

## PLANNING COMMITTEE – 5<sup>th</sup> December 2023

Reference Number: 22/01196/FL

Application expiry: 21/12/23

**Application Type:** Full

**Proposal Description:** New development comprising of 38 new homes with integrated landscaping and SuDS, new access road (including the relocation of the existing bus stop on Main Road) and parking (Major Development) (Amended Plans)

**At:** Land Between Unstone Junior School and Unstone Plant Centre Main Road, Unstone

**For:** South Yorkshire Housing Association

**Third Party Reps:** 18 objections

**Parish:** Unstone

**Ward:** Unstone

**Report Author:** Phil Slater

**Date of Report:** November 2023

**MAIN RECOMMENDATION:** Grant permission, subject to conditions and S106 Agreement

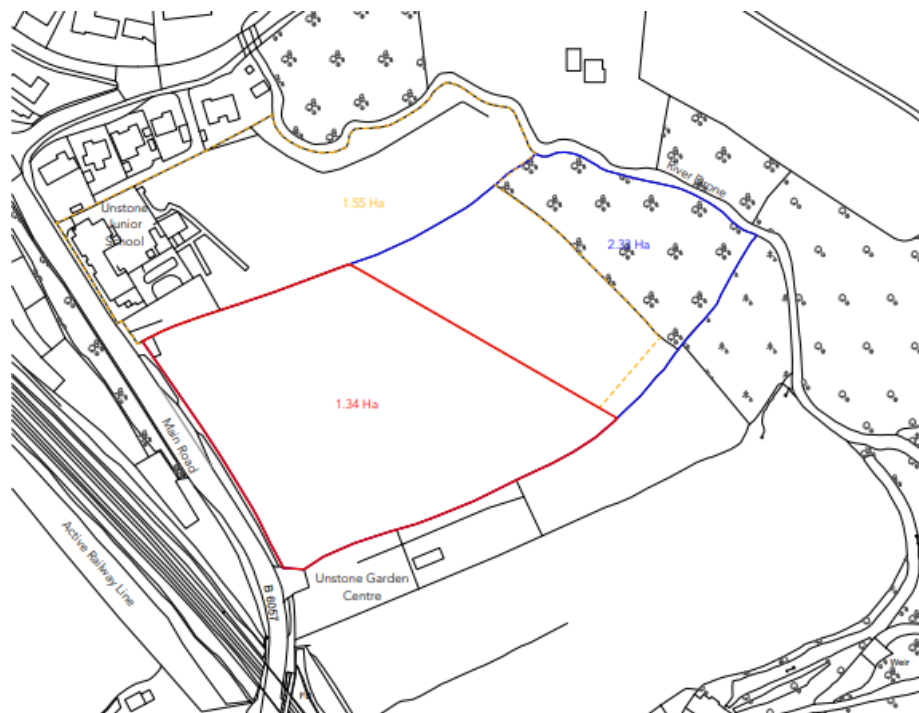


Figure 1: Location plan, with site edged in red

## 1.0 Reason for Report

- 1.1 Cllr Dale requested that this application be considered by Planning Committee due to its impact and harm to the openness of the Green Belt; inadequate demonstration of need; impact on road safety and relocation of the bus stop.

## 2.0 Proposal and Background

### Site Description

- 2.1 The application site is located on the east side of Main Road, Unstone and comprises a sloping greenfield site, outside of the defined settlement development limits for Unstone and within the North East Derbyshire Green Belt.



Figure 2: Aerial photo of the site

- 2.2 The site is located adjacent to the Unstone Settlement Development Limits and is situated between Unstone Junior School and Unstone Plant Centre. The site lies on an east-west facing slope which descends into woodland and the River Drone, which runs approximately 140m beyond the site boundary. The site is approximately 16m lower than Main Road at the far, eastern end.

- 2.3 The site is currently bounded by hedgerows and the frontage with Main Road consists of a stone wall, and directly outside the site is a bus stop and layby.

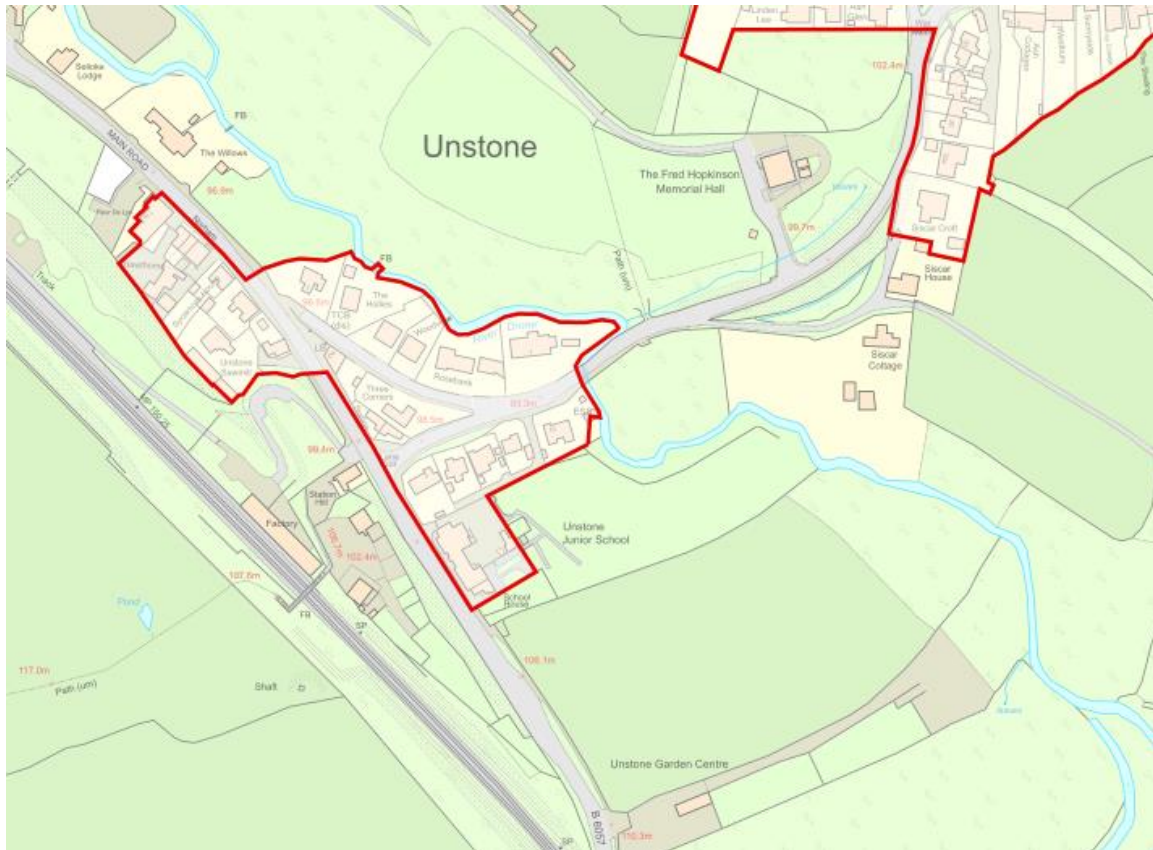


Figure 3: Site and adjacent settlement development limits

### Proposal

- 2.4 This application seeks permission for an 100% affordable housing scheme which proposes a total of 38 dwellings for rental and shared ownership. The proposals include 2 bed, 3 bed and wheelchair accessible homes with 50 associated car parking spaces. The proposed mix is 21 Shared Ownership and 17 for Affordable Rent.
- 2.5 The proposal is comprised primarily of three rows of terraced dwellings, on a sloped site, highlighted as Terrace 1, Terrace 2 and Terrace 3. The primary vehicular street allows access from Main Road into the development. The proposed site layout is shown in Figure 4 below.



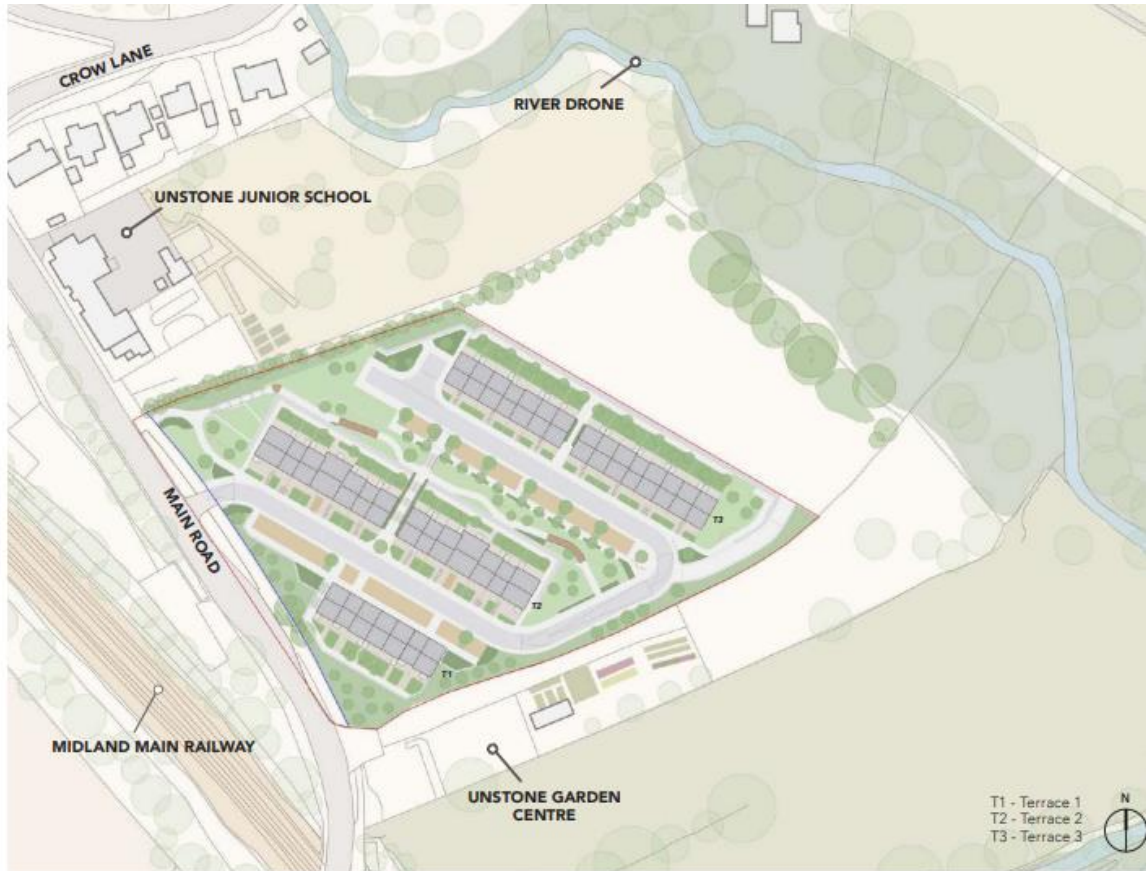


Figure 4: Proposed site layout

- 2.6 Vehicle access to the site will be from a new access formed off Main Road. A raised pedestrian crossing will be provided at the entrance to the development. Servicing and deliveries are to be undertaken from the new vehicular access route. The access proposals will be designed with the proposed DCC cycle lane in mind.
- 2.7 The scheme proposes that the existing bus stop is relocated south of the proposed new entrance so that visibility is maintained. Pedestrian access to the site is proposed from Main Road. A footpath access is proposed in the north west corner of the site.



Figure 5: Proposed access and bus stop relocation

## Amendments

- 2.12 The red line site location plan has been amended to exclude the land within the adoptable highway.
- 2.13 A revised access plan has been submitted demonstrating a 5.5m wide access to Main Road as requested by the Highway Authority.

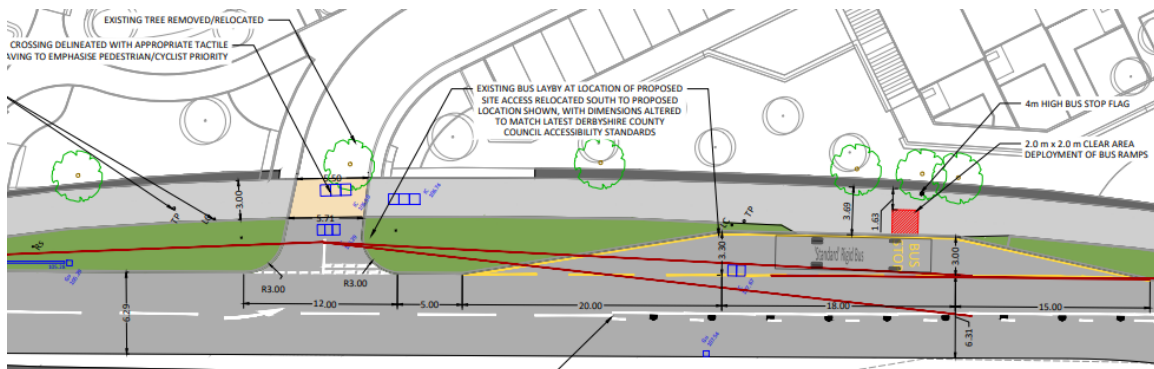


Figure 6: revised site access drawing.

### 3.0 Relevant Planning History

- 3.1 NED/11/00143/FL - Application for a change of use to the keeping of horses and construction of a stable block and manege (resubmission of 10/00947/FL)

### 4.0 Consultation Responses

- 4.1 **Ward Member** has called in the application for a committee determination for the following reasons:-
- Impact and harm to the openness of the green belt – the site falls outside of the SDL in Unstone and therefore will undoubtedly have a negative impact on the green belt.
  - Inadequate demonstration of need – according to our planning policies, in order to be considered [acceptable] the site should demonstrate a need for the level of social housing proposed via a Local Needs Housing Survey. The survey conducted for this purpose demonstrated a need of only 7 properties (since which time there has been a mixed development just outside Unstone at the Boatyard which will have contributed to meeting this demand). The proposal for 38 dwellings far exceeds what evidence suggests the local need is and therefore the development should not be acceptable.
  - Impact on road safety – the close proximity to the school gives me significant cause for concern in terms of vehicle movements on and off the site, particularly at the busy drop off and pick up times at the school. Main Road is also a known hotspot for excessive vehicle speeds which I'm sure the local police would be happy to confirm. The proximity of the blind bend at the brow of the hill over the railway bridge also gives me significant concerns around the potential for more accidents should a new junction be placed at this location.
  - Impact of the proposed movement of bus stop – a number of residents have highlighted concerns around the proposed movement of the bus stop and the impact on their accessibility as a number already have mobility issues.
- 4.2 **Unstone Parish Council** strongly object against this planning application due to the development being based on greenbelt land. The Council feel that the demand for this type of housing has been met with the construction of the housing at the boat yard site.

The speed of the road is also an issue due to recent speed watch studies that have taken place, most drivers are over the current 30mph limit, the visibility coming from and into the site would be an issue due to the road curve and also the drop off and pick for the school this would cause significant concerns for children's safety.

The housing development drawings that have been submitted are not attractive.

The Council have also received objections from residents regarding the movement of the bus shelter to another location on the same main road through Unstone this would mean a further distance to be travelled by residents to get to the bus stop and also where the bus stop could be located it maybe more dangerous in residents getting to it especially with the new cycle path which is being constructed through Unstone

- 4.3 The **Highway Authority** (HA) have commented that the vehicular and pedestrian access will be taken from the B6057, a classified road subject to a 30 mph speed limit. The red line and site plan boundary initially included adopted footway and verge however this has been addressed with a revised red line location plan being submitted.
- 4.4 A Transport Statement (TS) has been submitted. It is noted from the TS that the closest bus stop for the northbound direction is within 150m from the centre of the site and is without shelter and timetable information. It is noted that the southbound bus stop outside the proposed site will be relocated.
- 4.5 It is noted that A61 Corridor Cycle Route runs on B6057 at the frontage of the proposed site. There may be a need to upgrade this cycle route/infrastructure to enhance the connectivity and accessibility of the proposed site.
- 4.6 In terms of traffic impact on the surrounding highway network, the TS suggests 12 two-way traffic movements in the AM and 12 two-way movements in the PM peaks, which doesn't appear significant; therefore, the proposal is not predicted to have a material impact on the operation of the local highway network. For the level of residential units proposed, a residential travel plan statement will be a requirement.
- 4.7 The HA requested further information in respect of:-
  - Bus stop relocation
  - Upgrading of the cycle route
  - Details of the raised pedestrian crossing at the site entrance
  - Details of carriageway widths and footway widths in terms of future adoption by DCC
  - Swept paths for refuse vehicles
  - Emerging visibility splays
  - 50 car parking spaces, including 2 disabled parking and 12 visitor car parking spaces, have been proposed. The total proposed parking needs to be justified in accordance with Part 4 of the DSP (Highway requirements for developments Part 4) for parking requirements. This document notes a minimum of 2 or 3 parking spaces per 2/3 bedroom or 4/4+ bedroom dwelling, respectively.
- 4.8 The agent has submitted further information and the HA have further commented as follows :-

- Bus stop relocation is still to be addressed.
- HA welcome submission of the Safe Routes to School Assessment however further information required on cycle network impacts.
- Details of pedestrian crossing submitted and are acceptable subject to a planning condition.
- Travel Plan Guidance for DCC states the threshold of a travel plan is greater than 80 units. HA agree that no further information is required.
- Carriageway widths added to drawing 1281-01CIV-XX-XX-D-H-00001 in Appendix B of the Transport Statement. HA confirm they have no further comments on this issue.
- The carriageway gradient should be 1:20 maximum as per the requirement of the DSP Guidance. However, the HA has concerns about the proposed footway's steep gradient of 1:12. Further information is required.
- Swept path analysis is still outstanding as drawing 1281-01-CE-XX-ZZ-SK-C-4010 indicates that after 8m, the width of the carriageway becomes 5.13m, less than 5.5m (The minimum width of a carriageway width within 15m of a junction required is 5.5m).
- Emerging visibility splays are shown on drawing 1281-01-CE-XX-ZZ-SK-C-4010 in Appendix B of the Transport Statement. HA confirm they have no further comments on this issue.
- Road Safety Audit is outstanding.
- The following issues will be resolved through s278/38 adoption process – surface water drainage; and street trees.
- Car parking – agent has stated that allocated parking is to be off-plot, except for the disabled parking bays which will be on-plot at the wheelchair accessible homes. Parking is provided at a ratio of 1.3 spaces per dwelling which reflects the current level of car or van availability in the area as per the 2011 census which is 1.3 cars or vans per household. Providing parking at levels well above demand, as would be the outcome of using Part 4 of the DSP, is counterproductive because an excess of parking spaces can lead to more people getting vehicles and therefore encouraging driving. Excess parking spaces also use up land that could otherwise be used as amenity space and an opportunity to increase biodiversity. HA have commented that the shortfall in parking may result in indiscriminate parking in the area, which is against the best interest of Highway Safety. This issue needs to be addressed.

4.9 The agent has submitted further information. These include:-

- Details of meeting with DCC regarding the location of the bus stop and confirming that a shelter would not be feasible.
- Cycle way has been upgraded along the frontage of the site. Agent has contacted DCC direct regarding any potential contributions.
- Confirmation that a gradient of 1:12 can be achieved on-site for the new road. Correspondence from DCC highways confirms a maximum gradient of 1:12 is acceptable due to the constraints of the site. This 1:12 gradient is only on the short section connecting the top and bottom



of the site, carriageway and footway gradients of 1:60 are achieved at the top of the site and 1:80 at the bottom of the site.

- Swept paths have been submitted for a refuse vehicle – layout can be adjusted to ensure width of 5.5m within 15m of junction.
- Road Safety Audit submitted.
- On the issue of parking, the agent has commented that the parking demand for affordable housing is lower than for market rate housing. Providing parking at levels well above demand, as would be the outcome of using Part 4 of the DSP, is counterproductive because an excess of parking spaces can lead to more people getting vehicles and therefore encouraging driving.

4.10 The HA have further commented that they are satisfied that the proposed location of the bus stop is acceptable and a bus stop post, kerb with 170mm upstand and lining are required. The HA have also confirmed that no s106 monies are required in respect of a contribution to enhance connectivity, or towards the cycleways works.

4.11 The HA require further information in respect of:-

- Gradients – considering the gradient is in excess of 1 in 20, it is important that there are level sections at regular intervals, a level platform should be provided for every 500mm that the route rises.
- After 8m, the width of the carriageway becomes 5.13m, less than 5.5m (The minimum width of a carriageway width within 15m of a junction required is 5.5m.
- The HA request the applicant to submit a drawing demonstrating visibility splays for drivers exiting the existing garden centre junction and those travelling southeast on Main Road to ensure there is no obstruction from the layby.
- Parking - no evidence has been submitted detailing an analysis of census data and the HA do not consider at present a shortfall in parking to have been suitably evidenced to be acceptable. As such this leaves a significant shortfall which could lead to overspill parking onto the public highway, which could lead to a severe impact on the highway. A robust approach would be to provide empirical data based on surveyed counts of comparable developments in location and size. Any departure from the parking provision standards outlined within DSPDG, should be justified appropriately by the applicant via a robust parking accumulation survey.

4.12 The agent has submitted the following details requested by the HA:-

- Gradients - an alternative pedestrian-only access to the site has been provided at the development's western corner, which has a gradient not exceeding 1:21 and has a level landing constituting effectively half the length of this route. It is envisaged that this will form the level access route to the two wheelchair-accessible plots proposed along the top section of the development. Due to site constraints, a level access route to the lower section of the development is not feasible,

however, no wheelchair-accessible plots are proposed along this section.

- An updated drawing showing minimum 5.5m carriageway width within 15m of junction has been submitted.
- Visibility splays to be provided from garden centre access using same parameters highlighted on drawing 1281-01-CIVXX-ZZ-SK-C-4010 Rev P04.

Parking - To meet the developments sustainable aspirations and align with the council's goal of net zero emissions by 2050 or sooner, parking levels less than those set out in Part 4 of the DSPDG are proposed. 1.3 parking spaces per dwelling are proposed, a total of 50 spaces. If using the parking standards for Housing Association developments of 3 spaces per 2 dwellings (1.5 spaces per dwelling), 57 spaces would be required. A shortfall of 7 spaces. Allocated parking is to be off-plot, except for the disabled parking bays which will be on-plot at the wheelchair accessible homes.

The 2011 Census data for North East Derbyshire is the basis for which the parking ratio for the proposed development was set, to be the same as the car/van availability in the immediate area and the local authority area of 1.3 cars per dwelling. The census was used over individual development surveys as the sample size is greater and the data more robust and widely accepted. The ratio from the census is also considered robust as it includes all homes in the area rather than just the affordable homes, noting that parking demand is lower for affordable housing.

Providing parking at levels above demand, as would be the outcome of using Part 4 of the DSP, is counterproductive because an excess of parking spaces can lead to more people getting vehicles and therefore encouraging driving. Excess parking spaces also use up land that could otherwise be used as amenity space and an opportunity to increase biodiversity.

Although below the threshold for a Travel Plan, SYHA would be comfortable with a Travel Plan being conditioned on this development as a way to reinforce the sustainability of the development and reduce car trips.

- 4.13 The HA commented that on the issue of gradients an alternative pedestrian-only access to the site has been provided at the development's western corner, which has a gradient not exceeding 1:21 and has a level landing. It is envisaged that this will form the level access route to the two wheelchair-accessible plots proposed along the top section of the development. As such the HA is satisfied.

- 4.14 A revised drawing to provide minimum 5.5m carriageway width within 15m of junction has been submitted, which the HA have confirmed is acceptable.
- 4.15 On the car parking spaces the HA have commented that it is noted that for this proposal, a total of 50 car parking spaces have been proposed at a ratio of 1.3 spaces per dwelling. It is acknowledged if using the parking standards for Housing Association developments of 3 spaces per 2 dwellings (1.5 spaces per dwelling), 57 spaces would be required. As such this would result in a shortfall of 7 spaces.
- 4.16 The applicant has provided further evidence of the census data analysed which were for both North East Derbyshire 004E (where the site is located) and for the whole of North East Derbyshire. The HA are satisfied on the basis for which the parking ratio for the proposed development was set, to be the same as the car/van availability in the immediate area and the local authority area of 1.3 cars per dwelling. As such the HA have no further comment and are satisfied with the proposed parking provision in the site specific circumstances.
- 4.17 Overall, the Highway Authority has confirmed now that it has no objections to the proposals subject to conditions.
- 4.18 **NEDDC Planning Policy and Environment Team (PPET)** have commented that from a policy perspective the proposals in its current form would appear to meet the requirements of Local Plan policy LC3 (Exception Sites for Affordable Housing) criteria a and c.
- 4.19 In respect of criteria d of policy LC3 (*they have a close association with the built-up part of settlements within level 1 to 3 or neighbouring authority areas; and are in keeping with the form, size and character of the settlement, and local landscape setting*) the site is located adjacent to the Settlement Development Limit for Unstone which is categorised as a Level 3 settlement. As such the proposed development is considered to accord with the first part of criterion d. In terms of the second part, the proposed scheme consists of a dense cluster of terraced blocks offset at an angle from the highway, whereas the immediate surroundings of the site are characterised by the stone school building and low density detached dwellings set within sizeable private gardens areas arranged in linear form, fronting the highway.
- 4.20 Whilst PPET have some concerns around criteria d, this is a matter to balance against the significant level of much needed affordable housing that will be provided. Otherwise, the proposal is broadly in line with policy SS10 and may be considered to represent appropriate development in the Green Belt.
- 4.21 **DCC Cycleway Project Engineer** has commented that the proposals will affect the highway (including our combined footway / cycleway) and

would expect this to be subject of a S278 agreement. The following factors that will particularly affect the cycleway will need to be addressed:

- Provision of suitable minimum width of combined footpath / cycleway – we've provided a minimum of 3m in this stretch;
- Suitable (and comparable to adjacent installations) treatment of the access where it crosses the cycleway – we would expect this to include coloured surfacing and markings, plus a combination of raised plateau, dropped crossing, and/or tactile/corduroy paving depending on the degree of priority afforded to vehicles / cyclists;
- Provision of adequate space behind the give way line to enable a car to wait to enter the main carriageway without blocking the cycleway;
- Appropriate visibility and signage to ensure safety of footpath / cycleway users.

4.22 **The Coal Authority** have confirmed that the application does not fall within the defined Development High Risk Area. There are no objections and it will be necessary to include the standing advice within the decision notice.

4.23 **Yorkshire Water** have raised no objections subject to a condition relating to foul and highway drainage.

4.24 **Cadent Gas** have included notes to be included as an informative on any decision.

4.25 **The Environmental Health Service** have raised no objections in principle and recommended conditions in relation to construction works and noise sensitive properties.

4.26 **DCC Development Control Archaeologist** has commented that the proposed development area lies immediately to the north of the Derby to Sheffield turnpike (MDR11608) however it lay some 350m down slope, to the east, of a Mesolithic occupation site (MDR5243) within a landscape of numerous find spots of lithic tool finds.

4.27 The agent has submitted a desk based Archaeological Assessment and DCC can confirm that it is both fit for purpose and identifies the possibility of early prehistoric remains on the site. As such further archaeological work will be required for this application and this should take the form of archaeological evaluation trenching. This evaluation trenching must be designed for purpose by reputable archaeological contractors and undertaken in compliance with a Written Scheme of Investigation, produced by the archaeological contractors.

4.28 Following an archaeological trial trench evaluation the agent has submitted an Archaeological Evaluation Report. DCC have confirmed that this is acceptable and no further work is now required.



- 4.29 **DCC Planning Policy** have commented that the proposal from South Yorkshire Housing Association (SYHA) follows discussion with Derbyshire County Council, as the land upon which SYHA proposes to build overlaps with a notified site for education. In response, an acceptable layout was developed which would protect the amount of land which would be available in the future should it be required for educational purposes. It has been carefully analysed and considered, in consultation with the neighbouring school.
- 4.30 The part of the notified site not currently in use by the school (in the adjacent field) measures 5,850 sq m. When included with the existing Junior school site, the total site of 16,000 sq m would be just sufficient (under current guidance) to accommodate a primary school of two forms of entry (420 pupils), should the need ever arise. This is purely a theoretical position, to ascertain that land would be available should significant changes to primary school provision be required in the long term.
- 4.31 Part of the proposed development overlaps with the land safeguarded for education purposes. Given that the development of social housing is a priority, DCC has engaged with SYHA and their agents since 2021 to discuss how both uses of the site might be accommodated. In order to enable the proposed housing scheme to go ahead it was agreed that SYHA propose an alteration to the boundary of the notified site, which could facilitate their development, whilst also retaining an equivalent amount of safeguarded land for education.
- 4.32 This proposal allows the same amount of land to be safeguarded for education (16,000 sq m total, 5,850 sq m field side), thus retaining all currently available options for education in the locality in the long-term future.
- 4.33 DCC wish to register its agreement to alter the shape of the notified site to accommodate the SYHA development within this response to the planning application. This response shows that the current status of part of the land being notified need not in itself be a barrier to the granting of planning approval. If planning approval was to be granted, a paper would go to DCC Cabinet to seek formal approval to amend the notified site. This change will then be confirmed to NEDDC for inclusion in their planning records.
- 4.34 DCC comment that there would be a need to mitigate the impact of the proposed development on school places in order to make the development acceptable in planning terms. The County Council therefore requests financial contributions as follows:
- £308,363.77 for the provision additional education facilities for 11 Secondary with Post 16 pupil(s) at Dronfield Henry Fanshawe School
- 4.35 **NHS Chesterfield Royal Hospital** have requested s106 contributions of £82,887 towards cost pressures.

- 4.36 **Derbyshire Wildlife Trust (DWT)** have reviewed the Preliminary Ecological Appraisal (PEA) and commented that a sufficient level of survey has been undertaken with regards to protected species and onsite habitats. Constraints are limited to nesting birds in boundary vegetation and a low risk of reptiles, badger and hedgehogs using the site from time to time, although this risk can be further minimised with best practice working methods.
- 4.37 DWT have now reviewed the Biodiversity Net Gain Assessment and the associated metric. A gain of +0.40 habitat units (13.26%) and +0.22 hedgerow units (14.53%) are predicted. The metric appears to be completed to a good standard.
- 4.38 DWT recommend that the area of grassland between the development site and the wet woodland is retained undeveloped in the future to safeguard the woodland and river. DWT advise conditions that should be attached to any permission granted.
- 4.39 **NEDDC Housing Strategy Officer** has commented that The Strategic Housing Market Assessment OAN Update 2017 estimates that 172 additional units of affordable housing are required each year over the next five years to fully meet affordable housing need in the district.
- 4.40 The proposal for 38 affordable homes in this area will help to meet the demand for affordable housing. There is a particularly high demand for affordable housing in this area of the District and the adjoining surrounding wards. The proposed mix of properties are suitable in terms of their type, size and tenure. The properties should be allocated through the Council's Choice Based Lettings system and other appropriate and approved processes for the shared ownership properties.
- 4.41 The Housing Officer has also confirmed that, with regards to policy LC3 (para 1.c) of the Local Plan which requires that affordable housing *are of a size, type, tenure, occupancy and cost suitable to meet identified local needs*, the proposals meet NEDDC requirements for affordable housing and demand in this area.
- 4.42 The Housing Team have commented in relation to the submitted Housing Needs Survey that:-
- The Housing Needs survey which was carried out in 2021 had a disappointing response rate from households within the Parish, and those that did respond indicated that they did not feel a need for an affordable housing development within this area of the proposed scale.
  - The Data from the Council's housing register demonstrated that there were 259 bids for 7 Council properties in the period 2021/22. There were also over 500 applicants with a registered local connection to this

ward. This indicates that it is an area of high demand for affordable housing.

- The locality of Unstone is closely connected to the town of Dronfield, which has a high demand for affordable housing and it is expected that people from this area would also have an interest in applying for an affordable home in Unstone.

- 4.43 In respect of the Shakespeare Crescent/Chesterfield Road allocation at the edge of Dronfield. This is expected to yield 160 dwellings of which 48 should be affordable (based on the 30% expectation in a high value area). This would be a more appropriate location to meet Dronfield's needs, particularly the high number first time buyers originating there, according to SYHA's response.
- 4.44 In terms of the proposed development at Dronfield the Housing Team comment that there is a need for affordable housing in this area and from a strategic housing perspective, this is something that it supports. However there is evidence to suggest that both schemes would be popular, considering the waiting list data.
- 4.45 In conclusion – from a Strategic Housing perspective – there is evidence to suggest that there is a high demand for affordable housing within this area. The proposal of the mix being for affordable rent and shared ownership would help to meet this demand.
- 4.46 **Force Designing Out Crime Officer (CO)** has commented that they were part of a pre-application consultation process in late 2020, where the applicants presented a similar scheme to that proposed, albeit set over four levels. Comments over the principle of development and design detail were invited at that time and provided.
- 4.47 There was and is no objection to development of this land in principle from the perspective of crime and disorder. Comments provided related to recommended amendments to open space, access routes, boundaries and some elevational treatment, which broadly have been included within the current design.
- 4.48 CO notes that the extent of adoption doesn't include any of the stepped walkways, which will require lighting. A solar powered landlord scheme would be acceptable, with a preference to columns as opposed to bollards for, reasons of sustainability and improved horizontal illumination.
- 4.49 **Derbyshire County Council as the Lead Local Flood Authority (LLFA)** has raised no objections subject to conditions in relation surface water drainage.
- 4.50 **NEDDC Streetscene (Refuse)** have commented that access is required for a RCV which has a GVW of 32t with a 22.8m turning circle, allowances should be made in the construction of highways for this vehicle and the

need to consider its manoeuvrability, which streetscene have confirmed can be achieved from the plans. The turning area must be kept clear of vehicles to ensure the vehicle can turn and the roadway should be constructed to a suitable standard to hold the weight of a 32 tonne bin wagon to ensure it does not damage the road and also to ensure vehicles do not get damaged through poor road surface. If the area will not be adopted by DCC an indemnity agreement will need to be completed by the developer

- 4.51 **NEDDC Streetscene (Grounds)** With regards any section 106 monies from this development towards providing recreational facilities; The proposed development comprises of 14 two bed dwellings and 24 three bed dwellings. This could attract an estimated £39,716.80 of section 106 monies towards existing off-site provision with a 10 year maintenance fee of approximately £15,546.19.
- 4.52 The nearest existing play facilities to the proposed development are Brierley Park, St. Johns Park and Whittington Park, and the nearest existing facilities is the recreation ground at Crow Lane where there is a football pitch. Brierley Park, St Johns Park and Whittington Park Play Areas are owned and maintained by Unstone Parish Council. The recreation ground and pitch at Crow Lane is owned and maintained by North East Derbyshire District Council. Any of these play areas may benefit from additional / replacement equipment to increase the play value to local residents. Given the sites location relative to so many play areas within village, it is suggested any agreement allows any section 106 monies be spent within 1km of the site.
- 4.53 Grounds also note that there are open spaces proposed around the dwellings, with planting of trees and some areas of meadow planting proposed and that the site has a change in levels due to the gradient/banked nature of the site. It is unclear as to how these areas would be managed/maintained and whether there is any public open space proposed to be passed to the District Council.
- 4.54 If there are any open space(s) to be adopted by NEDDC then this would be subject to the appropriate maintenance fee contained within Table 1 of Appendix D of the council's Local Plan.
- 4.55 Dronfield Civic Society objects for the following reasons:-
- Major development in an unsustainable location
  - Departure from the Local Plan. Site not allocated
  - Recently completed development of 48 affordable homes nearby on brownfield site
  - Inappropriate development in the Green Belt, contrary to Green Belt policy
  - Outside the Crow Lane SDL, location is disconnected and separate
  - Contrary to countryside policies



- Design fails to respect the form, scale, quality and character of the setting
- Significant harm and irreversible change to the local landscape character outweighing local benefit including damage to visual amenity, loss of habitat, trees, hedgerow and interruption of wild life corridors
- Incorrect that the LAA map shows it as a Rural Exception Site. Criteria not met in terms of local collaboration at pre-design stage for a RES claim
- SYHA housing need survey does not support the application (type of/number of houses)
- Proposed access is at a dangerous location near school, cycle path, footway, bus stop and sharp bend
- Contrary to Local Plan policies and the NPPF as a whole in respect of Green Belt, Countryside, Landscape Character and Sustainability
- The Civic Society has been actively involved in issues with parking in the locality for many months. We have significant issues in some locations with vehicles parked inappropriately causing hazards for pedestrians and other road users. It is very clear from many community comments that constrained parking provision around housing causes many of our problems. To propose a new housing development with deliberately-constrained parking provision (see 'Response to Highways Comments', posted 1st March 2023) is ill-conceived. Any expectation that constrained parking provision will reduce use of road vehicles by residents is demonstrably wrong.

## **5.0 Representations**

- 5.1 The application was publicised by way of neighbour letters and the display of a site notices. A Site notice was placed adjacent to the application site. An advert was also placed in the local press.
- 5.2 18 local residents have made representations raising the following comments objecting to the proposed development:

### Principle of development, Green Belt and Landscape issues

- This is speculative or unplanned development which the adopted Local Plan to 2034 seeks to prevent. The site was not allocated for development in the Local Plan.
- It is in the Green Belt, where new development is regarded as inappropriate.
- It is outside the settlement development limit of Unstone Crow Lane and therefore in the countryside. It doesn't meet the criteria to allow it in the countryside.
- Unstone is a Level 3 settlement in the hierarchy which is deemed to be unsustainable for major development.

- The Local Plan does not recognise the site as a Rural Exception Site. The site was assessed as unsuitable for development in the Land Availability Assessment (LAA) and Green Belt Review.
- Harm to the landscape character significantly outweighs any local need for affordable houses. 48 affordable homes have recently been built on a brownfield site less than a mile away.
- Approval of this application represents a significant departure from the Local Plan. It fails to comply with the policies in it including: SS1 Sustainable Development, SS9 Development in the Countryside, SS10 North East Derbyshire Green Belt, SDC3 Landscape Character and LC3 Exception Sites for Affordable Housing as well as the overarching aims of the National Planning Policy Framework
- The level of local housing need identified in the SYHA survey, (7 dwellings) does not equate to VSC and cannot be justified in the planning balance when weighed against the harm that will be caused to the Green Belt, countryside and local landscape character.
- This application is for major development which is very different to the residences of Crow Lane. More dwellings are proposed than in the whole of the Crow Lane SDL. The new development is disproportionate to the existing settlement and out of character with it.
- The housing survey identified a need for 2 bungalows, 2 1-2 bed houses, 1 3-bed house, 1 4bed house and 1 5-bed house. The house type being built would meet just 3 of the 7 requirements. The survey does not therefore support the application.
- Collaboration with residents, groups and the Parish Council should have taken place at pre design stage to identify it as a Rural Exception Site location. This hasn't happened. Unstone Parish Council has in fact objected to the application suggesting an absence of collaboration. The housing need survey is the only communication made by SYHA to residents. A survey is only one part of the collaboration process to identify a Rural Exception Site.
- Whilst the design concept is based on St John's Road, built in the 1870s for mine workers and their families with employment on the doorstep, there is not enough employment in Unstone today to support the occupants of this development.
- Site is outside the SDL of Unstone Crow Lane and Unstone Green. The site is physically and socially distant from both residential areas. This is contrary to LC3 d.
- The proposed site presently forms a rural setting between Unstone and Unstone Green, which would disappear if it was to be developed
- Much Green Belt land has been released for building in recent years including two sites in Dronfield despite strong local objections. The whole point of the Green Belt is to preserve the balance between built and unbuilt areas within the local environment, preserve the semi-rural character of the area and maintain biodiversity.
- There is enough social housing in this area, there is nothing in the area for young people so anti social behaviour will increase.

- The demolition of an ancient stone wall and the removal of a bus stop essential for the elderly of Crow Lane and the surrounding area.
- There is a brown field site further along the main road (opposite the old post office, now a hairdressers) that should surely be developed prior to building on a green field site.
- The development does not appear to reflect local architecture and will stand out as an eyesore
- Why do we need more houses as surveys show the availability of empty homes in Dronfield and the surrounding areas. The site on the old boat yard has surely released enough affordable housing for this area.

### Highway safety

- Car journeys would be an outcome, evidenced by DCC Highways requiring at least two parking spaces per property. The current design does not appear to be able to incorporate the statutory parking requirement. The cycle path (which may be argued as making the site sustainable) is a long way from completion.
- Requirements for the new access, including visibility splays, a pedestrian crossing and pavements will urbanise the area outside the site by the removal of a section of a long, high, characterful, sandstone wall which currently separates and defines two distinct areas and countryside from the B6057.
- The proposal to relocate the bus stop and move it further away from existing residents is not a local benefit. Elderly residents from the bungalows of Crow Lane who rely on the bus will be disadvantaged by having to walk further up a hill to use public transport.
- The new access is a short distance from a very busy junction at the top of Crow Lane, made busier due to the closure of Church Street to through traffic. It is likely that there will be significantly more vehicle movements than suggested from the new development with a parking requirement for at least 88 cars because Unstone is an unsustainable settlement.
- From a safety perspective this is an incredibly insensitive proposal. The volume of traffic already using the busy main road is far too high and of concern. To have access onto the main road from this development would cause further issues.
- To have a further access road close to the school or the bend on the bridge, and near Crow Lane presents a significant safety hazard.
- Access would be on to a recently narrowed main road through unstone to provide a cycle path. To add an entrance for 38 dwellings is a recipe for accidents.
- The Transport Statement document asserts that no more than 12 vehicle trips will be generated from this estate each morning and evening. Apart from a Junior, an Infant School and a hairdressing shop there are no local facilities of any sort within reasonable walking distance of this site. There is a half hourly bus service on the main road but if that is not used

any journey for employment, shopping, education, services access, recreation or entertainment will be by car. This makes 24 car journeys per day from 38 homes look very optimistic. It also makes the number of car parking spaces on the estate look inadequate. If estate parking overflows onto the main road the road safety issues will be exacerbated.

#### Ecology and Wildlife

- The undisturbed nature of the land should be taken into account in any biodiversity metric because it is reasonable to suggest that it supports a number of bird and mammal species as a field and as a component of the wider countryside landscape.
- Local wildlife would be impacted, the area is abundant with birdlife, foxes and badgers, and their natural habitat would be severely impacted.
- 

#### Local Infrastructure

- The schools in Dronfield, particularly Henry Fanshawe, are already becoming over-subscribed and at some point or another, there needs to be investment increasing the school provision/facilities before any further homes are built in both Dronfield and Unstone
- Unstone has no shops, and no real infrastructure to support an additional 38 homes, which we feel would place additional burdens on our village.

## **6.0 Relevant Policy and Strategic Context**

### **North East Derbyshire Local Plan 2014-2034 (LP)**

6.1 The following policies of the LP are material to the determination of this application:

SS1 Sustainable Development  
SS2 Spatial Strategy and the Distribution of Development  
SS9 Development in the Countryside  
SS10 North East Derbyshire Green Belt  
LC3 Exception Sites for Affordable Housing  
LC4 Type and Mix of Housing  
SDC3 Landscape Character  
SDC4 Biodiversity and Geodiversity  
SDC11 Flood Risk and Drainage  
SDC12 High Quality Design and Place Making  
SDC13 Environmental Quality  
ID1 Infrastructure Delivery and Developer Contributions  
ID3 Sustainable Travel

### **National Planning Policy Framework (NPPF)**



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

### **Other Material Planning Considerations**

- 6.4 Successful Places Interim Planning Guidance, adopted December 2013

## **7.0 Planning Issues**

### **Principle of Development**

- 7.1 The application site comprises a green field located outside of a defined settlement development limit and located within the North East Derbyshire Green Belt. A portion of the site is currently safeguarded for educational purposes in conjunction with the adjacent Unstone Junior School.
- 7.2 Local Plan (LP) Policy SS10 covers development in the Green Belt and sets out that the construction of new buildings will be regarded as inappropriate development and will not be permitted. Exceptions to this, where they accord with other policies in the Plan, are:
- a. Buildings for the purposes of agriculture or forestry; or
  - b. Provision of appropriate facilities for outdoor sport, outdoor recreation, and for cemeteries, which preserve the openness of the Green Belt and do not conflict with the purposes of including land within it; or
  - c. Extension or alteration to a building that does not result in disproportionate additions over and above the size of the original building; or
  - d. Replacement of a building provided the new building is in the same use and is not materially larger than the one it replaces; or
  - e. Limited affordable housing for local community needs in accordance with Policy LC3; or**
  - f. Limited infilling or the partial or complete redevelopment of previously developed land which would not have a greater impact on the openness of the Green Belt and the purposes of including land within it than the existing development.
- 7.3 Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.
- 7.4 On the issue of the principle of the development, the proposals should be judged as inappropriate development in the Green Belt if it would fail one or more of the tests set out in policy LC3, which is considered below.

### **Exception Site for Affordable Housing**

- 7.5 Policy LC3 (Exception Site for Affordable Housing) states that development proposals, such as this one for 100% affordable housing, which would

normally be contrary to Policy SS9 (Development in the Countryside) and for limited affordable housing within the Green Belt will be permitted where:-

- a. They would provide affordable housing which would meet a proven need which is supported by an up to date local housing needs survey; and*
- b. It can be demonstrated that there are no suitable alternative development locations within the Settlement Development Limit; and*
- c. They are of a size, type, tenure, occupancy and cost suitable to meet identified local needs; and*
- d. They have a close association with the built up part of settlements within level 1 to 3 or neighbouring authority areas; and are in keeping with the form, size and character of the settlement, and local landscape setting; and*
- e. It can be demonstrated that the properties will be allocated to those who are in local housing need, and will remain affordable in perpetuity.*

*Criterion a. - the development would meet a proven need which is supported by an up to date local housing needs survey.*

- 7.6 The application is supported by a detailed investigation into the housing needs of Unstone Parish prepared by Midlands Rural Housing, January 2021. This identifies a need for 7 new affordable or social rented homes.
- 7.7 The proposed development for 38 new homes exceeds the local need as evidenced in the housing needs survey submitted with the application. However, the applicant has provided further supporting information demonstrating that the actual needs of Unstone for new affordable homes is a multi-layered issue and of particular importance is the evidence provided by the Council's Housing Team in relation to the up-to-date bidding and waiting list data for the area i.e.:
  - There are 205 Council rental properties in the area in total;
  - There are 505 people who are on the waiting list with a local connection; and
  - In 2021/22, 259 people bid for 7 homes in the Parish.
- 7.8 This additional information provides evidence of an unmet demand for affordable housing in the area, which includes the wider Apperknowle, Hundall and Unstone Ward area.
- 7.9 The Council's Housing Strategy Team have also commented that from a Strategic Housing perspective there is evidence to suggest that there is a high demand for affordable housing within this area. The proposed mix being for affordable rent and shared ownership would help to meet this demand.

*Criterion b. – it can be demonstrated that there are no suitable alternative locations within the settlement development limit*

- 7.10 The agent has submitted information in respect of criteria b and a search was undertaken to review available land within the Settlement Development Limits(SDL). None were identified within the SDL but two areas were identified with both being on greenbelt land.
- 7.11 The two sites were both discounted due to:
- Parts of the land being in flood zones 2 (medium risk) and 3 (medium to high risk).
  - It would not be possible to build the number of houses proposed in this application.
  - The proximity of Site 1 to an industrial site.
- 7.12 Whilst the proposed development site is located outside of the Settlement Development Limit, there have therefore been no suitable alternative sites within the SDL for Unstone identified and Officers therefore consider that this information is sufficient to meet criteria b.

*Criterion c. – they are of a size, type, tenure, occupancy and cost suitable to meet identified local needs*

- 7.13 The applicants planning statement sets out the proposed mix as follows:

<b>House Type</b>	<b>Total Number</b>
2 bed (3p) WCA	2
2 bed (3p) appt.	4
2 bed (3-4p)	8
3 bed (5p)	24
<b>Total</b>	<b>38 new homes</b>

- 7.14 It further states that that all the homes will be a mix of rental and shared ownership properties, the proposed mix is 21 Shared Ownership and 17 for Affordable Rent. It goes on to say that the properties will be allocated to those who are in local housing need, using the local lettings policy/council's choice based lettings.
- 7.15 The Housing Officer has also confirmed that, with regards to policy LC3 (para 1.c) which requires that affordable housing are of a size, type, tenure, occupancy and cost suitable to meet identified local needs, the proposals meet the Council's requirements for affordable housing and demand in this area.
- 7.16 The development also proposes 2 wheelchair accessible homes and that most non wheelchair accessible homes would accord with Part M4(2) of the Building Regulations. It should be noted that in order to be compliant with Policy LC4 the development should provide for 20% accessible and adaptable dwellings to the requirements of M4(2) i.e. 8 of the 38 dwellings.

Criterion d. - they have a close association with the built-up part of settlements within level 1 to 3 or neighbouring authority areas; and are in keeping with the form, size and character of the settlement, and local landscape setting.

7.17 The site is located adjacent to the Settlement Development Limit for Unstone which is categorised as a Level 3 settlement in the Local Plan. As such the proposed development is considered to accord with the first part of criterion d.

7.18 In terms of the second element, the proposed scheme consists of a dense cluster of terraced blocks of housing offset at an angle from the highway, whereas the immediate surroundings of the site are characterised by the stone school building and low density detached dwellings set within sizeable private gardens areas arranged in linear form, fronting the highway

7.19 However, the application is accompanied by a detailed Design and Access Statement which sets out that the housing design references the old miners terrace at the top of St Johns Road, located next to the historic Unstone Main Colliery. The terraces themselves can be seen in the distance from the Main Road site as they steeply step up St John's Road. A feature of these homes is the ambiguity between 'fronts' and 'backs'. One side has coal holes and brick outhouses, suggesting the rear, yet these are located, with all the plumbing, on the road side, which is typically the front.

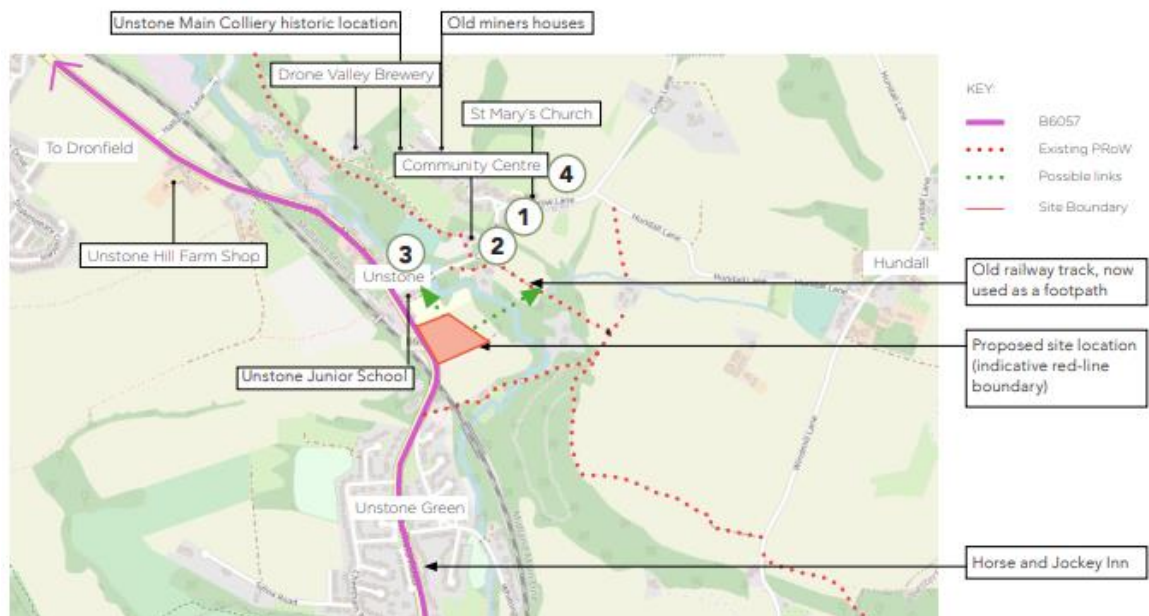


Figure 6: Old Miners cottages and application site

7.20 The design has also been developed from conversations with residents in the houses who explained that 'the strong community presence enhanced by the shared green space, where kids play, neighbours meet and community activities take place.' What makes this specifically successful is that the shared green space is separated from the road, making it a safe car free environment for residents to enjoy. These points have also been

key drivers in the development of the design proposal, resulting in a shared green space at the centre of the site which is raised from the road and can be accessed from various routes within the site.

- 7.21 Therefore, whilst it is acknowledged that the form of the development is different from those properties immediately to the north of the site and the adjacent school the form size and character of the proposal is considered by Officers to be in keeping with the wider settlement of Unstone and Unstone Crow Lane.

*Criterion e. - it can be demonstrated that the properties will be allocated to those who are in local housing need and will remain affordable in perpetuity.*

- 7.22 It is understood from the applicant's supporting statement that the first part of this policy will be met by use of the local lettings policy/council's choice-based lettings. The policy requires that the homes should remain affordable in perpetuity. In this regard restrictions can be imposed through s106 legal agreement to prevent the sale of any shared ownership homes on the open market and to ensure they remain affordable in perpetuity.

### Overall

- 7.23 In summary the proposals are considered by Officers to comply with the 5 criteria of policy LC3 as set out above and it is therefore considered to be not inappropriate development in the Green Belt.

### **Developer Contributions**

- 7.24 Local Plan Policy ID1 sets out that the Council will seek to secure infrastructure and facilities that are necessary and required for the development to proceed or make a financial contribution to its funding through a s106 legal agreement.
- 7.25 The County Council comment that there would be a need to mitigate the impact of the proposed development on school places in order to make the development acceptable in planning terms. The County Council therefore requests financial contributions of £308,363.77 for the provision of additional education facilities for 11 secondary/post 16 pupil(s) at Dronfield Henry Fanshawe School.
- 7.26 NHS Chesterfield Royal Hospital have requested s106 contributions of £82,887 towards cost pressures.
- 7.27 NEDDC Streetscene (Grounds) have requested £39,716.80 of section 106 monies towards existing off-site provision with a 10 year maintenance fee of approximately £15,546.19. Given the site's location relative to many play areas within village, Officers support the request that the agreement allows any section 106 monies be spent within 1km of the site.

- 7.28 The Highway Authority have confirmed that no s106 monies are requested.
- 7.29 The applicant has confirmed that they will meet all the various s106 requests in full and the above matters can be included in a S106 agreement.

### **Landscape Considerations**

- 7.30 Local Plan policy SDC3 states that proposals for new development will only be permitted where they would not cause significant harm to the character, quality, distinctiveness or sensitivity of the landscape, or to important features or views, or other perceptual qualities such as tranquillity. The policy expands to state that proposals should be informed by, and be sympathetic to, the distinctive landscape areas identified in the Derbyshire Landscape Character Assessment and contribute, where appropriate, to the conservation and enhancement, or restoration and re-creation of the local landscape taking into account its wider landscape character.
- 7.31 Policy LC3 states that proposals should have a close association with the built up part of settlements within level 1 to 3 or neighbouring authority areas and their local landscape setting.
- 7.32 The application site comprises a large rectangular plot of agricultural land, approximately 1.2 hectares in size and is situated between the village junior school and garden centre on an east-west facing slope which descends into woodland and the River Drone which runs approximately 140m beyond the site boundary to the east.
- 7.33 The application is accompanied by a Landscape and Visual Appraisal (LVA) and lies within Derbyshire's local character type of 'wooded hills and valleys'. The site lies within the Green Belt but is outside any of the Areas of Multiple Environmental Sensitivity (AMES). The landscape is considered generally in average to good condition with species rich grassland and vegetated edges. The majority of trees onsite are category B and C. There are a few Category U trees at the very bottom of the site.
- 7.34 The submitted LVA sets out that the topography and woodland has resulted in a restricted visual 'envelope' or visible extent of the site. The photographic viewpoints demonstrate how visually contained the site is from the south and west due to mature vegetation and the steeply sloping valley sides obscuring views. The open nature of Apperknowle higher on the opposite side of the valley provides medium distance views across to the site.

The proposals would fit new built development into an area of intermittent development that runs along Main Road, Unstone. The proposals would extend from and connect with the existing settlement edge of Unstone to Unstone Garden Centre. This would result in the direct loss of farmland between Unstone and Unstone Green. However the existing stone wall already forms a human made landscape feature that connects the two settlements and it also prevents open views across farmland from the road.

The magnitude of landscape change arising from the proposed development would not however, be dramatic. This would be in part due to the current influences of the adjoining residential edge, road corridor and existing stone wall shortening views for the majority of receptors. Whilst the proposed development would alter the existing local landscape character of the site, the nature of the change would include some beneficial as well as adverse effects. The overall magnitude of this change has been assessed as low.

The existing topography falls away quickly from Main Road, the landform will be changed significantly to enable development on the sloping site. Retaining walls will be required to provide areas for development.

Where possible the majority of the hedgerows and vegetation on site will remain. In order to provide a secure boundary to the site the south eastern boundary with the garden centre will see the removal of existing shrubs from the site and replaced with a fence and a new mixed native hedge. The existing stone wall to Main Road will remain with about 10 metres of the wall being removed to allow for new vehicular site access to the site. The significance of the landscape effect upon hedgerows has been assessed as Negligible.

All of the wooded areas around the site do not fall within the development area and will remain in their existing form. The trees on site are all to the boundary, eight trees along the Main Road boundary will be removed. As part of the development there will be many trees planted to the site boundary and within the site itself.

New trees, shrubs and hedgerow planting would be planted as part of the development. These would be principally native, indigenous and appropriate to the landscape character of the wider area and would offer valuable localised landscape and ecological benefits. Overall, the landscape effects of the development would generally vary between Negligible to Moderately Adverse at the outset of the scheme. These varying landscape effects reflect the different scales and sensitivities of the site's landscape character and features. Most of the adverse effects would reduce in the longer term due to the maturing of the landscape framework and the application of a comprehensive Landscape Management Plan.

The site is largely contained within the wider landscape through a combination of landform - both locally and within the wider landscape and by existing overlapping woodland, individual trees and hedgerow cover. Containment would be reinforced by the proposed Green Infrastructure framework which includes new planting around the perimeter of the site. The proposed development would be visible from a relatively limited number of visual receptors. The clearest views towards the site would be experienced by localised receptors., users of Unstone Junior School, Unstone Garden Centre and residents of dwellings along Crow Lane.



Middle and longer distance views of the site will be achievable from residents of St John's Road, Apperknowle and Hundall.

User of the Unstone Main Road - B6057 will gain limited glimpsed views of the site, the views would be principally through the break in the stone wall that would be required for access into the site. Housing is proposed to be set back from the road with Green Infrastructure planted in behind the wall. Views would be of the new access junction, and these would be observed within a transient context.

- 7.35 Officers generally agree with this assessment and consider that the scheme would not cause significant (or overriding) harm to the character, quality, distinctiveness or sensitivity of the landscape or to important features or views. Whilst the development would clearly lead to some localised landscape impact given its transition from a greenfield site to one accommodating development but that this would be contained to the area around the site due to the site's topography and not impact further afield, Officers also conclude that the wider public benefits of the scheme, which include 100% affordable housing, enhanced public open space, biodiversity net gain and contributions to mitigate the impact of development weigh heavily in favour of the proposed development.
- 7.36 The site is located within the Green Belt, and as set out above meets the requirements of policy LC3 and is therefore not inappropriate development. In view of this it is not necessary to consider further the impact of the development on openness or green belt purposes.

### **Design and Street Scene Considerations**

- 7.37 Policy SS1 of the LP states that development proposals will "*create well designed places that are accessible, durable, adaptable and enhance local distinctiveness*" and policy SS9 requires that in the countryside in all cases "*where development is considered acceptable, it will be required to respect the form, scale and character of the landscape, through careful siting, scale, design and use of materials.*"
- 7.38 Local Plan policies and the NPPF consider that the design and layout of new housing development should be considered in the context of the immediate and wider locality. The local pattern of streets and spaces, building traditions, materials and ecology should help to determine the character and identity of any development. Specifically, Local Plan policy SDC12 seeks to ensure new development meets the highest standards of urban and architectural design, positively contributing to the quality of the local environment.
- 7.39 Policy LC3 states that development proposals be required to have a close association with the built up part of settlements within level 1 to 3 or neighbouring authority areas; and be in keeping with the form, size and character of the settlement.

- 7.40 The layout proposes 38 (bungalows and 2-3 bed) dwellings 2-3 stories in height which are modest in scale, in-keeping with the form and character of the local vernacular whilst also responding to local housing needs. Homes will be a mix of socially rented and shared ownership.
- 7.41 As set out in the submitted Design and Access Statement (DAS) the housing design references the old miners terrace at the top of St Johns Road, located next to the historic Unstone Main Colliery. The terraces themselves can be seen in the distance from the Main Road site as they steeply step up St John's Road. A feature of these homes is the ambiguity between 'fronts' and 'backs'. These points have also been key drivers in the development of the design proposal, resulting in a shared green space at the centre of the site which is raised from the road and can be accessed from various routes within the site. The proposal seeks to create a healthy and sustainable neighbourhood viable in the long term.

The proposal provides high quality, sustainable housing, which maximises natural daylight. Each house typology has been designed to accommodate flexible living and working from home. The proposed dwellings are to be 2-3 stories in height which are modest in scale and in-keeping with the form and character of the local area.

- 7.42 A key central landscaped area is proposed alongside a pedestrian street through the centre (east-west axis) of the new neighbourhood. The open space can accommodate informal play areas as well as other recreational uses and is accessed via stairs and sloping paths. A central staircase will connect the upper and lower levels via a direct route which cuts through the main public green, allowing views into the landscape beyond. Due to the level constraints, steps provide the main accessible connections through the site. The upper and lower levels will have smaller, level-access green spaces.
- 7.43 Dwellings located along the road provide good street presence, which in turn provides street surveillance. A varied roofscape creates a unique character for the neighbourhood. Low fences to frontages encourage neighbourly interaction, similar to the miners' terraces in Unstone.
- 7.44 Car parking is located off plot and is placed to the north elevations of the terraces with soft landscaping integrated to soften parking. Parking in these locations optimises south facing gardens to dwellings. To tackle the challenges of a steep site, banked planted walls are proposed which can help blend level changes into their natural surroundings. The terraces provide good surveillance over the green space, ensuring that it is a safe and secure area for community activities and play.
- 7.45 The proposed neighbourhood is comprised of 3 rows of terraced dwellings, 4 'streets' and 4 key landscaped areas each with its own distinct character. The primary vehicle street is fronted by houses on both sides, enhancing

the security of the neighbourhood. Terrace 3 fronts onto the latter stretch of the street, with Terrace 2 looking down from above and the shared landscaping at the centre of the site mediating the level change. The primary vehicle street winds down from the Main Road entrance through Terrace 1 and Terrace 2 down along the contours of the site and around through Terrace 3. The ginnel street, connecting terraces and key landscaped areas in the neighbourhood. The location and pedestrian nature of the street is designed to enable informal play and enhance interaction between residents. The stepped nature of the street allows for greater connectivity between the terraced streets whilst maximising the views of the natural landscape.

- 7.46 The lower terrace's rear gardens abut up to a gabion retaining wall which would be approximately 4m in height and would form the new boundary with the adjacent field to the east. The land slopes down towards a large group of trees which further screen the development. Whilst this could appear as a hard edge to the development, due to the site topography and the proposal to plant into the gabions it is not considered that this approach would have an adverse impact upon the appearance of the development and the wall would be well screened from views outside of the site.

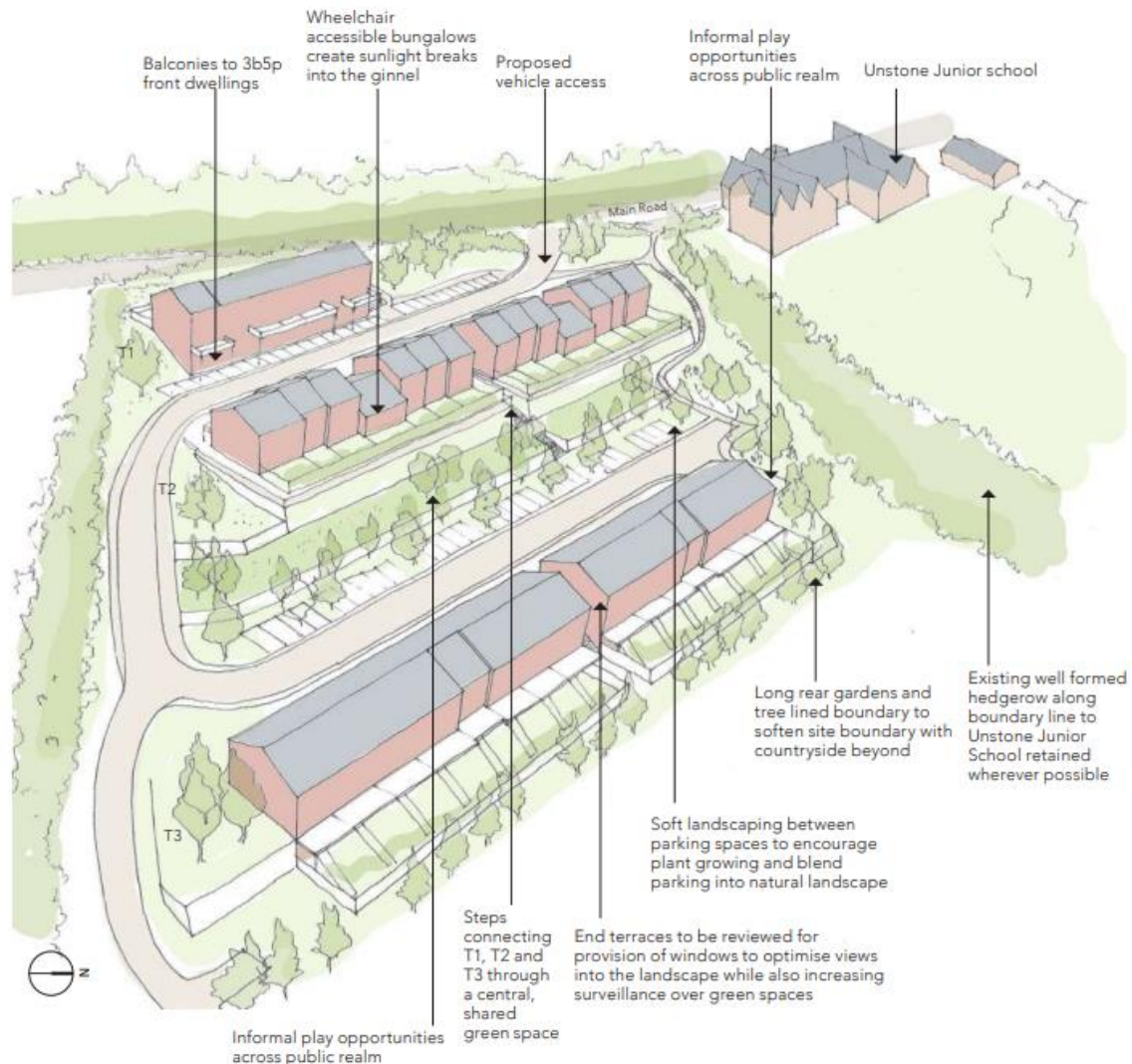


Figure 7: proposed layout

The proposed terraces are located at different levels across the site, responding to the steep gradient of the existing terrain. The scheme achieves a distance of a minimum 21m between dwellings with additional strategies to overcome issues of overlooking.

These are considered by Officers to be acceptable who accord with the design evaluation submitted by the applicant..

7.47 The DAS goes on to say that the total private amenity space per dwelling has targeted the guidelines outlined in the Successful Places Document, which states 2-bed properties to have 50m<sup>2</sup> , 3-bed properties to have 70m<sup>2</sup> and flats to have 25m<sup>2</sup> . The challenges of the site topography and importance that the public realm has within this neighbourhood has meant up to 75% of homes falling slightly short of the Successful Places Document figures.

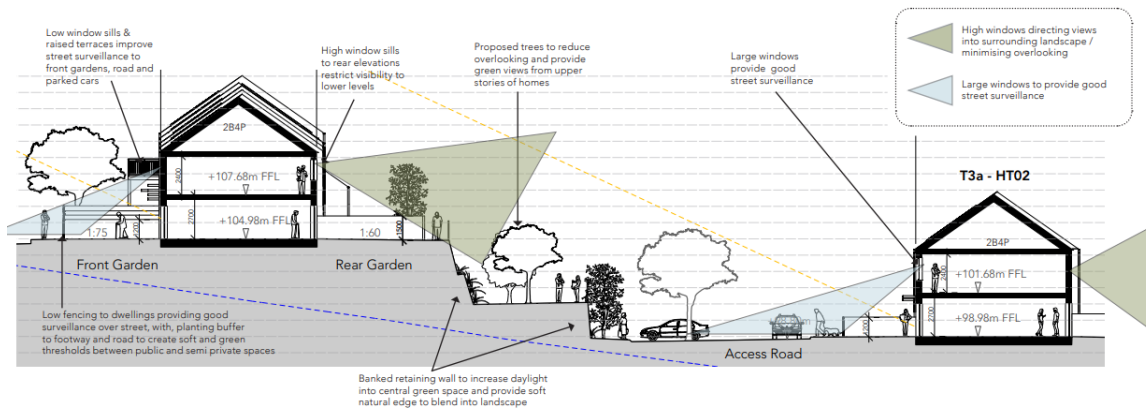


Figure 8: Submitted separation and overlooking strategies

Guidance in Successful Places states that all schemes should provide a level of outdoor amenity space that is proportionate to the type of accommodation, appropriate to its location and suitable to meet the occupiers likely requirements. In this case whilst properties fall slightly below the amenity standards this is more than compensated for by the high quality open space provided within the scheme, the access to public transport network and the countryside in the sites vicinity.

- 7.48 Officers agree that acceptable standards of space and separation are provided and in terms of policy LC4 which requires proposals to provide 20% accessible and adaptable dwellings, this scheme proposes that the 2 wheel chair accessible units; and homes on terrace 2 and 3 will achieve the requirement of M4(2) of the Building Regulations 2015 and this represents 29 of the 38 units. A condition is proposed to ensure that at least 20% of dwellings meet this standard.
- 7.49 Officers also note the comments of the Force Designing Out Crime Officer who has no objections from the perspective of crime and disorder. It was noted that the extent of adoption doesn't include any of the stepped walkways, which will require lighting. A solar powered lighting scheme would be acceptable, with a preference to columns as opposed to bollards for, reasons of sustainability and improved horizontal illumination. Officers consider that this requirement could be controlled by condition.
- 7.50 In summary, Officers consider the proposed design and layout is in keeping with the form, size and character of the Unstone settlement when taken as a whole and that this has been demonstrated through the DAS that the proposals would be of a high quality design which is well-related to its site and surroundings in terms of its layout, form, height, massing, scale, plot size, elevational treatment, materials, streetscape, and rooflines. Officers therefore conclude the proposals would be compliant with policy LC4 of the Local Plan in terms of adaptable dwellings and considered to be generally in accordance with the design guidance set out in Successful Places.

## **Effect on Neighbours**

- 7.51 There are no adjacent residential properties which abut the application site, however the site lies adjacent to the Unstone Junior School to the north, and Unstone Garden Centre to the south.
- 7.52 The dwellings are orientated so that they do not directly face either the school or the garden centre and therefore there are not any privacy issues arising from overlooking windows. The Council's Environmental Health Officer requested a revised noise survey in respect of the potential for noise at the garden centre to impact the new occupiers. The EHO has confirmed that the noise survey is acceptable and has no objections subject to a condition.
- 7.53 Overall Officers consider that the development would be acceptable from a neighbouring amenity perspective.

## **Highway Safety Considerations**

- 7.54 The proposals are for 38 dwellings accessed via a single vehicular access onto Main Road. The vehicular site entrance is also located away from Unstone Junior School and the garden centre access to reduce conflict with these existing uses. A raised pedestrian crossing will be provided at the entrance to the development to signal the start of the low-speed area, and to reduce vehicle speeds for those turning into the site off Main Road.
- 7.55 Servicing and deliveries are to be undertaken from the new vehicle access route, a turning head is provided at the end of this route. Bins will be stored on plot and presented to the kerbside by residents on the day of collection. Emergency vehicles will access the site using the new vehicle access route. A swept path assessment has been undertaken to demonstrate that emergency and refuse vehicles can access the site and use the turning head provided at the bottom of the site.
- 7.56 The existing bus stop is proposed to be relocated south of the main entrance, so that junction visibility from the site is maintained. The bus stop would therefore be located on the exit side of the junction in accordance with current best practice. The relocated bus stop design will be designed with the proposed cycle lane scheme in mind and in coordination with DCC as Highway Authority (HA).
- 7.57 Pedestrian access to the site is proposed from Main Road. A footway allows independent pedestrian access in the northwest corner of the site at the existing site access. Additional pedestrian access will be from the footways at either side of the vehicle access.
- 7.58 The HA has not objected to the proposals and has commented that a Transport Statement (TS) has been submitted and that the closest bus stop for the northbound direction is within 150m from the centre of the site. It is

also noted that the southbound bus stop outside the proposed site will be relocated. The HA comments that A61 Corridor Cycle Route runs on B6057 at the frontage of the proposed site.

- 7.59 In terms of traffic impact on the surrounding highway network, the TS suggests 12 two-way traffic movements in the AM and 12 two-way movements in the PM peaks, which the HA comment doesn't appear significant; therefore, the proposal is not predicted to have a material impact on the operation of the local highway network. Travel Plan Guidance for DCC states the threshold of a travel plan is greater than 80 units and the HA agree that on this issue no further information is required.
- 7.60 The Highway Authority (HA) has, through the course of the applications consideration, requested additional details on matters such as the bus stop relocation, site gradients, swept paths for refuse vehicles, junction width, a Road Safety Audit, and car parking requirements.
- 7.61 On these issues, the HA have confirmed that:-
- The bus stop relocation is acceptable and the provision of a replacement bus stop rather than a new bus shelter is acceptable.
  - The HA have commented that on the issue of gradients an alternative pedestrian-only access to the site has been provided at the development's western corner, which has a gradient not exceeding 1:21 and has a level landing. It is envisaged that this will form the level access route to the two wheelchair-accessible plots proposed along the top section of the development. As such the HA is satisfied.
  - Swept paths have been submitted for a Refuse Vehicle and the layout has been adjusted to provide 5.5m width within 15m of the junction which the HA have confirmed is acceptable.
  - A Road Safety Audit has been submitted which the HA are satisfied with.
- 7.62 On the issue of car parking, the adopted Local Plan does not provide any parking standards and the HA initially commented that the 50 car parking spaces, including 2 disabled parking and 12 visitor car parking spaces needed to be justified in accordance with Part 4 of the DSP (Highway requirements for developments Part 4) for parking requirements. This document notes a minimum of 2 or 3 parking spaces per 2/3 bedroom or 4/4+ bedroom dwelling, respectively.
- 7.63 Allocated parking is to be off-plot, except for the disabled parking bays which will be on-plot at the wheelchair accessible homes. Parking is provided at a ratio of 1.3 spaces per dwelling which reflects the current level of car or van availability in the area as per the 2011 census which is 1.3 cars or vans per household. The agent has commented that providing parking at levels well above demand, as would be the outcome of using Part 4 of the DSP, is counterproductive because an excess of parking spaces can lead



to more people getting vehicles and therefore encouraging driving. Excess parking spaces also use up land that could otherwise be used as amenity space and an opportunity to increase biodiversity. The parking demand for affordable housing is lower than for market rate housing.

- 7.64 The agent has also referred to the 2011 Census data for North East Derbyshire as the basis for which the parking ratio for the proposed development was set, which is to be the same as the car/van availability in the immediate area and the local authority area of 1.3 cars per dwelling. The census was used over individual development surveys as the sample size is greater and the data more robust and widely accepted. The ratio from the census is also considered robust as it includes all homes in the area rather than just the affordable homes, noting that parking demand is lower for affordable housing.
- 7.65 Although below the threshold for a Travel Plan, the applicant would be comfortable with a Travel Plan being conditioned on this development as a way to reinforce the sustainability of the development and reduce car trips.
- 7.66 On the issue of the car parking provision, the HA have confirmed that it is satisfied on the basis for which the parking ratio for the proposed development was set, and with the proposed parking provision in the site specific circumstances. Officers agree with the advice of the HA, that parking levels for affordable housing are generally lower than for market housing and in this case the parking level proposed would not result in cars parking outside the site that would have a significant impact on highway safety.
- 7.67 The Highway Authority advice is that, in its view, the impacts of the development on highway safety would not be unacceptable, and when considered cumulatively with other developments, the impacts on the road network would not be severe. Based on the information provided, the development therefore does not conflict with paragraph 111 of the National Planning Policy Framework, subject to the conditions recommended by the HA.
- 7.68 NEDDC Streetscene have commented that access is required for refuse vehicles which has a GVW of 32t with a 22.8m turning circle, allowances should be made in the construction of highways for this vehicle and the need to consider its manoeuvrability, which has been confirmed can be achieved from the plans.
- 7.69 Objections have been received from local residents in respect of the bus stop relocation, car parking provisions, school pick up and drop off and in relation to highway safety. Officers accept that the proposal will increase traffic movements into the site and onto Main Road, and that the relocation of the bus stop will be less convenient to some users due to it being moved around 40m to the south from its present location. However, both Local Plan policy ID3 and the NPPF are clear that development should only be

prevented or refused on highway safety grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

- 7.70 Officers consider, based on the advice received from the statutory consultee, that the proposed development would not lead to a demonstrable severe harm to highway safety along Main Road or the wider highway network and on the issue of highway safety the development in this instance considered to be acceptable.

### **Safeguarded Land for Education**

- 7.71 Part of the land included in the development area is part of a wider 'safeguarded for educational use' designation in relation to Unstone Junior School, in the Local Plan under new Policy ID6. The safeguarded area is for the potential expansion of the neighbouring school to expand from a 1 form entry (1FE) to a 2 form entry (2FE) school. As part of this potential expansion, larger outdoor facilities are required including formal play areas.



*Figure 9: ID6 safeguarded land for education*

- 7.72 The boundaries proposed ensure that the school's playing fields are on the least sloping part of the site and that the mature trees located within the land designation do not have to be removed.

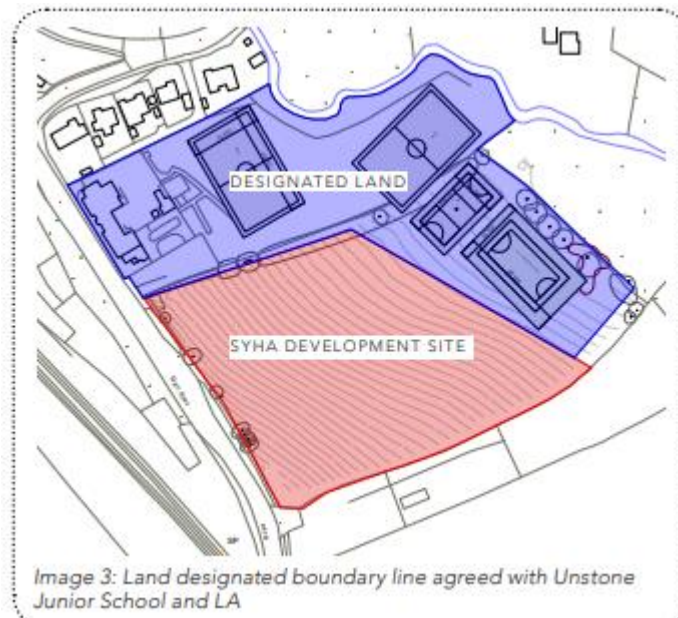


Figure 10: Proposed educational land.

- 7.73 Derbyshire County Council (DCC) have commented that part of the notified site not currently in use by the school (in the adjacent field) measures 5,850 sq m. When included with the existing Junior school site, the total site of 16,000 sq m would be just sufficient (under current guidance) to accommodate a primary school of two forms of entry (420 pupils), should the need ever arise. This is purely a theoretical position, to ascertain that land would be available should significant changes to primary school provision be required in the long term.
- 7.74 DCC has a duty to preserve notified sites where they are deemed to be of potential use in the long term. They provide flexibility to allow pupil place provision to respond to the changing geography and demographics of an area and allow strategic planning for education to be integrated into the Local Plan process. However, there is also a duty to accommodate development by adjusting the shape of notified sites where possible, in the interests of maintaining sustainable schools and communities.
- 7.75 Part of the proposed development overlaps with the land safeguarded for education purposes. Given that the development of social housing is a priority, DCC has engaged with SYHA and their agents since 2021 to discuss how both uses of the site might be accommodated. In order to enable the proposed housing scheme to go ahead it was agreed that SYHA propose an alteration to the boundary of the notified site, which could facilitate their development, whilst also retaining an equivalent amount of safeguarded land for education. A proposed layout was tabled on 4 March 2022 which provided an acceptable re-shaping of the notified site and the layouts within 22/01196/FL appear to be consistent with this, as advised by DCC.

- 7.76 This proposal allows the same amount of land to be safeguarded for education (16,000 sq m total, 5,850 sq m field side), thus retaining all currently available options for education in the locality in the long-term future
- 7.77 DCC have commented that in light of declining pupil numbers in Unstone, the Headteacher and Governors at Unstone Junior School have given their approval to this approach and the housing development is welcomed in principle, in the interests of future pupil numbers and operational viability. DCC wish to register its agreement to alter the shape of the notified site to accommodate the SYHA development and that the current status of part of the land being notified need not in itself be a barrier to the granting of planning approval. If planning approval was to be granted, a paper would go to DCC Cabinet to seek formal approval to amend the notified site. This change will then be confirmed to NEDDC for inclusion in their planning records.
- 7.78 Therefore, in summary, Officers consider that the proposals would not prejudice the necessary provision of education facilities in Unstone and would not conflict with Policy ID6 of the Local Plan.

### **Drainage Considerations**

- 7.79 The site is located within Flood Zone 1, and the development proposes that Sustainable Drainage Systems (SuDS) will be a key factor in managing surface water run-off which will be woven into the landscape design.
- 7.80 The drainage design relies on a dual drainage system: one for the highway and pavement, and the other managing the rest of the site's rainfall. This is to ensure that the highway is designed and built to adoptable standards, with the intention that the highway and associated SuDS features being adopted. The performance of the drainage system is to manage the 1 in 100 plus 40% climate change rainfall event.
- 7.81 The proposed adoptable highway drainage has been designed to accommodate the 1:30 year storm event with no surface flooding as well as the 1:100 year storm event + 40% climate change with no surface water leaving site unrestricted. The highway surface water sewer will be restricted to greenfield run-off rates.
- 7.82 The sewer system will comprise bio-retention areas, in the form of rain-gardens, draining the highway surface. The rain-gardens will discharge to the below ground highway sewer which will convey the water to the downstream detention basin. The basin will clean, attenuate and slow the flow down while the outlet will be restricted to further slow the run-off. The first detention basin will discharge back into the below ground network where further attenuation will take place in the form of over-sized pipes. The sewers will then convey the surface water to the development discharge location where it will be restricted to the greenfield run-off rate. In larger storm events, when the system surcharges, the surface water will back up

into an off-line detention basin providing attenuation for the larger storm events.

- 7.83 Permeable paving will be integral with the SuDS strategy, providing at source cleaning and attenuation of surface and roof run-off. Making use of the topography and level change of the site, the overflow of these permeable paved areas will be brought back to the surface into a series of rainwater basins that either are connected by vegetated swales, or flow through and down the large retaining structures on site. By encouraging water to remain at the surface, it benefits from natural losses, such as uptake by trees, plants and animals, evaporation and infiltration, meaning that less water makes it's way to the river system than a traditional engineered SuDS solution. This helps provide much needed natural irrigation of the landscape, maintaining a thriving environment. Roadside bio-retention rain-gardens which take surface run-off from the road, provide valuable street scene greening with herbaceous, shrub and tree planting within them.
- 7.84 Yorkshire Water have no objections to the proposed drainage strategy subject to a condition that the development be carried out in accordance with the details shown on the "Adoptable Highway Drainage and Foul Drainage Strategy'. The Lead Local Flood Authority LLFA has raised no objections subject to conditions.
- 7.85 In view of the above, Officers consider that the proposed development can be adequately drained and is acceptable from a flood risk perspective as informed by the relevant statutory bodies..

### **Land Contamination/Land Stability Considerations**

- 7.86 The application is accompanied by a Site Investigation - GeoEnvironmental Report, Noise Survey, and Coal Mining Risk Assessment.
- 7.87 The Council's Environmental Health Officer (EHO) has confirmed that there are no objections in principle and a condition is recommended in relation to the submission of a construction environmental management plan.
- 7.88 On the issue of noise, the EHO initially requested further information in respect of the noise impact from the adjacent Garden Centre, and the agent has submitted a revised Noise Survey. The EHO has confirmed that this is acceptable in principle subject to a condition.
- 7.89 The Coal Authority (CA) have confirmed that the application site does not fall within the defined Development High Risk Area and is located instead within the defined Development Low Risk Area. This means that there is no requirement for a Coal Mining Risk Assessment to be submitted or for the CA to be consulted.

- 7.90 On the issues of land stability, contamination and noise, officers are satisfied that these issues can be satisfactorily addressed via conditions.

### **Ecological Considerations**

- 7.91 The application is accompanied by a Preliminary Ecological Appraisal (PEA) and Derbyshire Wildlife Trust (DWT) have commented that a sufficient level of survey has been undertaken with regards to protected species and onsite habitats. Constraints are limited to nesting birds in boundary vegetation and a low risk of reptiles, badger and hedgehogs using the site from time to time, although this risk can be further minimised with best practice working methods.
- 7.92 The River Drone is present approximately 70m east of the development footprint. This is buffered by a corridor of wet woodland, with the woodland edge approximately 40m from the eastern side of the development. An area of grassland is retained outside of the red line boundary between the development site and the wet woodland and DWT advise that this is retained undeveloped in the future to safeguard the woodland and river. On this issue, the land identified lies outside of the red line application site boundary and is not proposed to be developed as part of this application.
- 7.93 The application is also accompanied by a Biodiversity Net Gain Assessment and the associated metric. A gain of +0.40 habitat units (13.26%) and +0.22 hedgerow units (14.53%) are predicted. DWT have commented that the metric appears to be completed to a good standard.
- 7.94 DWT have therefore no objections to the proposals from an ecology perspective subject to conditions relating to and requiring a Construction Environmental Management Plan and Landscape and Biodiversity Enhancement and Management Plan.
- 7.95 The application is accompanied by a Tree Survey, Tree Constraints Plan Tree Protection Plan and Arboriculture Assessment. The new development will require the removal of 8 No trees, the majority of which are in poor growing condition. To compensate for the loss of trees, new tree planting will be provided elsewhere as part of the scheme.
- 7.96 The planting strategy focuses on developing a strong tree network over a naturalistic planting style, mimicking the surrounding landscape whilst being useable by visitors and residents of the site.





Proposed Landscaping Strategy (RBA)

*Figure 11: Proposed tree Planting*

- 7.97 The trees proposed to be removed are not formally protected trees and have been identified as being in a poor growing condition. The proposed scheme includes significant tree and landscape planting including new hedgerows along the southern boundary and as such is considered to represent suitable replacement planting in accordance with policy SDC2 of the Local Plan.
- 7.98 Whilst the concern of local residents is noted in regards to the loss of habitats, the biodiversity net gain is demonstrable and mature trees and hedgerows are retained where possible, alongside significant trees and landscaping within the development. Officers consider that the proposed development can achieve BNG and is in compliance with Local and National planning policy.

### **Summary and Conclusion**

- 7.99 The proposal is for a 100% affordable housing scheme on land which sits outside the Settlement Development Limit in a countryside location within the Green Belt.
- 7.100 The development would sit in an area of land between a school and garden centre adjoining a level 3 settlement and it is concluded that the landscape



impact would be limited and localised and that this carries limited weight against the scheme.

- 7.101 Officers have concluded that the scheme otherwise meets the provision for limited affordable housing in the Green Belt and that it meets the criteria as an exception site for affordable housing as set out in Policy LC3 of the Local Plan. It is concluded that the proposal is not inappropriate in Green Belt terms and so acceptable in principle.
- 7.102 Adding weight to the proposal is the intention that it would be for 100% affordable units which adds considerable weight in favour of the scheme in the Officers opinion.
- 7.103 The proposal makes financial contributions towards local healthcare, education and off site play provision. This is a neutral consideration to offset the impact of new development.
- 7.104 A new access will be formed onto Main Road, and the Highways Authority raised no objection to the proposed works, or to the proposed parking proposals which have been justified as part of the application process and as such Officers conclude, based on the substantive evidence received and the comments of the statutory consultee, that the proposal would not lead to a demonstrable severe harm to highway safety and upon the wider highway network.
- 7.105 The design and layout of the scheme takes its design cues from existing Miners Terrace and proposes high quality, sustainable housing, which maximises natural daylight and designed to accommodate flexible living and working from home. The scheme will deliver 100% affordable homes using sustainable and eco-friendly design and engineering methods and has been designed to enhance the well-being and promote a healthy lifestyle for the neighbourhood residents and local ecology. The site is in close proximity to existing public transport and future sustainable transport routes, such as the proposed cycle route. These are positive elements in support of the scheme.
- 7.106 Technical matters such as site drainage, land stability, land contamination and ecology can be addressed by suitably worded conditions although the ecological enhancements and net biodiversity gain add further weight in favour of the application.
- 7.107 Overall, Officers conclude that the development is in accordance with the provisions of the Development Plan, proposing affordable housing on land adjoining a sustainable settlement and with only a limited impact on the countryside, and it does not constitute inappropriate development in the Green Belt. No evidence has been brought forward to counter the technical advice of consultees and all technical matters can be addressed by way of condition. Accordingly, the proposal is recommended for approval subject to the prior completion of a legal agreement and conditions.

## 8.0 Recommendation

- 8.1 That planning permission is **CONDITIONALLY APPROVED** subject to the **prior completion of a S106 Agreement to include the issues as set out above and to provide for 100% affordable housing**, with the final wording of the conditions and section 106 agreement delegated to the Planning Manager (Development Management):-

### Heads of Terms:

Affordable housing.

Public open space - £39,716.80 towards existing off-site provision with a 10 year maintenance fee of £15,546.19.

Health care - NHS chesterfield Royal Hospital - £82,887.

Education - £308,363.77 for the provision additional education facilities for 11 Secondary with Post 16 pupil(s) at Dronfield Henry Fanshawe School

### **Conditions**

1. The development hereby permitted shall be started within 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 following plans:-

0519/ROG/6756 – Topographic Survey  
624\_D100 – Demolition Plan  
624\_P1000 A Proposed Site Location Plan

624\_P1001 Proposed Site layout Plan  
624\_SK051 Site Layout (1:1250 @ A1)  
RBA-UMR-101 F Site Plan

624\_P100 Proposed-T1-Lower Ground/Ground Floor Plans  
624\_P101 Proposed-T1-First Floor/Roof Plans  
624\_P102 Proposed T2A Ground Floor Plan  
624\_P103 Proposed T2A First Floor/Roof Plan  
624\_P104 Proposed T2B Ground Floor Plan  
624\_P105 Proposed T2B First Floor/Roof Plan  
624\_P106 Proposed T3A Ground Floor Plan  
624\_P107 Proposed T3A First Floor/Roof Plan

624\_P108 Proposed T3B Ground Floor Plan  
624\_P109 Proposed T3B First Floor/Roof Plan

624\_P1100 Proposed-Site Plan-Lower Level-T3-Ground Floor  
624\_P1101 Proposed-Site Plan-Lower Level-T3-First Floor  
624\_P1102 Proposed-Site Plan-Upper Level-T2-Ground Floor/T1  
Basement  
624\_P1103 Proposed-Site Plan-Upper Level-T2-First Floor/T1-Ground  
Floor  
624\_P1104 Proposed-Site Plan-Upper Level-T1-First Floor  
624\_P1105 Proposed Site Plan- Roof Level  
624\_P1200 Proposed-Site Elevation-Main Road

624\_P1300 Proposed Site Section AA  
624\_P200 Proposed Elevations – T1  
624\_P201 Proposed Elevations T2a  
624\_P202 Proposed Elevations T2b  
624\_P203 Proposed Elevations T3a  
624\_P204 Proposed Elevations T3b

624\_P400 Proposed-House Types-01-2b4p  
624\_P401 Proposed-House Types-02-3b5p-End Terrace  
624\_P402 Proposed-House Types-02-3b5p-Mid Terrace  
624\_P403 Proposed-House Types-03-2b4p  
624\_P404 Proposed-House Types-04-3b5p-End Terrace  
624\_P405 Proposed-House Types-04-3b5p-Mid Terrace  
624\_P406 Proposed-House Types-05-2b3p-WCA  
624\_P407 Proposed-House Types-06&07-2b3p

RBA-UMR-111 G General Arrangement Plan 01  
RBA-UMR-112 G General Arrangement Plan 02  
RBA-UMR-113 G General Arrangement Plan 03

RBA-UMR-121 D Proposed Levels 01  
RBA-UMR-122 D Proposed Levels 02  
RBA-UMR-123 D Proposed Levels 03  
RBA-UMR-131 C Furniture Proposals Plan 01  
RBA-UMR-132 C Furniture Proposals Plan 02  
RBA-UMR-133 C Furniture Proposals Plan 03

RBA-UMR-211 C SuDS Detail Plan 01  
RBA-UMR-212 C SuDS Detail Plan 02  
RBA-UMR-213 B SuDS Detail Plan 03  
RBA-UMR-311 B Planting Strategy Plan 01  
RBA-UMR-312 B Planting Strategy Plan 02  
RBA-UMR-313 B Planting Strategy Plan 03

RBA-UMR-551 B Proposed Sections 01  
RBA-UMR-552 B Proposed Sections 02

RBA-UMR-553 B Proposed Sections 03  
RBA-UMR-711 D Landscape Strategy

RBA-UMR-712 C Access and Circulation Strategy  
RBA-UMR-713 D Sustainable Drainage Strategy (SuDS)  
RBA-UMR-715 F Boundary Treatment Strategy  
RBA-UMR-717 B Landscape Character  
RBA-UMR-718 B Key landscape Zones

MNR 01 Tree Survey  
MNR 03 Tree Constraints Plan  
MNR 04 Tree Protection Plan

1281-01-CE-XX-ZZ-SK-C-4010 P6 Site Entrance Layout Study Full Bus  
Layby (dated 18/10/2023)  
1281-01-CIV-XX-XX-D-H-40007 P1 Site Entrance Visibility Splays

J3130-R2-SYHA Acoustic Report Rev 2  
Archaeological Desk  
Archaeological Evaluation Report September 2023  
610-2023-118-01 Stage 1 Road Safety Audit 20 March 2023  
Biodiversity Metric  
Biodiversity Impact Assessment  
Arboricultural Impact Assessment  
SuDS Surface Water Design Statement  
RBA-UMR-851 Landscape Appraisal rev B  
Transport Assessment  
Sustainability Appraisal  
Preliminary Ecological Appraisal  
Geo-Environmental Report  
Gas Monitoring Report  
Flood Risk Assessment  
Design and Access Statement  
Adoptable Highway Drainage and Foul Drainage Strategy (November 2022)

### **Employment and Training**

3. Before the development hereby approved commences, a scheme to enhance and maximise employment and training opportunities during the construction stage of the project, including a timetable for implementation, shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall then be implemented in full in accordance with the approved timetable.

Reason: In the interests of creating sustainable development in accordance with policy SS1 of the North East Derbyshire Local Plan

### **On-Site Public Spaces**

4. Prior to the first occupation of any dwelling, hereby approved, a scheme for the delivery and future maintenance of all on site public open space, and a timetable for its implementation relative to the completion of dwellings hereby approved, shall be submitted to and be approved in writing by the Local Planning Authority. Thereafter the approved scheme shall be implemented in full as agreed and then the public open space shall be maintained as such thereafter.

Reason: In the interest of the appearance of the area and in accordance with policies SS1 and SDC12 of the North East Derbyshire Local Plan

### **Sustainable Design, Character and Appearance**

5. 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 buildings or the completion of the development, whichever is the sooner. Any plants or trees which within a period of 5 years from the completion of 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.

Reason: In the interest of the appearance of the area and in accordance with policies SS1, LC4, and SDC12 of the North East Derbyshire Local Plan

6. Before any above ground works commence, precise specifications (including the manufacturer, range and colour details where applicable) 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.

Reason: In the interest of the appearance of the area and in accordance with policies SS1, LC4, and SDC12 of the North East Derbyshire Local Plan.

7. Before development starts details of the accessible and adaptable dwellings (to at least M4(2) of the Building Regulations 2015 or any subsequent government standard.) shall be submitted to and approved in writing by the Local Planning Authority. At least 20% of the units shall meet this standard, and be implemented in accordance with the approved details. Once provided the dwellings so identified shall be retained as such thereafter.

Reason: In the interests of creating sustainable development in accordance with policies SS1 and LC4 of the North East Derbyshire Local Plan.

8. Before development starts the submitted tree protection measures shall be installed in full as set out in the MNR 04 Tree Protection Plan and the methodologies described within the Arboricultural Impact Assessment and then be retained as such during the entire period of construction.

Reason: In the interest of the appearance of the area and in accordance with policies SS1, LC4, and SDC12 of the North East Derbyshire Local Plan.

9. The boundary treatments shall be implemented in accordance with RBA-UMR-715 F Boundary Treatment Strategy. The respective boundary treatments shall be installed in full on occupation of each respective plot and be retained as such thereafter.

Reason: In the interest of the appearance of the area and in accordance with policies SS1, LC4, and SDC12 of the North East Derbyshire Local Plan.

10. The proposed finished floor levels of the dwellings, hereby approved, and the proposed finished ground levels of the site shall be implemented in accordance with drawings RBA-UMR-121 D Proposed Levels 01; A-UMR-122 D Proposed Levels 02; RBA-UMR-123 D Proposed Levels 03.

Reason: In the interest of the appearance of the area and in accordance with policies SS1, LC4, and SDC12 of the North East Derbyshire Local Plan.

11. The development shall be carried out in accordance with the Sustainability Appraisal and then be retained as such thereafter.

Reason: In the interests of creating sustainable development in accordance with policy SS1 of the North East Derbyshire Local Plan.

### **Highways**

12. The Development hereby approved shall not be occupied until the parking and turning facilities have been provided as shown on drawing no. RBA-UMR-101 Revision F titled Site Plan.

Reason: In the interests of highway safety and in accordance with policy ID3 of the North East Derbyshire Local Plan

13. The development hereby approved shall not be occupied until the highway improvements/offsite works/site access works as shown on drawing no. 1281-01-CEXX-ZZ-SK-C-4010 Rev P06 titled Site Entrance Layout Study Full Bus Layby, have been constructed and completed.

Reason: In the interests of highway safety and in accordance with policy ID3 of the North East Derbyshire Local Plan

14. No part of the development hereby permitted shall be occupied until such time as vehicular visibility splays detailed on Site Entrance Visibility Splays drawing no. 1281-01-CIV-XX-XX-D-H-40007 Revision P01 have been provided at the site access. These shall thereafter be permanently maintained with nothing within those splays higher than 0.6 metres above the level of the adjacent footway/verge/highway and retained as such thereafter.

Reason: In the interests of highway safety and in accordance with policy ID3 of the North East Derbyshire Local Plan.

15. The development hereby approved shall not be occupied until the means of access for vehicles, pedestrians and cyclists have been constructed and completed in full as shown on drawing no. 1281-01-CEXX-ZZ-SK-C-4010 Rev P06 titled Site Entrance Layout Study Full Bus Layby and retained as such thereafter.

Reason: In the interests of highway safety and in accordance with policy ID3 of the North East Derbyshire Local Plan.

16. 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
  - Highway Condition survey;
  - Methods of communicating the Construction Management Plan to staff, visitors and neighbouring residents and businesses.

Reason: In the interests of highway safety and in accordance with policy ID3 of the North East Derbyshire Local Plan.

## **Ecology**

17. No development shall take place (including ground works, vegetation clearance and movement of plant, machinery and materials) until a Construction Environmental Management Plan (CEMP: Biodiversity), and a timetable for its implementation, has been submitted to and approved in



writing by the local planning authority. The CEMP (Biodiversity) shall be based on recommendations in Section 5 of the Preliminary Ecological Appraisal (Weddle Landscape Design, Revision A September 2022) and include the following.

- a) Risk assessment of potentially damaging construction activities.
  - b) Identification of “biodiversity protection zones”.
  - c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction.
  - d) The location and timing of sensitive works to avoid harm to biodiversity features.
  - e) The times during construction when specialist ecologists need to be present on site to oversee works.
  - f) Responsible persons and lines of communication.
  - g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
  - h) Use of protective fences, exclusion barriers and warning signs. The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.
- The agreed details shall then be implemented as approved.

Reason: Reason: To safeguard the ecology of the site and ensure ecological interest is conserved in accordance with Policy SDC4 of the North East Derbyshire Local Plan.

18. A Landscape and Biodiversity Enhancement and Management Plan (LBEMP) , including a timetable for its implementation, shall be submitted to, and be approved in writing by, the LPA prior to the commencement of the development. The aim of the LBEMP is to enhance and sympathetically manage the biodiversity value of onsite habitats, in accordance with the proposals set out in the submitted Biodiversity Metric (Weddle Landscape Design, 05.01.23) and to achieve no less than a +13.26 % net gain. The LBEMP 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.
  - 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 organization 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, 25 and

- 30 years. 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, in line with British Standard BS 42021:2022.
- j) Requirement for a statement of compliance upon completion of planting and enhancement works.

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

## **Drainage**

19. The development shall be carried out in accordance with the details shown on the submitted report, "Adoptable Highway Drainage and Foul Drainage Strategy' 1281-01 prepared by Civic Engineers, dated 22/11/22". The approved scheme shall be implemented in full prior to the first occupation of the dwellings and retained as such thereafter.  
Reason: In the interest of satisfactory and sustainable drainage in accordance with policy SDC11 of the North East Derbyshire Local Plan.
20. No development shall take place until a detailed design and associated management and maintenance plan of the surface water drainage for the site, including a timetable for implementation, in accordance with the principles outlined within:
- a. Flood Risk Assessment prepared by KRS Environmental Ltd, Reference KRS.0284.003. R.001.C, dated April 2022.
  - b. Adoptable Highway Drainage and Foul Drainage Strategy prepared by Civic Engineers, Reference SYHA – Unstone, Derbyshire, dated 22 November 2022.
  - c. SuDS Surface Water Design Statement prepared by Robert Bray Associates, referenced RBA-UMR-802 B, dated 28th August 2022, "including any subsequent amendments or updates to those documents as approved by the Flood Risk Management Team".
  - d. And DEFRA's Non-statutory technical standards for sustainable drainage systems (March 2015),  
has been submitted to and approved in writing by the Local Planning Authority.

The agreed scheme shall then be implemented as agreed.

Reason: 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 accordance with policy SDC11 of the North East Derbyshire Local Plan.

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

Reason: 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 and in accordance with policy SDC11 of the North East Derbyshire Local Plan

22. The attenuation basins, hereby approved, shall not be brought into use until such a time as it/they is/are fully designed and constructed in line with CIRIA SuDS manual C753 and to the agreed specifications, and an associated management and maintenance plan, in line with CIRIA SuDS Manual C753 is submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the proposed attenuation pond does not increase flood risk, that the principles of sustainable drainage are incorporated into the proposal, the system is operational prior to first use and that maintenance and management of the sustainable drainage systems is secured for the future and in accordance with policy SDC11 of the North East Derbyshire Local Plan.

23. 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).

Reason: : To ensure that the drainage system is constructed to the national Non-statutory technical standards for sustainable drainage and CIRIA standards C753 and in accordance with policy SDC11 of the North East Derbyshire Local Plan .

### **Ground Conditions**

24. Before the commencement of construction works, including any demolition in connection with the development hereby approved, a construction environmental management plan, including a timetable for its implementation, to minimise the impacts of noise and airborne dust from the site during construction and demolition periods shall be submitted to and be approved in writing by the Local Planning Authority. The construction phase

of development shall then be undertaken in accordance with the approved scheme.

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

### **Amenity**

25. Construction works on site and deliveries to the site shall be undertaken only between the hours of 07:30am to 18:00pm Monday to Friday and 7:30am to 13:00pm on Saturday. There shall be no work undertaken on site or deliveries to the site undertaken on Sundays or public holidays.

Reason: To protect the amenity of nearby property occupiers and users in accordance with policy SDC12 of the North East Derbyshire Local Plan.

26. Prior to the first occupation of any dwelling on the site, a lighting scheme for the stepped walkways., hereby approved, including a timetable for its implementation, shall be submitted to and be approved in writing by the Local Planning Authority. The approved scheme shall then be implemented in full as agreed and be retained as such thereafter.

Reason: in the interest of crime prevention and in accordance with policy SDC12 of the North East Derbyshire Local Plan.

27. Prior to the first occupation of the any dwelling hereby approved a scheme of sound insulation shall be submitted to and approved in writing the Local Planning Authority. The scheme shall be designed following the completion of a sound survey undertaken by a competent person. The scheme shall take account of the need to provide adequate ventilation, which will be by mechanical means where an open window would not achieve the following criteria. Unless otherwise agreed, the scheme shall be designed to achieve the following criteria with the ventilation operating:

Bedrooms	30 dB LAeq (15 Minutes) (2300 hrs – 0700 hrs)
Living/Bedrooms	35 dB LAeq (15 Minutes) (0700 hrs – 2300 hrs)
All Other Habitable Rooms	40 dB LAeq (15 Minutes) (0700 hrs – 2300 hrs)

All Habitable Rooms 45 dB LAmax to occur no more than 6 times per night (2300 hrs – 0700 hrs)

Any outdoor amenity areas 55 dB LAeq (1 hour) (0700 hrs – 2300 hrs)

The scheme as approved shall be validated by a competent person and a validation report submitted to and approved in writing by the local planning authority] The approved scheme shall then be implemented in full as agreed in each dwelling to which it relates and be retained as such thereafter.

Reason: To protect the aural amenity of future occupiers of the dwellings in accordance with Policies SDC12 and SDC13 of the North East Derbyshire Local Plan