

ITEM 4**Approval of reserved matters of CHE/20/00700/OUT for the enabling works and infrastructure across Phases 1 and 2 including details of layout, scale, external appearance, landscaping and access at Land south of Worksop Road, Mastin Moor for Devonshire Property (MM) Ltd.**

Local Plan: H35 and RP1

Ward: Staveley North

Plot No:

Committee Date: 21.08.2023

CONSULTATIONS

Bolsover District Council	No comment
Environment Agency	No comment
Ramblers Association	We can see no reason why this proposal would adversely impact any PROW.
National Highways	No objection. Note standing advice to consider modes of sustainable travel including walking and cycling.
Derbyshire Constabulary	Comment in regard to provision of restrictive measures for vehicles at various gateway locations due to potential misuse by motorbikes etc of the long peripheral pathway around the site. Recommend K-frame barriers with side railing at the 4 road entrances and key gateways.
CBC Tree Officer	Comments made – no objection
Sport England	Note comments on the outline in terms of CIL provision for sports. Active travel is recommended, some routes may include unadopted road, the routes need to be fully accessible for all pedestrians. Consider creating pocket areas of play along the routes to encourage users to be more active.
Coal Authority	No objection – note conditions on the outline permission
DCC Policy	No objection but note the Cllr comment that: emphasise the importance that residents benefit from access to green space, particularly as public access to the space outside Norbriggs Primary School has been recently and drastically reduced.

CBC Design Services Drainage	We have no objections in principle to the enabling works initial connection to the nearby watercourse via an existing manhole with subsequent phasing it being diverted into the SuDS system. It is noted that this manhole does not appear to be a Yorkshire Water public sewer and is most likely a Derbyshire County Council highway drain. Permission to connect to this manhole would need to be confirmed by the LLFA.
Yorkshire Water	No objection
Highway Authority	Comments made see report
Lead Local Flood Authority	After an initial query on the consistency between plans and greenfield run off rates, amended plans submitted to which the LLFA raised no objection
Derbyshire Wildlife Trust	No objection – comments made, note the need to increase the area of mixed scrub in line with the DOC application.
CBC Urban Design	Information needed on the design of the substation, need a condition regarding the drystone wall detail.
CBC Economic Development	Requested local labour condition or clause – this is already in place via the Outline permission.
Active Travel England	Comments made see report
Representations	9 representations which are summarised in section 6.0.

2.0 **THE SITE**

- 2.1 The application relates to the green infrastructure areas surrounding the housing plots which are in part being considered under a separate reserved matters submission (CHE/23/00370/REM). Also of relevance is the recently submitted discharge of condition application referred to at paragraph 3.4 below which is being processed but which ties into the whole development.
- 2.2 The site is currently green fields with perimeter hedgerows. Bolsover Road lies to the west of the site and Worksop Road to the north. There are open fields to the south and a small cluster of housing to the east. The site generally includes to the Worksop Road.
- 2.3 Photographs of the site:



2.4 Google image of the site and location plan:

This Reserved Matters application relates to only part of the eastern side of the site shown in the red edge below.

3.0 **SITE HISTORY**

- 3.1 An outline planning application for 650 dwellings and other development was submitted in June 2017 prior to the Adopted of the Local Plan. The application was refused by the Council's Planning Committee in October 2019 which was allowed on appeal in October 2020.
- 3.2 CHE/17/00469/OUT - Residential development of up to 650 dwellings (including elderly care and specialist accommodation), a Local Centre (including local retail, health facilities, other local facilities and services), open space, community garden extension (including community building and parking) and associated infrastructure – Refused - Appeal Allowed 15.10.2020
- 3.3 CHE/20/00700/OUT Outline application for residential development of up to 650 dwellings, a residential care facility with extra care, a Local Centre (including local retail, health facilities, leisure facilities, other local facilities and services, offices), open space, community garden extension, community building, parking and associated infrastructure and earthworks. Conditional permission 20.02.2023
- 3.4 CHE/23/00197/DOC Discharge of conditions 5 (Phasing scheme), 6 (Delivery of Local Centre),7 (Delivery strategy),11 (Design Code/Framework),16 (Scheme to improve pedestrian connectivity with Bolsover Road),17 (Construction Management Plan), 18 (Construction details of estate roads), 20 (Highways details),23 (Disposal of highway surface water),25 (Management of streets) ,31 (Outfall of surface water), 32 (Disposal of on and off site foul surface water sewerage),33 (Drainage investigations),34 (Drainage hierarchy),35 (Avoidance of additional surface water run-off),36 (Attenuation ponds),38 (Site investigations) ,39 (Findings of site investigations),40 (Desktop study and remedial works),41 (Habitat metric),44 (Badger survey),45 (Construction Environmental Management Plan),46 (Badger protection measures),47 (Landscape and ecological management plan),49 (Tree protection plan and arboricultural method statement),51 (Management of public areas),52 (Written Scheme of Investigation),53 (Employment and Training Scheme),55 (Materials),56 (Land levels),57 (In accordance with noise and vibration assessment) and 58 (Sustainability statement) of application CHE/20/00700/OUT- Residential development of up to 650 dwellings, a residential care facility with extra care, a Local Centre (including local retail, health facilities, leisure facilities, other local facilities and services, offices), open space, community garden extension, community building, parking and associated infrastructure and earthworks – Pending consideration.

- 3.5 CHE/23/00370/REM Reserved Matters application for CHE/20/00700/OUT - Erection of 143 residential units, associated parking, secondary roads and landscaping, Phase 1 – Pending consideration.

As can be seen from the location plan for this proposal the red edge is opposite to that proposed by the infrastructure submission being considered.



4.0 **THE PROPOSAL**

- 4.1 This is a reserved matters application for the enabling and infrastructure works across Phases 1 and 2 in terms of layout, scale, appearance, landscaping and access. The submission relates to phases on the eastern side of Bolsover Road only. Phases 3 and 4 are to the west of Bolsover Road and are not being considered under this application. Each phase will have, at least, a separate reserved matters submission for the landscaped (green) area and for the housing parcels.
- 4.2 The application notes that within these phases Devonshire property (MM) Ltd (DPL) who are the applicant, will undertake the enabling works and the delivery of primary infrastructure to provide serviced development parcels which will then be brought forward by other developers for example the Phase 1 housing detail is being proposed by Harron Homes (CHE/23/00370/REM). The primary infrastructure will include the main estate roads, surface and foul water drainage pipes, pumping systems and attenuation basins all within the landscaped (green) areas.

The landscape masterplan:



4.3 The submission includes a detailed landscaping scheme for the perimeter of phases 1 and 2, including orchard planting, trees and woodland, bulb planting, species rich grass seed and incorporating integrated biodiversity element such as bat and bird boxes and log piles along. There are beneficial perimeter walking routes, play areas and informal elements such as benches, rocks and log play.

5.0 **CONSIDERATIONS**

5.1 **Planning Policy**

5.1.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990 require that, 'applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise'. The relevant Development Plan for the area comprises of the Chesterfield Borough Local Plan 2018 – 2035.

5.1.2 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that; In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability

of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

5.2 Chesterfield Borough Local Plan 2018 – 2035

CLP1 Spatial Strategy (Strategic Policy)

CLP2 Principles for Location of Development (Strategic Policy)

CLP3 Flexibility in Delivery of Housing (Strategic Policy)

CLP4 Range of Housing

CLP6 Economic Growth (Strategic Policy)

CLP9 Retail

CLP10 Social Infrastructure

CLP11 Infrastructure Delivery

CLP13 Managing the Water Cycle

CLP14 A Healthy Environment

CLP15 Green Infrastructure

CLP16 Biodiversity, Geodiversity and the Ecological Network

CLP17 Open Space, Play Provision, Sports Facilities and Allotments

CLP20 Design

CLP21 Historic Environment

CLP22 Influencing the Demand for Travel

RP1 Regeneration Priority Areas (Strategic Policy)

5.3 Other Relevant Policy and Documents

- National Planning Policy Framework (NPPF)
- Designing Out Crime
- Successful Places' Residential Design Guide
- Historic Environment

5.4 Key Issues

- Principle of development
- Design and appearance
- Impact on residential amenity;
- Highway safety
- Biodiversity
- Ground conditions
- Drainage

5.5 Principle of Development

- 5.5.1 Legislation requires that, ‘applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise’. The relevant Development Plan for the area comprises of the Chesterfield Borough Local Plan 2018 – 2035, Adopted July 2020.
- 5.5.2 The application site as proposed is an allocated Housing Site noted as H35 defined in table 4 to Policy CLP3 as set out in the Adopted Local Plan. Table 4 to Policy CLP3 allocates the site for 650 dwellings. The site is also designated under Policy RP1 where it requires that; the council will grant planning permission for development which supports regeneration where it would, amongst other matters, a) extend the type, tenure and quality of housing.
- 5.5.3 In line with policies CLP1, 2, 3 and policy RP1 the principle of the development is established by the granting of the outline permission which was subject to a raft of conditions and S106 matters to include:
- Affordable housing contribution (inc. viability review and escalator clause)
 - £247,260 towards GP facilities / upgrade
 - Appointment of a management company to maintain any communal / green open spaces; including any drainage infrastructure not formally adopted by the Water Authority
 - Funding for upgrading of existing bus stops
 - Funding for investigation into, and any implementation of, revisions to the speed limits on the B6419 Bolsover Road
 - Funding for the provision of a multi user link with Seymour Link Road
 - Funding for investigation into, and any implementation of, revisions to traffic lights at Norbriggs Road / A619 to enable multi usage
 - Travel Plan monitoring contribution sum of £1,500 per annum for 5 years minimum, longer if dictated by build out rate
- 5.5.4 This application seeks permission for the enabling and infrastructure works in connection with the green areas of Phases 1 and 2. The consideration is to assess whether the submission meets the requirements of planning policy and the outline permission.

5.6 Design and Appearance and Heritage matters

- 5.6.1 Policy CLP21 advises that in respect of heritage assets; “In assessing the impact of a proposed development on the significance of a designated heritage asset, the council will give great weight to the

conservation of designated heritage assets and their setting and seek to enhance them wherever possible”.

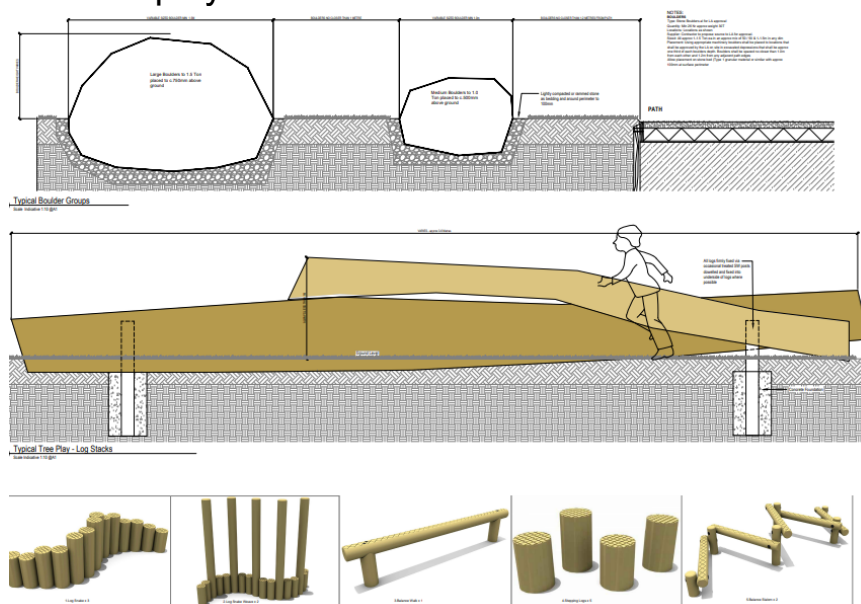
- 5.6.2 Paragraph 196 of the NPPF requires that; “Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal”.
- 5.6.3 In terms of heritage assets, the outline notes:
A total of six designated heritage assets located within the 1 km study area, all of which are listed buildings, one of which is Grade II* listed with the other five Grade II listed. Of these six, two Grade II listed buildings (Norbriggs House and the Church of St Peter) as well as the cluster of listed buildings at Bolsover Castle have been scoped into further setting assessment, on the basis of the potential for harm to their significance from a change within their setting arising from development within the Site. The outline permission noted that the substantial benefits arising from the development outweighed any lower level less than substantial harm to heritage assets.
- 5.6.4 In this case the matter is considering the landform and planting as well as minor structures. It is not considered that the impacts in considering the design of the scheme result in a differing response to the outline permission. Therefore, the impact on heritage matters is acceptable in line with policy CLP21 and para 196 of the NPPF. Matters of archaeology were considered and conditioned under the outline permission.
- 5.6.5 Policy CLP20 requires in part that; “All development should respond positively to the character of the site and surroundings and respect the local distinctiveness of its context.” The issue to consider in this case is that in accepting development on the site is the design of the proposed open space appropriate to that context.
- 5.6.6 Through the application process additional and amended information has been sought regarding the design of the substations and detail of the landscaping in terms of footpaths and boundary treatments.
- 5.6.7 Overall the layout and detail of the open space is considered to be well conceived and will result in a high quality scheme. The landscaping is detailed and will ensure an appropriate setting to the housing development plots. The scheme includes areas of community orchard and edible/wild edge planting along with areas of woodland, individual

trees, bulb planting, structural mounding and a variety of grassland and meadow planting.

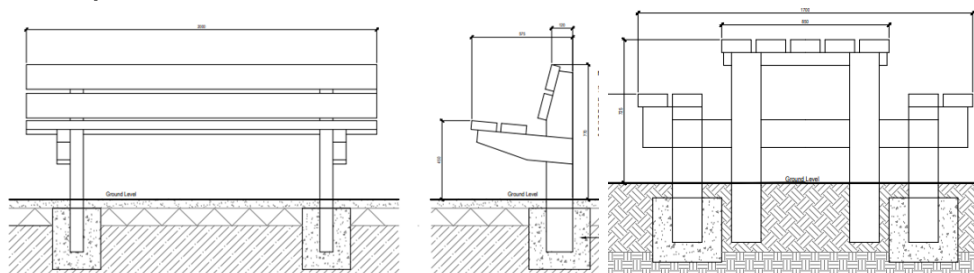
5.6.8

Whilst details of the informal play features such as log and boulder play elements have been provided and considered to be appropriate, details of the formal play equipment have not yet been submitted, these can be agreed via condition. Other street furniture details including signage, handrails and step design, bins, benches and bicycle stands, all of which have a similar timber theme are considered appropriate to enable the creation of a suitable open space and landscaped area to the perimeter of the site.

Informal play features:

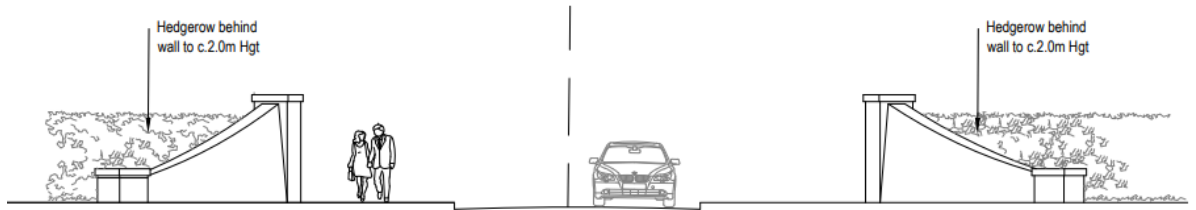


Examples of street furniture:

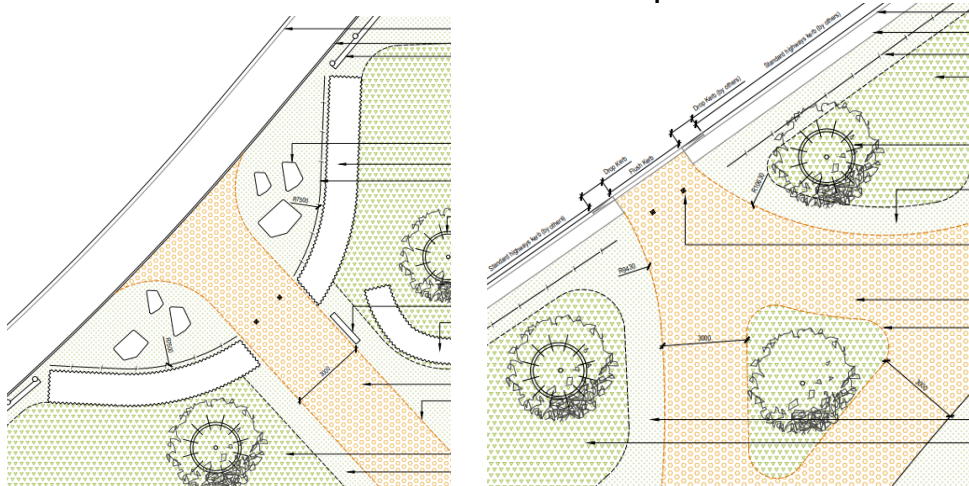


5.6.9

To delineate the main entrance into the site there will be a curved and sloping dry stone wall with hedge behind, this is considered to be an appropriate treatment. The selection of the walling material needs to be agreed via condition. Steel lettering of the site name is intended to be inserted into the walling:

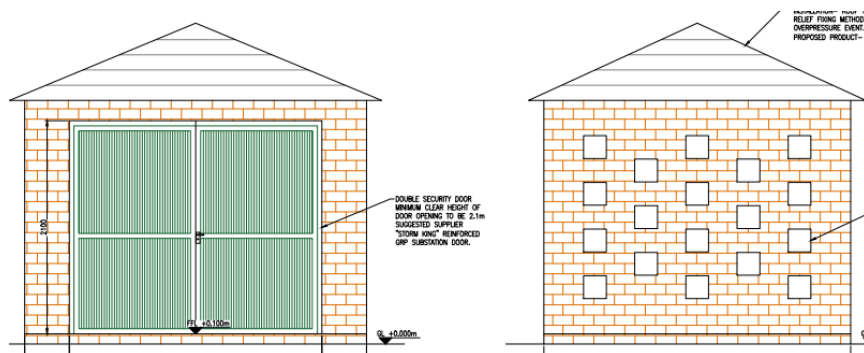


There are various treatments for access points into the open space including elements of estate railings and timber bollards, again these are considered to create an attractive space.



5.6.10

The substation buildings are of a standard design throughout the site and will be constructed of brick to match the adjacent housing in each case:

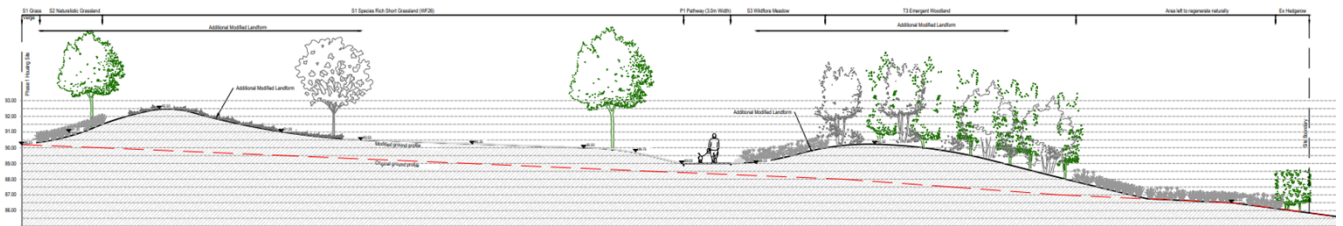


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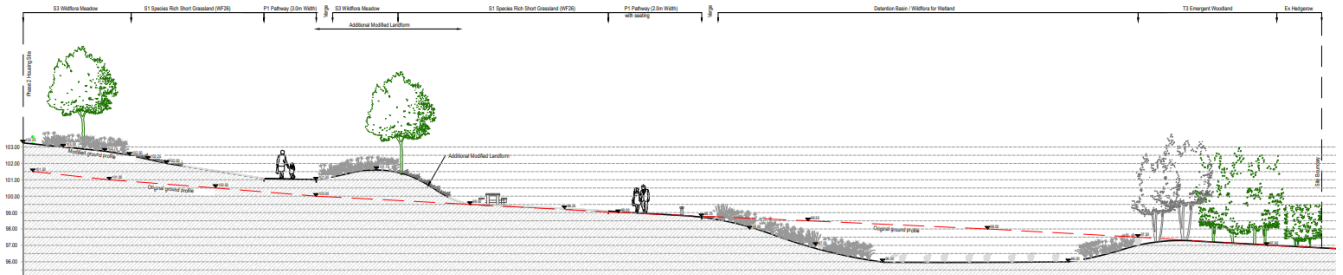
Further information has been requested regarding the separation of public and private spaces which is needed in parts of the site where the private drives meet the public open space and could be provided by planting or boundary such as a knee rail or railing. In some areas of the site appropriate details have been shown but this required more extensively throughout the site. Such details can be agreed via condition.

5.6.12

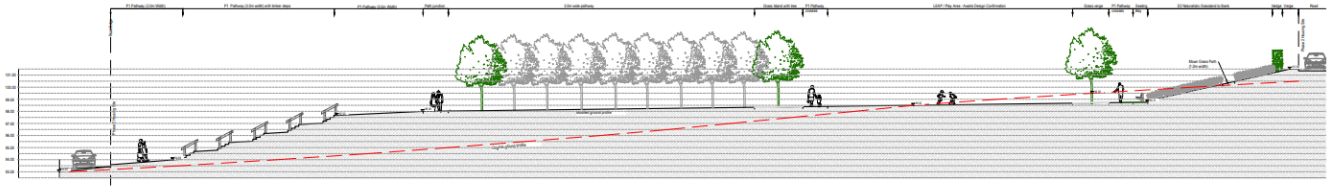
The topography of the site is relatively steeply sloping, it is intended that the development platforms for the housing will be relatively level and the land reformed to enable this, albeit these details are not provided and will be considered under the housing phases. As the slope will make steps necessary within the open space, alternative no-stepped routes are provided albeit these may be longer routes. The land inclines towards the Worksop Road and therefore the drainage ponds are intended to be to the lower slope of the land. Site sections have been provided to show how the open space will be mounded and re-formed to provide interest for routes around the site and for the pond arrangement, as set out below. These sections and the re-grading of the land in this way is considered to be appropriately considered creating an attractive area of open space. However, a section through one of the ponds in the south western corner has not been provided and therefore will be sought via condition. However, the approach provided so far is acceptable.



Section A
Scale 1:100



Section B
Scale 1:100



Section C

5.6.13 Overall subject to conditions as explained above, the landscaping of the site is considered acceptable in design and appearance in line with policy CLP20 of the Adopted Local Plan.

5.7 **Impact on Residential Amenity**

5.7.1 Policy CLP14 of the Adopted Local plan requires that; “The quality of the environment will be recognised at all levels of the planning and development process with the aim of protecting and enhancing environmental quality. All developments will be required to have an acceptable impact on the amenity of users and adjoining occupiers.”

5.7.2 The noise and other impacts of construction work are covered by conditions on the outline permission and therefore do not need to be further considered at this stage where the works being considered are the infrastructure and landscaping elements only.

5.7.3 Local residents have raised concerns in relation to the boundary to the adjacent field, noting: *The nearby field boundary the only protection being the planting of hedges. This will not be a safe and secure boundary. A 6-foot fence would be better to prevent access into the field so that we have the same level of security we have had for years.* There is an existing hedge to the boundary of this field which is intended to be supplementary planted with mixed native hedgerow as part of the landscaping proposals. Such native hedgerow provides a suitable and resilient boundary which is also good for security. There will also be a small area of verge and then the roadway to serve the housing which will separate the private field and the housing. It is not considered that a solid 6 foot high fence in this location would be acceptable in landscape terms. However, it is reasonable for a post and rail or post and wire fence to be located between the site and the field to ensure appropriate security whilst the hedge grows. A further condition will be added for this.

5.7.4 Concern has also been raised that the details of the planting on the opposite side of Bolsover Road has not been provided, this will be considered under a later phase of the reserved matters and is not part of this application. Comments also note the lack of substation details and the visual impact of this, the elevations have now been provided and are a standard detail. It is likely that the substation will be visible in part above the hedge, but as necessary infrastructure for such a large development this is considered reasonable.

5.7.5 Concern has been raised about water pressure in the area, this is not a matter that can be resolved through the planning application as it is for the statutory undertakers to ensure appropriate water connections and supply. Queries regarding the wider highway layout and impacts have also been received, however these matters were determined under the outline application. There are also concerns raised regarding principle matters which again were considered under the outline application.

5.7.6 This application also includes temporary and longer term construction compounds for these first two phases of the development. The impacts of construction works are controlled by the outline conditions. The siting of the two compound areas adjacent to the access and into the site area away from neighbouring residents is considered to be acceptable.



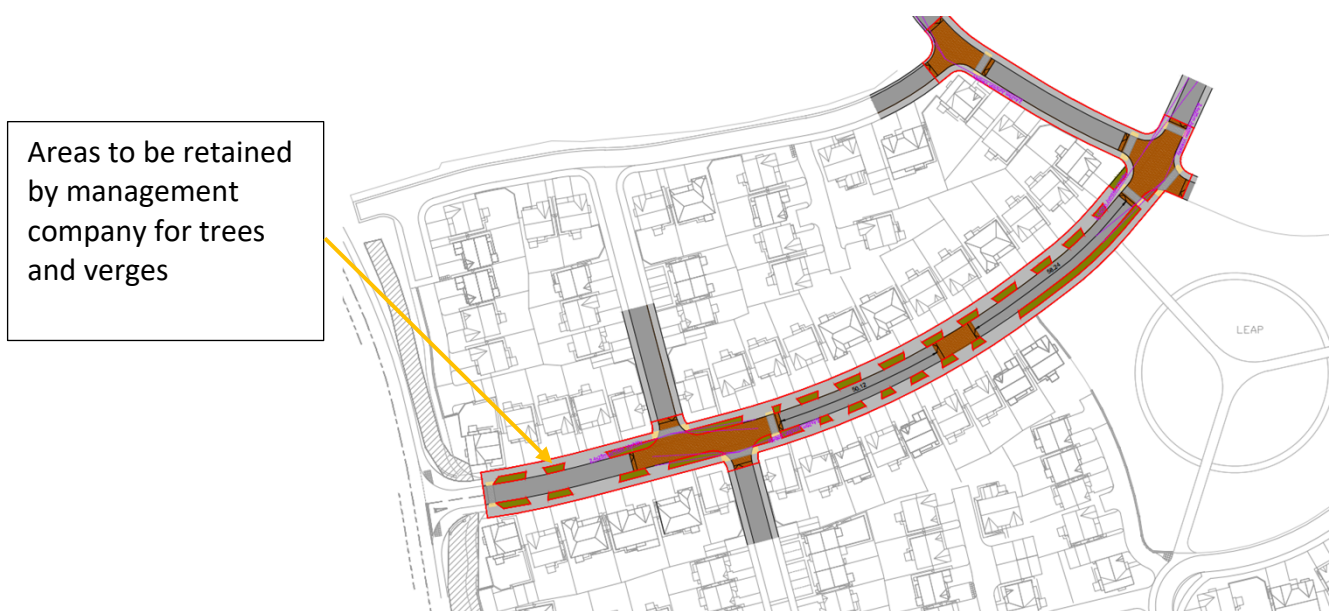
The compounds will also link into the required scheme for local training and employment.

5.7.7 The scheme is considered to be appropriate in terms of residential amenity impacts in line with policy CLP14 of the Adopted Local Plan.

5.8 **Highways Safety and Parking Provision**

5.8.1 Policy CLP22 requires that; To reduce congestion, improve environmental quality and encourage more active and healthy lifestyles, the Council will seek to maximise walking, cycling and the use of public transport through the location and design of development and parking provision. Priority will be given to measures to encourage more sustainable travel choices. This will be done by seeking ways in which to reduce travel by private car and seeking enhancements of and incentives for walking, cycling and use of public transport. Development proposals will not be permitted where they would have an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

5.8.2 It should be noted that access to the site was considered under the outline permission and accordingly was conditioned. This application seeks permission for the main road into Phase 1 and the shorter roads leading from this. The Highway Authority initially objected to the scheme, which has now been amended to ensure appropriate siting of street trees to the edge of the pavement along the main access and to ensure the road is designed for a maximum 20mph speed limit. The Highway Authority has therefore agreed the following road layout:



5.8.3 The applicant intends that the patches of verge and trees within the road layout will be retained under the control of the management company. The Highway Authority have responded to this noting:
The position of DCC in terms of the suitability of the layout, with numerous private 'islands', is that the layout would not be suitable for adoption as publicly maintainable highway. This which would further result in all other roads within this section of the development also not

being adopted. Essentially, the highway authority would have no control of the private areas, of which will there be many, which include visibility splays from side road junctions and private accesses. There are no guarantees that the appointed management company will exist in the future or that maintenance work required to the verges and/or trees will be carried out. In reality it is highly likely that there would be an expectation by future residents that the highway authority will be responsible for maintenance of the verges and trees and will be the first point of contact if and when issues arise with DCC being expected to carry out necessary works. Ultimately based on the revised plan P4 being submitted as the final layout for the spine road, it is confirmed that there are now no highway authority objections to the 'spine road' layout and consequentially there are no objections to the application. The Highway Authority also noted the lack of street trees on minor roads within the scheme.

- 5.8.4 In response the applicant has made it clear that they consider the main road into the site should be adopted and wish to discuss this further with the Highway Authority. Condition 25 of the outline permission requires consideration of road management. As the proposed main road into the site is considered safe in terms of highway safety, whether or not the road is adopted is for the applicant and highway authority to further discuss in the hope that agreement on adoption is reached. Ultimately if the road is not adopted, whilst not ideal it does not mean the road is unsafe or unacceptable. In such circumstances the management of this would be considered under condition 25 of the outline permission. However, this is anticipated to be an unlikely worse case scenario.
- 5.8.5 In terms of street trees, whilst the Highway Authority are correct in that there are no street trees shown in the northern and north western routes of the highway, in line with the agent's suggestion, there is the potential to include street trees whether or not within the adopted highway within part of the Phase 2 housing area. On this basis it is considered that the consideration of street trees here can be considered under a further application. It would be appropriate for street trees to be within open space adjacent to the highway in line with para 131 of the NPPF.
- 5.8.6 The Highway Authority have requested a condition regarding the detail of the planting within the highway area which is included in the recommendation. On this basis the amended proposal is considered to be acceptable in terms of highway safety. It is noted that whilst a plan of the amended access has been received there is a need to update all other submitted plans to align with this, these are anticipated to be

received before the planning committee meeting. Therefore, the plan list condition 2, within the recommendation will be updated at the meeting.

5.8.7 Active Travel England are a new national body to be consulted on larger housing schemes. ATE have looked at the detail of this case and raised a number of concerns as follows:

1. On-site walking, cycling and wheeling routes - All new walking and cycling routes within the site must be fully accessible. It is unclear how the proposed access road is intended to satisfy the criteria of LTN 1/20 and how it is aligned with the five Core Design Principles stated; clarification is required as to how it is intended to achieve this including proposed road and footway dimensions. It is assumed that the proposed perimeter path around the site and providing access to the Local Equipment Area for Play (LEAP) is intended to serve both walking and cycling; measurements for this path should be provided. There are steps on site that would reduce the ease of access for cycling or wheeling (contrary to LTN 1/20). While an alternative route is shown on the plans, the proposed gradient and surface of this route is unclear. In terms of lighting, streets, footways and cycle ways should be adequately lit to provide safety and security for all users. It is unclear whether the proposed cycling and walking route around the perimeter of the site is lit and clarity on this point is required.

2. Connections to future sites - The proposed connections to future sites are noted and welcomed however clarity around the proposed type of crossing to be provided at these connections is required. It is noted that £7,500 has been secured via S106 to be used by the Highway Authority towards the investigation and implementation of revised speed limits on the B6419 Bolsover Road.

3. Site access - In terms of access for motorised traffic, this is provided via one entry point off Bolsover Road. This main access road is relatively straight and it is noted that raised tables appear to be proposed within the site along this route. Clarification around how it is proposed to slow traffic entering the site from Bolsover Road is required as there does not appear to be any kind of raised table here. Please also confirm what type of crossings are proposed on this main access road; it is expected that the appropriate crossing type in line with LTN 1/20 is provided on appropriate desire lines. Through traffic It is not possible for private vehicle drivers to use the site as a shortcut as there is only one access point; this is welcomed.

4. Areas of Concern - It is noted that proposed bollards at various access points to the LEAP are 1.2m apart; it is recommended that these are at least 1.5m apart as per LTN 1/20 in order to accommodate accessible or adapted cycles and cargo bikes. The rationale behind the location of the walking and cycling access routes is unclear, particularly to the north where there is an opportunity to usefully connect these to an existing bus stop, thereby avoiding the need for residents to walk approximately 100m further down a relatively narrow footway alongside the busy Worksop Road in order to access this. It is also noted that self-binding gravel is proposed as a surfacing treatment; LTN 1/20 notes that gravel surfaces can be difficult or inaccessible for people in wheelchairs and some types of adapted cycle. The proposed parking strategy is unclear. The proposed street design should remove opportunities for indiscriminate and obstructive parking that would cause safety hazards and prevent access by active modes of travel by either designing in protected or marked parking bays and accompanying street furniture, planting or other features and restrictions that prevent footway parking, the mounting of kerbs, damage to green infrastructure and blockage of crossing points and sightlines. Should the proposed parking strategy involve the use of private driveways leading to multiple dropped kerbs, the impact of this on those wheeling along the footway must be considered.

5.8.8 In response to no. 4 Areas of Concern, the agent has made the following points:

Loose gravel is not intended to be used but self-binding gravel that is a solid surface suitable for all users.

Due to third party land it is not feasible to connect adjacent to the bus stop. It is not feasible to move the bus stop due to road safety matters and that this was not funded through the outline permission.

The bollard gap has been increased to 1.5m.

To prevent on street parking verge areas will site adjacent to the carriageway, some with trees planted. Managed either by the Highway Authority or the private management company.

Greater clarity is sought re: wider site connectivity but the comments do not state what additional information is required. This is considered under the outline and associated conditions.

5.8.9

Further Active Travel England comments were received in response, summarised: This notes that they are not in a position to support the application and request further assessment, evidence, revisions and/ or dialogue.

ATE is keen to engage with the applicant in order to ensure that walking and cycling is prioritised and committed to as part of this reserved matters application. As a statutory consultee to the planning process, sufficient weight is expected to be given to the points raised here and in previous formal correspondence.

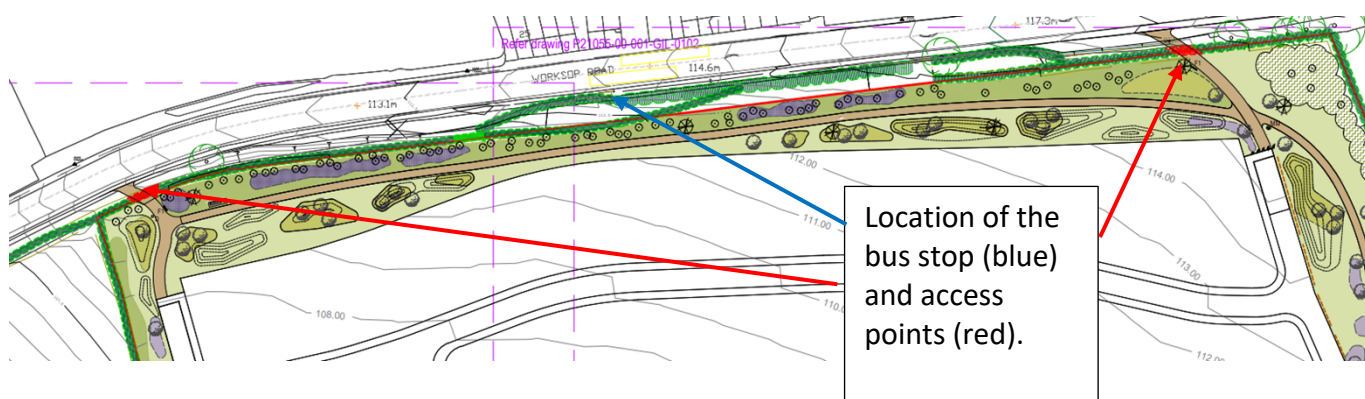
Policy Considerations - The National Planning Policy Framework (NPPF) para's 88, 92, 104, 110 and 112 noted which relate to walking and cycling and use of public transport, active streets and achieving safe and suitable access for all. Local Transport Note 1/20 (LTN 1/20) provides guidance on delivering high quality cycle infrastructure. Gear change: a bold vision for cycling and walking is the Government's cycling and walking plan for England.

Areas of Concern:

- The applicant has confirmed that self-binding gravel is proposed for the multi-user paths. This should be reconsidered as LTN 1/20 and Inclusive Mobility note that gravel surfaces can be difficult or inaccessible for people in wheelchairs and some types of adapted cycle.*
- Regarding the proposed footpath connections and their distance from the bus stop to the north of the site, the applicant has stated that this is due to third party land ownership and topographical issues. In this instance, given the size of this development, moving the bus stop to better connect with the footpath connections should be considered. As public transport has a strong link with active travel, and the TA in the outline application was clear that it had been designed to promote accessibility to public transport, pedestrian and cycle movements, Active Travel England would expect access to the bus stop to be made more convenient rather than involve an indirect walk, finishing on a narrow pavement alongside a busy A road with traffic speeds in excess of what would be considered comfortable or safe in an urban setting.*
- The applicant has confirmed that connections from the site have been fully designed to ensure integration with later phases, although greater detail is required to clearly demonstrate this to ATE's satisfaction.*
- The applicant has confirmed that all crossing points will have dropped kerbs. Please confirm that where dropped kerbs provide crossing points at junctions, tactile paving is also provided.*

- *The applicants' response regarding bollard spacing and Inclusive Mobility requirements is noted, however, given that the path in question is intended to serve multiple different types of user including cyclists (according to the TA submitted with the outline proposal) ATE would request that LTN 1/20 is the more appropriate guidance in this instance. The paths in question would appear well overlooked, which is welcomed and will also decrease the likelihood of misuse by motorised vehicles.*
- *The applicant confirms that all houses will have driveways with vehicular crossings, however it remains unclear how on-street parking will be controlled; clarification on this would be welcomed to avoid a situation where footways become obstructed as a result of the proposed 5.5m width, which can commonly result in footway parking on both sides of the street as motorists attempt to maintain 3m of clearance along the centre of the road. This is neither safe for pedestrians nor pushchairs / mobility scooters, nor is it conducive to a high quality street scene and can result in conflict within the carriageway.*

- 5.8.10 It is clear that Active Travel England continue to have concerns about the proposed development and the success of the proposed cycling and walking routes. It is important therefore to address their points of concern and determine whether the proposal is appropriate in terms of the aims of Active Travel, which is the basis of the Local Plan which seeks sustainable and accessible developments.
- 5.8.11 The use of self binding gravel is generally considered an appropriate surface for all users of paths and cycle ways. The concerns note the requirements of LTN 1/20, this document specifically refers to loose gravel being inappropriate, however that is not what is proposed in this case. Self-binding gravel as proposed does provide a solid surface and its use is not contrary to advice within LTN1/20. The Outdoor Accessibility Guidance which supports inclusive outdoor access notes that the use of self binding gravel provides a firm and stable surface if well constructed. It is the case that if water logged or with over use it may require more regular maintenance, but this is the responsibility of the applicant in this case who is choosing to use this surface. In addition, it is worth noting that the constructional detail for this includes a camber which should avoid water collection. Therefore, it is considered that the proposed surface is acceptable.
- 5.8.12 In terms of the connection to the bus stop, the links the public highway at the east and west of the northern boundary are considered to be appropriate desire lines as shown below:



The intention is to link to the bus stop and to the local centre to the west. Whilst the links are remote from the bus stop it is not considered that this is inappropriate in this case. The land between the bus stop and the site edge is within third party ownership and therefore the applicant has no right to cross this. In addition, if the link was provided further towards the bus stop it would not necessarily be a better route given the road access points are to the eastern and western edges therefore this is the best direction for most of the future residents. Whilst the relocation of the bus stop has been suggested, this was not accounted for in the contributions at the outline stage and it is noted that due to the topography, alignment and restrictions on the road in this location moving the bus stop to the west would be unlikely to be practical. On this basis the links to the east and west are considered appropriate.

5.8.13 The use of tactile paving at crossings is a standard highway requirement. In terms of the highway design seeking to restrict on street parking, it is noted that this application considers the main route into the site only, the remainder of the highway layout will be considered under the other reserved matters applications. It is noted that the intention is for all homes to have driveways for parking on this main street and therefore there should be minimal need for on street parking which is more likely to be an issue for housing with frontage or minimal parking. It is also noted that the need to provide parking well within the site is in conflict somewhat with the Active Travel aims. The main road into the site will have verges and trees which will deter parking in these areas and on this basis the highway design insofar as it relates to this proposal is considered to be acceptable.

5.8.14 On the basis of the above whilst there remain concerns from ATE it is not considered that the concerns raised should limit the grant of planning permission in this case.

5.9 Biodiversity, impact on protected species, enhancement and Trees

- 5.9.1 Policy CLP16 of the Local Plan requires that; The council will expect development proposals to: protect, enhance and contribute to the management of the borough's ecological network of habitats, protected and priority species and sites of international, national and local importance (statutory and non-statutory), including sites that meet the criteria for selection as a local wildlife site or priority habitat; and – avoid or minimise adverse impacts on biodiversity and geodiversity; and – provide a net measurable gain in biodiversity.
The outline permission considered the need to enhance biodiversity and appropriate measures to mitigate harm to protected species, these matters were secured via condition. The discharge of those conditions is under consideration and it is important to ensure that each reserved matters application seeks to meet the outline requirements.
- 5.9.2 Derbyshire Wildlife Trust have commented on the submission: :
The Masterplan appears largely in line with the layout put forward at the Outline stage. Landscaping will buffer the offsite woodland and stream to the south. The sizeable attenuation basins, surrounded by landscaping and connected to the wider area, may create new opportunities for the local grass snake population, as well as other wildlife. We welcome the proposed landscaping, with many native and beneficial species and mixes chosen. A variety of habitats will be created which, if well-managed, will maximise the biodiversity value of the new housing site. We note the proposed wildlife features, including bat boxes, bird boxes and habitat piles to be incorporated within the soft landscaping.
We have no major requests for amendments or alterations, however in a separate response to the discharge of conditions application, we have suggested that an increase in the area of mixed scrub could be considered to address the Trading Rules in the submitted biodiversity metric.
- 5.9.3 For clarity the outline permission set out the ecological issues:
The site is considered to provide a resource of value to foraging and commuting bats at a site/local level only.
In terms of adverse effects construction of access routes through the stream corridor and hedgerows have the potential to result in fragmentation of foraging and commuting corridors. In general terms the development and associated lighting has the potential to disrupt roosting and feeding behaviour for some species. However, it is noted

that the creation of gardens and areas of public open space has the potential to increase the habitat resource for roosting and foraging bats compared with the intensively managed interiors of the existing arable fields.

- 5.9.4 For bats and birds it was therefore intended to:
- Retain trees T2 and T7
 - Have foraging along the river corridor
 - 10m buffer zone to the stream.
 - Retain hedgerows with 5m buffer
 - Have a lighting scheme to minimise adverse impacts particularly to stream corridor and south
 - Have some unmanaged grassland
 - Plant nectar rich shrubs
- 5.9.5 The proposed landscaping scheme as detailed in this application appropriately addresses the above requirements. However, the lighting scheme will be considered separately by condition and the retained trees noted as T2 and T7 are located to the west of Bolsover Road and therefore not part of the consideration of this case.
- 5.9.6 The outline report noted that to mitigate against the harm to badgers, buffer zone areas are required. Due to the changeable habits of badgers it was advised to re-survey for badger activity two months before works are due to commence. The following was recommended:
- To retain suitable badger foraging habitats and corridors and to minimise disturbance
 - Erection of boundary fencing along the eastern site boundary adjacent to the woodland.
 - Suitable badger runs/gaps should be incorporated to allow access by badger;
 - retain existing boundary hedgerows and internal hedgerows with suitable undisturbed buffer zones (3-5m) to maintain connectivity of badger foraging habitats.
 - retain a substantial buffer zone (8-10m) along the stream corridor
 - incorporate areas of grassland within the site layout, in particular amenity grassland
 - selected areas of the buffer/boundary habitats could be left as unmanaged grassland
 - plant areas of landscaping with native fruit and nut bearing shrubs to ensure a food supply over the autumn and winter period.

- consider inclusion of small-scale bunds to provide opportunities for badgers to excavate new setts.

- 5.9.7 It is considered that on the whole the proposed landscaping details satisfy these requirements. However, no fencing is detailed to the woodland edge and therefore this is required and can be secured via condition and should be a naturalised fencing feature which will assimilate well into the setting.
- 5.9.8 In terms of other conditional matters secured by the outline permission, condition 41 required the submission of a metric to measure biodiversity accord the site as a whole with the aim of delivering a net gain on site post development. This has been submitted and is being considered under the DOC application. Condition 44 required an updated badger survey. Condition 51 required details of maintenance and management of green areas, it is noted that these areas will be managed in the long term by a maintenance body in connection with the applicant as land owner.
- 5.9.9 In terms of the extent of mixed scrub which the Trust have noted could be increased in this application, under the associated DOC application they have noted that; *Condition 41 - We have reviewed the Biodiversity Net Gain Assessment and the accompanying metric. The documents are very detailed and provide sufficient information. The whole site (not just Phase 1 and 2) is predicted to achieve a net gain of +24.20 habitat units (+23.03%), +2.27 hedgerow units (+6.44%) and +0.65 river units (+13.86%). Whilst we do note that the Trading Rules are not fully satisfied, this is due to a minor deficit of -0.32 units of medium distinctiveness habitat. It would be possible to address this by increasing the area of mixed scrub slightly and this could be considered by the landscape architects. We have no further comments and the condition can be discharged.*
- 5.9.10 The agent for the case has confirmed that this will be dealt with under phases 3 and 4 to achieve the site wide biodiversity aims. On this basis the proposed landscaping is considered to be acceptable for these areas of phases 1 and 2.
- 5.9.11 The application, subject to a condition to secure a protective fence area is considered to be acceptable in terms of biodiversity enhancements and ecological impacts in line with policy CLP16 of the Adopted Local Plan.

5.9.12

The Tree officer has commented on the case noting:

General habitat impacts and protection - A Tree Protection Plan (TPP) has been provided by Bowland Tree Consultancy Ltd and is contained in the 'Construction Environmental Management Plan – Biodiversity (CEMP-B)' by Penny Anderson Associates Limited reference 220439, December 2022 at appendix 2 'Arboricultural Constraints Appraisal' submitted for application CHE/23/00197/DOC to discharge condition 49. (Tree protection plan and arboricultural method statement of application CHE/20/00700/OUT).

The installation of habitat protective fencing for the protection zones as shown on the Tree Protection Plan (TPP) is designed to protect areas that may be used by/important for protected species and also protect features of intrinsic value (hedges, trees) from inadvertent damage during construction. These protection measures once installed to the boundaries of the site will ensure that all the retained habitats are protected throughout the development.

The main areas of enabling works and infrastructure across Phases 1 and 2 are within the site and outside the habitat protection zones so there should be no impacts on the retained habitat features. There are some impacts to the existing hedgerows to facilitate the site access points and drainage which are shown on drawing 'Existing Hedgerow Removal – Retention' P21055-00-001-GIL-0400 REV 02 which have been considered when assessing the habitat protection zones.

Landscaping - Details have been provided of the of the general landscaping layout which provides a mixture of new habitats, natural play areas, landscape features such as drystone walls and mounds, and includes a planting schedule with a variety of ornamental and native plants, shrubs and trees suitable for each habitat. Street trees are also included, as shown on the landscape masterplan drawing and landscape GA drawings which include Prunus and Sorbus species.

Ecological features which include bird and bat boxes and stacks have been included along with boundary, play and furniture features. Native hedgerows, grassland and bulb planting are provided with a suitable mixture of species to enhance the development and open spaces.

The overall landscape layout works well and integrates into the rural setting beyond to the south and east and provides landscape buffers adjacent to the road network and other boundaries. I have therefore no objection to the application.

5.9.13 On the basis of these comments there is no concern in terms of tree matters.

5.10 Ground conditions

5.10.1 Policy CLP14 of the Adopted Local plan requires that; Proposals for development on land that is, or is suspected of being, contaminated or unstable will only be permitted if mitigation and/or remediation are feasible to make the land fit for the proposed use.

5.10.2 In terms of former coal mining activity the Coal Authority have noted no further comment as these matters were covered under the outline conditions. Whilst the Council's Environmental Health team have not commented on this case matters of any below ground contamination were also considered under the outline application and appropriately conditioned. Therefore, in terms of the ground conditions there is no need to further consider these matters under the remit of this application.

5.11 Drainage

5.11.1 Policy CLP13 Adopted Local Plan advises that; "The council will require flood risk to be managed for all development commensurate with the scale and impact of the proposed development so that developments are made safe for their lifetime without increasing flood risk elsewhere".

5.11.2 Yorkshire Water have raised no concerns in regard to this application. However, under the submission for the discharge of conditions Yorkshire Water have objected in part to the discharge of condition 32: *1.) The drainage details submitted on drawing 22188- IML - PH1- XX- DR- D- 0501 (revision T0) dated 02/02/2023 that has been prepared by IDOM require amendments. The following points should be addressed: a.) the submitted drawing should show the proposed rate of foul pumping attributable to the phases 1 & 2 development.* This matter will continue to be addressed under the DOC application in dialogue with Yorkshire Water. This does not adversely impact on this application as the matter is controlled by the existing imposed conditions.

5.11.3 After initially raising concerns the Lead Local Flood Authority now has no objection in view of revised plans:

- 22188-IML-PH1-XX-DR-D-0501 T06 Phase 1 Enabling Works Drainage

- 22188-IML-PH1-XX-DR-D-0502 T05 Phase 2 Enabling Works Drainage

However, the LLFA have yet to respond to the DOC application and these plans are not, as yet, part of that submission, therefore the above plans will be included in the list of approved plans, however this condition is caveated in relation to the plan list as these matters are controlled under the DOC submission in line with the outline conditions.

- 5.11.4 Given the conditions on the outline permission it is considered that no further details regarding drainage matters are required at this stage.

5.13 Development Contributions and CIL Liability.

- 5.13.1 The need for CIL was noted in the outline permission and will be detailed as part of the submission of the housing element. Other S106 matters were secured as part of the outline considerations.

6.0 REPRESENTATIONS

- 6.1 Nine letters received which are summarised as follows:

- 6.2 S106 on health to be considered with modelling suggesting £739,000.

- 6.3 We enjoy wildlife in this area, this proposal would be devastating to wildlife species and the community.

- 6.4 Object due to the congestion which will be caused to the already busy area as well as removal of valuable agricultural land when the need for the UK to be self-reliant has ever been greater. There are plenty of brownfield sites which should be considered. Main concern is the nearby field boundary the only protection being the planting of hedges. This will not be a safe and secure boundary. A 6-foot fence would be better to prevent access. Please take these comments on board although we know it will be approved anyway.

- 6.5 The plans do not show the trees and hedges along the Bolsover Road where a 2m wide path is proposed at the entrance to the allotments. This vegetation covers the view of Cygnet Acer Clinic, if removed it will drastically alter the view and invite the adults with learning difficulties to look into properties opposite.

The plans do not show the substation to the top corner of the site, this will be seen along Bolsover Road, will it be screened by hedging?
Where will water for the site come from?

Can there be drawings of the infrastructure on Bolsover Road, the current traffic light system will not be able to cope with the increase in traffic. What will the specification of the road be (thickness of bitumen) to cope with this.

- 6.6 Congestion in the area will be worse.
Additional pressure on overstretched resources including doctors, schools, leisure etc.
Valuable farming land will be destroyed forever.
Wildlife habitat will be lost.
Increase in air, noise and light pollution.
Increase disruption on current footpaths.
Increased flooding due to arable land being covered in concrete.
- 6.7 Traffic will be a major problem, there have been over 7 accidents on Woodthorpe road in the last few years including two severe accidents. Woodthorpe road would become like the M1. Parking for the schools creates blind spots for motorists. There have been accidents at the cross roads. Someone will be seriously injured due to this.
The infrastructure cannot cope.
Schools have too many in the class.

6.8 Officer response:

- This is land allocated for housing in the local plan, the loss therefore of farming land is approved through both the allocation and through the grant of the outline permission.
- Infrastructure provision to serve the development was considered under the outline permission.
- The issue of NHS contributions was considered under the outline permission and cannot be reconsidered at this stage. The funding sought is for the Hospital which serves a wide area for which there is no agreed method of funding from development. The CCG contribution was agreed under the outline permission.
- Under the outline permission it was agreed that a bio-diversity net gain would be achievable on the site with long term management for the benefit of local flora and fauna.

- Highway matters, including congestion impacts and the new road junctions and changes to existing junctions were considered under the outline permission.
- The impacts in terms of drainage and flooding were considered under the outline permission.

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.

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 2015 in respect of decision making in line with paragraph 38 of 2021 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 objectors/supporter will be notified of the Committee date and invited to speak, and this report informing them of the application considerations and recommendation /conclusion is available on the website.

9.0 **CONCLUSION**

9.1 The reserved matters submission for phases 1 and 2 infrastructure which includes the main street is considered to be acceptable in terms of creating an attractive area of open space with suitable planting proposal. It is in accordance with the outline permission for which outstanding conditions continue to be considered. The housing elements of the scheme will come forward in separate reserved matters applications which will have the detailed consideration. On this basis in line with the outline permission and allocation and subject to the additional conditions as set out above the application is acceptable and recommended for approval.

10.0 **RECOMMENDATION**

10.1 It is therefore recommended that the application be **GRANTED** subject to the following conditions:

Conditions

1. The development to which this permission relates shall be commenced not later than the expiration of two years from the final approval of the reserved matters, or in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: To comply with the requirements of Section 91(1) of the Town and Country Planning Act 1990 (as amended).

2. The development hereby approved shall only be carried out in full accordance with the approved plans (listed below) with the exception of any approved non-material amendment or conditional requirement of the outline permission or this reserved matters. All external dimensions and elevational treatments shall be as shown on the approved plan/s (listed below).

NOTE: MOST OF THE PLANS IN THIS LIST WILL NEED TO BE UPDATED AT THE MEETING TO ACCOUNT FOR THE AMENDED HIGHWAY LAYOUT –

- Application boundary 22188-IML-PH1-XX-DR-D-0102 Rev P07
- Amended highway layout plan P4
- Landscape Master Plan P21055-00-001-GIL-0100 Rev 05
- Phase 1 enabling works drainage 2188-IML-PH1-XX-DR-D-0501 Rev T06
- Phase 2 enabling works drainage 2188-IML-PH1-XX-DR-D-0502 Rev T05
- Access general arrangement and indicative drainage layout, MMR-ARP-00-XX-DR-CH-01000 REV A
- Civil Highways Standard Details MMR-ARP-00-XX-DR-CH-01001 REV A
- Civil Highways S2, MMR-ARP-00-XX-DR-CH-01003 REV A
- Proposed Contours and Proposed profile, MMR-ARP-00-XX-DR-CH-01004 REV A
- Infrastructure PH1 Manhole Schedule 22188-IML-PH1-XX-DR-D-0503 Rev T02
- Infrastructure PH1 Drainage Long sections 22188-IML-PH1-XX-DR-D-0504 Rev T01
- Infrastructure PH1 Drainage Long sections 22188-IML-PH1-XX-DR-D-0505 Rev T01
- Infrastructure PH1 Drainage Long sections 22188-IML-PH1-XX-DR-D-0506 Rev T01
- Infrastructure PH1 Drainage Long sections 22188-IML-PH1-XX-DR-D-0507 Rev T02
- Infrastructure Drainage Details 22188-IML-PH1-XX-DR-D-0510 Rev T0
- Infrastructure Drainage Details 22188-IML-PH1-XX-DR-D-0511 Rev T0
- Infrastructure Drainage Details 22188-IML-PH1-XX-DR-D-0512 Rev T01
- Infrastructure Drainage Details Phase 1 22188-IML-PH1-XX-DR-D-0513 Rev T0
- Infrastructure PH2 Long section and manhole schedule 22188-IML-PH1-XX-DR-D-0541 Rev T02
- S38 Drainage Plan 22188-IML-PH1-XX-DR-D-0550 Rev T0
- Proposed Contours PH1 Enabling Works and PH2 22188-IML-INF-DR-C-0671 Rev T0
- Isopachyte PH1 Enabling Works and PH2 22188-IML-OC-INF-DR-C-0672 Rev T0

- Landscape GA Plan Sheet 1 of 4 P21055-00-001-GIL-0101 REV 03
- Landscape GA Plan Sheet 2 of 4 P21055-00-001-GIL-0102 REV 03
- Landscape GA Plan Sheet 3 of 4 P21055-00-001-GIL-0103 REV 03
- Landscape GA Plan Sheet 4 of 4 P21055-00-001-GIL-0104 REV 03
- Typical site sections P21055-00-001-GIL-0200 Rev 00
- Typical hard surfaces and edges P21055-00-001-GIL-0300 Rev 01
- Typical boundary treatments P21055-00-001-GIL-0301 Rev 01
- Typical furniture details sheet 1 of 2 and 2 of 2 P21055-00-001-GIL-0302 Rev 01 and P21055-00-001-GIL-0303 Rev 01
- Typical signage details P21055-00-001-GIL-0304 Rev 01
- Typical steps and handrail sheet 1 of 2 and 2 of 2 P21055-00-001-GIL-0305 Rev 01 and P21055-00-001-GIL-0306 Rev 01
- Typical Informal Play Features P21055-00-001-GIL-0307 REV 01
- Typical Gateway – Drystone Wall Detail P21055-00-001-GIL-0310 REV 01
- Typical Gateways - Feature Entrance Layouts 1-6 P21055-00-001-GIL-0311 REV 01
- Typical Gateways - Feature Entrance Layouts 7-10 P21055-00-001-GIL-0312 REV 00
- Existing Hedgerow Removal – Retention P21055-00-001-GIL-0400 REV 02
- Landscape Softworks Sheet 1 of 4 P21055-00-001-GIL-0401 REV 01
- Landscape Softworks Sheet 2 of 4 P21055-00-001-GIL-0402 REV 01
- Landscape Softworks Sheet 3 of 4 P21055-00-001-GIL-0403 REV 01
- Landscape Softworks Sheet 4 of 4 P21055-00-001-GIL-0404 REV 01
- Typical Planting Details P21055-00-001-GIL-0405 REV 01
- Typical Landscape Mound Details P21055-00-001-GIL-0406 REV 00
- Main Contractors Compound Details 22188-IML-PH1-XX-DR-D-0163 REV T0

- S38 General Arrangement 22188-IML-PH1-XX-DR-D-0101 REV T0
- Phase 1, S38 Highway Long Sections Sheet 1 of 2 and 2 of 2 22188-IML-PH1-XX-DR-D-0704 REV T0 and 22188-IML-PH1-XX-DR-D-0705 REV T0
- S38 Kerbing and Surfacing 22188-IML-PH1-XX-DR-D-1101 REV T0
- Section 38 Details 22188-IML-PH1-XX-DR-D-1102 REV T0
- Lining GA 22188-IML-PH1-XX-DR-D-1201 REV T0
- Substation design NC1V-004 Rev 1.0
- Reserved Matters Statement

Reason - In order to clarify the extent of the planning permission.

3. No development shall take place, other than works to construct a temporary access and compound and regrading earthworks only as set out in this approval, until full details of all proposed street tree planting, root protection systems, future management plan, and the proposed times of planting, have been approved in writing by the local planning authority, and all tree planting shall be carried out in accordance with those details and at those times.

Reason: To ensure the continued wellbeing of the trees in the interests of the amenity and environmental quality of the locality and for highway safety in accordance with policies CLP20 and 22 of the Adopted Local Plan.

4. Prior to works commencing on the dry-stone wall entrance feature details of the geological source of the stone shall be submitted to and agreed in writing by the Local Planning Authority. Works shall be completed in accordance with the agreed details.

Reason: In the interest of visual amenity and local character in accordance with policy CLP20 of the Adopted Local Plan.

5. Prior to its installation details of all formal play equipment and any boundaries to the play areas shall be submitted to and agreed in writing by the Local Planning Authority. Works shall be completed in accordance with the agreed details.

Reason: In the interest of visual amenity and local character in accordance with policy CLP20 of the Adopted Local Plan.

6. Prior to any works commencing on site details of a naturalistic fencing detail along the eastern border of the site adjacent to the woodland shall be submitted to and agreed in writing by the Local Planning Authority. The agreed fencing detail shall be fully installed on site prior to any other works other than works to construct a temporary access and compound taking place.

Reason: In the interest of habitat and protected species in line with policy CLP16 of the Adopted Local Plan.

7. Prior to first construction above the slab level of the first dwelling unit, and notwithstanding the approved plans in condition 2, details of a method of boundary treatment to ensure separation of public and private spaces at the point where private drives and public open space adjoin one another, shall be submitted to and agreed in writing by the Local Planning Authority. Works shall be completed in accordance with the agreed details.

Reason: In the interest of visual amenity and local character in accordance with policy CLP20 of the Adopted Local Plan.

8. Prior to commencement, other than works to construct a temporary access and compound taking place, detailed sections through the site east west from the site boundary to the substation and to the north south from site boundary to site boundary in relation to the south western drainage pond shall be submitted to and agreed in writing by the Local Planning Authority. The development levels shall be completed in accordance with the agreed details.

Reason: In the interest of visual amenity and local character in accordance with policy CLP20 of the Adopted Local Plan.

9. Prior to commencement, other than works to construct a temporary access and compound taking place, a post and rail or post and wire fence shall be installed to the application side of the hedge to north western field boundary, to a minimum height of 1.5m and shall be retained thereafter.

Reason: In the interests of residential amenity and delineation of public and private space in accordance with Policies CLP14 and 20 of the Adopted Local Plan.

Informative:

The Local Planning Authority have during consideration of this application engaged in a positive and proactive dialogue with the applicant in order to achieve a positive outcome for the application.