

PLANNING COMMITTEE – 5th November 2024

Reference Number: 24/00642/FL

Application expiry: 18/11/2024

Application Type: FULL

Proposal Description: Erection of new Community Hall with pre-school facility and food bank, associated car parking and play area (Amended Plans)

At: Land Adjacent To 42, Cleveland Road, Stonebroom

For: Rykneld Homes Limited

Third Party Reps: 4 objections

Parish: Shirland and Higham

Ward: Shirland

Report Author: Steven Wigglesworth

Date of Report: 23 October 2024

MAIN RECOMMENDATION: Grant permission, subject to conditions



Figure 1: Location plan, with site edged in red

1.0 Reason for Report

The applicant is Rykneld Homes and there have been objections received to the application. As such, the application cannot be determined under Officer delegated powers.

2.0 Proposal and Background

Site Description

- 2.1 The site is located in Stonebroom, within the settlement development limits. The Neighbourhood Plan identifies the area as the 'Stonebroom Crescent' character Area.
- 2.2 The site would be accessed off Cleveland Road and at present comprises outdoor amenity spaces associated with the Flats 12, 14, 16, 18 Queensway. There is also a gated access from the amenity land to the rest of the site which is rough grass between 40 & 42 Cleveland Road and 20 & 15 Birkenstyle Avenue. It appears that although now fenced off, the rough grass part of the site comprises what was formerly part of the gardens of 40 and 42 Cleveland Road.
- 2.3 The site is in a residential area surrounded by dwellings.
- 2.4 There are mature trees on or adjoining the site, including a mature Sycamore, Silver Birch and Rowan as well as mature hedgerows of mixed species.
- 2.5 The site is generally level but with Cleveland Road being at a higher level.
- 2.6 The buildings in the vicinity are a mix of construction, including red brick with plain clay (rosemary) tiles on Birkenstyle Avenue and buff brick with pantiles and most of the dwellings have hipped roofs. The nearby flats have dual pitched roofs and are constructed of redbrick with concrete tile roof.
- 2.7 The existing community hall (reported to be in use as a pre-school) is 40m to the west. It does not have a vehicular access and is accessed via a footway off the Bungalows area (a continuation of Cleveland Road). It is noted that in the Neighbourhood Plan this facility is noted/identified as a preschool.
- 2.8 The site includes some areas identified as being at risk of flooding from surface waters, the risk identified is low.

Proposal

- 2.9 This application seeks planning permission for a community centre. The community centre would be primarily used as a pre-school with a foodbank also operating from the site.

2.10 The applicants have explained the opening hours for the pre school would be –

Monday to Friday 0800-1700, with the children in the building from 0900-1500, with the additional hours being for preparation, cleaning and staff planning meetings. The facility would not operate at weekends. The foodbank is stated to be open between 0900-1700 on Wednesdays only.

Amendments

2.11 The application was amended to address design issues, to reduce the buildings massing and improve its general design and aesthetic. The amended scheme also addresses highways comments by removing a parking space which was close to the proposed access.

2.12 The amended scheme comprises the following and is shown in Figure 2 below:

- 2021-711-2-01C Site Block Plan
- 2021-711-2-02C Community Hall Plans, Elevation & Section
- 2021-711-2-0 Site location plan



Figure 2 - Extract from amended Block Plan 2021-711-2-01C

3.0 Relevant Planning History (not the full site history)

3.1 None relevant on file.

4.0 Consultation Responses

4.1 The Coal Authority (CA) – The site falls within a low risk area and therefore there are no objections.

4.2 Highways Section (LHA) – 17/10/2024 The applicant has submitted a revised site block plan which omits a car parking space near the site access junction. As such the LHA are satisfied with the proposal subject to conditions.

Based on the analysis of the information submitted and a review of Local and National policy the LHA concludes that there would not be an unacceptable impact on highway safety or a severe impact on congestion.

4.3 Derbyshire County Council (Flood Risk Team (LLFA)) – Objection – It is not possible to provide an informed comment until such a time that the applicant has submitted the following further information. • Site plan and impermeable area • Topographic survey of the site • Appropriate evidence to support how the site will drain (photographs / maps / a confirmation letter from a water company) • Basic calculations of the greenfield/brownfield runoff and discharge rates • A quick storage estimate to show the required storage volume of surface water on site and an indication of the likely location • Calculations should include allowances for the current Environment Agency guidance for climate change and urban creep. • Major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate (as per National Planning Policy Framework 175). A range of sustainable drainage techniques must be considered prior to or in conjunction with the planning layout. • How the sustainable drainage systems integrate with the open space and green infrastructure should be described and what multifunctional benefits they provide should be stated, as per paragraph 59 of planning practice guidance (Aug 2022).

4.4 Derbyshire Wildlife Trust – No objections subject to conditions.

4.5 Environmental Health Officer – Following receipt of further noise impact assessment information, which included amongst other things details of noise when the windows are ajar, there are conditions suggested for amongst other things to ensure no amplified sound, but even with this there are still concerns in relation to noise and the impact on neighbouring properties. The applicant has submitted further information for the EHO's consideration on these matters. Any further comment will be presented to Planning Committee.

- 4.6 Environment Agency – No comments as the development falls within flood zone 1 and there are no fluvial flood risk concerns associated with the site. There are no other environmental constraints associated with the application.
- 4.7 NEDDC Structural Engineers – No response to date.
- 4.8 Severn Trent Water Ltd – No response to date.
- 4.9 Shirland and Higham Parish Council –18/10/2024 offered the following comments - The Parish Council are concerned about the number of off-street parking spaces proposed and the vehicle movements on and off site.
- 4.10 Ward Councillor(s) – No response to date.

5.0 Representations

- 5.1 A total of 5 letters of objection have been received, 3 are in the form of a circular letter, but raise individual specific concerns, 2 are from the same Author, as such, there is a total of 4 objectors. Together the objections raise the following issues: –
- Concern that green space is being removed for a car park
 - Community hall should remain in its current location and become the food bank and the new building just a pre school.
 - Will increase traffic and therefore also pollution and danger.
 - Would not be able to utilize existing washlines which serve the existing flats as these are located on the development site.
 - Window cleaner will no longer be able to access the rear of the properties.
 - Impact on environment
 - Impact on noise levels and pollution
 - Impact on character and appearance of the area
 - Impact on privacy
 - Modern design will not fit with the character of the area
 - Harm to outlook from the flat as they have currently enjoyed an outlook onto open green space.

6.0 Relevant Policy and Strategic Context

- 6.1 The Development Plan comprises the Local and Neighborhood Plans. The following policies are material to the determination of this application:

North East Derbyshire Local Plan 2014-2034 (LP)

SS1 Sustainable Development

SS2 Spatial Strategy and the Distribution of Development

SS7 Development on Unallocated Land within Settlement with defined Settlement Development Limits
SDC2 Trees, Woodlands and Hedgerows
SDC3 Landscape Character
SDC4 Biodiversity and Geodiversity
SDC10 Decentralised, Renewable and Low Carbon Energy Generation
SDC11 Flood Risk and Drainage
SDC12 High Quality Design and Place Making
SDC13 Environmental Quality
SDC14 Land potentially affected by Contamination or Instability
SDC15 Developments near Hazardous Uses
ID2 Provision and Safeguarding of Transport Infrastructure
ID3 Sustainable Travel
ID4 New Social Infrastructure
ID5 Loss of Existing Social Infrastructure
ID10 Open Space, Sports and recreation Facilities

Shirland and Higham Neighbourhood Plan

Policy 1 Sustainable Development
Policy 2 Infill Development
Policy 3 Protecting the Landscape Character
Policy 4 Protecting and Enhancing the Natural Environment
Policy 5 Designation of local green spaces
Policy 7 Achieving High Quality Design
Policy 8 Renewable Energy, Energy Efficiency and Low Carbon Technologies
Policy 10 Protecting or enhancing the provision of community facilities

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 Design Interim Planning Guidance (IPG), adopted December 2013

7.0 Planning Issues

Principle of Development

- 7.1 The proposal seeks consent for a Community Centre that will provide a mixed-use building for use as a preschool and food bank. It is intended to be an enhanced replacement for the existing preschool building which is accessed off the Bungalows part of Cleveland Road, and which has no vehicular access. The existing preschool

is identified in the Neighbourhood Plan. Its removal is not part of this application and, it is understood it is intended to form part of a larger forthcoming application.

- 7.2 The site is within the settlement development limits of Stonebroom and so in principle the new community facility is acceptable in principle in accordance with Local Plan policies SS1, SS2, SS7.
- 7.3 Policy ID4 is specific to new social infrastructure and this is permissive provided that the development will be accessible by public transport, walking and cycling unless they are meeting a specific local need and where possible are provided in multi-use, flexible and adaptable buildings, or co-located with other social infrastructure which encourage dual use and increase public access.
- 7.4 Given the building is ultimately intended to be a replacement for the existing preschool, it is considered the building is identified for a specific local need and, as it is approximately 40m from its existing location, clearly capable of serving the same community. It is also considered to have better accessibility than the existing facility as it has dedicated parking and a vehicular access. The new building would also create a multi-use facility which adds weight in favour of the application.
- 7.5 Neighbourhood Plan Policy 10 Protecting and enhancing the provision of community facilities is also supportive of new proposals where they can be satisfactorily accommodated in terms of highway safety and residential amenity.
- 7.6 Therefore, in principle, the new building is considered compatible with Development Plan policies. However, they also require new buildings to be compatible with the area in which they are located and incorporate sustainable design features. These issues are discussed below.

Design

- 7.7 As submitted, Officers were concerned about the massing of the building, the materials proposed and the building's design. For example, there was a wide gable proposed and the resultant roof form gave the building poor massing which would have detracted from the character and appearance of the area.
- 7.8 Further to that, amended plans (Figure 3 below) have been submitted which redesign the building. The massing is much improved by breaking the building up so it appears as a number of more traditional width gables and different materials are proposed. The amended design also has other enhancements including showing the location for solar panels.



Figure 3 - Amended Design

7.9 The amended scheme is much improved and achieves a high standard of design that is considered will not detract from the character, appearance or amenity of the area.

Highways

7.10 The Highway Authority (LHA) has not objected to the amended scheme. Some minor revisions were required to improve the proposal in highway safety terms by omitting a parking space that was too close to the access. Otherwise, the scheme, subject to conditions, is considered to be acceptable in highways terms.

7.11 It is noted that in the representations received, highway safety issues have been raised. However, given the HA's comments officers conclude the proposal is acceptable in this respect.

7.12 Subject to conditions the proposed development would not lead to an unacceptable impact on highway safety and the residual cumulative impact on the wider road network would not be severe.

Privacy and Amenity Considerations

7.13 As submitted, due to the design and massing of the original proposal, Officers were concerned about the impact on the outlook of the nearby properties. However, the amended scheme improves the design and reduces this massing significantly and it is not considered to represent harm to outlook.



Figure 4- Visual representation of original proposal.



Figure 5 - Visual representation of amended proposal.

- 7.14 The proposal does result in a loss of amenity space for a number of existing properties because it uses land that was formerly gardens (now already fenced off, and so no longer garden) and also the outdoor amenity spaces associated with the flats. However, these properties will be left with adequate gardens/outdoor amenity space that meets the minimum requirements of Successful Places for outdoor amenity space (Standard is 25m² per flat). For example, the flats at 16-18 Queensway (four flats) will share a total of approx. 127 m² and of this No 16 appears to retain approximately 44m², a larger space than the rest (which reflects the existing arrangement). This leaves 83m² shared between 3, so each of those would retain 27m² (exceeding the 25m² minimum). The three smaller garden spaces are only 5m deep but given in total the area exceeds the minimum standard, there will be enough space provided. No.14 and No.12 Queensway have their amenity spaces to the north of those properties and this is not affected by this proposal with similar space is retained to their fronts.
- 7.15 No 16 directly faces the proposed community centre building. This is at a distance of approximately 20m to the main body of the building.
- 7.16 The corner of No.14 Queensway is only 3.9m from the proposed Community Centre building. This distance (as well as design reasons) led officers to seek a reduction in the massing of the building. This has been achieved in the amended scheme.
- 7.17 It is also noted that the distance between No 42 Cleveland Road and the proposed building is approximately 10m. The amended scheme will result in two gables, with a lower flat roof between, being relatively close to the boundary. There is however a

close boarded fence to the garden boundary such that there will be no overlooking. The gables are single storey and not excessive in their width, so not considered to be harmful or overbearing, albeit visible from the relevant garden.

- 7.18 It is noted that there are points raised in the submitted representations about loss of green space, gardens and loss of space for washing lines. Whilst officers note these points, given the compliance of the scheme with the guidance set out in Successful Places these concerns are not considered overriding as alternative facilities are otherwise available and specifically, the flats will still be left with adequate space to install a replacement washing line (see above).
- 7.19 There are also amenity issues raised in this report in the trees section in relation to the proposed tree planning, casting shadows over the garden areas of the flats on Queensway. This issue can be addressed via a condition to agree tree planting/landscaping.

Noise

- 7.20 The application is supported by a noise impact assessment. This considered the impact of noise from the proposed building and from associated apparatus, including air conditioning units.
- 7.21 The Environmental Health Officer (EHO) raised a number of queries in relation to the proposal, including a suggestion for a condition to require the windows to remain closed when the building was in use. This was considered impracticable and, as an alternative, Officers sought calculations related to noise when the windows would be opened. This information has been received and the EHO reconsulted. Concerns remain and so, to address this, conditions are proposed which would require no amplified sound to be played/relayed on the premises and the provision of an acoustic fence. Some final concerns remain about the impact of the building and its use on neighbouring properties, particularly those on Birkenstyle Avenue. The planning agent has provided a further response on this issue and this has been provided to the EHO for further comment. At the point of finalising this report Officers await further comments.
- 7.22 The pre-school is intended to operate on Monday to Friday between 0800-1700 and the foodbank on Wednesday. Unless otherwise restricted, the building could be used for other activities outside that time. In view of the issues raised about noise and disturbance it is considered appropriate to control the hours of operation in the interests of amenity of the neighbouring properties by planning condition to 07:30 and 18:00 on Monday to Fridays only. This would allow for maintenance and cleaning outside those times but otherwise control the building's use to times during the week which would not unacceptably impact on the amenity of residential occupiers nearby.

7.23 Notwithstanding the potential for final comments to be received from the EHO Officers consider that through a combination of a limit on operating times, a restriction on amplified sound, sound attenuation in connection with any plant and the provision of an acoustic fence, the amenity of adjoining residents can be acceptably protected.

Trees

7.24 There are trees on the site and hedgerows and a tree survey has been submitted in support of the proposal.

7.25 The Tree Survey identifies two significant trees (T1 and T2) within the site and these are located immediately west of the proposed access and directly south of the rear gardens of properties on Queensway. Other trees within the site are identified as either trees of low quality or trees unsuitable for retention. Trees of low quality or unsuitable for retention should not represent an obstruction to the proposed development.

7.26 T1 is described as a mature Sycamore (*Acer pseudoplatanus*) of moderate quality. T2 is described as a mature Silver Birch (*Betula pendula*) of moderate quality. Every effort should be made to retain trees of moderate or good quality unless there is overriding justification to remove them. 1.3.2 within the Arboricultural Report describes how existing tarmac within the RPAs of T1 and T2 shall be retained and overlaid with new tarmac. The existing tarmac should protect the underlying roots of T1 and T2 sufficiently whilst the development is undertaken, and the process of laying new tarmac over the existing should avoid any potentially injurious activity within the RPAs of T1 and T2 by avoiding the need to remove the existing tarmac.

7.27 The submitted block plan indicates potential planting along the boundary of the rear gardens on Queensway. Officers consider that extensive planting along this boundary to form a line of trees is probably unsuitable. It is necessary to reduce the size of the rear gardens of properties along Queensway to enable the access and additional parking. However, the proposed planting of trees along the boundary would result in significant shade from the east. The retention of T1 and T2 will already continue to cast shade from the south and the built forms of the properties lie directly west of the rear gardens. Officers are concerned that this will result in an enclosed and cramped feeling to the rear gardens as they become overstood by the proposed tree planting along the rear boundary. This will undoubtedly increase future pressures for the removal of these trees as the amount of shade cast into rear gardens increases with their growth. Officers therefore recommend that new trees are planted elsewhere within the site, or off site.

7.28 In conclusion Officers consider that subject to conditions to secure tree protection and agree a landscaping scheme that the impact on trees and hedgerows is acceptable.

Flood Risk

- 7.29 The site falls in Flood Zone 1, an area with the lowest probability of flooding. A section of the site is identified as at low risk of surface water flooding.
- 7.30 The LLFA (Lead Local Flood Authority) objected to the proposal initially as it did not include a flood risk assessment and is located in an area with a risk of flooding from surface water.
- 7.31 In response to this a Flood Risk Assessment (FRA) has been submitted. The submitted FRA assesses the risk and designs appropriate mitigation to deal surface water flooding. A planning condition can be used to ensure that the development is in complete accordance with the submitted FRA.
- 7.32 It is noted that at the time of writing the report no further comments from the LLFA have been received. Officers will report any updates on this to planning committee but otherwise consider the updated FRA adequately addresses this matter.

Biodiversity

- 7.33 Derbyshire Wildlife Trust (DWT), as the Council's specialist consultee on this matter, have scrutinised the application raising no objection.
- 7.34 DWT explain that records of swift and hedgehog are present in the immediate locality with constraints limited to nesting birds in the hedgerows and trees and potentially hedgehogs in hedgerow bases. It is noted that these can be mitigated through seasonal constraints to hedgerow removal, hedges should be removed outside the nesting bird season but avoiding the core months of hibernation for hedgehogs, in September or October or the end of February / early March. Conditions are recommended to include a timing condition for vegetation clearance to safeguard hedgehogs and nesting birds, biodiversity enhancement measures and a habitat management and monitoring plan. DWT also support the recommendations for species enhancements as per the submitted details, although it is recommended that integral swift / universal bricks should be used rather than sparrow terraces because the universal bricks can be used by a variety of species (including sparrows) and have a greater rate of uptake than terraces.
- 7.35 In relation to BNG (Biodiversity net gain) the proposal represents a net gain of 16.65% habitat units and 10.56% hedgerow units. This complies with the relevant BNG requirements.

Environmental Management

- 7.36 Officers have negotiated solar panels onto the roof of the proposed building, and these can be secured by planning condition. However, an environmental

management condition can be used to pick up other mitigation measures in this regard, such as electric vehicle charging points.

Conclusion

- 7.37 The application site is located within settlement limits where new development is generally supported. Adding further weight in favour of the development is that it is a facility offering substantial community benefits as a school and associated community facility.
- 7.38 The site is located in close proximity to other properties. However, through a revised design and when setting the scheme against the requirements of the Council's Design Guidance, it is concluded the new building is compatible with the area in which it would be located and would not compromise the amenity of adjoining residents.
- 7.39 Issues of noise can be dealt with by condition and any impact on the natural environment is adequately addressed and therefore are of neutral weight.
- 7.40 Overall, subject to conditions the proposal is considered to be in accordance with the policies of the Development Plan and recommended for approval.

9.0 Recommendation

- 9.1 That planning permission is **CONDITIONALLY APPROVED subject to the following conditions**, with the final wording delegated to the Planning Manager (Development Management) and no further objection being raised by the LLFA):-

Conditions

No	Condition	Reason	Pre-commencement agreement
1.	The development hereby permitted shall be started within three years from the date of this permission.	To comply with the provision of Section 91 (as amended) of the Town and Country Planning Act 1990.	N/A
2.	The development hereby approved shall be carried out in accordance with the amended plans '2021-711-2-01C Site Block Plan' '2021-711-2-02C Community Hall Plans, Elevation & Section', '2021-711-2-0 Site location plan' and	For clarity and avoidance of doubt and to achieve a satisfactory detailed design.	N/A

	specifications		
3.	The premises shall only be used between the hours of 07:30 and 1800 on Monday to Friday. There shall be no use of the building on Saturdays, Sundays and public holidays.	In the interests of the amenity of the area, and in accordance with Policies SDC12 of the North East Derbyshire Local Plan and Policy 10 of the Neighbourhood Plan as well as the NPPF.	
4.	There shall be no amplified sound used at the premises whatsoever throughout the lifetime of the development hereby approved.	In the interests of the amenity of the area, and in accordance with Policies SDC12 of the North East Derbyshire Local Plan and Policy 10 of the Neighbourhood Plan as well as the NPPF.	
5.	Prior to commencing development, details of an acoustic fence, including a timetable for its implementation and a specification of the fence (including reference to noise reduction capability), shall be submitted to and be approved in writing by the LPA. The fence shall be designed to mitigate the impact of the development on the surrounding properties. The agreed details shall be implemented as agreed and be permanently so maintained.	To protect the residential amenity of the neighbouring properties.	
6.	Installation of air conditioning units – noise levels from Air conditioning units hereby approved shall not exceed XXX measured at the boundary of neighbouring properties throughout the lifetime of the development.	To protect the residential amenity of the neighbouring properties.	
7.	<u>Vegetation Clearance</u> Site clearance shall be undertaken in a manner by which to safeguard hedgehogs and nesting birds. Hedgerow removal must avoid the core hibernation period (November-February). It should also avoid the	In the interests of the biodiversity of the area particularly nesting birds and hedgehogs.	

	<p>bird breeding season (March-August), where possible. Optimal months for removal are September, October and late Feb/early March. If removal is required between March and August, it should be preceded by a nesting bird check. Hedgerow bases shall be checked by hand for hedgehogs prior to cutting and removal, along with any leaf piles, dense vegetation or other general debris that could be used for shelter. Materials shall be removed offsite or to a location such as a skip, other container or raised pallets. If a hedgehog is discovered during clearance, it shall be moved immediately and carefully with gloved hands to an area of shelter such as beneath adjacent hedgerow/bushes. A short statement of compliance shall be submitted to the LPA upon completion of clearance works to discharge this condition.</p>		
8.	<p><u>Species Enhancements</u> Prior to the completion of development, the following biodiversity enhancement measures shall be implemented: • 1No. integral bat box at apex of western gable • 3No. integral universal bird brick at eaves level (avoiding southern elevations) • 1No. hedgehog box within base of retained hedgerow • hedgehog gaps (130 mm x 130 mm) in any new fencing. Once implemented the measures shall then be retained a such thereafter. Evidence that these measures have been implemented should be submitted to the Local Planning Authority for approval within one month of completion of development.</p>		
9.	<p><u>HMMP</u> A Habitat Management and Monitoring Plan (HMMP) shall be submitted to, and be approved in writing by, the LPA prior to the commencement of the development. This shall identify the habitats to be retained, created and / or enhanced on the site and specify the appropriate management prescriptions to secure the predicted condition targets, as per the approved biodiversity metric for the application. The HMMP shall also set out a monitoring schedule to ensure targets are met and remedial actions to take if not.</p>		

10.	Should the developer during excavation and construction works of the said development site find any area of the site where it is suspected that the land is contaminated then all works shall stop, and the local planning authority notified immediately. An investigation and risk assessment shall be undertaken and where remediation is necessary a remediation scheme shall be prepared in accordance with current good practice and legislation and submitted to and approved by the Local Planning Authority, and the approved remediation shall thereafter be implemented. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority	EHO - As the existing site has properties built circa the 1950s surrounding proposed development area, there is potential for contamination to be discovered during the proposed works from possible deposited unused materials (e.g. asbestos).	
11.	Prior to commencing development a management plan for controlling construction noise and dust during the development of the site shall be submitted to the Authority for approval in writing, Once approved the development shall not be carried out other than in accordance with the management plan.	EHO	
12.	Construction work shall only be carried out between the hours of 7:30 am to 6:00 pm Monday to Friday and 9:00 am to 1:00 pm on a Saturday. Construction work shall not be carried out on Sundays or Public Holidays. The term 'construction work' shall include mobile and fixed plant/machinery, (e.g. generators) the use of radios and the delivery of any construction materials.	EHO	
13.	The development shall not be carried out other than in complete accordance with the submitted 'Flood Risk Assessment and SuDS Statement v01' (P24230-HWA-ZZ-XX-RP-C-5000 October 2024)		
14.	The Development hereby approved shall not be brought into use until the access, parking and turning facilities have been provided as shown on Drawing No. 2021-711-2-01C titled 'site block	To ensure conformity with submitted details, in the interests of highway safety and adequate provision of	

	plan'.	parking and maneuvering space.	
15.	Notwithstanding the submitted plans, the proposed access shall have a width of a minimum of 6 metres, a gradient of no more than 1:12 for a distance of at least 5 metres behind the highway boundary and shall be surfaced in a bound material with a dropped crossing arrangement. The access once provided shall be so maintained at all times.	To ensure that vehicles entering and leaving the site may pass each other clear of the highway, in a slow and controlled manner, in the interests of general highway safety and in accordance with the National Planning Policy Framework.	
16.	The development hereby approved shall not be brought into use until visibility splays are provided from a point 0.6m above carriageway level at the centre of the access to the application site and 2.4 metres back from the near side edge of the adjoining carriageway, (measured perpendicularly), for a distance of 43 metres in each direction measured along the nearside edge of the adjoining carriageway and offset a distance of 0.6 metres from the edge of the carriageway. These splays shall thereafter be permanently kept free of all obstructions to visibility over 0.6m in height above carriageway level.	In the interests of highway safety.	
17.	The Development hereby approved shall not be brought into use until pedestrian visibility splays of 2m x 2m measured perpendicularly back from the back of footway shall be provided on both sides of the access. These splays shall thereafter be permanently kept free of all obstructions to visibility over 0.6m in height above the adjoining ground level.	To ensure motorists have clear and unrestricted views of approaching pedestrians when pulling out onto the adopted highway, in the interest of highway safety.	
18.	Prior to commencement of the development hereby permitted details of a construction management plan shall be submitted to and	In the interests of safe operation of the adopted highway in the lead into development both during	

	<p>approved in writing by the Local Planning Authority. The approved plan shall be adhered to throughout the demolition/construction period. The plan/statement shall include but not be restricted to:</p> <p>Parking of vehicle of site operatives and visitors (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction); Advisory routes for construction traffic; Any temporary access to the site; Locations for loading/unloading and storage of plant, waste and construction materials; Method of preventing mud and dust being carried onto the highway; Arrangements for turning vehicles; Arrangements to receive abnormal loads or unusually large vehicles; Methods of communicating the Construction Management Plan to staff, visitors and neighbouring residents and businesses.</p>	<p>the demolition and construction phase of the development.</p>	
<p>19.</p>	<p>Tree Protection Condition: Prior to the commencement of the development hereby approved (including demolition and all preparatory work), a scheme for the protection of the retained trees, in accordance with BS 5837:2012, including a tree protection plan(s) (TPP) and an arboricultural method statement (AMS) shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>Specific issues to be dealt with in the TPP and AMS:</p> <ul style="list-style-type: none"> a) Location and installation of services/ utilities/ drainage. b) Methods of demolition within the root protection area (RPA as defined in BS 5837: 2012) of the retained trees. c) Details of construction within the RPA or that may impact on the retained trees. d) a full specification for the installation of boundary treatment works. e) a full specification for the construction of 	<p>Required prior to commencement of development to satisfy the Local Planning Authority that the trees to be retained will not be damaged during demolition or construction and to protect and enhance the appearance and character of the site and locality, in accordance with NEDDC Policy SDC2: Trees, Woodland and Hedgerows and pursuant to section 197 of the Town and Country Planning Act 1990.</p>	

	<p>any roads, parking areas and driveways, including details of the no-dig specification and extent of the areas of the roads, parking areas and driveways to be constructed using a no-dig specification. Details shall include relevant sections through them.</p> <ul style="list-style-type: none"> f) A specification for protective fencing to safeguard trees during both demolition and construction phases and a plan indicating the alignment of the protective fencing. g) a specification for scaffolding and ground protection within tree protection zones. h) Tree protection during construction indicated on a TPP and construction and construction activities clearly identified as prohibited in this area. i) details of site access, temporary parking, on site welfare facilities, loading, unloading and storage of equipment, materials, fuels and waste as well concrete mixing and use of fires j) Boundary treatments within the RPA. k) Arboricultural supervision and inspection by a suitably qualified tree specialist. l) Reporting of inspection and supervision. m) Methods to improve the rooting environment for retained and proposed trees and landscaping. <p>The development thereafter shall be implemented in strict accordance with the approved details.</p>		
20.	<p>Landscaping Condition: Prior to completion or first occupation of the development hereby approved, whichever is the sooner; details of treatment of all parts on the site not covered by buildings shall be submitted to and approved in writing by the Local Planning Authority. The site shall be landscaped strictly in accordance with the approved details in the first planting season after completion or first occupation of the development, whichever is the sooner. Details</p>	<p>Required to safeguard and enhance the character and amenity of the area, to provide ecological, environmental and bio-diversity benefits and to maximise the quality and usability of open spaces within the</p>	

	<p>shall include:</p> <ul style="list-style-type: none"> a) a scaled plan showing vegetation to be retained and trees and plants to be planted: b) proposed hardstanding and boundary treatment: c) a schedule detailing sizes and numbers of all proposed trees/plants. d) Sufficient specification to ensure successful establishment and survival of new planting. <p>There shall be no excavation or raising or lowering of levels within the prescribed root protection area of retained trees unless agreed in writing by the Local Planning Authority. Any new tree(s) that die(s), are/is removed, become(s) severely damaged or diseased shall be replaced and any new planting (other than trees) which dies, is removed, becomes severely damaged or diseased within five years of planting shall be replaced. Replacement planting shall be in accordance with the approved details (unless the Local Planning Authority gives its written consent to any variation).</p>	<p>development, and to enhance its setting within the immediate locality in accordance with NEDDC Policy SDC2: Trees, Woodland and Hedgerows.</p>	
21.	<p>Prior to any above ground works commencing precise specifications (including the manufacturer, range and colour details where applicable) or samples of the walling and roofing materials to be used, shall be made available on site for inspection, and subsequent written approval, by the Local Planning Authority . The development shall then be carried out in accordance with the approved details.</p>	<p>To ensure a satisfactory detailed design that will not harm the character and appearance of the area.</p>	Pre
22.	<p>Solar panels as indicated on the approved plans shall be inset into the roof (so they are flush with the roof covering), black panels, with black frames, non reflective and shall be installed prior to occupation of the building hereby approved and shall be permanently so maintained.</p>	<p>In accordance with the polices of the development plan including Local Plan Policy SS1, SDC12, SDC10 and Neighborhood Plan Policy 8 and the NPPF.</p>	
23.	<p>Before the development hereby approved starts, a scheme for mitigating climate change through</p>	<p>In accordance with the polices of the</p>	pre

	sustainable design, including (but not limited to) the provision of sources of renewable energy, EV charging points, etc. including a timetable for its implementation, shall be submitted to and be approved in writing by the Local Planning Authority. Thereafter the approved climate change scheme shall be implemented in full as agreed and be retained as such thereafter.	development plan including Local Plan Policy SS1, SDC12, SDC10 and Neighborhood Plan Policy 8 and the NPPF.	
24.	No development shall commence until full details of the ground floor level of the proposed building in relation to existing and finished ground levels and relative to a fixed datum have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved levels.	In the interests of the appearance of the area and in accordance with Policies SDC12 of the North East Derbyshire Local Plan	
25.	Foul drainage shall connect to the mains.	To secure the detail submitted and ensure the proposal is in accordance with the NPPG.	
26.	Boundary Treatments		

Informatives:

- a) DISCON
- b) NMA
- c) Provision of bins
- d) LLFA informatives as stated 20th September 2024
- e) Highways informatives as stated in their response of the 17 October 2024
- f) Radon Gas as suggested by the EHO.
- g) BNG