

Case Officer: Sarah Kay
Tel. No: (01246) 345786
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File No: CHE/18/00136/FUL
Plot No: 2/1229

ITEM 1

NEW MULTI-STOREY CAR PARK PROVIDING 530 NO. SPACES OVER FIVE STOREYS, INCLUDING 2 NO. LATE PAY SPACES, 32 NO. DISABLED PARKING SPACES, 15 NO. PARENT AND CHILD SPACES, 6 NO. ACTIVE ELECTRIC VEHICLE CHARGING SPACES AND 10 NO. PASSIVE (FOR FUTURE ACTIVATION) ELECTRIC VEHICLE CHARGING SPACES, WITH STAFF OFFICE AND WELFARE FACILITIES ON THE GROUND FLOOR, AND ASSOCIATED LANDSCAPING AND PUBLIC REALM WORKS TO THE IMMEDIATE SURROUNDINGS - REVISED PLANS RECEIVED AND DESCRIPTION CHANGED 18/04/2018 AT SITE OF FORMER SALTERGATE MULTI STOREY CAR PARK, SALTERGATE, CHESTERFIELD, DERBYSHIRE FOR CHESTERFIELD BOROUGH COUNCIL

Local Plan: Town Centre
Ward: Brockwell

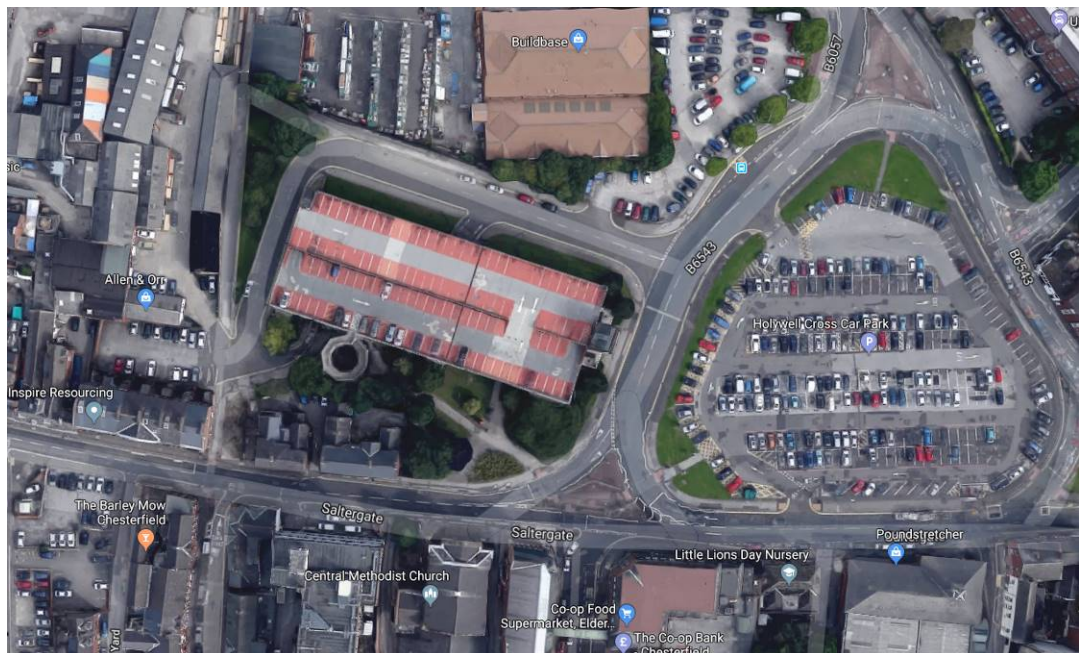
1.0 CONSULTATIONS

DCC Highways	Comments received 22/03/2018 – see report
Design Services Team	Comments received 21/03/2018 – see report
Environmental Health Officer	Comments received 06/04/2018 – see report
Strategic Planning Team	No comments received
Lead Local Flood Authority	Comments received 19/03/2018 – see report
Crime Prevention Design Advisor	Comments received 19/03/2018 – see report
Economic Development Team	Comments received 16/03/2018 – see report
Yorkshire Water Services	Comments received 23/03/2018 – see report
C/Field Cycle Campaign	No comments received
Coal Authority	Comments received 03/04/2018 – see report

Urban Design Officer	Comments received 01/05/2018 – see report
Conservation Officer	Comments received 01/05/2018 – see report
Tree Officer	Comments received 02/05/2018 – see report
C/Field Civic Society	No comments received
Derby & Derbyshire Archaeologist	Comments received 03/04/2018 – see report
Derbyshire Wildlife Trust	Comments received 09/04/2018 – see report
Derbyshire Fire Officer	Comments received 22/03/2018 – see report
Ward Members	No comments received
Site Notice / Neighbours	Six letters of representation received

2.0 THE SITE

2.1 The site is that of the former Saltergate Multi Storey Car Park (MSCP) located to the north of Chesterfield Town Centre, off Saltergate whose demolition commenced in February 2018 and was completed by the end of April 2018. The previous MSCP comprised a 10 no. split level car park of concrete construction typical of mid / late 20th century architecture.



2.2 Served by an unclassified road to the north of the application site, which leads off the Holywell Cross roundabout, the route also provides access to the rear of properties fronting Saltergate and the Allen and Orr Timber Yard. Pedestrian footpaths run around the site to adjoin to Saltergate and beyond pedestrian connectivity to the site is via pedestrian crossing points leading east to the Holywell Cross Car Park and south to Elder Way. The former MSCP has now been demolished in preparation for the new scheme.

3.0 **RELEVANT SITE HISTORY**

3.1 CHE/17/00624/EIA – Proposed demolition and reconstruction of the Saltergate Multi Storey Car Park. EIA not required 11/09/2017.

3.2 CHE/17/00593/DEM – Demolition of 10 split-level multi-storey car park structure. Prior notification of demolition approved 11/09/2017.

3.3 CHE/1295/0623 – Alterations to multi storey car park. Conditional permission granted 27/02/1996.

4.0 **THE PROPOSAL**

4.1 The application submitted seeks full planning permission for the erection of a new Multi Storey Car Park (MSCP) located on the site of the former MSCP (demolished in early 2018) off Saltergate in Chesterfield Town Centre.

4.2 The development will provide 530 no. spaces over five storeys, including 2 no. late pay spaces, 32 no. disabled parking spaces, 15 no. parent and child spaces, 6 no. active electric vehicle charging spaces and 10 no. passive (for future activation) electric vehicle charging spaces, with staff office and welfare facilities on the ground floor, and associated landscaping and public realm works to the immediate surroundings.

4.3 The development is contemporary in design and will be clad with a coloured perforated panel system which is finished with grey, brown, red, orange and beige tones chosen to reflect the colours of surrounding local vernacular.

- 4.4 Pedestrian access to the car park is provided through two vertical circulation cores, the primary core will be positioned on the south-eastern corner of the building and the secondary escape core on the north-western corner of the building. The primary core provides two lifts with access to all levels. The secondary core is served by a stair only.
- 4.5 The car park is located on a sloping site and the ground floor level is around 1500mm above the external ground level, therefore a flight of steps is provided from the southern approach up to the main pedestrian entrance. An alternative ramped route is also accommodated at the south western point of exit / entry.
- 4.6 The external door into the primary core is secured with an access control point, where the car park user enters a number from their ticket into a keypad to release the door. The secondary core is intended to provide an emergency escape route only.
- 4.7 The vehicle access to the new MSCP will remain via the unclassified road running to the north and west of the site and both entrance and exit points are located on the western elevation of the car park. The entrance and exits will be barrier controlled (pay on exit) and speed gates are shown to ensure the building is secured.
- 4.8 The application submission is accommodated by the following plans / supporting documents:
- 90001 P1 - Site Location Plan
 - 91100 P2 – Existing Site Plan
 - 91101 P2 – Existing North Elevation
 - 91102 P2 – Existing East Elevation
 - 91103 P2 – Existing South Elevation
 - 91104 P2 – Existing West Elevation
 - 91200 P7 – Proposed Site Plan
 - 30001 P5 – Proposed Ground Level Floor Plan
 - 30002 P6 – Proposed Level 1 Floor Plan
 - 30003 P6 – Proposed Level 2 Floor Plan
 - 30004 P6 – Proposed Level 3 Floor Plan
 - 30005 P6 – Proposed Level 4 Floor Plan
 - 30006 P6 – Proposed Roof Level Floor Plan
 - 36501 P4 – Proposed North Elevation
 - 36502 P4 – Proposed East Elevation
 - 36503 P4 – Proposed South Elevation
 - 36504 P4 – Proposed West Elevation

- 30601 P5 – Proposed Section A
- 30602 P5 – Proposed Section B
- 30603 P5 – Proposed Section C
- 30604 P5 – Proposed Section D
- Design & Access Statement (prepared by Fatkin)
- Archaeological Desk Based Assessment (prepared by ArchHeritage)
- Heritage Statement (prepared by ArchHeritage)
- Coal Mining Risk Assessment (prepared by DTS Raeburn Limited)
- Preliminary Ecological Appraisal & Preliminary Appraisal for Roosting Bats (prepared by Peak Ecology)
- Geo-Environmental Appraisal (prepared by DTS Raeburn Limited)
- UXO Risk Assessment (prepared by 1st Line Defence)
- Preliminary Risk Assessment Report

5.0 **CONSIDERATIONS**

5.1 **Planning Policy Background**

5.1.1 The site is situated in the Brockwell ward in the main Chesterfield town centre where the area is predominantly commercial in nature. Having regard to the nature of the application proposals policies CS1, CS2, CS3, CS4, CS7, CS8, CS9, CS13, CS18, CS19, CS20 and PS1 of the Core Strategy and the wider National Planning Policy Framework (NPPF) apply.

5.2 **Principle of Development**

5.2.1 The siting of a new MSCP facility within the urban envelope of the main town centre is acceptable, having regard to fact the development proposals are a like for like replacement of the sites previous land use and the principle of policies CS1 and CS2 of the Core Strategy.

5.3 **Design and Appearance Considerations**

Amount

5.3.1 The former car park provided 529 spaces over 5 decks although the actual number of functioning spaces had been reduced in recent years due to the closure of several floors for safety reasons. The proposed new car park would provide 530 spaces. The overall

number of spaces is therefore equivalent to that previously located on the site.

Layout

- 5.3.2 The proposed footprint is very similar to that of the previous building, although approximately 5m shorter at its western end approximately 2m closer to the road on the eastern side. The primary access tower is positioned on the SE corner and is orientated to face south towards Elder Way and the former Co-op building which is a logical arrangement.
- 5.3.3 The staff office and welfare area is also positioned on the southern elevation and provides some surveillance over the entrance space. This will enhance the safety of this area. The location and design of these elements also serve to help reinforce the legibility of the entrance and benefit wayfinding. Glazing to the main stair tower also provides views in and out of the building and limit hiding places. A secondary stair is located on the NW corner although this is understood to be intended as an emergency exit at the present time.
- 5.3.4 The vehicle entrance and exit are on west end of the building and will avoid vehicles crossing one another on the access road. These should ensure the smooth flow vehicles and prevent conflict.
- ### Scale and massing
- 5.3.5 The proposed MSCP will be slightly taller than the building it replaces due to the access arrangements being taken from the high point of the site (western end) and the absence of a semi-basement area which was present in the previous car park. A higher parapet enclosure around the roof deck also adds some additional height compared to the previous car park.
- 5.3.6 The proposed building will therefore be approximately one deck higher, although it would be slightly lower than the former tower that stood facing Holywell Cross. Overall, it is considered to be reasonably comparable in scale to the previous building. Despite the additional height, this not considered likely to appear over dominant or detrimental to the appearance of the surrounding townscape, given its position behind Saltergate and the approach taken to clad the exterior of the car park so as to help to assimilate it into its surroundings.

Landscaping

- 5.3.7 A small public space will be formed to the south of the car park and will provide a transition between the pedestrian entrance and Elder Way. The detailed design of this space is yet to be determined although initial discussions with the architect have taken place. It will be important to ensure that this area provides an attractive 'threshold' space and harmonises with the design of the improvements to Elder Way opposite. This should include replacement tree planting to compensate for the trees removed at the demolition stage of the project.
- 5.3.8 This approach is outlined in the DAS although detailed design proposals can be managed by condition.
- 5.3.9 In addition, where the MSCP reveals an exposed concrete plinth around the lower areas to the eastern part of the site, it is suggested that additional shrub planting is provided around the perimeter of the building in order to soften its appearance and blend the base where the building meets the ground. Planting/shrubs/hedging can be discussed with the Spire Pride team in respect of suitable species and associated maintenance requirements.

Appearance

- 5.3.10 The approach to the external appearance of the MSCP has been to clad the structure in perforated metal panelling with random positioned holes cut to varying sizes (up to 75mm), enabling the building to be ventilated naturally. The panels themselves will have a painted finish and the colour of each panel will vary, within a narrow palette of colours, selected to reference and echo the brick and slate tones of buildings in the surrounding area. A range of red, orange and grey cladding panels will therefore 'wrap' the car park structure and help break up its apparent mass and scale. Increased use of lighter colours is shown towards the top of the building in order to help it blend into the sky and reduce the overall visual impact.
- 5.3.11 Multi-storey car parks are challenging buildings to satisfactorily integrate into a townscape setting. Their height, scale and regular form make them bulky structures with few opportunities to provide visual relief. While the proposed replacement MSCP will clearly be a modern stand-alone building, the proposed approach to the treatment of the external façade, is considered to be an effective

way of breaking down its bulk, scale and mass so as to help harmonise the building into the surrounding context. It is also the case that the new building replaces one which was of a similar scale and massing to that now proposed.

- 5.3.12 Furthermore, the pattern of perforations within the panelling will provide an additional dimension to the appearance of the cladding, incorporating additional interest and relief to the appearance of the external façade. The Urban Design Officer requested further details of the proposed patterns by condition (unless these can be provided in advance of a decision) however it is not considered that this is necessary. The perforation pattern will be entirely random (subject to meeting a prescribed level of ventilation per deck / floor) but there is nothing to suggest one pattern would be preferred over another.
- 5.3.13 Discussion has taken place in the lead up to the application in respect of the finish and appearance of the proposed access towers which are exposed pre-cast concrete. There was a concern that these could have a somewhat raw, industrial appearance and various options to clad these structures or break up their appearance were explored by the architect.
- 5.3.14 The architect has been able to provide examples of where this approach has been used elsewhere and these do appear to show a crisp, modern finish that would fit with the aesthetic of the design. Furthermore, negotiations have resulted in the introduction of larger areas of glazing within the main access tower, together with horizontal steel beams which both serve to break up its appearance and provide additional relief. Given the relatively limited use of this material, the introduction of glazing, horizontal steels and the proposed use of landscaping around the south eastern corner, it is considered that these measures will combine to ameliorate the impact of this material compared with earlier iterations of the design, such that this is now considered to be acceptable.

Access

- 5.3.15 Vehicle access will be via the existing access road from Holywell Cross with the car park entrance at the west end of the building. This will allow considerable stacking distance along the access road at times of peak demand. Pedestrian access points are located at the SE and NW corners of the building with the main

entrance being to the SE. This relates the desire lines that users of the car park are likely to want to follow when leaving or approaching the building.

Conclusion

5.3.16 The proposed MSCP represents a significant change to this part of Chesterfields townscape. However, the design approach to the treatment of the external appearance of the building, together with a new landscape treatment around the building should help achieve a considerable improvement compared the car park that previously that stood on the site.

5.3.17 A condition relating to the design of the public realm and landscaping around the building is recommended.

5.4 Highways Issues

5.4.1 The application submitted seeks an almost like for like replacement (in terms of no. of parking spaces) of the facility on site which was demolished earlier this year. On this basis the impact of traffic arising from the new development proposals on the surrounding highway network will be negligible. All traffic will enter and egress onto the unclassified road adjoining the north / west of the site which is a connecting arm to the doughnut roundabout.

5.4.2 In respect of the design and layout of the proposed development the facility will operate as pay on exit and therefore vehicles will be required to collect a ticket from an external barrier located on the upper western elevation of the new building before speed gates open to allow vehicular access into the facility. It is noted that in comparison to the previous facility (where entry was gained at the SW corner of the building) the new entry point is closer to the roundabout junction; however there remains sufficient queueing depth on the unclassified road to avoid interference with the operation of the highway network. Exit will be located to the lower western elevation so that any queued to entry does not hinder egress and travel along the unclassified road.

5.4.3 The **Local Highways Authority** (LHA) was consulted on the application and their response raised no objections to the scheme, subject to a construction management plan being submitted prior to development commencing.

5.4.4 In respect of the comments made by the LHA a planning condition can be imposed to ensure that construction traffic impacts are managed to the satisfaction of the Traffic and Safety team at the LHA. Furthermore in all other respects the development proposals are considered to accord with the provisions of policy CS20 of the Core Strategy. The development proposals include provision of electric vehicle charging points (with future point expansion incorporated) and improvements to the public realm (where users of the facility will enter / exit the facility on foot) will make way finding and pedestrian connection to the town centre legible.

5.5 **Flood Risk & Drainage**

5.5.1 The application form submitted with the application indicates that the development proposes mains foul drainage connection and surface water to be handled by a combination of soakaway and mains drainage connection. There is however no detailed drainage plans or strategy accompanying the application submission.

5.5.2 In accordance with policy CS7 of the Core Strategy and the wider NPPF the development will be required to demonstrate and implement an appropriate drainage solution which explores the possibility to utilising sustainable drainage solutions alongside a system to control site runoff at a rate which accords with current guidance.

5.5.3 The **Lead Local Flood Authority (LLFA)**, **Yorkshire Water Services (YWS)** and the **Design Services (DS)** team have reviewed the application submission. All parties have commented upon the need for further information on the proposed drainage strategy to be provided.

5.5.4 The comments of all three consultees have been passed to the applicant for consideration and it is understood that an appropriate drainage consultant has been appointed by the architect / agent to progress the respective drainage designs. Overall it is accepted, given the scale of the development site, that an appropriate drainage strategy can be incorporated on the site. A pre-commencement planning condition imposed on any permission granted would require the developer to design and submit a full drainage strategy for the site accompanied by all the relevant evidence and information being sought by the LLFA, YWS and DS

team in their initial comments (exploration of greenfield run off rates, percolation testing, appropriate calculation of any storage volume etc).

5.5.5 Having regard to the outstanding matters it is considered that an appropriate planning condition can be imposed which requires the submission of further detailed drainage designs. This can be dealt with by pre-commencement condition in accordance with policy CS7 of the Core Strategy.

5.6 **Land Condition / Contamination / Noise / Air Quality**

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 considers that the content and conclusions of the Geo-Environmental Appraisal (August 2017, prepared by DTS Raeburn) are sufficient for the purposes of the planning system in demonstrating that the application site is safe and stable for the proposed development. The Coal Authority therefore has no objection to the proposed development.

5.6.3 Having regard to the comments detailed above from the CA these ensure compliance with policy CS8 of the Core Strategy and the wider NPPF in respect of land condition.

5.6.4 In respect of land condition / noise and air quality the Council's **Environmental Health Officer (EHO)** was consulted on the application submission and had the following comments to make:
I have inspected the above application, and have no adverse comment to make.

I would like to raise the following points:

The application specifies a number of active and passive electric vehicle charging points. I would like these to be specified in the final approval, to ensure that they are not removed later in the development.

Derbyshire CC is developing a Highway's Hub to actively control traffic and transport flows across the borough. Part of this will

involve the real time monitoring of capacity issues in municipal car parks. This can be monitored by logging tickets being issued and paid at car parks (via the ticket machine systems, or by the use of induction loops on car park entrances/exits. While this project is at an early stage, at present, it would be useful to “future –proof” the car park, by installing the pressure sensor part of an induction loop system at this stage (avoiding the possible need to excavate to install at a later date), and I strongly suggest that this should be included as a condition (the exact specification of such a system should be agreed with DCC Traffic Management Officers)

Has any consideration been given to using renewal energy sources to feed into the EV charging infra-structure (ie wind/solar power – such as Solar Botanic Ltd?), possibly mounted on the planned car park?

I acknowledge, and support the retention of existing trees, and also the intention to improve the green infrastructure. However, I note that low level shrubbery often attracts/traps waste and should (if possible) be avoided.

Whilst many ASB issues fall outside this team’s remit, we do receive some enquiries. Has there been any consideration regarding security and safety around the planned payment points (ie ensuring good visibility), and in designing out areas where persons may be able to hide/loiter across the car park as a whole?

- 5.6.5 Having regard to the comments of the EHO set out above the Local Highways Authority have not requested the provision of an induction loop at the entrance to monitor the initiative to which the EHO refers. On this basis and the fact that there is no planning justification for this requirement it would be unreasonable for the LPA to impose such a condition making this a requirement of the consent. Conditions can only be imposed if they are required to make the development acceptable and in this case the loop is not a determining factor.
- 5.6.6 There are 6 no. electric charging points to be provided as part of the scheme, with an opportunity for a further 10 no. spaces to be upgraded to such if there is an increased demand in the future. Under the provisions of policy CS20 of the Core Strategy this level of provision is considered to be acceptable and an appropriate condition can be imposed to ensure the spaces are maintained available for their intended purpose in perpetuity.

5.6.7 Although not an issue raised by the EHO in their comments detailed above, in respect of noise the site does share proximity and boundaries with properties which include residential units and therefore it will be necessary to ensure that construction hours are controlled to protect the amenity of these residents. Finally advice on matters regarding ASB and crime prevention has been addressed by the Crime Prevention Design Advisor in their comments later in the report.

5.7 **Ecology and Trees**

5.7.1 Although the application site is located outside of the conservation area boundary there are mature trees located around the application site which have been retained (where possible) alongside the demolition of the former building. These trees remain in the Council's ownership and although not offered any statutory protection the applicant has been encouraged to retain trees around the site to provide mature soft landscaping alongside the new development proposals. In addition the former building offered an urban ecological habitat and as such it was surveyed prior to its demolition and the ecological survey submitted alongside the application for consideration.

5.7.2 **Derbyshire Wildlife Trust (DWT)** and the Council's **Tree Officer (TO)** were invited to review the application proposals and the following comments were received:

DWT - It is noted that the existing car park building has now been demolished and therefore it is hoped that the precautionary methods with regards to bats and birds detailed in the PEA were followed.

The ecological value of the site is relatively low. Trees should be retained where practicable and native tree planting should be considered to replace any that need removing. The re-development of the site offers an opportunity to incorporate tangible benefits for biodiversity and should the council be minded to approve the application, we advise that the following condition is attached:

Prior to the commencement of development, a biodiversity enhancement strategy as outlined in the ecology report shall be submitted to and approved in writing by the Council, to ensure no

net loss for biodiversity and aim for a net gain (NPPF 2012). Such approved measures should be implemented in full and maintained thereafter. Measures may include:

- bird boxes (positions/specification/numbers). Swift boxes at the upper levels would be suitable or a raptor ledge/box.*
- native tree and shrub planting.*
- green walls/climbers.*
- relaxed mowing regime in grassed areas and use of flowering lawn mixture.*

TO - There are numerous species of trees on the site that may be affected by the development consisting of Birch, Cherry, Lime, Copper Beech, Willow, Maple and Alder which are mainly located to the south of the site. There are also 3 new recently planted trees on the northern boundary.

7 other trees which included Limes and Cherry trees have already been felled on the south-east corner of the site.

The proposed development is mainly on the existing footprint of the old multi storey car park so will have limited effect on the retained trees, however because the development site is on the edge of the Town Centre Conservation Area, particular attention should be given to the new landscaping scheme and tree planting to soften the impact of the new car park particularly on the south-east corner of the site.

The proposed new tree planting must have a suitable planting environment and space to survive and grow unhindered. The species of trees should also provide visual amenity and presence in the streetscene due to the high public usage of the area. A condition should therefore be attached if consent is granted to the application for details of the planting specifications on the site. Only those specifications approved shall be implemented.

No tree protection plan has been submitted with the application and some of the retained trees were left without any protective fencing around them during the demolition phase leaving them vulnerable to accidental damage. If consent is granted to the application a condition should be attached that details of the tree protection measures should be submitted before development and machinery are brought on to the site in a tree protection plan(s)

(TPP) and an arboricultural method statement to protect the retained trees.

I therefore have no objection to the proposal as long as the following conditions are attached

Tree Protection

Condition: Prior to the commencement of the development hereby approved a scheme for the protection of the retained trees, in accordance with BS 5837:2012, including a tree protection plan(s) (TPP) and an arboricultural method statement (AMS) shall be submitted to and approved in writing by the Local Planning Authority.

Specific issues to be dealt with in the TPP and AMS:

- a) Location and installation of services/ utilities/ drainage.*
- b) Details of construction within the RPA or that may impact on the retained trees.*
- c) A full specification for the construction of any hard landscaping and footways, including details of any no-dig specification and extent of the areas hard landscaping and footpaths to be constructed using a no-dig specification. Details shall include relevant sections through them.*
- d) A specification for protective fencing to safeguard trees during construction phases and a plan indicating the alignment of the protective fencing.*
- e) A specification for scaffolding and ground protection within tree protection zones.*
- f) Tree protection during construction indicated on a TPP and construction and construction activities clearly identified as prohibited in this area.*
- g) Details of site access, temporary parking, on site welfare facilities, loading, unloading and storage of equipment, materials, fuels and waste as well concrete mixing and use of fires*

The development thereafter shall be implemented in strict accordance with the approved details.

Reason: Required prior to commencement of development to satisfy the Local Planning Authority that the trees to be retained will not be damaged during construction and to protect and enhance the appearance and character of the site and locality.

Pre-commencement Meeting

Condition: Before any development or construction work begins, a pre-commencement meeting shall be held on site and attended by the developers appointed arboricultural consultant, the site manager/foreman and a representative from the Local Planning Authority (LPA) to discuss details of the working procedures and agree either the precise position of the approved tree protection measures to be installed OR that all tree protection measures have been installed in accordance with the approved tree protection plan. The development shall thereafter be carried out in accordance with the approved details or any variation as may subsequently be agreed in writing by the LPA.

Landscaping

Condition: Prior to completion of the development hereby approved, details of treatment of all parts on the site not covered by buildings shall be submitted to and approved in writing by the Local Planning Authority. The site shall be landscaped strictly in accordance with the approved details in the first planting season after completion of the development, whichever is the sooner.

Details shall include:

- 1) a scaled plan showing all existing vegetation and landscape features to be retained and trees and plants to be planted;*
- 2) location, type and materials to be used for hard landscaping including specifications, where applicable for:
 - a) permeable paving*
 - b) tree pit design*
 - c) underground modular systems**
- 3) a schedule detailing sizes and numbers/densities of all proposed trees/plants;*
- 4) specifications for operations associated with plant establishment and maintenance that are compliant with best practise.*

All soft landscaping shall have a written five year maintenance programme following planting. Any new tree(s) that die(s), are/is removed or become(s) severely damaged or diseased shall be replaced and any new planting (other than trees) which dies, is removed, becomes severely damaged or diseased within five years of planting shall be replaced. Unless further specific permission has been given by the Local Planning Authority, replacement planting shall be in accordance with the approved details.

Informative

The following British Standards should be referred to:

- a) BS: 3998:2010 Tree work – Recommendations
- b) BS: 5837 (2012) Trees in relation to demolition, design and construction - Recommendations

5.7.3 Having regard to the comments made by DWT and the TO above it is considered that the suggested conditions sought by them are acceptable. Biodiversity enhancement measures associated with major development proposals are a requirement of policy CS9 of the Core Strategy and such measures can be incorporated into the building fabric as well as through soft landscaping proposals. Furthermore the protection of the trees through appropriate measures will ensure that upon completion the development will include mature and semi-mature landscaping which will assist in grounding the visual appearance of the development in the streetscene.

5.8 **Crime Prevention and Fire Safety**

5.8.1 Both the Derbyshire Constabulary Crime Prevention Design Advisor (CPDA) and the Derbyshire Fire and Rescue Service Fire Officer (FO) were invited to review the application proposals and the following comments were made:

FO - The Fire Authority has no objection to this application but in light of the recent fire in this type of premises in Liverpool I would appreciate it if you could ensure that we are fully consulted as early as possible at all stages of this build.

From what I can determine from the plans showing the types of panels to be used on the exterior walls it appears that they are not solid and as such the elevations are able to vent smoke. However, the Fire Authority strongly recommends the installation of an automated sprinkler system complying with the current UK or European standard. The installation of a sprinkler system may potentially allow for other requirements including passive and / or active fire safety measures to be relaxed by the Building / Approved Inspector.

CPDA – In general I think that the application detail is well thought through in addressing community safety needs.

In particular the uncluttering of external elevations to improve visibility, rationalisation of pedestrian entrances into one core place, the siting of staff offices to overlook pedestrian approaches and the main entrance lobby, and the regulating of entry by the use of speed gates and pedestrian ticket only access are welcomed.

Comments are limited to points which may well be subject to future detailing or aren't clear to me from current plans and supporting documents.

Main pedestrian entrance and approaches - This area has been subject to misuse by street drinkers on a regular basis, particularly in summer months, distressing some car park users and generating calls for police action. This is alluded to within the supporting design and access statement where measures to deter anti-social behaviour are raised but not fleshed out. The removal of public seating is noted. The apparent lifting of existing tree crowns on 3D visuals is also noted. Both seating and grassed areas were previously subject to misuse. I'd like to see future soft landscape details limit the amount of flat grassed area available, perhaps by the use of low growing dense and thorny.

Planting - There is a relatively low wall shown on this elevation on 3D visuals, which would be best capped to deter any extended use as seated gathering. Ramped access railings shouldn't restrict sight lines in this area.

Lighting - Generally good, but the levels of external walkways are shown as 10 lux.

The main pedestrian approaches from Saltergate are shown with stanchion lighting on 3D visuals, which on the face of it might be higher than 10 lux around the stanchions but less between. I'd see uniformity around these walkways as key. 10 lux may be acceptable assuming that this level is constant

Staffing - The aspiration for a comprehensive CCTV management provision is noted, but with mention of off-site monitoring I'd assume that there is not to be a 24hour staff presence on site.

Whilst I understand that there may be a wish that details remain restricted, some clarity for other security services in Chesterfield would be helpful.

Access points - The secondary pedestrian egress point to the north west building corner is noted, as is the potential for this to be a secondary access point once the this section of the northern gateway is developed.

In the meantime I'd ask that the point is restricted to egress only and access is to be taken only with a full set of door entry controls.

In summary I expect that all of the above could be resolved by condition of:-

- Complete external lighting specification and lux plans*
- Plans and specification details of all internal and external CCTV*
- Details of all soft and hard external landscaping*

5.8.2 The comments from both the FO and CPDA were forwarded to the applicant for consideration and further details were provided in response to the CPDA queries by email dated 27 April 2018. The CPDA confirmed by return that the applicant is seeking for Safer Parking (Park Mark) accreditation as part of the development and therefore the issues he had previously sought to be conditioned are dealt with through this accreditation and are no longer required to be duplicated through planning conditions.

5.8.3 With regard to the comments made by the FO the applicant has confirmed that the scheme will be fully compliant with Building Regulations and whilst a sprinkler system is not proposed to be installed all other appropriate measures are designed into the scheme to meet fire standards. Building fire compliance is generally not a material planning consideration as this matter is dealt with under building regulations.

5.9 **Heritage and Archaeology**

5.9.1 The application site lies in a prominent location adjacent to the Town Centre Conservation Area as well as being located just north of the Town Centre Historic Core and accordingly matters in respect of heritage and archaeology are material considerations (Policy CS19 of the Core Strategy).

5.9.2

The application submission is supported by a Heritage Statement and Archaeological Assessment which have been reviewed by the **Derby & Derbyshire Archaeologist** (D&DA) and the Council's **Conservation Officer** (CO) who have made the following comments:

D&DA - At pre-application stage we highlighted the fact that the existing multi-storey car park is located on the site of a Derbyshire Historic Environment Record (DHER number: 31563). This is the Friends Meeting House and burial ground which was built in 1696-7 on Saltergate. Because of this correlation we recommended that there should be an initial phase of archaeological appraisal of the site by means of an archaeological desk-based assessment (DBA). This report has been submitted with the current application. The report is based on information in the Derbyshire HER, archival and grey literature information, and recent planning and engineering records. We now have a more clear indication of whether or not any archaeological remains may survive on the site.

On the basis of this information and a recent site inspection, the report concludes that whilst there has been a long history of occupation here, the construction of the current car park will have removed any archaeological potential within the footprint of the building. The report does however suggest that a landscaped area to the south of the car park appears to have been less disturbed. Senior's map of 1673, whilst schematic, shows buildings on this part of Saltergate. Nineteenth century maps also show domestic buildings in this area of the site. These features may survive to some degree as below-ground archaeological remains.

Taking this into account we would recommend that the land to the south of the existing car park be archaeologically evaluated by means of a scheme of trial trenching. This limited field evaluation will assess the preservation of any below ground remains which may survive. This will ensure that informed decisions can be made on any necessary archaeological mitigation measures which may be required under the development scheme. This approach would be in line with the requirements of Paragraph 128 of NPPF. We would recommend that this requirement be covered by adding the following condition to any grant of planning permission for the scheme:

- a) *No development shall take place until a Written Scheme of Investigation for archaeological work has been submitted to and approved by the local planning authority in writing, and until any pre-start element of the approved scheme has been completed to the written satisfaction of the local planning authority.*

The scheme shall include an assessment of significance and research questions; and

1. *The programme and methodology of site investigation and recording*
2. *The programme for post investigation assessment*
3. *Provision to be made for analysis of the site investigation and recording*
4. *Provision to be made for publication and dissemination of the analysis and records of the site investigation*
5. *Provision to be made for archive deposition of the analysis and records of the site investigation*
6. *Nomination of a competent person or persons/organization to undertake the works set out within the Written Scheme of Investigation"*

- b) *No development shall take place other than in accordance with the archaeological Written Scheme of Investigation approved under condition (a)."*

- c) *The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the archaeological Written Scheme of Investigation approved under condition (a) and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured."*

The archaeological evaluation is to be undertaken, by a suitably experienced and qualified archaeological contractor (CIfA registered organisation), to a Written Scheme of Investigation which is to be agreed with ourselves.

CO - The above proposal would be on the edge of the town centre conservation area and be within the setting of a number of listed buildings along Saltergate, including the Central Methodist Chapel, 57 & 59 Saltergate, 63 Saltergate and 69-79 Saltergate (all grade II listed). The new car park would be constructed on the same foot print as its replacement, albeit with some minor changes. It would also be broadly of the same height and massing. Hence the new building, in terms of impact, would be similar to the former car park. Regarding design, the new car park relies on minimalism and a material and colour palette of bronze - grey perforated steel panels, which is not inappropriate in my view and should provide an interesting juxtaposition between the new and the historic. I would recommend that careful attention is given to the surrounding landscaping and tree planting which should be designed to soften the impact of such a large building, particularly for the east and south elevations. The trees and landscaping around the previous car park helped considerably to soften its impact and dominance.

5.9.3 Overall it is considered that the development proposals accord with the provisions of policy CS19 of the Core Strategy and subject to appropriate planning condition para. 128 – 129 of the NPPF. It is considered that the developments design respond positively to the ‘civic’ heritage and statutory designations in the surrounding area and albeit contemporary / minimalist in design they are acceptable.

5.10 Other Considerations

S106 / Planning Obligations

5.10.1 Having regard to the nature of the application proposals several contribution requirements are triggered given the scale and nature of the proposals. Policy CS4 of the Core Strategy seeks to secure necessary green, social and physical infrastructure commensurate with the development to ensure that there is no adverse impact upon infrastructure capacity in the Borough.

5.10.2 Internal consultation has therefore taken place with the Councils own **Economic Development** and **Strategic Planning** team on the development proposals to ascertain what specific contributions should be sought.

- 5.10.3 The responses have been collaborated to conclude a requirement to secure contributions via conditions in respect of up to 1% of the overall development cost for a percent for art scheme (Policy CS18); and under the provisions of policy CS13 (Economic Growth) the need to secure by condition a Local Labour / Employment Strategy.

Community Infrastructure Levy (CIL)

- 5.10.4 The proposed use of the building falls within a 'Sui Generis' Use Class therefore the development is not CIL liable. CIL only applies to C3 or A1 – A5 uses.

6.0 **REPRESENTATIONS**

- 6.1 The application has been publicised by site notice posted on 13/03/2018; by advertisement placed in the local press on 22/03/2018; and by neighbour notification letters sent on 12/03/2018.

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

A Local Resident

I feel it is important that the proposed car park represents an improvement over the previous demolished structure and maintains the Conservation Area's setting, even though the proposed development is outside the boundary it occupies a prominent position and has potential to impact on the area's character & appearance.

Although the proposed MSCP represents a great improvement over the condemned / demolished structure, I feel it may fail to make references to the site's historic context.

However, the new MSCP and overbridge at Nottingham railway station are modern additions to the Listed Building but are intended to be read as more recent additions.

Allen & Orr Limited

We must strongly point out that no consultation has been cone with Allen & ore Ltd with reference to the road layout for traffic. As mentioned in the past on several occasions we have large articulated lorries using the existing road (which are 18m in length) and struggle at the moment to get entry into our premises.

The proposed entry, exit area in the worst place possible, no consideration has been given to the large vehicles we have to deal with, no provision has been made to accommodate the turning area at the entry point to our yard next to the car park.

We must point out that on a regular basis we get articulated lorries who use Sat Nav, not coming to our yard, that have taken the wrong turn and the lorry should be at the Jacksons site. At the moment they can turn around on the existing road to get back out onto the roundabout.

With your new proposed layout for the car park this will not be possible, they will have to back out past the entry exit point, which will be very dangerous. They will not be permitted to use our yard as a turning point.

At busy times especially Christmas there will be considerable queuing at the entry point and it will be difficult for our staff, customers and lorries to get an easy path to our yard. Building the entry, exit point on a blind spot seems very bad planning.

When we had a meeting with the Council and local MP last year, it was an unwritten agreement that we would only use Marsden Street for lorry exiting our premises or for overly high lorries, with your proposed plan you are now forcing us to use Marsden Street on a more regular basis, this is not a suitable option.

We as a long standing company and employer in Chesterfield, feel that more consultation needs to be given on the new car park layout. It is important that we as a company need to attend any planning meeting that will be proposed in the future and we need to be kept informed.

20 Vincent Crescent (x2)

I have lived in Chesterfield for over 25 years am very disappointed with the aesthetic appearance of the proposed new Saltergate car park. No attempt appears to have been made to harmonise its appearance with its surroundings, which are mainly brick buildings. It looks like an 'off the shelf' generic style design that one could place in any city/urban setting. But Chesterfield isn't any such place. It's a fine Market Town and should be respected as one. I think the facades should be primarily brick to match their surroundings. An example of how this has been done well is the recently built car park at the University of Sheffield. That has been done in red brick to blend in with its surroundings. So much good building design has been approved by the council in recent years that I was surprised and very disappointed with this proposed building on aesthetic grounds, and suggest a rethink that is more in

keeping with the setting and worthy of its place in such a privileged location in a fine Market Town.

The amended plans do not in any way address the concerns I have previously raised about the poor aesthetic design of the proposed building, particularly its outer elevations. As a visual effect on the area, this is a material planning consideration; and I request the right to address planning committee on these matters and should my request be declined I request that written reasons are given.

Central Methodist Church

Unfortunately we have had problems accessing detailed information on your website, which we believe arise from website maintenance work being undertaken, so these comments are based on computer generated illustrations on the website and the description in 'your Chesterfield'.

As we have said in previous responses to planning applications affecting Central Methodist Church, we are pleased to see positive developments taking place in this part of the Town Centre, which we believe will be good for the local environment, and also for the Town as a whole.

In this case, it appears from the drawings available to us that the new car park will represent a considerable improvement in comparison with its predecessor, and we look forward to the time when this project is completed. We do, though, have concerns over the possible impact of the work, in two respects:

1. the potential for noise and/or dust. We have been delighted at the very positive working relationship with those who are developing the former Co-op site, and also with the car park demolition contractors, each of whom has respected our activities very helpfully. We sent a letter to the Derbyshire Times reflecting our appreciation.
In the work on the former Co-op and old car park, Sunday working has been specifically excluded, except in exceptional circumstances, and we hope that this will apply in this case also. If there are exceptional circumstances which require Sunday working, then we hope that the contractors will liaise with us to minimize disruption.

2. occupation of the Holywell Cross car park: since the multi storey car park has been unavailable, there have been occasions (eg last Sunday) when spaces on the Holywell Cross car part are at a premium, and this is obviously a cause of inconvenience to those of our members with limited mobility, but who would not qualify for disabled persons parking badge. The problem is, of course, exacerbated by spaces in our own car park being occupied by scaffolding required for work on the former Co-op building. Without seeing the detailed documents, we do not know what, if any, requirement there will be for car parking spaces to be taken up by site offices, but we hope that this can be kept to a minimum.

Alan Clarke Piano's & Clarke's Music

Further to your recent letter regarding the proposed new multi story car park at the rear of our property, we are rather concerned to see that the proposal is to landscape the area that was the entrance road to the old car park as this was utilised by the many large delivery lorries attending Allen & Orr's timber yard. Without this area they will be unable to manoeuvre to gain access to the yard (which is already tight for them) & will therefore end up having to park blocking our driveway which is used by ourselves, customers & our delivery people for parking. They will then have to park there for the period that it takes them to unload. As to how they will then be able to manoeuvre in the limited space to get out I fail to see. Obviously the blocking /restricting access to our driveway could impact on our business. There is also the public safety issue of having such large lorries blocking, unloading & manoeuvring in a public area.

6.3 ***Officer Response:***

See sections above.

It is understood that the unclassified access road which runs to the north and west of the application site is owned by the applicant, and access rights exist over that land to some of the premises which front onto Saltergate and adjoin the application site boundary (such as Allen & Ore).

The development proposals will not interfere with these access rights as the access road will remain available for use by these premises, however it is understood that larger HGV vehicles accessing some of these premises have in the past utilised the former access route into the old MSCP as a means of performing difficult turning manoeuvres into their own sites.

Amendment to the site layout and reconfiguration of the access and egress points to the new MSCP will mean that the former access route will no longer exist and it is intended that this area will be encompassed into the design of the revised hard and soft landscaping areas of the new development. The fact that this may create an issue to an adjoining user's ability to continue to receive larger HGV deliveries (as this area will no longer be available for any HGV to 'over run') is not a material planning consideration. This is a private matter between the access rights holder and the applicant.

7.0 **HUMAN RIGHTS ACT 1998**

- 7.1 Under the Human Rights Act 1998, which came into force on 2nd 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, CS11, CS13, CS18, CS19, CS20 and PS1 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 It is therefore recommended that the application be GRANTED subject to the following:

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.

- 90001 P1 - Site Location Plan
- 91100 P2 – Existing Site Plan
- 91101 P2 – Existing North Elevation
- 91102 P2 – Existing East Elevation
- 91103 P2 – Existing South Elevation
- 91104 P2 – Existing West Elevation
- 91200 P7 – Proposed Site Plan
- 30001 P5 – Proposed Ground Level Floor Plan
- 30002 P6 – Proposed Level 1 Floor Plan
- 30003 P6 – Proposed Level 2 Floor Plan
- 30004 P6 – Proposed Level 3 Floor Plan
- 30005 P6 – Proposed Level 4 Floor Plan
- 30006 P6 – Proposed Roof Level Floor Plan
- 36501 P4 – Proposed North Elevation
- 36502 P4 – Proposed East Elevation
- 36503 P4 – Proposed South Elevation
- 36504 P4 – Proposed West Elevation
- 30601 P5 – Proposed Section A
- 30602 P5 – Proposed Section B
- 30603 P5 – Proposed Section C
- 30604 P5 – Proposed Section D
- Design & Access Statement (prepared by Fatkin)
- Archaeological Desk Based Assessment (prepared by ArcHeritage)
- Heritage Statement (prepared by ArcHeritage)
- Coal Mining Risk Assessment (prepared by DTS Raeburn Limited)
- Preliminary Ecological Appraisal & Preliminary Appraisal for Roosting Bats (prepared by Peak Ecology)

- Geo-Environmental Appraisal (prepared by DTS Raeburn Limited)
- UXO Risk Assessment (prepared by 1st Line Defence)
- Preliminary Risk Assessment Report

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. The site shall be developed with separate systems of drainage for foul and surface water on and off site.

Reason - In the interest of satisfactory and sustainable drainage.

04. Surface water run-off from hardstanding (equal to or greater than 800 square metres) and/or communal car parking area (s) of more than 49 spaces must pass through an oil, petrol and grit interceptor/separator of adequate design that has been submitted to and approved by the Local Planning Authority, prior to any discharge to an existing or prospectively adoptable sewer.

Reason - To prevent pollution of the aquatic environment and protect the public sewer network.

05. No development shall take place until details of the proposed means of disposal of surface water drainage, including but not exclusive to :-
- a) evidence to demonstrate that surface water disposal via infiltration or watercourse are not reasonably practical ;
 - b) evidence of existing positive drainage to public sewer and the current points of connection; and
 - c) the means of restricting the discharge to public sewer to the existing rate less a minimum 50% reduction, based on the existing peak discharge rate during a 1 in 1 year storm event, to allow for climate change have been submitted to and approved by the Local Planning Authority.

Furthermore, unless otherwise approved in writing by the Local Planning Authority, there shall be no piped discharge of surface water from the development prior to the completion of the approved surface water drainage works.

Reason - To ensure that no surface water discharges take place until proper provision has been made for its disposal and in the interest of sustainable drainage.

Highways

06. 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.

Archaeology

07. a) No development shall take place until a Written Scheme of Investigation for archaeological work has been submitted to and approved by the local planning authority in writing, and until any pre-start element of the approved scheme has been completed to the written satisfaction of the local planning authority.

The scheme shall include an assessment of significance and research questions; and

1. The programme and methodology of site investigation and recording

2. The programme for post investigation assessment
 3. Provision to be made for analysis of the site investigation and recording
 4. Provision to be made for publication and dissemination of the analysis and records of the site investigation
 5. Provision to be made for archive deposition of the analysis and records of the site investigation
 6. Nomination of a competent person or persons/organization to undertake the works set out within the Written Scheme of Investigation
- b) No development shall take place other than in accordance with the archaeological Written Scheme of Investigation approved under condition (a).
- c) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the archaeological Written Scheme of Investigation approved under condition (a) and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured.

Reason - To ensure that any archaeological interest is appropriately assessed and documented prior to any other works commencing which may affect the interest in accordance with policy CS19 of the Core Strategy and the wider NPPF.

Ecology / Trees

08. Prior to the commencement of development, a biodiversity enhancement strategy as outlined in the ecology report shall be submitted to and approved in writing by the Council, to ensure no net loss for biodiversity and aim for a net gain (NPPF 2012). Such approved measures should be implemented in full and maintained thereafter. Measures may include:

- bird boxes (positions/specification/numbers). Swift boxes at the upper levels would be suitable or a raptor ledge/box.
- native tree and shrub planting.
- green walls/climbers.
- relaxed mowing regime in grassed areas and use of flowering lawn mixture.

Reason – In the interests of biodiversity and to accord with policy CS9 of the Local Plan: Core Strategy 2011-2031 and the National Planning Policy Framework.

09. No vegetation clearance works shall take place between 1st March and 31st August inclusive, unless a recent survey has been undertaken by a competent ecologist to assess the nesting bird activity on site during this period, and details of measures to protect the nesting bird interest on the site, have first been submitted to and approved in writing by the local planning authority and then implemented as approved.

Reason – In the interests of biodiversity and to accord with policy CS9 of the Local Plan: Core Strategy 2011-2031 and the National Planning Policy Framework.

10. Prior to the commencement of the development, a scheme for the protection of the retained trees, in accordance with BS 5837:2012, including a tree protection plan(s) (TPP) and an arboricultural method statement (AMS) shall be submitted to and approved in writing by the Local Planning Authority. The development thereafter shall be implemented in strict accordance with the approved details.

Specific issues to be dealt with in the TPP and AMS inc:

- a) Location and installation of services/ utilities/ drainage.
- b) Details of construction within the RPA or that may impact on the retained trees.
- c) a full specification for the construction of any hard landscaping and footways, including details of any no-dig specification and extent of the areas hard landscaping and footpaths to be constructed using a no-dig specification. Details shall include relevant sections through them.

- d) A specification for protective fencing to safeguard trees during construction phases and a plan indicating the alignment of the protective fencing.
- e) a specification for scaffolding and ground protection within tree protection zones.
- f) Tree protection during construction indicated on a TPP and construction and construction activities clearly identified as prohibited in this area.
- g) details of site access, temporary parking, on site welfare facilities, loading, unloading and storage of equipment, materials, fuels and waste as well concrete mixing and use of fires

Reason: To satisfy the Local Planning Authority that the trees to be retained will not be damaged during construction and to protect and enhance the appearance and character of the site and locality.

11. Prior to completion of the development hereby approved, details of treatment of all parts on the site not covered by buildings shall be submitted to and approved in writing by the Local Planning Authority. The site shall be landscaped strictly in accordance with the approved details in the first planting season after completion of the development, whichever is the sooner. Details shall include:
- 1) a scaled plan showing all existing vegetation and landscape features to be retained and trees and plants to be planted;
 - 2) location, type and materials to be used for hard landscaping including specifications, where applicable for:
 - a) permeable paving
 - b) tree pit design
 - c) underground modular systems
 - 3) a schedule detailing sizes and numbers/densities of all proposed trees/plants;
 - 4) specifications for operations associated with plant establishment and maintenance that are compliant with best practice.

All soft landscaping shall have a written five year maintenance programme following planting. Any new tree(s) that die(s), are/is removed or become(s) severely damaged or diseased shall be replaced and any new planting (other than trees) which dies, is removed, becomes severely damaged or diseased within five years of planting shall be replaced. Unless further specific permission has been given by the Local Planning Authority, replacement planting shall be in accordance with the approved details.

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

12. Before any development or construction work begins, a pre-commencement meeting shall be held on site and attended by the developers appointed arboricultural consultant, the site manager/foreman and a representative from the Local Planning Authority to discuss details of the working procedures and agree either the precise position of the approved tree protection measures to be installed OR that all tree protection measures have been installed in accordance with the approved tree protection plan. The development shall thereafter be carried out in accordance with the approved details or any variation as may subsequently be agreed in writing by the Local Planning Authority.

Reason: To satisfy the Local Planning Authority that the trees to be retained will not be damaged during construction and to protect and enhance the appearance and character of the site and locality.

Others

13. 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.

14. Construction work 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.

15. 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.

16. Upon commencement of development the applicant shall submit a 'Percent For Art' scheme which details the commissioning and provision of public art (up to the value of 1% of the overall development costs) within the application site boundary. Only the approved piece of public art shall be installed on site in accordance with the approved scheme and an approved timescale agreed in writing by the Local Planning Authority. The approved artwork installed on site shall be retained in situ as such for the life of the development.

Reason - In the interest of amenity and to accord with the provisions of policy CS18 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.
03. Construction works are likely to require Traffic Management and advice regarding procedures should be sought from Dave Bailey, Traffic Management at Derbyshire County Council - telephone 01629 538686.
04. 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.
05. 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.

06. 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.
07. Attention is drawn to the attached notes on the Council's 'Minimum Standards for Drainage'.
08. In relation to the any works / conditions regarding trees the following British Standards should be referred to:
 - a) BS: 3998:2010 Tree work – Recommendations
 - b) BS: 5837 (2012) Trees in relation to demolition, design and construction – Recommendations.