendations.

That the final wording of the conditions be delegated to the Planning Manager (Development Management).

Conditions

No	Condition	Reason
1.	Standard time limit	.
2.	<p>Development in complete accordance with the amended plans –</p> <p>Block Plan 2021-711-1-01G, Bungalow Type 1 2021-711-1-02D Bungalow Type 2 2021-711-1-03D M4(3) Bungalow 2021-711-1-04E Swept Path Analysis for refuse vehicle – 12444-TRCK/01 A</p> <p>and specifications, subject to the following conditions or modifications.</p>	
3.	During the phases of site clearance and construction there should be no clearance of vegetation by burning, or disposal of other materials by burning owing to the proximity of neighbouring sensitive receptors.	EHO - To protect the amenity of the locality, especially for people living and/or working nearby.
4.	<p>Development other than that required to be carried out as part of an approved scheme of remediation shall not commence until:</p> <p>a) A Phase I contaminated land assessment (desk-study) shall be undertaken and approved in writing by the local planning authority.</p> <p>b) The contaminated land assessment shall include a desk-study with details of the history of the site use including:</p> <ul style="list-style-type: none"> • the likely presence of potentially hazardous materials and substances, • their likely nature, extent and scale, • whether or not they originated from the site, • a conceptual model of pollutant-receptor linkages, • an assessment of the potential risks to human health, property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, ground waters and surface waters, ecological systems, archaeological 	EHO – To ensure the development adequately deals with any potential contamination of the site and To protect future occupiers of the development, buildings, structures/services, ecosystems and controlled waters, including deep and shallow ground water.

	<p>sites and ancient monuments,</p> <ul style="list-style-type: none"> • details of a site investigation strategy (if potential contamination is identified) to effectively characterise the site based on the relevant information discovered by the desk study and justification for the use or not of appropriate guidance. The site investigation strategy shall, where necessary, include relevant soil, ground gas, surface and groundwater sampling/monitoring as identified by the desk-study strategy <p>The site investigation shall be carried out by a competent person in accordance with the current U.K. requirements for sampling and analysis. A report of the site investigation shall be submitted to the local planning authority for approval.</p>	
5.	<p>Before the commencement of the development hereby approved:</p> <p>Where the site investigation identifies unacceptable levels of contamination, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment shall be submitted to and approved in writing by the local planning authority. The submitted scheme shall have regard to relevant current guidance. The approved scheme shall include all works to be undertaken, proposed remediation objectives and remediation criteria and site management procedures. The scheme shall ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.</p> <p>The developer shall give at least 14 days notice to the Local Planning Authority (Environmental Health Division) prior to commencing works in connection with the remediation scheme.</p>	<p>EHO – To ensure the development adequately deals with any potential contamination of the site and To protect future occupiers of the development, buildings, structures/services, ecosystems and controlled waters, including deep and shallow ground water.</p>
6.	<p>No dwellings hereby approved shall be occupied until:</p> <p>a) The approved remediation works required by 7 above have been carried out in full in compliance with the approved methodology and best practice.</p>	<p>EHO – To ensure the development adequately deals with any potential contamination of the site and To</p>

	<p>b) If during the construction and/or demolition works associated with the development hereby approved any suspected areas of contamination are discovered, which have not previously been identified, then 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 and the local planning authority shall be notified as soon as is reasonably practicable of the discovery of any suspected areas of contamination. The suspect material shall be re-evaluated through the process described in 6b to 7 above and satisfy 8a above.</p> <p>c) Upon completion of the remediation works required by 7 and 8a above 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.</p>	<p>protect future occupiers of the development, buildings, structures/services, ecosystems and controlled waters, including deep and shallow ground water.</p>
7.	Construction works on the site and deliveries to the site shall be undertaken only between the hours of 07.30am to 6pm Monday to Friday and 7.30am to 1pm on Saturday. There shall be no work undertaken on site or deliveries to the site on any Sunday or public holiday.	EHO
	Before the commencement of construction works including any demolition in connection with the development hereby approved, a programme of measures to minimise the spread of airborne dust from the site during construction and demolition periods, shall be submitted to and approved in writing by the Local Planning Authority and include a dust risk assessment. The development shall be undertaken in accordance with the approved scheme.	EHO
8.	<p>Nesting Birds</p> <p>No building demolition or tree, scrub or hedgerow</p>	<p>DWT - The applicant is reminded that,</p>

	<p>clearance shall take place between 1st March and 31st August inclusive, unless preceded by a nesting bird survey undertaken by a competent ecologist no more than 48 hours prior to clearance. 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 exclusion zones whilst nesting birds are present.</p>	<p>under the Wildlife and Countryside Act 1981, as amended (section 1), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this act. (Trees and scrub are likely to contain nesting birds between 1st March and 31st August inclusive. Trees and scrub are present on the application site and are to be assumed to contain nesting birds between the above dates, unless a recent survey has been undertaken by a competent ecologist to assess the nesting bird activity on site during this period and has shown it is certain that nesting birds are not present).</p>
9.	<p><u>Lighting</u></p> <p>Prior to the installation of any external lighting fixtures, a detailed lighting plan and strategy, including a timetable for its implementation, shall be submitted to and be approved in writing by the LPA. This should provide details of the chosen luminaires, their locations and any mitigating features such as dimmers, PIR sensors and timers. Dependent on the scale of the proposed lighting, a lux contour plan may be required to demonstrate acceptable levels of</p>	<p>DWT - In the interests of the biodiversity of the site.</p>

	<p>lightspill to any sensitive ecological zones/features. Guidelines can be found in Guidance Note 08/23 - Bats and Artificial Lighting at Night (BCT and ILP, 2023). The approved plan and strategy shall then be implemented in full as such, retained as agreed thereafter and no other external light features shall be installed, placed or erected on the site.</p>	
10.	<p><u>Herptiles</u></p> <p>The Reasonable Avoidance Measures outlined within section 6.7 of the Preliminary Ecological Appraisal (JM Ecology, July 2024) shall be adhered to and implemented in full to safeguard common herptiles during the course of site clearance and development works.</p>	DWT
11.	<p><u>Badger / Hedgehog</u></p> <p>The Reasonable Avoidance Measures outlined within section 6.8 of the Preliminary Ecological Appraisal (JM Ecology, July 2024) shall be adhered to and implemented in full to safeguard common herptiles during the course of site clearance and development works.</p>	DWT
12.	<p><u>Habitat Management and Monitoring Plan</u></p> <p>A Habitat Management and Monitoring Plan (HMMP) shall be submitted to, and be approved in writing by, the LPA prior to the commencement of the development. This shall identify the habitats to be retained, created and / or enhanced on the site and specify the appropriate management prescriptions to secure the predicted condition targets, as per the approved biodiversity metric for the application. The HMMP shall also set out a monitoring schedule to ensure targets are met and remedial actions to take if not. Guidance on producing a HMMP can be found here: https://www.gov.uk/guidance/creating-a-habitat-management-and-monitoring-plan-for1biodiversity-net-gain</p> <p>The approved HMMP shall then be implemented as agreed and be delivered as approved thereafter.</p>	DWT
13.	<p><u>Species Enhancement Plan</u></p> <p>Prior to building works commencing above foundation level, a Species Enhancement Plan shall be submitted to and be approved in writing by the Local Planning Authority. The approved measures shall then be implemented in full as agreed and be</p>	DWT

	<p>maintained as such thereafter. The Plan shall clearly show the positions, specifications and numbers of features, which will include (but are not limited to) the following: • universal nest boxes at ratio of 1:1, in line with British Standard 42021:2022. • integrated bat boxes in 30% of dwellings. • insect bricks in 30% dwellings and / or towers in public open space. • fencing gaps 130 mm x 130 mm to maintain connectivity for hedgehogs in all gardens. A statement of good practice including photographs should be submitted to the local planning authority prior to the discharge of this condition, demonstrating that the enhancements have been selected and installed in accordance with the above. The enhancements should be implemented in accordance with the approved details and all features retained in that manner thereafter.</p>	
14.	<p>The solar panels shall be inset into the roof (so they are flush with the roof covering), be of black panels, with black frames, non-reflective and be installed prior to the first occupation of the dwelling to which they relate be permanently so maintained thereafter.</p>	LPA
15.	<p>Before the development hereby approved starts, a scheme for mitigating climate change through sustainable design, including (but not limited to) the provision of sources of renewable energy, EV charging points, etc. including a timetable for its implementation, shall be submitted to and be approved in writing by the Local Planning Authority. Thereafter the approved climate change scheme shall be implemented in full as agreed and be retained as such thereafter.</p>	LPA
16.	<p>Prior to any above ground works commencing 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.</p>	LPA
17.	<p>Prior to the completion or first occupation of the development hereby approved, whichever is the sooner; full details of all proposed tree planting shall be submitted to and be approved in writing by the Local Planning Authority. This will include planting and maintenance specifications, including cross-section drawings, use of guards or other protective measures and confirmation of location, species and</p>	<p>To comply with the duties indicated in Section 197 of the Town and Country Planning Act 1990 to safeguard and enhance the amenity of the</p>

	<p>sizes, nursery stock type, supplier and defect period. All tree planting shall be carried out in accordance with those details and at those times.</p> <p>Any trees that are found to be dead, dying, severely damaged or diseased within five years of the completion of the building works OR five years of the carrying out of the landscaping scheme (whichever is later), shall be replaced in the next planting season by specimens of similar size and species in the first suitable planting season.</p>	<p>area, to maximise the quality and usability of open spaces within the development, and to enhance its setting within the immediate locality in accordance with NEDDC Policy SDC2: Trees, Woodland and Hedgerows</p>
18.	<p>Before development starts, the following shall be submitted to and approved in writing by the Local Planning Authority:</p> <ul style="list-style-type: none"> 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. <p>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, unless the Local Planning Authority gives written consent to any variation.</p>	<p>In the interests of the appearance of the area and in accordance with policies of the North East Derbyshire Local Plan and the Neighbourhood Plan.</p>
19.	<p>No development shall commence until full details of the ground floor level of the proposed dwelling in relation to existing and finished ground levels and relative to a fixed datum have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved levels.</p>	<p>In the interests of the appearance of the area and in accordance with Policies SDC12 of the North East Derbyshire Local Plan</p>
20.	<p>The Development hereby approved shall not be occupied until the access, parking and turning facilities have been provided as shown on Site Block</p>	<p>To ensure conformity with submitted details.</p>

	Plan, drawing no. 2021-711-1-01G	
21.	The development hereby approved shall not be occupied until visibility splays are provided from a point 0.6m above carriageway level at the centre of the access to the application site and 2.4 metres back from the near side edge of the adjoining carriageway, (measured perpendicularly), for a distance of 10 metres to the right (toward the end of the road) and a distance of 17 metres to the left measured along the nearside edge of the adjoining carriageway and offset a distance of 0.6 metres from the edge of the carriageway. These splays shall thereafter be permanently kept free of all obstructions to visibility over 0.6m in height above carriageway level.	In the interests of highway safety.
22.	No individual dwelling in the development hereby approved shall not be occupied until sheltered, secure and accessible bicycle parking has been provided in accordance with details which shall first be submitted to and approved in writing by the Local Planning Authority. The storage area shall be maintained for this purpose thereafter.	To promote sustainable travel and healthy communities
23.	<p>Prior to commencement of the development hereby permitted details of a construction management plan shall be submitted to and approved in writing by the Local Planning Authority. The approved plan shall be adhered to throughout the demolition/construction period. The plan/statement shall include but not be restricted to:</p> <ul style="list-style-type: none"> • Parking of vehicle of site operatives and visitors (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction); • Advisory routes for construction traffic; • Any temporary access to the site; • Locations for loading/unloading and storage of plant, waste and construction materials; • Method of preventing mud and dust being carried onto the highway; • Arrangements for turning vehicles; • Arrangements to receive abnormal loads or unusually large vehicles; • Methods of communicating the Construction Management Plan to staff, visitors and neighbouring 	In the interests of safe operation of the adopted highway in the lead into development both during the demolition and construction phase of the development.

	residents and businesses. In the interests of safe operation of the adopted highway in the lead into development both during the demolition and construction phase of the development.	
24.	Foul drainage shall connect to the mains.	To secure the detail submitted and ensure the proposal is in accordance with the NPPG.

PLA/ NED/24/00642/FL - SHIRLAND & HIGHAM

32/2

4-25

The Committee considered an application that had been submitted for the erection of a new Community Hall with pre-school facility and food bank, associated car parking and play area on land adjacent to 42 Cleveland Road, Stonebroom.

The application had been referred to Committee because the applicant was Rykneld Homes, the Council's arm's length housing company, and objections had been received.

Planning Committee was recommended to approve the application. The report to Committee explained the reasons for this.

Officers contended that the development was generally supported as it lay within the settlement development limits. They attributed further support to the facility as it offered substantial community benefits. The report accepted that the site was located in close proximity to other properties. However, officers suggested that the new building was compatible with the area, the amenity of neighbouring properties was protected, and the issue of noise could be suitably addressed by conditions. In this context, Committee heard that late comments from the Environmental Health Officer further addressed the issue of noise by amending condition 6, concerning noise from the air conditioning unit, and adding a further condition, concerning a noise management plan. Additionally, late comments from the Lead Local Flood Authority added two further conditions centred around surface water drainage.

Officers concluded that the proposal was in accordance with the policies of the development plan. They recommended, therefore, that the application be approved subject to conditions.

Before the Committee considered the application it heard from the applicant, N Clark.

Committee considered the application. It took into account the noise that would be generated by the new use of the site. It considered the relevant Local and National Planning Policies. These included Local Plan policy ID4 concerning new social infrastructure and Local Plan policy SS2 concerning spatial strategy and

the distribution of development.

Councillor D Hancock and Councillor P Elliot moved and seconded a Motion to approve the application. The motion was put to a vote and agreed.

RESOLVED

That the application be approved, in line with officer recommendations.

That the final wording of the conditions be delegated to the Planning Manager (Development Management).

Conditions

No	Condition	Reason
	The development hereby permitted shall be started within three years from the date of this permission.	To comply with the provision of Section 91 (as amended) of the Town and Country Planning Act 1990.
1.	The development hereby approved shall be carried out in accordance with the amended plans '2021-711-2-01C Site Block Plan' '2021-711-2-02C Community Hall Plans, Elevation & Section', '2021-711-2-0 Site location plan' and specifications	For clarity and avoidance of doubt and to achieve a satisfactory detailed design.
2.	The premises shall only be used between the hours of 07:30 and 1800 on Monday to Friday. There shall be no use of the building on Saturdays, Sundays and public holidays.	In the interests of the amenity of the area, and in accordance with Policies SDC12 of the North East Derbyshire Local Plan and Policy 10 of the Neighbourhood Plan as well as the NPPF.
3.	There shall be no amplified sound used at the premises whatsoever throughout the lifetime of the development hereby approved.	In the interests of the amenity of the area, and in accordance with Policies SDC12 of the North East Derbyshire Local Plan and Policy 10 of the Neighbourhood Plan as well as the NPPF.
4.	Prior to commencing development, details of an acoustic fence, including a timetable for its implementation and a specification of the fence (including reference to noise reduction capability), shall be submitted to and be approved in writing by the LPA. The fence shall be designed to mitigate the impact of the	To protect the residential amenity of the neighbouring properties.

	development on the surrounding properties. The agreed details shall be implemented as agreed and be permanently so maintained.	
5.	Installation of air conditioning units – the sound power level from Air Conditioning unit hereby approved shall not exceed 67 dB(A) re 1pW as given by the product information or verified by the manufacturer. The Air Conditioning unit shall be maintained throughout the lifetime of the development according to the manufacturer's information. If the sound power level from the Air Conditioning unit cannot be provided by the manufacture the sound pressure level shall be verified by noise monitoring	As it is planned to have an acoustic barrier on the boundary between the development and the surrounding residential properties it would not be possible to measure the sound pressure level at this point. Also, the position of the AC is shown on the plans as "suggested" and if it is moved to another elevation, it will affect the noise dispersal away from the unit.
6.	<u>Vegetation Clearance</u> Site clearance shall be undertaken in a manner by which to safeguard hedgehogs and nesting birds. Hedgerow removal must avoid the core hibernation period (November-February). It should also avoid the bird breeding season (March-August), where possible. Optimal months for removal are September, October and late Feb/early March. If removal is required between March and August, it should be preceded by a nesting bird check. Hedgerow bases shall be checked by hand for hedgehogs prior to cutting and removal, along with any leaf piles, dense vegetation or other general debris that could be used for shelter. Materials shall be removed offsite or to a location such as a skip, other container or raised pallets. If a hedgehog is discovered during clearance, it shall be moved immediately and carefully with gloved hands to an area of shelter such as beneath adjacent hedgerow/bushes. A short statement of compliance shall be submitted to the LPA upon completion of clearance works to discharge this condition.	In the interests of the biodiversity of the area particularly nesting birds and hedgehogs.
7.	<u>Species Enhancements</u> Prior to the completion of development, the following biodiversity enhancement measures shall be implemented: • 1No. integral bat box	In the interests of enhancing the site for biodiversity, particularly bats, birds and hedgehogs.

	at apex of western gable • 3No. integral universal bird brick at eaves level (avoiding southern elevations) • 1No. hedgehog box within base of retained hedgerow • hedgehog gaps (130 mm x 130 mm) in any new fencing. Once implemented the measures shall then be retained a such thereafter. Evidence that these measures have been implemented should be submitted to the Local Planning Authority for approval within one month of completion of development.	
8.	<u>HMMP</u> A Habitat Management and Monitoring Plan (HMMP) shall be submitted to, and be approved in writing by, the LPA prior to the commencement of the development. This shall identify the habitats to be retained, created and / or enhanced on the site and specify the appropriate management prescriptions to secure the predicted condition targets, as per the approved biodiversity metric for the application. The HMMP shall also set out a monitoring schedule to ensure targets are met and remedial actions to take if not.	In the interests of biodiversity.
9.	Should the developer during excavation and construction works of the said development site find any area of the site where it is suspected that the land is contaminated then all works shall stop, and the local planning authority notified immediately. An investigation and risk assessment shall be undertaken and where remediation is necessary a remediation scheme shall be prepared in accordance with current good practice and legislation and submitted to and approved by the Local Planning Authority, and the approved remediation shall thereafter be implemented. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority	EHO - As the existing site has properties built circa the 1950s surrounding proposed development area, there is potential for contamination to be discovered during the proposed works from possible deposited unused materials (e.g. asbestos).
10.	Prior to commencing development a management plan for controlling construction noise and dust during the	In the interests of the amenity of neighbouring properties.

	development of the site shall be submitted to the Authority for approval in writing, Once approved the development shall not be carried out other than in accordance with the management plan.	
11.	Construction work shall only be carried out between the hours of 7:30 am to 6:00 pm Monday to Friday and 9:00 am to 1:00 pm on a Saturday. Construction work shall not be carried out on Sundays or Public Holidays. The term 'construction work' shall include mobile and fixed plant/machinery, (e.g. generators) the use of radios and the delivery of any construction materials.	In the interests of the amenity of neighbouring residential properties.
12.	The development shall not be carried out other than in complete accordance with the submitted 'Flood Risk Assessment and SuDS Statement v01' (P24230-HWA-ZZ-XX-RP-C-5000 October 2024)	To ensure that the development addresses the flood risk.
13.	The Development hereby approved shall not be brought into use until the access, parking and turning facilities have been provided as shown on Drawing No. 2021-711-2-01C titled 'site block plan'.	To ensure conformity with submitted details, in the interests of highway safety and adequate provision of parking and maneuvering space.
14.	Notwithstanding the submitted plans, the proposed access shall have a width of a minimum of 6 metres, a gradient of no more than 1:12 for a distance of at least 5 metres behind the highway boundary and shall be surfaced in a bound material with a dropped crossing arrangement. The access once provided shall be so maintained at all times.	To ensure that vehicles entering and leaving the site may pass each other clear of the highway, in a slow and controlled manner, in the interests of general highway safety and in accordance with the National Planning Policy Framework.
15.	The development hereby approved shall not be brought into use until visibility splays are provided from a point 0.6m above carriageway level at the centre of the access to the application site and 2.4 metres back from the near side edge of the adjoining carriageway, (measured perpendicularly), for a distance of 43 metres in each direction measured along the nearside edge of the adjoining carriageway and offset a distance of 0.6 metres from the edge of the carriageway.	In the interests of highway safety.

	These splays shall thereafter be permanently kept free of all obstructions to visibility over 0.6m in height above carriageway level.	
16.	The Development hereby approved shall not be brought into use until pedestrian visibility splays of 2m x 2m measured perpendicularly back from the back of footway shall be provided on both sides of the access. These splays shall thereafter be permanently kept free of all obstructions to visibility over 0.6m in height above the adjoining ground level.	To ensure motorists have clear and unrestricted views of approaching pedestrians when pulling out onto the adopted highway, in the interest of highway safety.
17.	<p>Prior to commencement of the development hereby permitted details of a construction management plan shall be submitted to and approved in writing by the Local Planning Authority. The approved plan shall be adhered to throughout the demolition/construction period. The plan/statement shall include but not be restricted to:</p> <p>Parking of vehicle of site operatives and visitors (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction); Advisory routes for construction traffic; Any temporary access to the site; Locations for loading/unloading and storage of plant, waste and construction materials; Method of preventing mud and dust being carried onto the highway; Arrangements for turning vehicles; Arrangements to receive abnormal loads or unusually large vehicles; Methods of communicating the Construction Management Plan to staff, visitors and neighbouring residents and businesses.</p>	In the interests of safe operation of the adopted highway in the lead into development both during the demolition and construction phase of the development.
18.	Tree Protection Condition: Prior to the commencement of the development hereby approved (including demolition and all preparatory work), a scheme for	Required prior to commencement of development to satisfy the Local Planning Authority that

<p>the protection of the retained trees, in accordance with BS 5837:2012, including a tree protection plan(s) (TPP) and an arboricultural method statement (AMS) shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>Specific issues to be dealt with in the TPP and AMS:</p> <ul style="list-style-type: none"> a) Location and installation of services/ utilities/ drainage. b) Methods of demolition within the root protection area (RPA as defined in BS 5837: 2012) of the retained trees. c) Details of construction within the RPA or that may impact on the retained trees. d) a full specification for the installation of boundary treatment works. e) a full specification for the construction of any roads, parking areas and driveways, including details of the no-dig specification and extent of the areas of the roads, parking areas and driveways to be constructed using a no-dig specification. Details shall include relevant sections through them. f) A specification for protective fencing to safeguard trees during both demolition and construction phases and a plan indicating the alignment of the protective fencing. g) a specification for scaffolding and ground protection within tree protection zones. h) Tree protection during construction indicated on a TPP and construction and construction activities clearly identified as prohibited in this area. i) details of site access, temporary parking, on site welfare facilities, loading, unloading and storage of equipment, materials, fuels and waste as well concrete mixing and use of fires j) Boundary treatments within the 	<p>the trees to be retained will not be damaged during demolition or construction and to protect and enhance the appearance and character of the site and locality, in accordance with NEDDC Policy SDC2: Trees, Woodland and Hedgerows and pursuant to section 197 of the Town and Country Planning Act 1990.</p>
---	--

	<p>RPA.</p> <ul style="list-style-type: none"> k) Arboricultural supervision and inspection by a suitably qualified tree specialist. l) Reporting of inspection and supervision. m) Methods to improve the rooting environment for retained and proposed trees and landscaping. <p>The development thereafter shall be implemented in strict accordance with the approved details.</p>	
19.	<p>Landscaping Condition: Prior to completion or first occupation of the development hereby approved, whichever is the sooner; details of treatment of all parts on the site not covered by buildings shall be submitted to and approved in writing by the Local Planning Authority. The site shall be landscaped strictly in accordance with the approved details in the first planting season after completion or first occupation of the development, whichever is the sooner. Details shall include:</p> <ul style="list-style-type: none"> a) a scaled plan showing vegetation to be retained and trees and plants to be planted: b) proposed hardstanding and boundary treatment: c) a schedule detailing sizes and numbers of all proposed trees/plants. d) Sufficient specification to ensure successful establishment and survival of new planting. <p>There shall be no excavation or raising or lowering of levels within the prescribed root protection area of retained trees unless agreed in writing by the Local Planning Authority. Any new tree(s) that die(s), are/is removed, become(s) severely damaged or diseased shall be replaced and any new planting (other than trees) which dies, is removed, becomes severely damaged or diseased within five years of planting shall be replaced. Replacement planting shall be</p>	<p>Required to safeguard and enhance the character and amenity of the area, to provide ecological, environmental and bio-diversity benefits and to maximise the quality and usability of open spaces within the development, and to enhance its setting within the immediate locality in accordance with NEDDC Policy SDC2: Trees, Woodland and Hedgerows.</p>

	in accordance with the approved details (unless the Local Planning Authority gives its written consent to any variation).	
20.	Prior to any above ground works commencing 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.	To ensure a satisfactory detailed design that will not harm the character and appearance of the area.
21.	Solar panels as indicated on the approved plans shall be inset into the roof (so they are flush with the roof covering), black panels, with black frames, non reflective and shall be installed prior to occupation of the building hereby approved and shall be permanently so maintained.	In accordance with the policies of the development plan including Local Plan Policy SS1, SDC12, SDC10 and Neighborhood Plan Policy 8 and the NPPF.
22.	Before the development hereby approved starts, a scheme for mitigating climate change through sustainable design, including (but not limited to) the provision of sources of renewable energy, EV charging points, etc. including a timetable for its implementation, shall be submitted to and be approved in writing by the Local Planning Authority. Thereafter the approved climate change scheme shall be implemented in full as agreed and be retained as such thereafter.	In accordance with the policies of the development plan including Local Plan Policy SS1, SDC12, SDC10 and Neighborhood Plan Policy 8 and the NPPF.
23.	No development shall commence until full details of the ground floor level of the proposed building in relation to existing and finished ground levels and relative to a fixed datum have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved levels.	In the interests of the appearance of the area and in accordance with Policies SDC12 of the North East Derbyshire Local Plan
24.	Foul drainage shall connect to the mains.	To secure the detail submitted and ensure the proposal is in

		accordance with the NPPG.
25.	Notwithstanding any submitted details, prior to commencing use of the site 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 occupation of the building hereby approved and it shall be retained as approved throughout the life of the development.	To safeguard the privacy of neighbours and in the interests of the character and appearance of the area in accordance with of the North East Derbyshire Local Plan and the Shirland and Higham, Neighbourhood Plan.
26.	The use of the hall shall be subjected to a noise management plan which shall be agreed in writing with the Local Planning Authority before the use of the hall commences.	<p>When I questioned the term in the Planning Statement “a versatile community hub” the applicant advised this could be dealt with under a noise management plan. Currently the only uses that have been accessed is the preschool or meetings. The noise assessment did not include the use of the Food Bank or traffic movements associated with the development. Older children are known to be louder so the use of an after-school or holiday club would need to be assessed.</p> <p>With regards to the sources of the predicted noise levels used in the assessment (9 VDI 3770, "Emission Characteristics of Noise Sources - Sports and Recreational Facilities," September 2012 and Saxon Leisure Noise Study - Action Guide for Forecasting and Assessing Noise Exposure from Events and Recreational Facilities, Saxon State Office for Environment and Geology, March 2006 (updated 06- 04-2017) 10 Source: Saxon Leisure Noise Study - Action Guide for Forecasting and Assessing Noise Exposure</p>

		<p>from Events and Recreational Facilities, Saxon State Office for Environment and Geology, March 2006 (updated 06-04-2017)) and despite the links provide as the documents need to be purchased I still do not have access to them so cannot verify that the levels used in the assessment are appropriate for the intended use. So, I am not able to consider the actual activities that were taking place within the “club house and community centres” or “adventure playground” to determine if these are relevant levels for this assessment.</p>
27.	<p>No development shall take place until a detailed design and associated management and maintenance plan for surface water drainage for the site; in accordance with the principles outlined within:</p> <ul style="list-style-type: none"> a) Flood Risk Assessment & SUDS Statement V01, Document Reference: 24230-HWA-ZZ-XX-RP-C-5000, dated October 2024, prepared by HWA Consulting Engineers, and “including any subsequent amendments or updates to those documents as approved by the Flood Risk Management Team” b) And DEFRA’s Non-statutory technical standards for sustainable drainage systems (March 2015), have been submitted and approved in writing by the Local Planning Authority. 	<p>To ensure that the proposed development does not increase flood risk and that the principles of sustainable drainage are incorporated into this proposal, and sufficient detail of the construction, operation and maintenance/management of the sustainable drainage systems are provided to the Local Planning Authority, in advance of full planning consent being granted.</p>
28.	<p>Prior to the commencement of the development, the applicant shall submit for approval to the LPA details indicating how the surface water run-off of 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</p>	<p>To ensure surface water is managed appropriately during the construction phase of the development, so as not to increase the flood risk to adjacent land/properties or occupied properties within the development.</p>

	commencement of any works, which would lead to increased surface water run-off from site during the construction phase.	
--	---	--

PLA/ Planning Appeals - Lodged and Determined

33/2

4-25

The Committee considered a report which set out planning appeals that had been lodged and determined. The report set out that three appeals had been lodged, no appeals had been allowed or withdrawn, and three had been dismissed. The relevant applications the appeals were in respect of was set out in the report.

PLA/ Matters of Urgency

34/2

4-25

None.