

**ITEM 4****Renovation and extension to 25 Old Road and demolition of 27 Old Road at 25-27 Old Road, Chesterfield for Herring Investment Ltd.**

Local Plan: Adjacent to the Local Centre and SS2 allocation  
 Ward: Brampton East and Boythorpe

Committee Date: 19<sup>th</sup> February 2024

**CONSULTATIONS**

CBC Environmental Health	Recommend standard restrictions on the hours of work.
Yorkshire Water	Comment made see report
CBC Design Services Drainage	The site is not shown to be at risk of flooding according to the Environment Agency Flood Maps. As mentioned in Yorkshire Water's response, there is a 100mm dia public combined sewer shown to be crossing the site and their comments must be adhered to. Care should also be taken during demolition not to damage the drainage below ground and protect it from debris contamination. Sustainable drainage principles should always be the first option in the hierarchy of surface water disposal. Any amendments to existing drainage may require Building Control consent. Any new connections to the public sewerage system will require prior approval from Yorkshire Water.
Highway Authority	Comments made see report
Archaeology	The proposed development area lies within the Chatsworth Road Conservation Area, consult with your conservation officer. There will be no archaeological impact and we have no objection.
Representations	From County Councillor Milhaly: These properties are in the Conservation Area and are 200 year old labourers cottages. I strongly disagree with this application. The property has been left to depreciate and it would be better to renovate these and bring them back to their former glory. The business has thrived without the need to demolish the building, they should both be renovated.

## 2.0 THE SITE

- 2.1 The application site is located within the Chatsworth Road Conservation Area and consists of two traditional dwellings forming the end of a terraced row. The properties are rendered with slate to the roof, chimney detailing and a dormer window. To the frontage there is a brick wall coped with stone and stone gate piers to the pedestrian access. To the western side of the dwelling is the access to the commercial truck yard which is located to the north. To the eastern side of the site is the adjoining property which is commercial on the ground floor. There is an arched opening giving access to the rear.



## 3.0 SITE HISTORY

- 3.1 CHE/21/00092/FUL Demolition of 25 and 27 Old Road and erection of a new building with a commercial unit on the ground floor and two flats above. (Revised elevation and ground floor dated 01.07.21 and

revised first floor dated 10.05.21, Bat survey 13.08.2021) – Conditional permission 22.09.2021.

#### **4.0 THE PROPOSAL**

- 4.1 The submitted Planning Statement sets out the proposed works as follows:  
The proposed scheme seeks to preserve the adjoining arch between No. 23 and No. 25 which is considered to be a key feature of the street scene. The extension to No. 25 will provide additional invaluable floor space and create a light and airy family living room. The yard to the rear will be enclosed by a 2m high wall ensuring there is no boundary conflict with the commercial truck yard. The re-roofing of the property will not only enable the building fabric to be enhanced, but allow for the dormer window to be centralised on the roof, improving the street scene. The new gable wall to No. 25 will be finished with K-Rend, colour to be approved. Access to the property is as existing and internally the new stairs will be altered to comply with the building regulations improving access within the property.
- 4.2 There is a long standing issue at the site where due to the narrow access being used by large vehicles there is often damage caused to the adjacent properties, the intention is to resolve this by widening the access through demolition of the adjacent dwelling. Following the grant of planning permission it was discovered that the original demolition proposed could not be undertaken without causing structural issues with the adjacent property. Therefore to resolve the matter it is now proposed to demolish the end property only, make good the side elevation and erect a wall to the front and rear gardens to provide a division between the dwelling and the yard. It is also proposed to erect a single storey extension to the rear of what will become the end dwelling. The dormer to the roof will be amended and the chimney stack will be retained. The access to the commercial yard to the rear will then be widened with corresponding changes to the highway layout to denote the access and provide crossing details.
- 4.3 The proposal is demonstrated on plan as follows:



- 4.4 In terms of sustainability the submission notes:
- The location of the site is sustainable due to its close proximity to the town centre. The site is well served by a range of facilities including public transportation links, shops etc.
  - Whilst the form of the building and its orientation is as existing, light and airy habitable rooms have been created with the extension to the rear No. 25.
  - New glazing will improve the thermal efficiency of the property, and the building fabric will be improved through enhanced insulation.
  - Renovating the property will allow for additional sockets and data points maximising the flexibility in the use of the rooms.
  - Energy efficient lighting will be provided throughout.
  - Installation of heating controls.
  - Providing waste facility for recyclable waste.
  - Providing Eco labelled white goods.
  - Rainwater harvesting
  - providing water butts to down pipes where feasible.
  - Space for cycle storage on site

## 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 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that; In the exercise, with respect to any buildings or other land in a conservation area, special attention shall be paid to the

desirability of preserving or enhancing the character or appearance of that area.

## **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)  
CLP8 Vitality and Viability of Centres (Strategic Policy)  
CLP13 Managing the Water Cycle  
CLP14 A Healthy Environment  
CLP16 Biodiversity, Geodiversity and the Ecological Network  
CLP20 Design  
CLP21 Historic Environment  
CLP22 Influencing the Demand for Travel  
SS2 Chatsworth Road Corridor (Strategic Policy)

## **5.3 Other Relevant Policy and Documents**

- National Planning Policy Framework (NPPF)  
  
Part 2. Achieving sustainable development  
Part 4. Decision-making  
Part 5. Delivering a sufficient supply of homes  
Part 6. Building a strong, competitive economy  
Part 8. Promoting healthy and safe communities  
Part 9. Promoting sustainable transport  
Part 12. Achieving well-designed places  
Part 16. Conserving and enhancing the historic environment
- Shopfront Design
- Successful Places' Residential Design Guide
- Historic Environment

## **5.4 Key Issues**

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

## **5.5 Principle of Development**

- 5.5.1 The application site is within the built up area and immediately adjacent to the District Centre of Chatsworth Road and the defined SS2 Strategic Site area which sets out that;  
Development proposals will be supported where they contribute towards:  
a) the vitality and viability of Chatsworth Road district centre;  
d) providing a new variety of uses that will create a mixed, sustainable community;  
e) the improvement of identified transport and highway issues;  
Outside the district centre development will be focussed on new housing and compatible uses.
- 5.5.2 Policies CLP1 and 2 seek to located new development on sustainable locations. As the site is on the edge of a local centre and close to a mix of existing uses it is considered that the principle of development in this location is appropriate. Policy CLP8 supports the role of local centres looking for development to contribute to their viability and vitality.
- 5.5.4 The proposal here is for demolition of an existing dwelling in order to improve the access arrangements to the existing long standing commercial use to the north of the access. This will support the continued operation of the commercial use which is welcomed in an area where there is a mix of uses all supporting the vitality of the area.
- 5.5.5 The proposed extension to the existing dwelling following demolition of the end property is considered appropriate in this location subject to consideration in terms of heritage matters and residential amenity impacts, which are considered below.

## **5.6 Impact on Heritage and Design and Appearance**

- 5.6.1 Policy CLP21 sets out that; 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. This is in line with Part 16 of the NPPF which seeks to conserve assets or where harm is identified justify this and weigh the public benefits against the harm.

- 5.6.2 Policy CLP20 states in part; all development should identify and respond positively to the character of the site and surroundings and respect the local distinctiveness of its context respect the character, form and setting of the site and surrounding area by virtue of its function, appearance and architectural style, landscaping, scale, massing, detailing, height and materials.
- 5.6.3 The submitted heritage information notes:
- The preservation of the existing arch between no. 23 and 25 has been enabled through no longer demolishing No. 25
  - The existing chimney stack to No. 25 is also to be retained.
  - The brick boundary wall to the front of No. 25 is to be retained along with the existing stone copings.
  - The traditional alignment of the windows is retained along with the stone heads and cills. The windows will be enhanced by the proposed fully operational sash windows set 100mm off the face of the brickwork.
  - The existing roof is to be re-roofed in natural slate.
  - The proposed dormer window is to be aligned centrally.
- Overall, the above proposals preserve and enhance the character and appearance of the Conservation Area in line with Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 5.6.4 Concern has been raised by a Councillor that the demolition of one of the historic dwellings is harmful to the Conservation Area and the buildings should be retained and restored. Ideally it would be the case that buildings within the Conservation Area, and which contribute to the character of the street scene should be retained. However, it is also important to consider the safety issues that are being addressed as part of this proposal.
- 5.6.5 The demolition is considered to result in less than substantial harm to the character and appearance of the street scene and therefore the significance of the Conservation Area. However, this is considered to be outweighed by the public benefits arising from the improved safety in use of the access as a result of the demolition. Furthermore, the harm is minimised by the remedial works to the adjacent dwelling and the retention of the feature boundary wall to the frontage, chimney stack and improved dormer. On this basis the proposal is considered to meet the requirements of Policy CLP21 and Part 16 of the NPPF. Conditions will be required to secure appropriate materials and detailed works.

## **5.7 Impact on Residential Amenity**

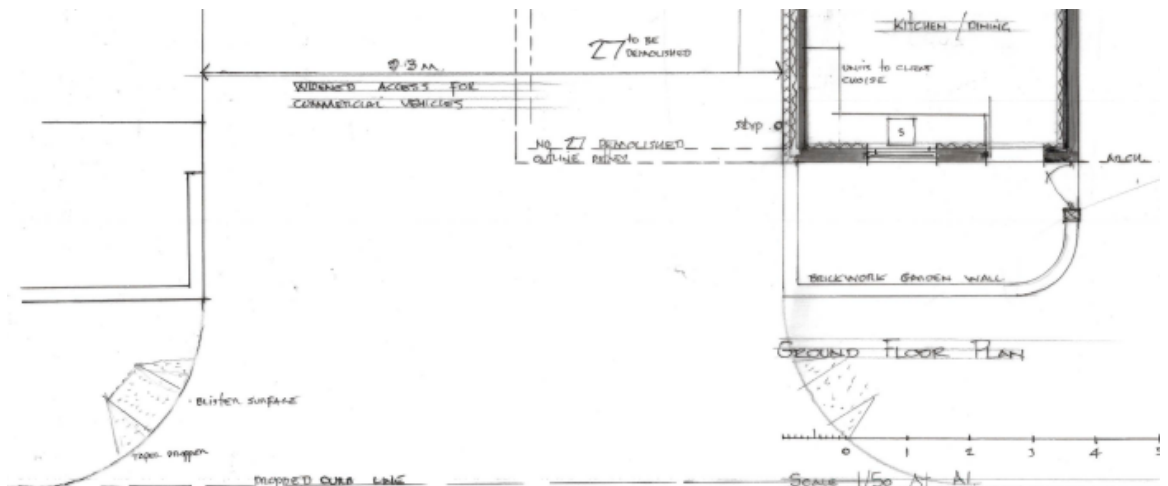
- 5.7.1 Local Plan policy CLP14 states that development will be expected to have an acceptable impact on the amenity of users and neighbours.
- 5.7.2 The widening of the access, along with the construction of a boundary wall to define the garden area of the adjacent dwelling is considered to result in a suitable relationship between the commercial yard and the adjacent dwelling. The requested working hours condition is included in the recommendation. In this regard the requirements of policy CLP14 are met.

## **5.8 Highways Safety and Parking Provision**

- 5.8.1 Local Plan policy CLP20 and CLP22 require consideration of parking provision and highway safety.
- 5.8.2 The Highway Authority have noted:  
*As the alterations to the adjacent access are included in the consent for a previous application (CHE/21/00092/FUL) and as this application does not include any alterations to existing or proposed access(es), this application is considered to have no impact on the highway network. However, if consent is granted for this application and the previous application is not implemented, the space left following the demolition of no.27 will be uncontrolled. Therefore, it is considered that this application should include proposed alterations i.e. widening of the adjacent access to allow any consent to require that the existing footway crossing to be widened as per the details included in the previous application or at least fenced off until approval is granted by Derbyshire County Council to widen the access and footway crossing under a S184 application. It is requested that the applicant revise the application to include alterations to existing access and submit a plan indicating the widened access. On receipt of the revised application form, further comments will be provided. Despite further consultation no further comments have been received from the Highway Authority.*
- 5.8.3 Following these comments, a swept path analysis was submitted and amended plan showing detailed changes to the highway including appropriate crossing/blister surfacing for pedestrians. At present the access is merely a dipped area of pavement area with no crossing detail. The inclusion of the crossing points and curved kerb edging is considered to ensure the widened access is safer for pedestrians. The widened access is also safer for residents of the adjacent properties



and larger vehicles as the wider access will reduce the potential of vehicles hitting the buildings or boundary walls.



## 5.9 Biodiversity, impact on protected species, enhancement and Trees

- 5.9.1 Local Plan policy CLP16 states that all development will “protect, enhance, and contribute to the management of the boroughs ecological network of habitats, protected and priority species ... and avoid or minimise adverse impacts on biodiversity and geodiversity and provide a net measurable gain in biodiversity.”

- 5.9.2 The supporting Planning Statement notes the provision of bee bricks and a swift block to enhance biodiversity, these measures are considered to be appropriate and are recommended to be secured via condition.
- 5.9.3 Whilst a bat survey has not been submitted in regard to this application we know from the previous application which had a submitted bat survey, that the buildings have limited potential for bats such that no further action or conditions were required. A standard footnote regarding the need to comply with the Wildlife and Countryside Act will be added as a footnote.
- 5.9.4 On this basis the proposal is considered to accord with the provisions of policy CLP16 of the Local Plan.

## **5.10 Ground conditions**

- 5.10.1 Policy CLP14 requires appropriate impacts in terms of noise and disturbance, dust, odour, air quality, traffic, outlook, overlooking, shading (daylight and sunlight and glare and other environmental impacts; and in addition, requires appropriate mitigation for unstable or contaminated land.
- 5.10.2 The previous application required a Coal Mining Risk Assessment which has been updated for this submission. The Assessment concludes the need for further investigative works, which can be conditioned as on the previous application. Ordinarily extensions to dwellings and demolition work would not require a submission of the CMRA as part of the planning application. However, as it has been submitted and the findings are that further assessment is needed, without comments from the Coal Authority to indicate otherwise, the conditions are included in this recommendation.
- 5.10.3 On this basis the proposal meets the requirements of Policy CLP14.

## **5.11 Drainage**

- 5.11.1 Policy CLP13 advises: 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 The alteration and extension to the dwelling to be retained will consider drainage matters under Building Regulations. The demolition works are not considered to impact on local drainage or potential flooding. However, Yorkshire Water whilst not raising an objection have noted:
- 1.) On the Statutory Sewer Map, there is a 100mm diameter public combined water sewer recorded to cross the site. It is essential that the presence of this infrastructure is taken into account in the design of the scheme. a.) It may not be acceptable to raise or lower ground levels over the sewer and we will not accept any inspection chambers on the sewer to be built over. b.) In this instance, Yorkshire Water would look for this matter to be controlled (by Requirement H4 of the Building Regulations 2010). c.) A proposal by the developer to alter/divert a public sewer will be subject to Yorkshire Water's requirements and formal procedure in accordance with Section 185 Water Industry Act 1991.*
- This information will be added as a footnote within the recommendation, but is ultimately a matter to be considered by the Statutory Undertaker.

## **5.12 Development Contributions and CIL Liability.**

- 5.12.1 As there is no increase in floorspace, the development is not liable for CIL.

## **6.0 REPRESENTATIONS**

- 6.1 One received from a Councillor noting:  
These properties are in the Conservation Area and are 200 year old labourers cottages. I strongly disagree with this application. The property has been left to depreciate and it would be better to renovate these and bring them back to their former glory. The business has thrived without the need to demolish the building, they should both be renovated.

- 6.2 The concerns are addressed in section 5.6 above.

## **7.0 HUMAN RIGHTS ACT 1998**

- 7.1 Under the Human Rights Act 1998, which came into force on 2<sup>nd</sup> October 2000, an authority must be in a position to show:
- Its action is in accordance with clearly established law
  - The objective is sufficiently important to justify the action taken

- The decisions taken are objective and not irrational or arbitrary
- The methods used are no more than are necessary to accomplish the legitimate objective
- The interference impairs as little as possible the right or freedom

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

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

## **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 2023 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 proposed development will improve access to the commercial yard to the north of the site whilst also improving pedestrian safety in line with policy CLP22. These highway enhancements are considered to outweigh the low level less than substantial harm arising from the development in accordance with Policy CLP21 and Part 16 of the

NPPF. Matters of ground conditions, residential amenity, biodiversity and drainage are all considered to be acceptable. The proposal is considered to be acceptable subject to conditions.

## **10.0**      **RECOMMENDATION**

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

### **Conditions**

1.      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 Compulsory Purchase Act 2004

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. All external dimensions and elevational treatments shall be as shown on the approved plan/s (listed below).

Proposed plan 23 939 3 Rev A received 25.01.2024  
Swept Path Analysis 23 939 4 received 25.01.2024  
Supporting Planning Statement received 21.12.2023  
Coal Mining Risk Assessment received 21.12.2023  
Site location plan received 21.12.2023

Reason: In order to clarify the extent of the planning permission

3.      Construction work shall only be carried out between the hours of 8:00 am to 6:00 pm Monday to Friday and 9:00 am to 5:00 pm on a Saturday. Construction work shall not be carried out on Sundays or Public Holidays. The term construction work shall include mobile and fixed plant/machinery, (e.g. generators) radios and the delivery of construction materials.

Reason: To minimise any disruption to neighbouring residents in accordance with Policy CLP14 of the Adopted Local Plan.

4.      No development shall commence until;

- a) a scheme of intrusive site investigations has been carried out on site to establish the risks posed to the development by past coal mining activity, and;
  - b) any remediation works and/or mitigation measures to address land instability arising from coal mining legacy, as may be necessary, have been implemented on site in full in order to ensure that the site is made safe and stable for the development proposed.
- The intrusive site investigations and remedial works shall be carried out in accordance with authoritative UK guidance.

Reason: To ensure appropriate mitigation of former coal mining activity in accordance with policy CLP14 of the Adopted Local Plan.

- 5. Prior to the development being taken into beneficial use, a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development shall be submitted to the Local Planning Authority for approval in writing. This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.

Reason: To ensure appropriate mitigation of former coal mining activity in accordance with policy CLP14 of the Adopted Local Plan.

- 6. Before any other operations are commenced, within the blue edged land of the commercial truck yard to the north of the site, appropriate space shall be provided within the site for storage of plant and materials, site accommodation, loading, unloading and manoeuvring of goods vehicles, parking and manoeuvring of employees and visitors vehicles. Once implemented the facilities shall be retained free from any impediment to their designated use throughout the construction period.

Reason: In the interests of highway safety in accordance with policies CLP20 and 22 of the Adopted local Plan.

- 7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and/or re-enacting that Order) There shall be no gates or other barriers on the access unless set back sufficiently such that the largest vehicle to enter the site can be clear of the highway whilst gates are

open/closed. Any such gates/barrier shall open inwards only, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of highway safety in accordance with policies CLP20 and 22 of the Adopted local Plan.

8. Notwithstanding the submitted information details of all materials to be used in the construction of the external surfaces of the proposed development, including the boundary walls, roofing slates, chimney (where needed), dormer and window details, shall be submitted to and approved in writing by the Local Planning Authority before any work commences on the renovation of the dwelling. The development shall be completed in accordance with the approved details.

Reason - To ensure a satisfactory external appearance of the development in accordance with Policies CLP20 and 21 of the Adopted Local Plan.

9. The biodiversity measures within the submitted Planning Statement shall be installed on site and retained and maintained thereafter throughout the life of the development.

Reason - To ensure a satisfactory biodiversity enhancement in accordance with Policy CLP16 of the Adopted Local Plan.

10. The full width of the access road created by the demolition works shall not be brought into use but shall be temporarily fenced off, until the highway improvement works shown on plan 23 939 3 Rev A received 25.01.2024 have been completed.

Reason – To ensure the highway safety improvements arising from the proposed development are secured in accordance with Policy CLP21 and 22 of the Adopted Local Plan.

### **Informative Notes**

1. 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.
2. 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.

3. The proposed development lies within an area that has been defined by the Coal Authority as containing potential hazards arising from former coal mining activity at the surface or shallow depth. These hazards can include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and former surface mining sites. Although such hazards are seldom readily visible, they can often be present and problems can occur in the future, particularly as a result of new development taking place.

It is recommended that information outlining how former mining activities may affect the proposed development, along with any mitigation measures required (for example the need for gas protection measures within the foundations), is submitted alongside any subsequent application for Building Regulations approval (if relevant).

Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant land stability and public safety risks. As a general precautionary principle, the Coal Authority considers that the building over or within the influencing distance of a mine entry should be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure that a suitable engineering design which takes into account all the relevant safety and environmental risk factors, including mine gas and mine-water. Your attention is drawn to the Coal Authority Policy in relation to new development and mine entries available at: [www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries](http://www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries)

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, excavations for foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain a Coal Authority Permit for such activities is trespass, with the potential for court action.

If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Coal



Authority on 0345 762 6848. Further information is available on the Coal Authority website at:  
[www.gov.uk/government/organisations/the-coal-authority](http://www.gov.uk/government/organisations/the-coal-authority)

4. Pursuant to Section 184 of the Highways Act 1980 and Section 86(4) of the New Roads and Streetworks Act 1991 prior notification shall be given to the Department of Economy, Transport & Environment at County Hall, Matlock regarding access works within the highway. Information, and relevant application forms, regarding the undertaking of access works within highway limits is available via the County Council's website <https://www.derbyshire.gov.uk/transport-roads/roads-traffic/licencesenforcements/vehicular-access/vehicle-accesses-crossovers-and-droppedkerbs>.  
E-mail [highways.hub@derbyshire.gov.uk](mailto:highways.hub@derbyshire.gov.uk) or Telephone Call Derbyshire on 01629 533190.
5. The Highway Authority recommends that the first 5m of the proposed access/driveway should not be surfaced with a loose material (i.e. unbound chippings or gravel etc.). In the event that loose material is transferred to the highway and is regarded as a hazard or nuisance to highway users, the Authority reserves the right to take any necessary action against the householder.
6. Pursuant to Sections 149 and 151 of the Highways Act 1980, steps shall be taken to ensure that mud or other extraneous material is not carried out of the site and deposited on the public highway. Should such deposits occur, it is the applicant's responsibility to ensure that all reasonable steps (e.g. street sweeping) are taken to maintain the roads in the vicinity of the site to a satisfactory level of cleanliness.
7. Construction works are likely to require Traffic Management and advice regarding procedures should be sought from Mr J Adams, Traffic Management, 01629 538628. All road closure and temporary traffic signal applications will have to be submitted via the County Councils web-site; relevant forms are available via the following link - [http://www.derbyshire.gov.uk/transport\\_roads/roads\\_traffic/roadworks/default.asp](http://www.derbyshire.gov.uk/transport_roads/roads_traffic/roadworks/default.asp)
8. When you carry out the work, you must not intentionally kill, injure or take a bat, or intentionally or recklessly damage, destroy or block access to any structure or place that a bat uses for shelter. These would be offences under the Wildlife and Countryside Act 1981, the

Habitats Regulations 1994 and the Countryside and Rights of Way Act 2000.