

**Planning Committee 23<sup>rd</sup> April 2024**

**SUMMARY OF LATE COMMENTS/REPORT UPDATE**

The aim of this report is to seek to avoid the need for lengthy verbal updates that Planning Officers have sometimes needed to provide in the past at the Planning Committee. In consultation with the Chair, it has been decided that on the evening before committee a summary of all the late comments/representations received so far will be emailed to the Committee Members by the Governance Team.

It is possible that verbal updates will still be required at the meeting as sometimes comments are received at the last minute or Officers may wish to amend their recommendations: however Officers will seek to keep verbal updates to a minimum.

At the meeting Officers will only refer briefly to any key points of the case in the summary that has been emailed, as well as providing the usual verbal update for any additional last minute items.

If Members have any queries about the comments or the application itself please feel free to contact the relevant case officer given beneath the title of each summary below.

**PARISH:** Grassmoor, Hasland & Winsick Parish

**APPLICATION:** 23/00189/FL

**CASE OFFICER:** Graeme Cooper

**1. SOURCE OF COMMENTS:** NEDDC Drainage Engineer

**DATE RECEIVED:** 11/04/24

**SUMMARY:**

The NEDDC Drainage Engineer understands concerns raised regarding flooding in this area, but realistically the proposed development will reduce the amount of surface water runoff onto the highway and the issue with highway flooding isn't the applicants to deal with. The officer reiterates DCC's advisory comments provided as part of the application process, in that as long as the applicant demonstrates the appropriate level of treatment stages from the resultant surface water discharge, in line with Table 4.3 of the CIRIA SuDS Manual C753<sup>1</sup> the drainage officer has no reason to object.

**OFFICER COMMENTS:**

The comments above reiterate the conclusion of the officer report in that surface water drainage is not a reason to preclude development.

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<sup>1</sup> [The SuDS Manual \(unisdr.org\)](https://www.unisdr.org)

**2. SOURCE OF COMMENTS:** Lead Local Flood Authority (LLFA)

**DATE RECEIVED:** 12/04/24

**SUMMARY:**

The LLFA reviewed application 23/00189/FL and have some queries based on concerns raised. Can answers to my questions please be addressed before I can provide our final comment?

- In section 5.1 of the Flood Risk Assessment it is stated that flood control measures will be implemented and SuDs drainage will be introduced, can the applicant please specify what flood control measures and SuDs features will be implemented on the site to reduce the risk of flooding on site and to the surrounding area? What consideration was given for the use of SuDs on the site?
- What is the proposed outfall destination for surface water from the site? Can the applicant please demonstrate that they have considered the surface water run off destination hierarchy?
- Can the applicant please state the proposed surface water discharge rate from the site, including the greenfield rate calculations?
- What is the existing surface water discharge rate from the site?
- Have appropriate calculations been made for any surface water attenuation required?
- Will there be an increase to the impermeable area of the site? If so, what will this increase be?

**OFFICER COMMENTS**

These comments are noted and have been put to the applicant. At the time of writing this report to members officers have received no further information from the applicant.

**3. SOURCE OF COMMENTS:** Resident: Nicola Field

**DATE RECEIVED:** 15/04/24

**SUMMARY:**

I wish to object to the proposal on three main points:

1. We have had flooding on this road on numerous occasions over the past few years and any further building would mean there is less natural drainage and therefore worse flooding.
2. It is a busy road with increased traffic. The proposed development is where the road bends and therefore vehicles entering the road are in danger of causing an accident. Visibility for vehicles from the proposed development entering on to the road and for

vehicles already on the road seeing vehicles coming from the new development would be limited. Again, there is a high potential for accidents.

3. There has already been a high level of house building in Grassmoor which has put a strain on local amenities such as the school and doctors' surgery. More house building will increase these problems.

## **OFFICER COMMENTS**

These comments raise no new material considerations.

**4. SOURCE OF COMMENTS:** Resident: Jacob Field

**DATE RECEIVED:** 16/04/24

## **SUMMARY:**

My objections are based on the following grounds:

### 1. Flooding Risk:

o Over the past few years, our road has experienced repeated flooding incidents. Any additional construction would further reduce natural drainage capacity, exacerbating the flooding problem.

o The attached photographs vividly depict the extent of flooding and damage to local infrastructure, wildlife, and homes, directly at the location of the proposed buildings. These adverse effects would only worsen with additional building.

### 2. Traffic Hazards:

o The proposed development site is situated on a busy road, where the road bends. This configuration poses a significant risk to vehicles entering the road, potentially leading to accidents.

o Limited visibility for vehicles from the proposed development when merging onto the road, as well as for vehicles already on the road anticipating traffic from the new development, raises the likelihood of collisions.

### 3. Strain on Local Amenities:

o Grassmoor has already witnessed a high volume of house building, which has strained local amenities such as schools and doctors' surgeries.

o Further house construction will exacerbate these existing problems, impacting the quality of life for residents.

I urge the planning authorities to consider the attached photographs, which indisputably demonstrate the impact of flooding and the strain on our community. Approving additional building would only compound these issues, jeopardising the safety, infrastructure, and well-being of our neighbourhood.

## **OFFICER COMMENTS**

These comments raise no new material considerations.

**5. SOURCE OF COMMENTS:** Resident: Phil Hawkins

**DATE RECEIVED:** 16/04/24

**SUMMARY:**

I am aware of the plans submitted under the above reference number and would like to outline a major concern connected to the above development. At present the highway directly in front of the proposed development is subject to a major and serious standing water issue even when heavy rain is not a factor due to incorrect levels of drain height and the inefficiency to take excess water away. this becomes a major issue in heavy rain as highlighted in a Derbyshire Times of October 2023 where a van and a car can be seen floating in the standing water.

Once dwellings have been built on the proposed land any water that is now soaking into that area will have to be dispersed either down drains that already cannot cope or directly onto the highway making an already serious situation even worse.

I hope prior to any committee meeting passing the above plans this matter could be given some serious consideration as to how to deal with this ongoing problem which has been evident for many years. to highlight the problem further there is even a you tube video from previous years showing an emergency Police Vehicle stranded in the flooded area. If these houses are built without proper drainage being considered a situation could arise with Five (5) or more households stranded in there New homes.

I hope this matter can be given the attention it requires and not left to be dealt with after the development has been built.

**OFFICER COMMENTS**

These comments raise no new material considerations.

**PARISH:** Clay Cross

**APPLICATION:** 22/01090/FL

**CASE OFFICER:** Graeme Cooper

**1. SOURCE OF COMMENTS:** Applicant

**DATE RECEIVED:** 18/04/24

**SUMMARY:**

It is requested that the delivery trigger for the link road be amended to read “prior to the occupation of the 674<sup>th</sup> dwelling” as this will provide a clear break between development consented based on the current Parameter Plan(s) and any additional development which may follow as a result of the changes to the Parameter Plan(s).

The applicant also confirms that the S106 will not need to be amended and the second Updated Viability Appraisal will consider the uplift in anticipated housing delivery, albeit it does not increase the amount of housing beyond the overall amount already consented under the outline permission.

**OFFICER COMMENTS:**

Officers note that Egstow Park will currently deliver 674 dwellings (Phase 1, 171 dwellings, phase 2, 147 dwellings, phase 3, 97 dwellings, phase 4, 223 dwellings, phase 5a, 36 dwellings). The proposed development will increase this figure north of 780 dwellings. Therefore to amend the trigger from 661 to 674 will still ensure that the link road is delivered prior to the completion of housing which currently has planning permission on Egstow Park and protect the delivery of the link road. It is therefore recommended that condition 3 is updated to amend the delivery trigger for the link road from “not later than occupation of the 661<sup>st</sup> dwelling” to 674 dwellings.

Officers have noted the comments regarding the S106 and agree with the applicant’s conclusion. The LPA look forward to receiving the last Updated Viability Appraisal in due course.

**PARISH:** Pilsley

**APPLICATION:** 23/01081/FL

**CASE OFFICER:** Adrian Kirkham

**1. SOURCE OF COMMENTS:** Highway Authority

**DATE RECEIVED:** 11.04.2024

**SUMMARY:**

The following observations should be considered in conjunction with previous observations issued to the Local Planning Authority (LPA) dated 8th February 2023.

The applicant has stated '*the existing layout significantly exceeds the 5m wide for 10m sought by the Highway Authority*'. As such the Local Highway Authority (LHA) have advised a condition securing the minimum access geometry.

It is understood vehicular visibility of 2.4m x 60m to the West and 2.4m x 50m to the east are achievable, and given that Padley Wood Lane is a single track road, with no through route, vehicle speeds are likely to be low, therefore the LHA consider the achievable visibility splays above acceptable in the site specific circumstances.

The applicant has submitted an updated site plan demonstrating parking provision of 2 spaces per each caravan/mobile home, which is considered acceptable. It is also noted the applicant has stated caravans/mobile homes can be transported to site, given this has been carried out at an adjacent site.

As such, the following conditions are recommended:

1. Notwithstanding the submitted plans, the proposed access shall have a width of a minimum of 5 metres, a gradient of no more than 1/20 for a distance of at least 10 metres behind the highway boundary and shall be surfaced in a hardbound material and radii. The access once provided shall be so maintained at all times.
2. The development hereby approved shall not be brought into use until the parking and turning facilities have been provided as shown on drawing Site Layout Plan
3. The development hereby approved shall not be brought into use until visibility splays are provided from a point 0.6m above carriageway level at the centre of the access to the application site and 2.4 metres back from the near side edge of the adjoining carriageway, (measured perpendicularly), for a distance of 60 metres to the west and 50 metres to the east, measured along the nearside edge of the adjoining carriageway and offset a distance of 0.6 metres from the edge of the carriageway. These splays shall thereafter be permanently kept free of all obstructions to visibility over 0.6m in height above carriageway level.
4. Prior to commencement of the development hereby permitted details of arrangements to receive abnormal loads or unusually large vehicles shall be

submitted to and be approved in writing by the Local Planning Authority. The approved plan shall be adhered to throughout the construction period.

**OFFICER COMMENT:**

The updated comments of the Highway Authority are noted. These matters can be addressed by the modification of the recommended conditions or their addition to any approval granted.

**2. SOURCE OF COMMENTS:** Derbyshire Wildlife Trust (DWT)

**DATE RECEIVED:** 15.04.2024

**SUMMARY:**

DWT were not aware that much of this development was underway. It was queried if the 15 m buffer zone specified by Natural England (to ancient woodland) existed, are any necessary tree protection measures in place and has a Tree Officer reviewed or commented on the application.

Expressed disappointment that construction is underway as there are records of brown hare, badger, slow worm and farmland birds within or adjacent to the application area and mitigation measures should have been in place prior to construction to avoid disturbance or injury.

The cumulative loss of the application area and the field immediately east [as a result of granting NED/23/00724/FL] will result in a loss of nesting habitat for farmland birds. In respect of NED/23/00724/FL, grassy margins and wild bird seed mixes were to be provided for farmland birds. As such it was recommended that a condition for a Habitat Enhancement and Management Plan, to include a map, specifications/species list for seed mixes and hedgerow plants, and management prescriptions was required and a similar approach could be taken here. Whilst a metric should ideally be used to compensate for habitat losses, it may be more pragmatic to consider the local species present and how opportunities could be incorporated into the site through habitat creation.

As such DWT recommend the imposition of a condition is attached to any permission as follows:

A Biodiversity Enhancement and Management Plan (BEMP) shall be submitted to, and be approved in writing by, the Local Planning Authority prior to the first occupation of the site to provide details for the creation, enhancement and management of habitats and species on the site post-development. The BEMP shall be suitable to provide to the management body responsible for the site. It shall include the following:-

- a) Description and location of habitat features to be retained, created, enhanced and managed. These should include native mixed bird-friendly hedgerows, native tree planting, flowering amenity lawn and wild bird seed mixes at margins.
- b) Rationale for habitat choices and how these will benefit local species.
- c) Appropriate management methods and practices.
- d) Prescriptions for management actions, including a work schedule capable of being rolled forward in perpetuity.
- e) Details of the body or organization responsible for implementation of the plan.
- f) A monitoring schedule to assess the success of the habitat creation and enhancement measures at intervals of 1, 2, 3, and 5 years.
- g) Monitoring reports to be sent to the Council at each of the intervals above
- 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, including pole-mounted owl box at periphery and habitat piles.
- j) Details of proposed lighting, if any is required, to demonstrate no lightspill to adjacent Ancient Woodland.
- k) Requirement for a statement of compliance upon completion of planting and enhancement works.

The approved plan will be implemented in accordance with the approved details.

**OFFICER COMMENT:**

The updated comments of DWT are noted. This additional condition can be attached to any approval granted to address the ecological issues raised in an amended form to include a timetable for submission, implementation and forward monitoring that addresses the site-specific nature of the proposal.