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Ctte Date: 30<sup>th</sup> October 2017

File No: CHE/17/00209/FUL  
Plot No: 2/536

## ITEM 2

**PROPOSED - DEMOLITION OF EXISTING BUILDINGS AND STRUCTURES (SUNDAY SCHOOL BUILDING RETAINED); AND ERECTION OF A FOOD STORE AND CREATION OF NEW / ALTERATIONS TO EXISTING ACCESSES WITH ASSOCIATED PARKING, SERVICING AND LANDSCAPING (REVISED DETAILS RECEIVED ON 24/04/2017, 04/05/2017, 15/06/2017, 28/06/2017, 13/07/2017, 07/08/2017, 08/08/2017, 14/08/2017, 04/09/2017 AND 04/10/2017) AT PERRYS GROUP (FORD), CHATSWORTH ROAD, CHESTERFIELD, DERBYSHIRE, S40 2BJ FOR LIDL UK GMBH**

Local Plan: Unallocated  
Ward: Holmebrook

### 1.0 CONSULTATIONS

Local Highways Authority	Comments received 12/07/2017, 18/09/2017 and 18/10/2017 – see report
Strategic Planning Team	Comments received 01/06/2017 – see report
Environmental Services	Comments received 08/05/2017 and 20/07/2017 – see report
Design Services	Comments received 04/05/2017 and 18/10/2017 – see report
Economic Development	Comments received 18/04/2017 – see report
Environment Agency	Comments received 03/05/2017 and 26/05/2017 – see report
Yorkshire Water Services	Comments received 09/05/2017 and 02/06/2017 – see report

Derbyshire Constabulary	Comments received 26/04/2017 – see report
Lead Local Flood Authority	Comments received 03/05/2017 and 17/05/2017 – see report
Chesterfield Cycle Campaign	Comments received 22/04/2017 – see report
Coal Authority	Comments received 09/05/2017 – see report
Conservation Officer	Comments received 03/05/2017 – see report
Urban Design Officer	Comments received 17/05/2017 and 18/10/2017 – see report
Derbyshire Wildlife Trust	Comments received 15/05/2017 and 16/08/2017 – see report
DCC Development Control Archaeologist	Comments received 12/07/2017 and 22/08/2017 – see report
Ward Members	No comments received
Site Notice / Neighbours	Six letters of representation received

## 2.0 **THE SITE**

2.1 The application site is located on the junction of Factory Street and Chatsworth Road and comprises the Perrys Ford Dealership. The site covers an area of approximately 1.56 ha which is covered in hardstanding and used for the display/storage of cars. As well as the main car showroom buildings, there are also two additional, older structures, facing Chatsworth Road and Factory Street respectively. The River Hipper runs across the northern part of the site within a culvert.

- 2.2 The site lies immediately adjacent to, albeit outwith, the existing defined Chatsworth Road District Centre. There are no listed buildings or scheduled monuments within the site. Chatsworth Road Conservation Area is located directly to the north and the boundary includes the former Sunday School building (located within the site) and residential properties beyond.
- 2.3 The site is surrounded:
- To the north by Chatsworth Road and various commercial uses along this road, with residential properties beyond this;
  - To the east by both terraced residential properties and industrial premises;
  - To the south by Goytside Road and a small terrace of residential properties, with vacant former industrial land beyond this; and
  - To the west by Factory Street and vacant land associated with the Grade II\* listed mill buildings at Walton Works beyond.
- 2.4 The site is accessible on foot from both the surrounding residential areas and other shops and services within the wider Chatsworth Road District Centre via a network of pedestrian footways. There are also pedestrian crossings at the junction of Chatsworth Road with Old Road, less than 100m to the west of the application site.

### 3.0 **RELEVANT SITE HISTORY**

- 3.1 CHE/14/00835/EIA - Request for screening opinion - Proposed demolition of existing buildings and redevelopment of site (Retail A1, Restaurant A3-A5, 144 car parking spaces and 10 disabled spaces and landscaping. New access onto Factory Street and highway works on Chatsworth Road).  
EIA not required 17/12/2014.
- 3.2 CHE/05/00590/ADV – Various Signs.  
Approved 12/10/2005.
- 3.3 CHE/1198/0576 – Signage.  
Approved 30/12/1998.
- 3.4 CHE/0297/0050 - New workshop used car sales office rapid fit unit existing showroom extension and associated car parking.  
Approved 25/04/1997.

- 3.5 CHE/0394/0151 - Erection of illuminated signs.  
Approved 10/05/1994.
- 3.6 CHE/0289/0088 - Permission for culvert the R. Hipper to east of existing showroom for use as car parking on land adjacent to 218 Chatsworth Road Brampton.  
Approved 29/03/1989.
- 3.7 CHE/1187/0671 - Permission for erection of a new tyre storage warehouse at John Bull Tyres Factory Street, Chesterfield.  
Approved 18/02/1988.
- 3.8 CHE/0686/0353 - Permission for environmental enhancement including car park with associated landscaping at land at junction of Factory Street and Chatsworth Road, Brampton.  
Approved 22/07/1986.
- 3.9 CHE/0286/0101 - Display of illuminated canopy signs at Kennings Ltd, Chatsworth Road.  
Approved 21/04/1986.

#### 4.0 **THE PROPOSAL**

- 4.1 The subject planning application proposes the redevelopment of the Chatsworth Road site for the following:
- new Lidl store of new 2,472 sqm (gross)/1,424 sqm (net sales) store (replacing the exiting store at the junction of Foljambe Road with Chatsworth Road which would close immediately prior to this store opening);
  - 143 car parking spaces, including 9 disabled spaces, 2 electric vehicle charging points and 4 parent and child spaces;
  - new/improved vehicular accesses from Chatsworth Road and Factory Street;
  - improved amenity space for staff and 5 staff car parking spaces;
  - hard and soft landscaping, including areas of open space to soften the appearance of the new store; and
  - the retention of the former Sunday School building at the northern part of the site.

- 4.2 The proposals also include the retention of the existing former Sunday School building on the eastern side of the site, although the existing brick building to the western side would be demolished.
- 4.3 The new Lidl store would be a replacement for their existing facility at the junction of Chatsworth Road with Foljambe Road, which has a floorspace of 982 sqm gross/742 sqm net.
- 4.4 The application submission details that *'the existing store was built in 1997 and was one of the first generation of Lidl stores built in the UK. It is now small in comparison with the rest of the company's estate and is not able to provide the customer offer and experience which the company wishes to. It is also not capable of expansion, due to the physical constraints of the site, including its size and surrounding uses/road infrastructure. The proposed new store would be built to Lidl's very latest specification and would provide a more modern and spacious customer environment. Lidl's experience is that where a replacement store is provided, it does not necessarily result in an increase in customers, but existing customers' dwell time and spend does increase.*

*Due to the limited levels of car parking it is not possible to extend on the current site due to the loss of these spaces. It is also not possible to extend the site as it is surrounding by roads on three of its boundaries and the Mecca bingo unit which borders the site to the west is not available.'*

- 4.5 The application submission is supported by the following drawings/documents:

- Site Location Plan 1831 P401
- Proposed Site Plan 1831 P409 REV F
- Proposed Surfacing Plan 1831 P411 REV D
- Proposed Boundary Treatments Plan 1831 P412 REV D
- Landscape Details R-1972-2B
- Landscape Masterplan R-1972-1B
- Proposed Elevations 1831 P202
- Proposed Floorplans 1831 P102
  
- Design and Access Statement
- Planning and Retail Statement
- Ecology Report

- Geo-environmental Appraisal and Additional Ground Reports
- Flood Risk Assessment and Flood History
- Transport Assessment and Travel Plan
- Noise Impact Assessment
- Drainage Strategy (revised 04/05/2017)
- Heritage Statement
- Tree Survey
- Statement of Community Involvement
- Archaeological Desk-Based Assessment (submitted 28/06/2017 and updated 08/08/2017)
- Transport Assessment Addendum (submitted 01/08/2017)
- Bat Surveys (submitted 14/08/2017)
- S106 Pro-Rata Calculation - Highways

4.6 Throughout the application process there have been a number of revisions made to the scheme with details being received on the following dates – 24/04/2017, 04/05/2017, 15/06/2017, 28/06/2017, 13/07/2017, 07/08/2017, 08/08/2017, 14/08/2017, 04/09/2017 and 04/10/2017.

## 5.0 **CONSIDERATIONS**

### 5.1 **Planning Policy Background**

5.1.1 The site is situated in within the built settlement of the Holmebrook ward, adjacent to the designated Chatsworth Road District Centre and Chatsworth Road Conservation Area (the former Sunday School building is within the Conservation Area). The site is surrounded by a mix of commercial and residential uses.

5.1.2 Having regard to the nature of the application proposals policies CS1, CS2, CS3, CS4, CS7, CS8, CS9, CS13, CS15, CS16, CS18, CS19 and CS20 of the Core Strategy and the wider National Planning Policy Framework (NPPF) apply.

### 5.2 **Principle of Development**

5.2.1 The site is adjacent to the designated Chatsworth Road District Centre and is therefore considered 'edge of centre' in retail assessment terms. It should be noted that the draft Local Plan (2017) indicates a revised district centre boundary that would include a significant part of the site within the district centre boundary, but relatively little weight can be attached to this at this

stage in plan preparation (representations in support of this amendment have been submitted on behalf of the applicant).

- 5.2.2 The applicant has therefore submitted both a sequential and retail impact assessment with the application. I can confirm that the scope of these assessments was the subject of pre-application discussion and their scope and coverage is considered appropriate. Given that the store would be a replacement for the existing Lidl Store on West Bars, it is appropriate in this case to restrict the extent of the sequential search to the immediate locality.
- 5.2.3 The council's most up to date retail evidence dates from 2010 and is based on household survey data going back to 2008. Although an updated assessment is currently being prepared it has not yet been completed. The applicant has therefore helpfully supplemented the application with more up to date survey data. There is sufficient capacity in expenditure to support the additional floorspace without threatening the vitality or viability of any existing centres or currently planned investment. Although the council's updated evidence is still in preparation, from early indications there is no reason to think that this conclusion would change.
- 5.2.4 The principle of the proposed development therefore meets the requirements of policy CS1, CS2, CS15 and CS16 and the requirements of the sequential and impact tests set out in the NPPF.

### 5.3 **Design and Appearance Considerations (inc. Neighbouring Impact)**

- 5.3.1 The design and layout of the scheme incorporates two main access points into the site, with one via Chatsworth Road and other from Factory Street. One of the existing accesses from Chatsworth Road would be closed, the other altered to serve the new use. The existing 3-storey industrial building on Factory Street would be demolished to facilitate the access and drainage proposals on the west side of the site.
- 5.3.2 The proposed store is located on the eastern half of the site with the main front elevation in line with that of the retained Sunday School building immediately adjacent. Locating the store to the east achieves a more open frontage with Factory Street, whereas

an earlier iteration of the design indicated the store located on the west side of the site with the rear wall presented towards Factory Street.

- 5.3.3 The existing Anchor public house sits outside the site but next to the northwest boundary and would remain in-situ as part of the established streetscene of Factory Street.
- 5.3.4 The car park is laid out in front of the main elevation facing Chatsworth Road and between the west elevation and Factory Street.
- 5.3.5 The site lies within a known flood zone which necessitates the incorporation of a drainage designed to manage surface water flows and hold back and manage the release of water back into the River Hipper. The position of the existing culvert also restricts works along the frontage with Chatsworth Road. These factors have resulted in the inclusion of green margins around the perimeter of the site, as well as the incorporation of drainage swales directing surface water flows to a water storage basin (c. 1000m<sup>3</sup>) in the south east corner. Subject to their design and landscaping, these elements have the potential to provide a spacious setting to the proposed store.

#### Main frontage

- 5.3.6 The main store frontage comprises a large glazed elevation facing Chatsworth Road. This would achieve an active store front on the primary elevation and addressing the street appropriately. Furthermore, setting the store back slightly helps reveal the presence of the former Sunday School, which is currently partially obscured by the car sales building and the presence of densely parked vehicles, allowing this to be more readily appreciated.

#### Former Sunday School Building

- 5.3.7 This building makes an important contribution to the character and social history of this area and it is identified as a 'Building of Townscape Merit' in the Chatsworth Road Conservation Area. Its retention and future re-use is supported.
- 5.3.8 A modest 'plaza' space is shown in front of the former Sunday school, providing an enhanced setting to this distinctive building and this is combined with a pedestrian link from Chatsworth Road



to form an appealing route for visitors approaching the store on foot from the west.

#### Pedestrian movement

- 5.3.9 The layout makes provision for footpath connections into site from Chatsworth Road, Factory Street as well as the retained Sunday school building. In response to the initial comments made by the Council's Urban Design Officer (UDO) the site layout has been amended to include prioritisation of pedestrians accessing the site. The site layout now includes defined crossings (zebra or contrasting surfaces) to give priority to pedestrians navigating the car park to the access the store entrance.

#### Cycling provision

- 5.3.10 Cycle stands are indicated just off the north east and south west corners of the proposed store, with the second stand provision (to the SW) being a later addition to the site layout added following comments from the UDO.
- 5.3.11 It is noted that the Hipper Valley Trail runs along Goyt Side Road to the south of the application site and several consultees suggested an opportunity to provide an independent connection to the Trail where the site shares its southern boundary with Goyt Side Road. Notwithstanding this the applicant confirmed that the operational requirements of the engineered surface water swales prevented them from building over these features. Furthermore the two parcels of the land to the south of the site are currently the subject of separate planning applications (outline) for residential development.

#### Scale and Massing

- 5.3.12 The store design has a mono-pitch roof which is essentially low-rise but is considered to reflect the scale and height of nearby buildings in the vicinity, which are generally two-storeys in height.
- 5.3.13 The provision of a single large building does not generally reflect the finer grain of the existing surrounding townscape. However, the current car sales use and existing buildings represent a similar arrangement in respect of the larger scale and mass of a modern building within a generally open area occupied vehicles. In this respect the scale and massing of the store is not considered to be harmful to the context of the site.

### Appearance

- 5.3.14 The proposed store design includes a large glazed frontage, white painted render panels to the ground floor and silver grey panelling to upper section of the building, silver fascia's and roof. A small amount of local Coal Measure sandstone is proposed to form a low plinth around the base of the store and is also used on the north-west corner adjacent to the former Sunday School, which represents a modest acknowledgement of local materials and distinctiveness. Chatsworth Road is characterised by a mixture of mainly red brick buildings and some painted render elevations, under dark slates and tiles.
- 5.3.15 Overall, the design of the building is a standard store type with some minor adaptation in respect of the incorporation of some local stone. A darker anthracite/slate grey colouring for the roof and panelling would be preferable relative to the context of the local roofscape. Nevertheless, given the existing silver clad showroom, the appearance of the proposed store represents contemporary design and an enhancement in terms of the appearance of the site and how it relates to both Chatsworth Road and Factory Street.

### Boundary Treatments and Soft Landscaping

- 5.3.16 It is noted that some existing trees are shown to be retained around the periphery of the site, however, the site includes a number of exposed edges to Chatsworth Road, Factory Street, Goytside Road and the land to the east. As such, the interface created between the development and its surroundings are an important consideration in respect of achieving a sensitive assimilation of the development into its surroundings.
- 5.3.17 With the store set back into the site and surrounded by parking, the largely open boundaries would create weakly defined edges with the adjoining streets. This is particularly important on the Chatsworth Road frontage which has a large open aspect.
- 5.3.18 It is noted that the presence of the river Hipper culvert running alongside the Chatsworth Road frontage constrains the opportunities for tree planting in this location; however as recommended in the initial comments of the UDO the site layout plan was revisited to include additional tree planting along the centre line of the car park and at select positions around the car park surfacing area. It will be necessary to ensure that fastigiated

tree varieties with a vertical growing habit (e.g. Hornbeam – *Carpinus betulus* Frans fontaine variety or similar) are planted, as a clear stem height of 2m would also ensure clearance beneath the canopies for the convenience and safety of visitors and to maintain a good degree of visibility to the store for customers, so as to satisfy commercial requirements.

- 5.3.19 Boundary treatments to site perimeter are indicated in a separate plan. The retention and repair of existing brick walls is welcome, although a number of lengths of wall are under review, subject to a condition survey and any proposals for these will need to be clarified in due course. Existing security fencing is to be removed. New paladin fencing (weld mesh style) is intended to secure the eastern boundary and section of the perimeter around the houses to the south.
- 5.3.20 A low knee rail is proposed to the frontage with Chatsworth Road which adjoins the Conservation Area and along the edge of Factory Street and turning into Goytside Road. In this context boundaries along Chatsworth Road are generally characterised by low red brick walls and the UDO recommended that the knee fail along the Chatsworth Road frontage could be replaced by a low brick wall to harmonise the frontage with the character of this part of the Chatsworth Road Conservation Area.
- 5.3.21 Whilst both viability and / or the river Hipper culvert might prevent this from being a feasible option it is suggested that under the % For Art scheme (policy CS18) this option could be explored further.
- 5.3.22 The amenity/protection of the residential units to the south, close to the loading bay will be a consideration. No boundary treatments or acoustic fencing are currently indicated immediately adjacent to these neighbouring properties, however the Noise Impact Assessment (NIA) accompanying the application submission suggests that the noise from the delivery bay should be mitigated by the installation of a 2.4m high solid boundary fence adjacent to the delivery pod.
- 5.3.23 Overall it is considered that the design and appearance of the proposed development is acceptable, having regard to the context and provisions of policies CS2 and CS18 of the Core Strategy in relation to design and amenity. Furthermore in respect of

neighbouring amenity it is considered that the siting, scale and massing of the proposed store extensions are acceptable.

#### 5.4 **Highways Issues**

5.4.1 Initially the application submission was accompanied by a Transport Assessment and a Framework Travel Plan which was prepared by EJSA Associates dated March 2017. The Local Highways Authority were invited to comment on the application submission and these accompanying documents, which subsequently lead to an exchange of correspondence and further meetings between the LPA, the Applicant and the LHA to discuss issues and queries arising from the submission.

5.4.2 Ongoing discussions culminated in the further submission of a Transport Assessment Supplement (dated July 2017), appending information for a highway contribution S106 Pro-Rata Mechanism and a further set of revised plans (with swept path analysis) and the LHA provided further formal comments on the details as follows:

*'I refer to your e-mail request for comment on the additional/ revised information submitted in association with the above proposals following the latest highways consultation response to the application and the subsequent meeting at your offices.*

*The latest information relates to three main issues that have been raised i.e. Swept Path Analysis, Potential Cycle Link and Factory Street Junction.*

*I can confirm that the swept path analysis demonstrates an access and internal site layout considered suitable to accommodate the largest vehicles expected to frequently visit the site although the actual access layout will be subject to Constructional design Approval as a part of the Section 278 process.*

*Impact on the proposed flood mitigation measures is given as the reason for not creating a separate pedestrian/cycle link with Goyside Road and I trust that you will satisfy yourself that this is justified. Notwithstanding, it's considered unlikely that refusal of the proposals on the Grounds of lack of such link could be sustained.*

*As you will be aware, a need for mitigation works at the junction of Factory Street with Chatsworth Road have been identified as a part of the adjacent Walton Works proposals and it's considered reasonable for the Lidl development to contribute to these on a pro-rata basis. Details demonstrating the relevant predicted trip generations and a suggested overall scheme cost for introduction of an island within the junction to prevent traffic turning right out of Factory Street have been submitted in this respect. The predicted division of the costs is considered acceptable however, in the absence of a detailed design, it's difficult to determine what the actual layout or estimated costs are likely to be. In addition, having scanned through the rates given, it's suggested that these may be on the low side compared to what this Authority would use. However, it's appreciated that the applicant will wish to know the maximum level of funding they may be exposed to for securing under the Section 106 and it's suggested that use of an estimate based on the cost of introduction of a carriageway splitter island would be appropriate. I'm aware that this Authority installed such a feature last year in the Dronfield area for a sum in the region of £12,000 although this didn't include the costs for a Traffic Regulation Order to prohibit vehicle manoeuvres (right turns in this case). Therefore, on this basis, it's predicted total costs are more likely to be in the region of £15,000 giving a maximum contribution of £2637.36 (say (£2,650) for the proposed development. This sum should be secured for a period of 10 years post full opening of the development and index linked to the Construction Price Index (not Retail Price Index) to be available on demand.*

*It's noted that the revised Proposed Site Plan makes reference to closure of the redundant access with Chatsworth Road although there are likely to be similar requirements on Factory Street as well. It's suggested that details of the access works, both modifications and closures, may be made the subject of Condition with all Works being carried out by Agreement between the applicant and Highway Authority under Section 278 of the Highways Act 1980.*

*It would appear that the revisions to the access arrangements with Factory Street will require modifications to existing Traffic Regulation Orders funding for which should also be secured under the Section 106 and available on demand.*

*Comments with respect to the Framework Travel Plan have been provided previously and it's recommended that monitoring fees of £1,000 per annum (i.e. total of £5,000) are also secured under the Section 106.*

*Therefore, if you are minded to approve the proposals, highway recommendations for the Section 106 undertakings, Conditions and advisory Notes are as follows:-.*

***Recommended Highway Related Section 106 Undertakings:-***

*The following suggested main features should be considered for any Section 106 Agreement:-*

- 1. Off-site maximum highway mitigation contribution of £2,650 for modification of the junction of Chatsworth Road with Factory Street.*
- 2. Maximum funding of £5000 for investigation into, and any subsequent implementation of, modifications to existing Traffic Regulation Orders.*
- 3. Trigger points for payment of contributions.*
- 4. Extent of network over which contributions can be applied.*
- 5. Indexation, draw-down arrangements and location of account.*
- 6. Timeframe over which funds will be available.*
- 7. Accumulation of contribution with other developer or public funds.*
- 8. Travel Plan monitoring contribution sum of £1,000 per annum for 5 years to a maximum of £5,000.*

***Recommended Highway Related Conditions:-***

- 1. Before any other operations are commenced detailed designs for the proposed vehicular and pedestrian access arrangements shall be submitted to the Local Planning Authority for written approval.*
- 2. No development shall take place including any works of demolition until a construction management plan or construction method statement has been submitted to and been approved in writing by the Local Planning Authority. The approved plan/statement shall be adhered to throughout the construction period. The statement shall provide for:*

- *Parking of vehicles of site operatives and visitors*
  - *routes for construction traffic*
  - *hours of operation*
  - *method of prevention of debris being carried onto highway*
  - *pedestrian and cyclist protection*
  - *proposed temporary traffic restrictions*
  - *arrangements for turning vehicles*
3. *Prior to the development, the subject of the application, being brought into use, the vehicular and pedestrian accesses shall be created/ modified in accordance with the approved designs, the subject of Condition 1 above, all areas in advance of the visibility sightlines shall be retained throughout the life of the development free of any object greater than 1m in height (0.6m in the case of vegetation) relative to adjoining nearside carriageway channel level.*
4. *All existing vehicular and pedestrian accesses to the existing highway made redundant as a result of the proposed development shall be permanently closed with a physical barrier and the footway reinstated in accordance with a scheme first submitted to and approved in writing by the Local Planning Authority.*
5. *No part of the development shall be taken into use until space has been provided within the site curtilage for the parking/ loading and unloading/ manoeuvring of staff/ customers/ service and delivery vehicles (including secure/ covered cycle parking), located, designed, laid out and constructed all in accordance with a scheme first submitted to and agreed in writing with the Local Planning Authority and maintained throughout the life of the development free from any impediment to its designated use.*
6. *The development hereby permitted shall not be commenced until details of secure cycle parking facilities for the occupants of, and visitors to, each phase of development hereby approved have been submitted to and approved in writing by the Local Planning Authority. These facilities shall be fully implemented and made available for use prior to the*

*occupation of the development hereby permitted and shall thereafter be retained for use at all times.*

- 7. There shall be no gates or other barriers within 6.0m of the nearside highway boundary and any gates shall be locked in an open position whilst ever any operations are ongoing on site. Any gates shall also open inwards only, unless otherwise agreed in writing by the Local Planning Authority.*
- 8. No part of the development shall be brought into use until details of arrangements for storage of bins and collection of waste have been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the agreed details and the facilities retained for the designated purposes at all times thereafter.*
- 9. Prior to the commencement of the development details shall be submitted to and approved in writing by the Local Planning Authority showing the means to prevent the discharge of water from the development onto the highway. The approved scheme shall be undertaken and completed prior to the first use of the access and retained as such thereafter.*
- 10. No building or use hereby permitted shall be occupied or the use commenced until a Framework Travel Plan comprising immediate, continuing and long-term measures to promote and encourage alternatives to single-occupancy car use has been prepared, submitted to and been approved in writing by the Local Planning Authority. Subsequently with each Reserved Matters application a Travel Plan including targets, relating to each phase (or sub-phase as may be agreed in writing with the Local Planning Authority) shall be submitted to and approved in writing by the Local Planning Authority. The approved Travel Plans shall then be implemented, monitored and reviewed in accordance with the agreed Travel Plan Targets.'*

#### 5.4.3

Having regard to the dialogue and final comments of the LHA detailed above the application proposals do properly consider and assess the traffic impacts arising from the scale and nature of the development proposals. As a result of these assessments it can be concluded that the development proposals incorporate appropriate means of access points to both Chatsworth Road and



Factory Street. The design and geometry of both proposed access points have been engineered to meet the operational requirements of the proposed development to the satisfaction of the LHA, having regard to highway safety. The level of on-site parking provision is considered to be appropriate to the scale of the development and the edge of centre location on Chatsworth Road (where there are easily accessible public transport links and footpath / cycle route connections). Looking specifically at traffic impacts it is acknowledged that Chatsworth Road does suffer from congestion issues at peak hours. With this in mind as part of the planning application process all major applications are required to quantify and assess the potential traffic impacts arising from the development proposals and the Transport Assessment work undertaken has been agreed by the LHA in this regard. The suggested conditions detailed and the S106 agreement contributions to potential highway improvements are considered to be necessary and appropriate having regard to the provisions of policy CS20 of the Core Strategy and the wider provisions of the NPPF.

## 5.5 **Flood Risk and Drainage**

- 5.5.1 In respect of matters of drainage and potential flood risk (having regard to policy CS7), it is noted that the application site is affected by flood risk zone 3 and therefore the site has a high probability of fluvial flooding and is also adversely affected by surface water flooding. In respect of drainage, the application details that the development is to be connected to existing mains drain for foul and surface water will be directed to an engineered sustainable drainage solution.
- 5.5.2 The application is accompanied by a Drainage Strategy and Flood Risk Assessment which have both been prepared by Eastwood & Partners (which were revised on 04/05/2017) and have been passed to the **Lead Local Flood Authority (LLFA)**, **Design Services (Drainage) team (DS team)** and **Yorkshire Water Services (YWS)** for review in the context of policy CS7 of the Core Strategy.

5.5.3 The LLFA acknowledged the proposals intention to discharge surface water through the combined use of detention basin and swales at a rate of 30 l/s using above and below ground storage. The LLFA confirmed that they had no objections in principle to the proposals however they commented that the use of below ground storage was not recognised as a 'sustainable drainage' and therefore they advise that they would seek an upsize of the storage volume to allow for a greenfield run off rate to be achieved. On this basis the LLFA have advised (and reiterated in their 2<sup>nd</sup> consultee response) that the following condition should be imposed on any decision issued:

*No development shall take place until a detailed design and associated management and maintenance plan of surface water drainage for the site, in accordance with DEFRA Non-statutory technical standards for sustainable drainage systems (March 2015), has been submitted to and approved in writing by the Local Planning Authority. The approved drainage system shall be implemented in accordance with the approved detailed design prior to the use of the building commencing.*

5.5.4 YWS provided an initial response raising no objections to the scheme, acknowledging the presence of a public sewer which crosses the site that would need to be protected by condition easement. In their secondary response they confirmed that the FRA and Drainage Strategy were both acceptable to them.

5.5.5 The DS Team also provided an initial response to the application submission raising some queries which generated the submission of the revised FRA and Drainage Strategy. Having reviewed the revised documents the following comments were made:

*The site may still to be at risk of flooding during extreme events, however as described in the FRA, the risk may be permissible as a less vulnerable development under the NPPF. The development also includes flood storage compensation so there is no overall loss in flood storage volume.*

*Our only query would be whether any assessment has been carried out on the piped network for the surface water runoff. I understand the tank has been sized to accommodate flows, but no calculations have been included for the conveyance of flows into and from the tank. Also the proposed building is to be discharged*

*to the River Hipper via an existing 150mm outfall pipe. Has any analysis been carried out to determine that this has sufficient capacity to discharge flow and prevent flooding on events up to 100year + climate change events as the building has substantial area.*

- 5.5.6 Having regard to the outstanding queries of the both the LLFA and DS team it is considered that an appropriate planning can be imposed which requires the submission of further detailed drainage designs to satisfy the queries outstanding. Both consultees are agreeable in principle to the drainage strategy being proposed, but seek further technical detail on the system to be fully satisfied. This can be dealt with by pre-commencement condition in accordance with policy CS7 of the Core Strategy.

## 5.6 **Land Condition / Contamination / Noise**

- 5.6.1 The site the subject of the application comprises of hard surfaced / previously developed land and therefore land condition and contamination need to be considered having regard to policy CS8 of the Core Strategy.

- 5.6.2 In respect of land condition the **Coal Authority (CA)** were consulted on the application submission and provided the following response:

*'The Coal Authority does not consider that the supporting Coal Mining Risk Assessment adequately demonstrates that the site is safe and stable for the proposed development with reference to past shallow coal mining activity. We therefore consider that further intrusive site investigation works should be undertaken prior to development in order to establish the exact situation regarding coal mining legacy issues on the site.*

*The Coal Authority recommends that the LPA impose a Planning Condition should planning permission be granted for the proposed development requiring these site investigation works prior to commencement of development.*

*In the event that the site investigations confirm the need for remedial works to treat any areas of shallow mine workings to ensure the safety and stability of the proposed development, these*

*should also be conditioned to be undertaken prior to commencement of the development.*

*A condition should therefore require prior to the commencement of development:*

- \* The submission of a scheme of intrusive site investigations for approval;*
- \* The undertaking of that scheme of intrusive site investigations;*
- \* The submission of a report of findings arising from the intrusive site investigations, including the results of any gas monitoring;*
- \* The submission of a scheme of remedial works for approval; and*
- \* The implementation of those remedial works.*

*The Coal Authority has no objection to the proposed development subject to the imposition of a condition to secure the above which is required to ensure that the applicant satisfactorily demonstrates that the application site is, or can be made, safe and stable for the proposed development, in accordance with the requirements of the NPPF.'*

5.6.3 Having regard to the comments detailed above from the CA appropriate conditions can be imposed to this effect, if permission is granted, to ensure compliance with policy CS8 of the Core Strategy and the wider NPPF in respect of noise and land condition.

5.6.4 In addition to the comments of the CA, the Council's **Environmental Health Officer** (EHO) also provided the following response:

*I have the following comments to make (should planning consent be granted):*

*Demolition Phase*

- 1. Demolition shall be carried out in a manner that does not generate excessive noise and/or dust.*

2. *The hours of demolition shall be limited to 8:30am to 5:00pm Monday to Friday and 9:30am to 4:00pm Saturday. Demolition shall not take place on a Sunday or Public Holiday.*
3. *The demolition contractor will not be permitted to burn demolition materials as a means of disposal.*

### Land Contamination

1. *I note that the application is supported by desk study and site investigation reports. The author of these reports refers to conversations with 'Chesterfield Borough Council's contaminated land officer'; I do not have any record of speaking/corresponding with the author of this report.*
2. *If permission is granted, I recommend that additional site investigation work is carried out after the demolition process is complete.*
3. *If a site investigation is carried out and remediation is necessary, the method of remediation must be agreed by Chesterfield Borough Council.*
4. *All remedial work shall be supported by a validation/verification report.*
5. *All reports shall be submitted and approved in writing prior to commencement of development.*

### Lighting

1. *Given the close proximity of residential housing to this site, I recommend that the developer submit a lighting plan showing the locations of all proposed external lighting.*
2. *All lighting shall be positioned and designed as to not cause overspill off site and must not cause glare in nearby residential properties.*
3. *Where possible, external lighting shall be fitted with a timer device; the operating times must be agreed in writing with Chesterfield Borough Council.*
4. *The lighting scheme shall be submitted and approved in writing prior to commencement of development.*

## Noise

1. *The hours of construction shall be limited to 8:30am to 5:00pm Monday to Friday and 9:30am to 4:00pm Saturday. Construction shall not take place on a Sunday or Public Holiday.*
2. *I note that the application is supported with a 'noise impact assessment' and can see from the design layout that the location of the proposed delivery bay is situated near to the residential occupiers of properties on Goytside Road. For this reason, I recommend that deliveries to the store (i.e. food produce and other retail items) shall only take place between 7:30am and 7:30pm Monday to Friday and between 8:00am and 5:0pm on a Saturday. Deliveries shall not take place on a Sunday or Public Holiday.*

*2<sup>nd</sup> Response - you will see from my attached email (original comments dated 8<sup>th</sup> May) that I raised concerns about the proposed store wishing to have deliveries 24 hours a day. I have since spoken with the noise consultant and it has been suggested that should planning consent be granted, deliveries could be permitted 24 hours but only on a temporary basis (i.e. for 12 months) to assess whether or not there are any noise complaints received. The applicant has further recommended that acoustic fencing will be installed on site and this should be set as a condition should planning consent be granted.*

- 5.6.5 In respect of the comments of the EHO detailed above, further discussions were had regarding the proposed delivery times of the store. These were considered in the context of delivery hours which had been permitted at other food store in the Borough having particular regard to those whom shared a boundary with residential properties (such as Morrisons and Lidl Whittington Moor).
- 5.6.6 Whilst it was accepted that the EHO (in their 2<sup>nd</sup> response) was prepared to accept 24hr deliveries for a 12month period to monitor the impacts; it was considered that this was not reasonable. Benchmarked against other sites (Morrison's 5.00am – 11.00pm Mon to Sun; and Lidl Whitt Moor 6.00am – 11.00pm Mon – Sun) the applicants were asked what delivery hours they would require and they responded on 01/09/2017 advising that *Monday – Saturday 7.00am – 11.00pm; and Sunday / Bank Holidays 8.00am*

– 5.00pm were required. On the basis that these hours were considered to fall within the parameters of acceptable hours with similar neighbouring relationships to residential properties, these hours were considered to be acceptable.

5.6.7 Having regard to all other requirements sought by the EHO in their 1<sup>st</sup> response it is considered that these provisions can be written into appropriate planning conditions under policy CS8 of the Core Strategy.

## 5.7 **Ecology and Trees**

5.7.1 The site the subject of the application is predominantly hard surfaced and is subsequently cleared of any vegetation with peripheral trees being the only soft landscaped features which predominantly align the River Hipper (which is culverted underneath the application site). There are a number of buildings on the site which are to be demolished as part of the application proposals which could have a potential ecological value.

5.7.2 The original application submission was accompanied by a Tree Survey and Ecology Survey which were reviewed by Derbyshire Wildlife Trust under their service level agreement with the LPA. As a result of their comments further Bat Surveys were undertaken and submitted for consideration alongside the application on 14/08/2017.

5.7.3 DWT confirmed that in respect of the Bat Survey results, *'we have considered the relevant document supplied which details the results of a suite of nocturnal bat surveys (RPS via email 14th August 2017) undertaken on the buildings to be affected by the development. RSP undertook the surveys in June of 2017 and the results showed that the building did not contain an active bat roost at the time of the surveys. The survey work has been undertaken by an ecologist who holds a bat survey license. DWT are happy with these findings and the recommendations also detailed within the report. No further surveys are recommended with regards to bats'*.

5.7.4 In respect of the comments made it is clear that the requirements of DWT were met through the survey work undertaken and no further requirements for ecological enhancement / mitigation were mentioned in their secondary consultee response. Notwithstanding this as a major development proposal the scheme will be expected to secure a net gain in green infrastructure and ecological enhancement under the provisions of policy CS9 of the Core Strategy and it is considered that the soft landscaping proposals which have been detailed alongside the application proposals are sufficient in this respect. It is noted that the recommendation of the RPS Bat Survey suggests that bat boxes could be positioned on the southern aspect of the retained Sunday School building and the adjacent trees where bat foraging activity was recorded. Under the provisions of policy CS9 it is considered that these measures should be conditioned.

## 5.8 Heritage and Archaeology

5.8.1 As detailed in the application description the site the subject of the application lies in part in and in part adjacent to the Chatsworth Road Conservation Area; furthermore the site also lies along the industrial corridor of Chatsworth Road where there is potential for below ground archaeological interest to exist.

5.8.2 In the context of the above the application submission as accompanied by a Heritage Statement and latterly by an Archaeological Desk-Based Assessment (submitted 28/06/2017 and updated 08/08/2017) which were subject to review by the Council's **Conservation Officer (CO)** and the **DCC Development Control Archaeologist (DCA)**.

5.8.3 In summary the CO acknowledged the content of the Heritage Statement as a robust and comprehensive document; supporting the principle approach of the development proposals having regard to the setting of the nearby listed buildings, conservation area and the retention of the Sunday School building within the site. He commented, *“the proposed design of the supermarket building is, in common with this supermarket operator, contemporary and functional, thus the materials palette includes full height glazing, rendered walls and metal cladding (albeit with some sandstone details on plinths and pillars); and because of the varied types of development along Chatsworth Road, a modern and minimal building design of this type was not inappropriate. Moreover the*



*overall landscaping represents an improvement over the existing site as the proposed swales and a water detention basin would replace hard concrete with softer natural greenery. There is also an emphasis on retaining existing boundary trees and planting new boundary trees which again I would support given the positive contribution trees make to conservation areas’.*

5.8.4 In his original comments the CO made reference to the lack of tree planting within the car parking area as a weakness in the design of the scheme; and this was amended amongst other alterations to the scheme to see the inclusion in 7 no. trees down the central line of the car parking area. The CO asked for clarity of the proposed boundary treatment details to the Factory Street frontage and these were also amended in subsequent revisions which post-dated the CO’s original comments. A timber knee rail to the Factory Street frontage is now shown which secures an appropriate treatment.

5.8.5 In respect of archaeology the applicant has worked proactively throughout the application process with the DCA to provide an Archaeological Desk-Based Assessment of the site. The DCA has confirmed that the Assessment submitted is (as revised) an appropriate assessment and that they are satisfied the conclusions reached therein are acceptable. No further investigation is suggested by the DCA in their last planning consultation response.

5.8.6 Overall therefore in the context of policy CS19 of the Core Strategy and para. 128 – 129 of the NPPF it is considered that the proposals appropriately appraise the potential impact of the development upon designated and potential below ground heritage assets; and the overall design responds to these constraints in a positive and acceptable manner.

## 5.9 **Other Considerations**

### 5.9.1 **Community Infrastructure Levy (CIL)**

Having regard to the nature of the application proposals the development comprises the creation of new retail floorspace and the development is therefore CIL Liable.

The site the subject of the application lies within the single retail CIL zone and therefore the CIL Liability has been calculated (using calculations of gross internal floor space [GIF]) as follows:

	New GIF (sqm)	Calculation	Total
New retail floor space	2125sqm		
Buildings to be demolished	1734sqm		
CIL Liable GIF sqm	391sqm	391 x £80 (index linked)	£31,280
<b>Total</b>			<b>£31,280</b>

### 5.9.2 S106 / Planning Obligations

The application proposals are categorised as a major development proposal and in this context relevant policies of the Core Strategy have been considered having regard to any triggered policy requirements concerning enhancement or improvements to local infrastructure

In this context policy CS18 of the Core Strategy sets the Council's requirements for its percent for art initiative and therefore discussions have been held with the applicant to advise that a contribution of up to 1% of the overall development costs will need to be set aside for a public piece of artwork. This requirement will need to be secured under the provisions of a S106 agreement.

Under the provisions of policy CS13 of the Core Strategy the Council also seek to secure a local labour and supply chain provision and with this regard the Economic Development team have responded to the application submission seeking the imposition of this clause by appropriate planning condition.

Finally the S106 agreement will also need to cover the aspects of a pro rata highway contribution and the future management and maintenance of the on site SuDS system; as discussed in sections 5.4 and 5.5 above.

## 6.0 **REPRESENTATIONS**

6.1 The application has been publicised by site notice posted on 26/04/2017; by advertisement placed in the local press on 27/04/2017; and by neighbour notification letters sent on 18/04/2017.

6.2 As a result of the applications publicity there have been six letters of representation received as follows:

### **204A Chatsworth Road**

I cannot describe about this demolition because I am 82 years old and for me a difficult thing. I have headache all the time.

### ***Officer Response: Noted***

#### **A Local Resident (3 no. emails)**

13/04/2017 – I agree with the Design & Access Statement and support the redevelopment of this Brownfield land on a main route into the town centre.

I support the retention of the Sunday School building and like the proposed store's appearance.

I feel the proposed development is in-line with the 'Land to the south of Chatsworth Road' planning guide.

I also feel that the store represents a great improvement on the existing Chatsworth Road store nearer the town centre; the Whittington Moor store is far bigger and has a larger product range.

24/04/2017 – Further to my original response, I agree with the Transition Chesterfield advisory comments relating to the proposed store and opening up the River Hipper corridor.

I agree that a full masterplan is required for the land south of Chatsworth Road and that the existing Local Development Framework guidelines require updating.

I feel it is important that developments on both sides of Factory Street are considered together.

04/05/2017 – I agree with the Police Designing Out Crime Officer and the Conservation Officer Comments.

I feel it is important that the service areas at the rear are fenced / gated off and that the car park should be closed outside store opening hours, as well as increased CCTV coverage.

I am aware there have been crime / ASB issues in the Chatsworth Road / Walton Works area and feel it is important these issues are

addressed through redevelopment of the currently vacant land & buildings on both sides of Factory Street.

***Officer Response: Noted***

**221 Chatsworth Road (Booze Express)**

I object to this application above for the development of a Lidl store for many reasons, having looked and examined at all the plans off the proposed development on the Chesterfield Borough council website.

This proposal will have a negative and detrimental impact on my business, local business and local residents and tourists who pass through Chatsworth Road itself.

As you may be aware there is already a Lidl store situated at the bottom off Chatsworth Road, with a parking facility, so why is it necessary to move literally a five minute walk from its original store?

The answer is obvious, making more profit, and a big store like Lidl will seriously impact on my trade being a convenience store, which I have only bought a year and a half ago. Being a small business owner struggling day to day to make a living this would be the end for my business overall as I cannot compete with a Lidl, which literally is on my doorstep.

I realise I am only one person against a huge corporation, and my objection may not have any affect or impact on this application, but I feel I have to object as me and my family are under threat from such a large store opening, which in time once developed will lead to the closure off my business.

Data from the Department of Trade and Industry (DTI) shows that the UK has lost 50 Independent shops a week over the last decade, due to the opening off large supermarkets, and this will impact other business locally trading on or near Chatsworth Road, and not forgetting there is already a Morrison's Store, five minutes away from the proposed development. So the customers, locals and the public have options to shop already, and it seems unnecessary to move Lidl from its existing site.

The building itself will be visually overbearing, and may reduce the 'right off light ' on my building due to the size off the construction and the distance from my business to the development as well as the not keeping with the neighbouring properties and businesses. Also I will have 'no right to a view' and will be looking at this huge building right in front of me, which will be an eye sore!

The visual impact, effect on the character of the neighbourhood, and possible noise- disturbance may all create negative impacts on the area, As well as heavy pollution from vehicles coming in and out of Lidl and heavy traffic causing chaos on this hectic road, which already causes problems for customers and the general public, Chatsworth Road itself is very busy and traffic build up at peak times is horrendous.

This development will add and cause huge disruption to one of the busiest roads in Chesterfield, The Highways agency have already stated the development would adversely affect the highway safety and inconvenience road users and the public.

Having spoken to many customers and business owners from the area, not many are keen on this development at all, and me and my family are personally devastated from this proposed development and I am hoping the council will refuse the planning application permission, small businesses are the back bone to the community, and this proposal will destroy this value which is special and important to people.

***Officer Response: Business competition is not a material planning consideration. The visual / amenity comments and highway impact comments of the objector are noted. These issues are considered in more detail in sections 5.3 and 5.4 above.***

### **Transition Chesterfield**

Transition Chesterfield is a local community group aiming to make Chesterfield more resilient and sustainable. We want to create positive local solutions to the twin challenges of 'peak oil' and climate change, and make our town a better place to live.

We have concerns about some aspects of the proposed new Lidl store on Chatsworth Road relating to sustainable travel and sustainable design, outlined in detail below, which we consider do not accord with the Borough's Core Strategy policies.

#### Sustainable Travel

Transition Chesterfield supports the improvement of walking and cycling infrastructure within the borough together with other measures to encourage more people in Chesterfield to walk or cycle to improve their health, reduce dependency on cars (and oil) and improve the quality of life.

The current design fails to accord with Core Strategy Policy CS2 (principles for sustainable location) and Core Strategy CS20

(Influencing the Demand for Travel). This latter policy requires applicants to demonstrate (a) Prioritisation of pedestrian and cycle access to and within the site; and b) Protection of, or improvements to the strategic pedestrian and cycle network.

While we agree that the application site is potentially in a sustainable location (though less sustainable than the current location a short walking distance from the town centre), the current design fails to prioritise pedestrian and cycling access, and will detrimentally affect the strategic pedestrian and cycle network by adding more traffic to Factory St and Goytside St.

While we welcome the provision of two electric vehicle charging points on the site, the design overall is completely car-centred and aimed at prioritising car-travel to the site. Rather than encouraging sustainable access the current design appears to be doing the opposite. The Design and Access statement listed opportunities includes “Provide short stay car parking within a central location along Chatsworth Road which also serves visitors to existing shops and helps create linked trips.” This suggests that additional carparking is being provided simply to encourage more people to use their car for shopping along Chatsworth Rd, rather than encouraging more people to walk/cycle and take the bus.

#### Lack of provision for cyclists

The Travel Plan and the Transport Assessment both inaccurately report that “There are no special cycle facilities in the Highway network in the area”. This worryingly displays a lack of local knowledge and failure to read the Council’s Local Plan which refers to the strategic cycle network in paragraph 5.90 and clearly shows the strategic cycle network in Diagram 7. Even more worrying is that this issue was raised at the public consultation and included in the Statement of Community Involvement, raising the question what is the point of a Statement of Community Involvement if you are going to ignore the information provided? “The site is close to the Hipper Valley Route, concern increased traffic on Factory Street and Goytside Street could be detrimental to cyclists.”

“Cycle provision (parking and paths) do not seem to be evident.”

“What about bike provision – it isn’t mentioned, only car parking spaces.”

(public comments at consultation)

While the developer added a cycling parking/shelter in response to the consultation this should have been done as a matter of course, particularly given the protracted problems of installing cycle

parking at the current Lidl. The cycle parking should directly link with the Hipper Valley trail, either via Factory St or a dedicated direct path through the site.

#### Additional traffic on Factory St/Goytside St

The developer does not address concerns raised in the consultation about the increased vehicular traffic along the Hipper Valley cycle route. Highways Department have already noted concerns about the traffic problems on Chatsworth Rd and “adding traffic to an already problematic route” (Statement of Community Involvement). The difficulties of traffic turning right into or out of the main access on Chatsworth Rd will inevitably mean many vehicles will use Factory St/Goytside St to avoid Chatsworth Rd, adding significant levels of traffic onto Goytside Rd, currently a quiet back-street used by many pedestrians and cyclists and part of the strategic cycle network.

#### Lack of provision for pedestrians

The Travel Plan talks about the health benefits and cost savings associated with pedestrian/cycling friendly environment for visitors and staff but the current design is far from that, and a disappointingly car-centred design. Simply stating that pedestrian connectivity to the site is good, while ignoring opportunities to improve connectivity through the site, is simply not good enough. The layout plan shows a pedestrian route into the site from Chatsworth Rd. However this is only useful for pedestrians coming from the East. Anyone walking from the West will have to contend with crossing a very wide access on Chatsworth Road, and will inevitably take the most direct route to the entrance across the carpark. There are no internal zebra crossings, and no priority or tactile paving to lead pedestrians safely through the rest of the carpark. The current pedestrian crossing is 100m away which is too far for the majority of pedestrians coming from the direction of town, and requires pedestrians to cross the road twice in effect. This is not acceptable for such a major new development. The Statement of Community Involvement also mentions public concerns about pedestrian access and requests for a pedestrian crossing outside the site. This should be a bare minimum given the busy nature of Chatsworth Road, difficulties of crossing the road and the fact that this development will be adding to the traffic congestion.

### Riverside walking/cycling path

The recent approved planning application for Walton Works includes a walking/cycling route along the River Hipper. In our response to that application we supported this and suggested: “There is an unprecedented opportunity to open the riverside up as part of this redevelopment which should be continued all the way through to town, creating a safe, off-road and very pleasant walking and cycling route for all to enjoy. The riverside path only goes as far as Factory St. It is not clear what will happen beyond this point but we strongly recommend that there is a shared walking/cycling route along the river all the way to Factory St and that this is continued once other planning applications come forward for the sites to the East of Factory St.”

Without a strategic masterplan for this whole area we are concerned that developments such as this one will ignore the bigger picture and opportunity to improve the wider area for the benefit of the whole town. Although the river is currently culverted under much of the site there should be a walking/cycling path through the site which links up with either end of the river so that it can be continued from Walton Works and eventually all the way to Queen’s Park.

From the CGI image of the new development there appears to be ample space along the grassed areas following the line of the culverted river, for a walking/cycling path that will link up with the proposed path in the Walton Works development. This walking/cycling access could be connected with a path to the swale and grassed areas which would provide additional public amenity space in this densely developed area.

### Travel Plan

While we support many of the recommendations made in the Travel Plan, given Lidl’s past performance we are highly sceptical that these will be implemented. We recommend that the whole plan form part of the planning conditions to ensure that these are properly implemented.

### Sustainable Design

In Brussels Lidl has opened its first carbon neutral store which is 40% more energy efficient and includes solar panels and rainwater harvesting, and more and is a pilot for its sustainable development strategy.



For a recent planning application for a Lidl store in Hampshire it was stated that Lidl stores achieve BREEAM Very Good as standard and the following sustainability measures were expected to be met:

- designing to maximise energy efficiency and to design out the need for energy use, including by the full use of passive heating and cooling systems where practical;
- connection to existing combined heat and power (CHP) and District Heating/Cooling networks, or a contribution to their future development;
- use of renewable energy technologies to produce required energy on-site;
- making use of Allowable Solutions to deal with any remaining CO2 emissions.

#### Energy efficiency and renewable energy

However, the Design and Access statement for this current application make no mention of BREEAM. Although the design principles include “Promoting high levels of sustainability and minimising the carbon footprint of the development, utilising energy conservation and efficiency methods where feasible and viable” there are no details of what measures are proposed for energy efficiency or renewable energy provision. It would be expected that installing solar PV panels on the roof would be in Lidl’s own interest but if these are planned, there is no mention of them in the application. In accordance with Core Strategy policy CS5 the development should be designed for future connection to a community heating network and developments along the river should investigate the feasibility of using small scale hydro power. Elsewhere in Chesterfield and the rest of the UK zero energy or even net-positive energy developments are being built, while Lidl is constructing carbon neutral developments in Belgium. We would expect to see a similar level of ambition for many more of its stores.

To meet our concerns on sustainable travel and design we recommend the following planning conditions are imposed on the developer:

#### Recommended Planning Conditions on sustainable travel

- Provision of a dedicated cycle path linking cycle parking with Hipper Valley Trail and/or Factory St
- Provision of a riverside walking/cycling path along the route of the culverted river to connect with the riverside walking/cycling path planned for Walton Works
- Provision of a new pedestrian crossing across Chatsworth Rd adjacent to the store
- Reduction in width of access on Chatsworth Rd to enable pedestrians walking into town to cross more safely
- Provision of coloured or tactile paving marking pedestrian routes and zebra crossings within the site to enable customers to walk through the carpark safely
- Inclusion of the recommendations of the Travel Plan as planning conditions

#### Recommended Planning Conditions on Sustainable Design

- The development should achieve BREEAM Very Good with design to maximise energy efficiency and use of renewable energy technologies
- A contribution to the future development of a Combined Heat and Power and District Heating/Cooling network.

Unless all these conditions are met, or a good reason provided why they cannot be met, we cannot support the current application.

6.3

***Officer Response: The detailed comments of the Transition Chesterfield group have been considered alongside those of other statutory and non-statutory consultees. Whilst it is noted that the TC representation suggests a list of their own recommended planning conditions, their comments and requirements must be considered against the requirements of the development plan, the requirements of other consultees and the respective constraints of the site. The LPA must also be able to demonstrate that any requirements placed upon the developer are reasonable and proportionate.***

***Since the receipt of the comments from TC, the site layout plan has been amended to ensure that there is cycle stand provision commensurate with the scale and nature of the development proposals. These changes were made alongside reconfiguration of the car park layout to provide legibility and pedestrian prioritised routes into the site from the Chatsworth***

***Road and Factory Street access points. As detailed in section 5.3 above the ability to provide a dedicated connection to Goyt Side Road and the Hipper Valley Trail route has been considered and disregarded due to engineering constraints for the surface water proposals.***

***The benefits of a providing a river side walking / cycle route along the culverted section of the river are questioned on the basis the river is not accessible and there is currently no defined design / alignment of the route through the Walton Works site adjacent. It is considered that the improvements made to the site layout plan and the connections proposed as part of the scheme are an acceptable compromise given the constraints of the site.***

***It is understood that the width of the Chatsworth Road access is dictated by an engineered swept path analysis and this is to allow service vehicles to access the site at this point; therefore the access width cannot be reduced. Dropped kerbs and tactile paving to allow pedestrians to cross along Chatsworth Road will be necessary and will be dictated by the final design of the junction through S278 / S38 works.***

***The sceptical response to the applicants Travel Plan details by TC cannot be substantiated and standard planning conditions will be imposed on any decision made to requires its implementation and monitoring.***

***The comment regarding the achievement of a BREEAM Very Good design rating are noted.***

***There is no requirement for the applicant to provide any contribution to a combined heat and power / district heating system.***

## **7.0 HUMAN RIGHTS ACT 1998**

**7.1** Under the Human Rights Act 1998, which came into force on 2<sup>nd</sup> October 2000, an authority must be in a position to show:

- Its action is in accordance with clearly established law
- The objective is sufficiently important to justify the action taken
- The decisions taken are objective and not irrational or arbitrary

- The methods used are no more than are necessary to accomplish the legitimate objective
- The interference impairs as little as possible the right or freedom

7.2 It is considered that the recommendation is objective and in accordance with clearly established law.

7.3 The recommended conditions are considered to be no more than necessary to control details of the development in the interests of amenity and public safety and which interfere as little as possible with the rights of the applicant.

7.4 Whilst, in the opinion of the objector, the development affects their amenities, it is not considered that this is harmful in planning terms, such that any additional control to satisfy those concerns would go beyond that necessary to accomplish satisfactory planning control.

## 8.0 **STATEMENT OF POSITIVE AND PROACTIVE WORKING WITH APPLICANT**

8.1 The following is a statement on how the Local Planning Authority (LPA) has adhered to the requirements of the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012 in respect of decision making in line with paragraphs 186 and 187 of the National Planning Policy Framework (NPPF).

8.2 Given that the proposed development does not conflict with the NPPF or with 'up-to-date' Development Plan policies, it is considered to be 'sustainable development' and there is a presumption on the LPA to seek to approve the application. The LPA has used conditions to deal with outstanding issues with the development and has been sufficiently proactive and positive in proportion to the nature and scale of the development applied for.

8.3 The applicant / agent and any objector will be provided with copy of this report informing them of the application considerations and recommendation / conclusion.

## 9.0 **CONCLUSION**

- 9.1 The proposed development is considered to be appropriately sited, detailed and designed such that the development proposals comply with the provisions of policies CS1, CS2, CS4, CS15 and CS16 of the Chesterfield Local Plan: Core Strategy 2011 – 2031.
- 9.2 Planning conditions have been recommended to address any outstanding matters and ensure compliance with policies CS7, CS8, CS9, CS18 and CS20 of the Chesterfield Local Plan: Core Strategy 2011 – 2031 and therefore the application proposals are considered acceptable.

## 10.0 **RECOMMENDATION**

- 10.1 That a CIL Liability Notice be issued in accordance with section 5.9.1 above for the new retail floorspace.
- 10.2 That a S106 agreement be negotiated (as per section 5.9.2 above) to cover:
- Percent for Art (up to 1% of development costs);
  - Appointment of a Management Company to manage and maintain any drainage infrastructure and highways which are not adopted; and
  - Highway Contributions consisting of:
    - *Off-site maximum highway mitigation contribution of £2,650 for modification of the junction of Chatsworth Road with Factory Street.*
    - *Maximum funding of £5000 for investigation into, and any subsequent implementation of, modifications to existing Traffic Regulation Orders.*
    - *Trigger points for payment of contributions.*
    - *Extent of network over which contributions can be applied.*
    - *Indexation, draw-down arrangements and location of account.*
    - *Timeframe over which funds will be available.*
    - *Accumulation of contribution with other developer or public funds.*
    - *Travel Plan monitoring contribution sum of £1,000 per annum for 5 years to a maximum of £5,000.*

10.3

That the application be **GRANTED** subject to the following conditions /notes:

Time Limit etc

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

*Reason - The condition is imposed in accordance with section 51 of the Planning and Compensation Act 2004.*

02. All external dimensions and elevational treatments shall be as shown on the approved plans (listed below) with the exception of any approved non material amendment.

- Site Location Plan 1831 P401
- Proposed Site Plan 1831 P409 REV F
- Proposed Surfacing Plan 1831 P411 REV D
- Proposed Boundary Treatments Plan 1831 P412 REV D
- Landscape Details R-1972-2B
- Landscape Masterplan R-1972-1B
- Proposed Elevations 1831 P202
- Proposed Floorplans 1831 P102
- Design and Access Statement
- Planning and Retail Statement
- Ecology Report
- Geo-environmental Appraisal and Additional Ground Reports
- Flood Risk Assessment and Flood History
- Transport Assessment and Travel Plan
- Noise Impact Assessment
- Drainage Strategy (revised 04/05/2017)
- Heritage Statement
- Tree Survey
- Statement of Community Involvement
- Archaeological Desk-Based Assessment (submitted 28/06/2017 and updated 08/08/2017)
- Transport Assessment Addendum (submitted 01/08/2017)
- Bat Surveys (submitted 14/08/2017)
- S106 Pro-Rata Calculation – Highways

*Reason - In order to clarify the extent of the planning permission in the light of guidance set out in "Greater Flexibility for planning permissions" by CLG November 2009.*

## Drainage

03. No development shall take place until a detailed design and associated management and maintenance plan of surface water drainage for the site, in accordance with DEFRA Non-statutory technical standards for sustainable drainage systems (March 2015), has been submitted to and approved in writing by the Local Planning Authority. The approved drainage system shall be implemented in accordance with the approved detailed design prior to the use of the building commencing.

*Reason - To ensure that the principles of sustainable drainage are incorporated into this proposal and sufficient detail of the construction, operation and maintenance of sustainable drainage systems is provided to the Local Planning Authority in advance of full planning consent being granted.*

04. No building or other obstruction including landscape features shall be located over or within 3.0 (three) metres either side of the centre line of the 100mm / 150mm / 225mm / 450mm / 525mm sewers i.e. a protected strip width of (6) metres, that traverse the site, and no building or other obstruction including landscape features shall be located over or within 4.0 (four) metres either side of the centre line of the 450mm sewer i.e. a protected strip width of (8) metres. If the required stand-off distance is to be achieved via diversion or closure of the sewer, the developer shall submit evidence to the Local Planning Authority that the diversion or closure has been agreed with the relevant statutory undertaker.

*Reason - In order to allow sufficient access for maintenance and repair work at all times.*

05. No piped discharge of surface water from the application site shall take place until works to provide a satisfactory outfall, other than the local public sewerage, for surface water have been completed in accordance with details submitted to and approved by the Local Planning Authority.

*Reason - To ensure that the site is properly drained and in order to prevent overloading, surface water is not discharged to the foul sewer network.*

06. Surface water from vehicle parking and hardstanding areas shall be passed through an interceptor of adequate capacity prior to discharge. Roof drainage should not be passed through any interceptor.

*Reason - In the interest of satisfactory drainage.*

### Site Investigations

07. Development shall not commence until intrusive site investigations have been carried out by the developer to establish the exact situation regarding coal mining legacy issues and contamination on the site and approval for commencement of development given in writing by the Local Planning Authority. The investigation and conclusions shall include any remedial works and mitigation measures required/proposed for the remediation / stability of the site. Only those details which receive the written approval of the Local Planning Authority shall be carried out on site.

*Reason - To fully establish the presence and / or otherwise of any contamination and / or coal mining legacy and to ensure that site is remediated, if necessary, to an appropriate standard prior to any other works taking place on site.*

### Ecology / Lighting

08. Prior to the installation of any external lighting a detailed lighting strategy shall be submitted to and approved in writing by the LPA. Such approved measures must be implemented in full and maintained thereafter.  
This is to ensure that a sensitive lighting strategy is designed in line with guidance within Paragraph 125 of the NPPF.

*Reason – To ensure that any ecological interest on site is appropriately addressed and can be mitigated against, prior to any development taking place, in accordance with policy CS9 and the wider NPPF.*



09. Prior to occupation a detailed enhancement strategy that provides details of enhancement measures for bats and nesting birds shall be submitted to and approved in writing by the LPA. Such approved measures must be implemented in full and maintained thereafter.

*Reason – To ensure that any ecological interest on site is appropriately addressed and can be mitigated against, prior to any development taking place, in accordance with policy CS9 and the wider NPPF.*

#### Land Condition / Contamination

10. A. Development shall not commence until details as specified in this condition have been submitted to the Local Planning Authority for consideration and those details, or any amendments to those details as may be required, have received the written approval of the Local Planning Authority.
- I. A desktop study/Phase 1 report documenting the previous land use history of the site.
  - II. A site investigation/Phase 2 report where the previous use of the site indicates contaminative use(s). The site investigation/Phase 2 report shall document the ground conditions of the site. The site investigation shall establish the full extent, depth and cross-section, nature and composition of the contamination. Ground gas, groundwater and chemical analysis, identified as being appropriate by the desktop study, shall be carried out in accordance with current guidance using UKAS accredited methods. All technical data must be submitted to the Local Planning Authority.
  - III. A detailed scheme of remedial works should the investigation reveal the presence of ground gas or other contamination. The scheme shall include a Remediation Method Statement and Risk Assessment Strategy to avoid any risk arising when the site is developed or occupied.

- B. If, during remediation works any contamination is identified that has not been considered in the Remediation Method Statement, then additional remediation proposals for this material shall be submitted to the Local Planning Authority for written approval. Any approved proposals shall thereafter form part of the Remediation Method Statement.
- C. The development hereby approved shall not be occupied until a written Validation Report (pursuant to A II and A III only) has been submitted to and approved in writing by the Local Planning Authority. A Validation Report is required to confirm that all remedial works have been completed and validated in accordance with the agreed Remediation Method Statement.

*Reason - To protect the environment and ensure that the redeveloped site is reclaimed to an appropriate standard.*

### Highways

11. Before any other operations are commenced detailed designs for the proposed vehicular and pedestrian access arrangements shall be submitted to the Local Planning Authority for written approval.

*Reason – In the interests of highway safety.*

12. No development shall take place including any works of demolition until a construction management plan or construction method statement has been submitted to and been approved in writing by the Local Planning Authority. The approved plan/statement shall be adhered to throughout the construction period. The statement shall provide for:
- parking of vehicles of site operatives and visitors
  - routes for construction traffic
  - hours of operation
  - method of prevention of debris being carried onto highway
  - pedestrian and cyclist protection
  - proposed temporary traffic restrictions
  - arrangements for turning vehicles

*Reason – In the interests of highway safety.*

13. Prior to the development, the subject of the application, being brought into use, the vehicular and pedestrian accesses shall be created/ modified in accordance with the approved designs, the subject of Condition 11 above, all areas in advance of the visibility sightlines shall be retained throughout the life of the development free of any object greater than 1m in height (0.6m in the case of vegetation) relative to adjoining nearside carriageway channel level.

*Reason – In the interests of highway safety.*

14. All existing vehicular and pedestrian accesses to the existing highway made redundant as a result of the proposed development shall be permanently closed with a physical barrier and the footway reinstated in accordance with a scheme first submitted to and approved in writing by the Local Planning Authority.

*Reason – In the interests of highway safety.*

15. No part of the development shall be taken into use until space has been provided within the site curtilage for the parking/ loading and unloading/ manoeuvring of staff/ customers/ service and delivery vehicles (including secure/ covered cycle parking), located, designed, laid out and constructed all in accordance with a scheme first submitted to and agreed in writing with the Local Planning Authority and maintained throughout the life of the development free from any impediment to its designated use.

*Reason – In the interests of highway safety.*

16. The development hereby permitted shall not be commenced until details of secure cycle parking facilities for the occupants of, and visitors to, each phase of development hereby approved have been submitted to and approved in writing by the Local Planning Authority. These facilities shall be fully implemented and made available for use prior to the occupation of the development hereby permitted and shall thereafter be retained for use at all times.

*Reason – In the interests of highway safety.*

17. There shall be no gates or other barriers within 6.0m of the nearside highway boundary and any gates shall be locked in an open position whilst ever any operations are ongoing on site. Any gates shall also open inwards only, unless otherwise agreed in writing by the Local Planning Authority.

*Reason – In the interests of highway safety.*

18. No part of the development shall be brought into use until details of arrangements for storage of bins and collection of waste have been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the agreed details and the facilities retained for the designated purposes at all times thereafter.

*Reason – In the interests of highway safety.*

19. Prior to the commencement of the development details shall be submitted to and approved in writing by the Local Planning Authority showing the means to prevent the discharge of water from the development onto the highway. The approved scheme shall be undertaken and completed prior to the first use of the access and retained as such thereafter.

*Reason – In the interests of highway safety.*

20. No building or use hereby permitted shall be occupied or the use commenced until a Framework Travel Plan comprising immediate, continuing and long-term measures to promote and encourage alternatives to single-occupancy car use has been prepared, submitted to and been approved in writing by the Local Planning Authority. Subsequently with each Reserved Matters application a Travel Plan including targets, relating to each phase (or sub-phase as may be agreed in writing with the Local Planning Authority) shall be submitted to and approved in writing by the Local Planning Authority. The approved Travel Plans shall then be implemented, monitored and reviewed in accordance with the agreed Travel Plan Targets.

*Reason – In the interests of highway safety.*

## Others

21. Construction work (inc. demolition works) shall only be carried out on site between 8:00am and 6:00pm Monday to Friday, 9:00am to 5:00pm on a Saturday and no work on a Sunday or Public Holiday. The term "work" will also apply to the operation of plant, machinery and equipment.

*Reason – In the interests of residential amenity.*

22. Deliveries to the food store shall only be made between the hours of 07.00am and 11.00pm Monday to Saturday and between the hours of 08.00am and 5.00pm Sundays / Public Holidays.

*Reason – In the interests of residential amenity.*

23. Before construction works commence or ordering of external materials takes place, precise specifications or samples of the walling and roofing materials to be used shall be submitted to the Local Planning Authority for consideration. Only those materials approved in writing by the Local Planning Authority shall be used as part of the development.

*Reason - The condition is imposed in order to ensure that the proposed materials of construction are appropriate for use on the particular development and in the particular locality.*

24. Within 2 months of commencement of development, unless otherwise agreed in writing by the Local Planning Authority, details of a soft landscaping scheme for the approved development shall be submitted to the Local Planning Authority for consideration.

The required soft landscape scheme shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers; densities where appropriate, an implementation programme and a schedule of landscape maintenance for a minimum period of five years. Those details, or any approved amendments to those details shall

be carried out in accordance with the implementation programme.

*Reason - The condition is imposed in order to enhance the appearance of the development and in the interests of the area as a whole.*

25. If, within a period of five years from the date of the planting of any tree or plant, that tree or plant, or any tree or plant planted as a replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective, another tree or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

*Reason - The condition is imposed in order to enhance the appearance of the development and in the interests of the area as a whole.*

26. Within 2 months of commencement of development, unless otherwise agreed in writing by the Local Planning Authority, full details of hard landscape works for the approved development shall be submitted to the Local Planning Authority for consideration.  
Hard landscaping includes proposed finished land levels or contours; means of enclosure; minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting etc.) retained historic landscape features and proposals for restoration, where relevant. These works shall be carried out as approved prior to the occupation of the building.

*Reason - The condition is imposed in order to enhance the appearance of the development and in the interests of the area as a whole.*

27. Prior to development commencing an Employment and Training Scheme shall be submitted to the Local Planning Authority for consideration and written approval. The Scheme shall include a strategy to promote local supply chain, employment and training opportunities throughout the construction of the development.

*Reason - In order to support the regeneration and prosperity of the Borough, in accordance with the provisions of Policy CS13 of the Core Strategy.*

### **Notes**

01. If work is carried out other than in complete accordance with the approved plans, the whole development may be rendered unauthorised, as it will not have the benefit of the original planning permission. Any proposed amendments to that which is approved will require the submission of a further application.
02. This approval contains condition/s which make requirements prior to development commencing. Failure to comply with such conditions will render the development unauthorised in its entirety, liable to enforcement action and will require the submission of a further application for planning permission in full.

### **Drainage**

03. The County Council do not adopt any private SuDS schemes. As such, it should be confirmed prior to commencement of works which organisation will be responsible for SuDS maintenance once the development is completed.

Any works in or nearby an ordinary watercourse require may consent under the Land Drainage Act (1991) from the County Council (e.g. an outfall that encroaches into the profile of the watercourse, etc) to make an application for any works please contact [Flood.Team@derbyshire.gov.uk](mailto:Flood.Team@derbyshire.gov.uk).

The applicant should demonstrate, to the satisfaction of the Local Planning Authority, the appropriate level of treatment stages from the resultant surface water in line with Table 3.3 of the CIRIA SuDS Manual C697. This type of development usually requires >2 treatment stages before outfall into surface water body/system which may help towards attainment of the downstream receiving watercourse's Water Framework Directive good ecological status.

04. The production and submission of a scheme design demonstrating full compliance with DEFRA's Non-statutory technical standards for sustainable drainage systems:
- Limiting the discharge rate and storing the excess surface water run-off generated by all rainfall events up to the 100 year plus 30% (for climate change) critical duration rain storm so that it will not exceed the run-off from the undeveloped site and not increase the risk of flooding off-site to comply with S2 & S3.
  - Provision of surface water run-off attenuation storage to accommodate the difference between the allowable discharge rate/s and all rainfall events up to the 100 year plus 30% (for climate change) critical rain storm to comply with S7 & S8.
  - Detailed design (plans, cross, long sections and calculations) in support of any surface water drainage scheme, including details on any attenuation system, and the outfall arrangements.
  - Details of how the on-site surface water drainage systems shall be maintained and managed after completion and for the lifetime of the development to ensure the features remain functional.
  - Production of a plan showing above ground flood pathways where relevant for events in excess of 1 in 100 year rainfall event to comply with S9.
  - Where reasonably practicable demonstrate that the runoff volume of the site reflects the requirements of S4.

### Highways

05. The Highway Authority recommends that the first 6m of the proposed access driveways should not be surfaced with a loose material (i.e. unbound chippings or gravel etc.). In the event that loose material is transferred to the highway and is regarded as a hazard or nuisance to highway users the Authority reserves the right to take any necessary action against the landowner.



06. Pursuant to Section 163 of the Highways Act 1980, where the site curtilage slopes down towards the public highway measures shall be taken to ensure that surface water run-off from within the site is not permitted to discharge across the footway margin. This usually takes the form of a dish channel or gully laid across the access immediately behind the back edge of the highway, discharging to a drain or soakaway within the site.
07. Pursuant to Section 278 of the Highways Act 1980, no works may commence within the limits of the public highway without the formal written Agreement of the County Council as Highway Authority. Advice regarding the technical, legal, administrative and financial processes involved in Section 278 Agreements may be obtained from the Strategic Director of Economy Transport and Community at County Hall, Matlock (tel: 01629 538658). The applicant is advised to allow approximately 12 weeks in any programme of works to obtain a Section 278 Agreement.
08. Highway surface water shall be disposed of via a positive, gravity fed system (i.e. not pumped) discharging to an approved point of outfall (e.g. existing public sewer, highway drain or watercourse) to be sanctioned by the Water Authority (or their agent), Highway Authority or Environment Agency respectively. The use of soakaways for highway purposes is generally not sanctioned.
09. Pursuant to Sections 149 and 151 of the Highways Act 1980, the applicant must take all necessary steps to ensure that mud or other extraneous material is not carried out of the site and deposited on the public highway. Should such deposits occur, it is the applicant's responsibility to ensure that all reasonable steps (e.g. street sweeping) are taken to maintain the roads in the vicinity of the site to a satisfactory level of cleanliness.
10. Car parking spaces should measure 2.4m x 5.5m (larger in the case of spaces for use by disabled drivers) with adequate space behind each space for manoeuvring.

11. Under the provisions of the New Roads and Street Works Act 1991 and the Traffic Management Act 2004, all works that involve breaking up, resurfacing and / or reducing the width of the carriageway require a notice to be submitted to Derbyshire County Council for Highway, Developer and Street Works. Works that involve road closures and / or are for a duration of more than 11 days require a three months notice. Developer's Works will generally require a three months notice. Developers and Utilities (for associated services) should prepare programmes for all works that are required for the development by all parties such that these can be approved through the coordination, noticing and licensing processes. This will require utilities and developers to work to agreed programmes and booked slots for each part of the works. Developers considering all scales of development are advised to enter into dialogue with Derbyshire County Council's Highway Noticing Section at the earliest stage possible and this includes prior to final planning consents.
  
12. Where development has been approved subject to the preparation and implementation of a Travel Plan, the applicant is obliged to submit the appropriate documentation to the Local Planning Authority well in advance of the development being taken into use. Advice regarding the content of Travel Plans may be obtained from the Strategic Director of Economy Transport and Community at County Hall, Matlock (tel: 01629 580000 and ask for the Transportation Section).