

Case Officer: Sarah Kay File No: CHE/17/00769/FUL
Tel. No: (01246) 345786 Plot No: 2/1339
Decision Date: 30th March 2020 (subject to Covid-19 revised procedure)

ITEM 1

ADDENDUM / UPDATE REPORT

DEMOLITION OF EXISTING BUILDING AND ERECTION OF EXTRA CARE ACCOMMODATION FOR OLDER PEOPLE, LANDSCAPING AND CAR PARKING (REVISED PLANS RECEIVED 10.01.2018, 16.01.2018, 22.01.2018, 25.01.2018, 14.03.2018, 19.03.2018, 20.03.2018 AND 27.02.2020) AT SITE OF FORMER NORTH EAST DERBYSHIRE DISTRICT COUNCIL OFFICES, SALTERGATE, CHESTERFIELD, DERBYSHIRE, S40 9TA FOR YOUR LIFE MANAGEMENT SERVICES LTD

Local Plan: Town / District / Local Centre
Ward: Brockwell

1.0 CONSULTATIONS

Tree Officer	Comments received 09/03/2020 – no objections to amendments
Yorkshire Water Services	Comments received 04/03/2020 – no comments on amendments
Environmental Health Officer	Comments received 05/03/2020 – no comments on amendments
Coal Authority	Comments received 17/03/2020 – no comments on amendments
Publicity	Three new representations received

2.0 BACKGROUND

2.1 On 29th January 2018 Planning Committee resolved to approve a planning application (subject to S106 agreement) under application reference CHE/17/00769/FUL for the following development:
‘Demolition of existing building and erection of extra care accommodation for older people, landscaping and car parking’

2.1.1 A link to the original 29/01/2018 committee report is available here:<https://chesterfield.moderngov.co.uk/ieListDocuments.aspx?CId=179&MId=4937&Ver=4>

2.2 Further to this initial resolution Planning Committee reached a 2nd resolution on the 3rd April 2018 to approve a series of revised plans for the same scheme described above.

2.2.1 A link to the addendum 03/04/2018 committee report is available here:<https://chesterfield.moderngov.co.uk/ieListDocuments.aspx?CId=179&MId=4940&Ver=4>

2.3 Following the Planning Committee meetings negotiations have continued to take place to progress the S106 agreement (albeit this has been somewhat delayed); however the applicant has now sought for a further series of very minor amendments to the scheme to be considered.

2.4 On the 27th February 2020 revised plans were received with a summary of the proposed changes as follows:

- Revised access road arrangement;
- Car parking slightly amended to suit revised access road arrangement;
- First, second and third floor layouts and roof plan drawing amended slightly to reflect removal of some walk out balconies to apartments; and
- Elevation drawings amended to reflect changes to all floors (as detailed above).

2.5 The following plans have been received:

NW 2425 01 AC 004 Rev F – Site Layout

NW 2425 01 AC 005 Rev E – Elevations 1 of 2

NW 2425 01 AC 006 Rev H – Elevations 2 of 2

NW 2425 01 AC 007 Rev H – Ground Floor and First Floor Plans

NW 2425 01 AC 008 Rev H – Second and Third Floor Plans

NW 2425 01 AC 009 Rev D – Roof Plans

2.6 The purpose of this report is to update Members on the revised set of drawing submitted and highlight / consider the planning merits of the changes made to the scheme.

3.0 **CONSIDERATIONS**

3.1 The images below are extracts of the application drawings which show / compare the previously approved plans against the latest proposed plans:

Approved Site Layout (Rev C)



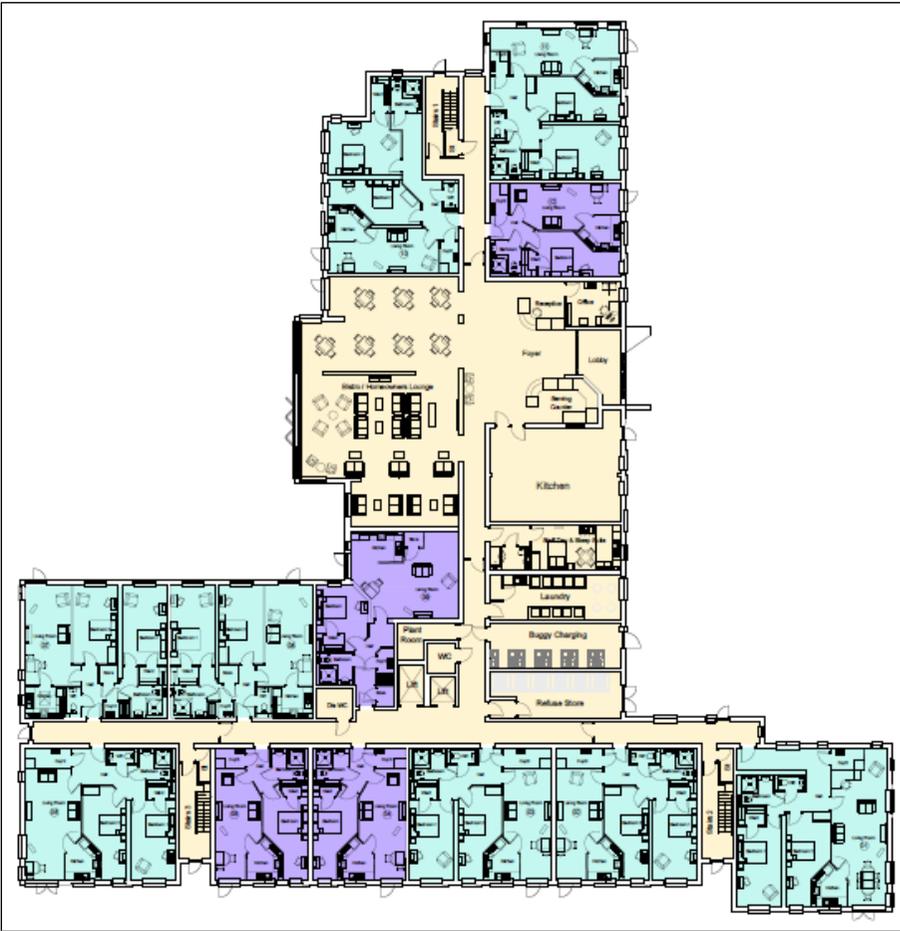
Proposed Site Layout (Rev F)



Approved GF (Rev F)



Proposed GF (Rev H)



Approved FF (Rev F)



Proposed FF (Rev H)



Approved SF (Rev F)



Proposed SF (Rev H)



Approved TF (Rev F)



Propoed TF (Rev F)



Approved West Elevation (Rev F)



Proposed West Elevation (Rev H)



Approved North Elevation (Rev F)



Proposed North Elevation (Rev H)



Approved East Elevation (Rev D)



Proposed East Elevation (Rev E)



Approved South Elevation (Rev D)



Proposed South Elevation (Rev E)



- 3.2 The alterations to the scheme do not materially affect the scale, massing or design of the building as already accepted. The only minor changes to the design include the removal of some walk out balcony areas, which had been proposed to some apartments on the upper floors of the building. These apartments will now have juliette style balconies instead of walk out areas.
- 3.3 The impacts of the development upon the closest neighbours which have already been closely considered retain the same relationship as previously agreed and are considered to be acceptable.
- 3.4 The site layout changes amend the layout of the access road to be taken off Saltergate to provide a formed access into the adjacent future development site; as well as reconfiguring the car parking layout serving the development. 34 no. car parking spaces are retained despite the reconfiguration for the development proposal. In addition 2 no. spaces are also shown to be provided for the adjacent development site and this is acceptable.
- 3.5 Having regard to the developments proximity to the protected trees which are located on the periphery of the application site boundary it is not considered that the changes proposed will have any greater impact upon the rooting environment of these trees. Conditions 17, 18 and 19 of the original recommendation remain unaltered and the tree protection details which are required in accordance with these conditions will need to reflect the latest proposals.

4.0 **PUBLICITY / REPRESENTATIONS**

- 4.1 The initial application was publicised by means of site notice, advertisement placed in the local press and by neighbour notification letters. Any representations received have previously been reported to planning committee in earlier officer reports.
- 4.2 The latest amended plans have been publicised by a further neighbour notification letters sent on 03/03/2020 and by site notices posted on 13/03/2020.
- 4.3 As a result of this latest round of publicity three further representations have been received as follows:

A Local Resident (Address Unknown)

I write in respect of the above proposed development, which I wish to OBJECT to for the following reasons:

The demolition of the building will have health and safety risks associated as well as noise and air pollution for surrounding properties. I am a resident on the Lime Tree Park estate with our garden sharing the boundary wall of the car park at the proposed site of demolition. I believe that the enjoyment of our garden would be severely impacted during the demolition phase by noise, risk of debris, dirt and dust in the air. I believe that we would be limited to when we can open the windows and air vents of our property because of noise and dust, we have young children one of whom suffers with severe allergies and respiratory issues. I am not happy for him to be impacted by a degradation in air quality as a result of this work.

The footprint of the proposed building is far greater than the existing building on the site and extends far close to the boundary with our property. I believe that the building / development works and also the residential building so close to our property would be detrimental to us, our lifestyle and potentially the value of our property. Not only does the proximity of the proposed building cause me concern but also the height. there is currently no building at all immediately in front of our property which allows us an unobscured view of trees and skyline. The proposed four storey building would obscure this view totally. We would be overlooked by the building into our garden and the rear bedrooms of our property. This is not agreeable or acceptable to me and was not the case when we purchased the property.

11 Hunters Walk

I write in respect of the above proposed development, which I wish to OBJECT to for the following reasons:

The proposal is FOUR storey building with a very large footprint which will seriously affect the amount of sunlight entering our house and garden. We have two small children who love being outside and I am worried about the detrimental effects of reduced sunlight due to our house and garden being overshadowed by a huge building - which was not there when we bought this house. Devaluation of property - which your recent letter dismisses as an 'irrelevant matter'. Well, it might be irrelevant to you - but I can assure you, it is very relevant to me and I fear that living so close to a huge development like this will result in a very real and very

relevant devaluation of our property and may adversely impact any future sale of the same.

11 Hunters Walk

Further to my last, I wish to further OBJECT for the following reasons:

I further object to this development due to concerns about personal and family effects of the proposed demolition, not least noise, danger, damage and nuisance.

Living so closely to the site, a large issue with such a demolition will be the extremely large quantity of dust that will be created, impacting the air quality of the immediate environment creating danger and loss of enjoyment and amenity for my whole family and particularly my children, who love playing outdoors. We will also not be able to dry washing outdoors - which, as an environmentally conscious family, we try to do whenever possible.

There is also the very real threat of debris from the demolition finding it's way into our garden and the associated danger if such debris was to strike a member of the public, and more specifically a member of my family. Such debris could also strike and damage the roof, walls, doors and windows of our house.

Dust will almost certainly make the rear of our house dirty and may even find it's way inside our house - again reducing the air quality and safety inside our very home environment. I would expect arrangements to be made to clean and make good any damage or dirt duly caused.

I would like to know what actions the applicant will be taking to mitigate these and all risks if the application was to be approved.

4.4

Officer response:

The design changes proposed as a result of these latest revised drawings do not alter the siting, scale, or mass of the building as originally agreed acceptable by the previous two planning committee resolutions. Members and officers were aware of the proposed housing to be built to the rear of the site which is now known as Hunters Walk, when the original plans were resolved to be acceptable. It would therefore be perverse to reach any other conclusion on this matter despite the residents objections below regarding scale and overlooking. It is noted that one representation says that the scheme was not acceptable to them when they purchased their new property, however the scheme had already been

agreed in principle in early 2018 so they should have been aware of the proposals when they made the decision to purchase their current property.

Property devaluation is not a material planning consideration.

It is noted that there are concerns raised about the demolition of the building and potential impacts upon neighbouring residents. It should however be noted that one of the original recommended conditions of permission being granted is that a demolition method statement is agreed (condition 18). There will inevitably be some adverse amenity impact to nearby neighbours whilst any works are taking place, given their proximity, but this condition will ensure that appropriate controls are in place to mitigate this.

5.0 **HUMAN RIGHTS ACT 1998**

- 5.1 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
- 5.2 It is considered that the recommendation is objective and in accordance with clearly established law.
- 5.3 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.
- 5.4 Whilst, in the opinion of the objector, the development affects their amenities, it is not considered that this is harmful in planning terms, such that any additional control to satisfy those concerns would go beyond that necessary to accomplish satisfactory planning control.
- 6.0 **STATEMENT OF POSITIVE AND PROACTIVE WORKING WITH APPLICANT**

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

6.2 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.

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

7.0 **CONCLUSION**

7.1 The proposed development is considered to be appropriately sited, detailed and designed such that the development proposals comply with the provisions of policies CS1, CS2, CS4, CS11, CS13, CS18, CS19, CS20 and PS1 of the Chesterfield Local Plan: Core Strategy 2011 – 2031.

7.2 Planning conditions have been recommended to address any outstanding matters and ensure compliance with policies CS7, CS8, CS9, CS18 and CS20 of the Chesterfield Local Plan: Core Strategy 2011 – 2031 and therefore the application proposals are considered acceptable.

8.0 **RECOMMENDATION**

8.1 That a S106 agreement be negotiated (as per section 5.9 of the original officer report) to cover:

- £20,000 towards Percent for Art; and
- £14,760 towards GP Services.

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

Time Limit etc

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

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

02. All external dimensions and elevational treatments shall be as shown on the approved plans (listed below) with the exception of any approved non material amendment.
NW 2425 01 AC 001 Rev B – Location & Context Plan
NW 2425 01 AC 004 Rev F – Site Layout
NW 2425 01 AC 005 Rev E – Elevations 1 of 2
NW 2425 01 AC 006 Rev H – Elevations 2 of 2
NW 2425 01 AC 007 Rev H – Ground Floor and First Floor Plans
NW 2425 01 AC 008 Rev H – Second and Third Floor Plans
NW 2425 01 AC 009 Rev D – Roof Plans
NW-2425-01-LA-001 Rev B – Landscape Layout
030117JC-01 - Site Survey
SK1000 P1 - Preliminary Drainage Strategy
Planning Statement
Design & Access Statement
Statement of Community Involvement
Transport Statement
Arboricultural Report
Heritage Statement
Phase I and Phase II Ground Reports
Phase I Extended Habitat Report

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

Drainage

03. No development shall take place until details of the proposed means of disposal of surface water drainage, including details of any balancing works and off -site works, have been

submitted to and approved by the Local Planning Authority. If discharge to public sewer is proposed, the information shall include:

- i) evidence that other means of surface water drainage have been properly considered and why they have been discounted; and
- ii) the means by which the discharge rate shall be restricted to a maximum rate of 5 (five) litres per second.

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

Reason - To ensure that no surface water discharges take place until proper provision has been made for its disposal.

Archaeology

04. a) No development shall take place until a Written Scheme of Investigation for archaeological work has been submitted to and approved by the local planning authority in writing, and until any pre-commencement element of the approved scheme has been completed to the written satisfaction of the local planning authority. The scheme shall include an assessment of significance and research questions; and
 1. The programme and methodology of site investigation and recording
 2. The programme for post investigation assessment
 3. Provision to be made for analysis of the site investigation and recording
 4. Provision to be made for publication and dissemination of the analysis and records of the site investigation
 5. Provision to be made for archive deposition of the analysis and records of the site investigation
 6. Nomination of a competent person or persons/organization to undertake the works set out within the Written Scheme of Investigation
- b) No development shall take place other than in accordance with the archaeological Written Scheme of Investigation approved under condition (a).
- c) The development shall not be occupied until the site investigation and post investigation assessment has been

completed in accordance with the programme set out in the archaeological Written Scheme of Investigation approved under condition (a) and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured.

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

Site Investigation / Contamination / Noise

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

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

06. Development shall not commence until details as specified in this condition have been submitted to the Local Planning Authority for consideration and those details, or any amendments to those details as may be required, have received the written approval of the Local Planning Authority.

A. A Site Remediation Strategy, according with the recommendations of the Phase II Ground Investigations Report (prepared by ARC Environmental dated 30th March 2017), shall be prepared and submitted to the Local Planning Authority for consideration and written approval. The Strategy shall include a Remediation Method Statement and

Risk Assessment Strategy to avoid any risk arising when the site is developed or occupied.

B. If, during remediation works any contamination is identified that has not been considered in the Remediation Method Statement, then additional remediation proposals for this material shall be submitted to the Local Planning Authority for written approval. Any approved proposals shall thereafter form part of the Remediation Method Statement.

C. The development hereby approved shall not be occupied until a written Validation Report (pursuant to A) has been submitted to and approved in writing by the Local Planning Authority. A Validation Report is required to confirm that all remedial works have been completed and validated in accordance with the agreed Remediation Method Statement.

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

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

Reason – In the interests of residential amenity.

Highways

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

- proposed temporary traffic restrictions
- arrangements for turning vehicles

Reason – In the interests of highway safety.

09. Unless otherwise approved in writing by the Local Planning Authority, the development shall not be commenced until a detailed scheme of highway improvement works on Saltergate for the creation of the new site access, closure of redundant access(es) and relocation of existing bus stop(s) together with a programme for the implementation and completion of the works has been submitted to and approved in writing by the Local Planning Authority. No part of the development shall be brought into use until the required highway improvement works have been constructed in accordance with the approved details. For the avoidance of doubt the developer will be required to enter into a 1980 Highways Act S278 Agreement with the Highway Authority in order to comply with the requirements of this Condition.

Reason – In the interests of highway safety.

10. The premises, the subject of the application, shall not be occupied/ taken into use until space has been provided within the application site in accordance with the revised and approved application drawings for the parking/ loading and unloading/ manoeuvring of residents/ visitors/ staff/ customers/ service and delivery vehicles (including secure covered cycle parking), laid out, surfaced and maintained throughout the life of the development free from any impediment to its designated use.

Reason – In the interests of highway safety.

11. There shall be no gates or other barriers between the nearside highway boundary and turning facility suitable for use by a Large Refuse Vehicle and any gates shall open inwards only, unless otherwise agreed in writing by the Local Planning Authority.

Reason – In the interests of highway safety.

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

Reason – In the interests of highway safety.

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

Reason – In the interests of highway safety.

Ecology / Trees

14. Prior to the commencement of development, a biodiversity enhancement strategy shall be submitted to and approved in writing by the Council. This should include measures such as bat and bird boxes (types/numbers/locations), green walls, bug boxes and ecologically beneficial planting, as appropriate. Swift boxes in particular are recommended for this scheme due to the height of the proposed buildings. Such approved measures should be implemented in full and maintained thereafter.

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

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

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

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

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

17. Prior to the commencement of development an Arboricultural Method Statement shall be prepared and submitted (alongside a revised Tree Protection Plan) to include the following details:
- Details of defined root protection areas to all protected and retained trees on site;
 - Details of the type and position of protective barriers;
 - Details and type of no dig road, path and hardsurfacing construction;
 - Details and position of any underground services;
 - Details of any changes in ground levels in proximity to root protection areas;
 - Details of site huts, parking, storage of materials and construction activities such as cement silos and mixing areas; and
 - Details of site supervision and any involvement necessary by an approved arboriculturist.
- Only those details that received written approval of the Local Planning Authority shall be implemented on site and they should accord with BS 5837 'Trees in Relation to Design, demolition and construction - Recommendations' 2012). Tree protection measures shall be established to all protected trees bounding the periphery of the application site boundary. Protective fencing shall be erected conforming to BS 5837 during site clearance and while any construction is in progress and notices should be attached to the fencing at regular intervals to this effect. There must be no

excavations, no soil stripping and no grading of the site within the RPAs and there should also be no storage of materials within the RPAs.

Reason – In the interests of protecting the rooting environment of any retained and protected trees; maintaining their health and wellbeing in accordance with policy CS9 of the Core Strategy and wider NPPF.

Demolition

18. Prior to demolition a Demolition Methodology / Management Plan shall be submitted to the Local Planning Authority for consideration. Only those details, which shall include measures to protect retained soft landscaping features in advance of the eastern portion of the site (annotated on plans as 'land for future development') and protected trees, means of demolition, site compound details, details of any crushing / compaction machinery to be used on site and proposed demolition hours shall be implemented on site.

Reason – In the interests of visual and neighbouring amenity.

19. Prior to demolition a Landscaping Protection Methodology shall be submitted for consideration which should confirm to BS5837 'Trees in relation to design, demolition and construction – recommendations 2012. The methodology shall include details of the following:
 - A detailed scale drawing showing exclusion zones (RPA's) around the trees and landscaped areas and protective fencing to create a Root Protection Area (RPA).
 - The fencing should be installed and inspected by an officer of the Council prior to the commencement of demolition.
 - The protected area should be regarded as sacrosanct, and, once installed, barriers and ground protection should not be removed or altered without approval from the local planning authority.
 - Barriers should be fit for the purpose of excluding construction activity and appropriate to the degree and proximity of work taking place around the retained tree(s).

Barriers should be maintained to ensure that they remain rigid and complete.

- When demolishing the structure (including underground structures) within what would otherwise be the RPA, barriers should be erected, and ground protection installed to protect the underlying soil to the edge of the existing structure unless hardsurfacing is already present.
- All plant and vehicles engaged in demolition works should either operate outside the RPA, or run on the ground protection. Where such ground protection is required, it should be installed prior to commencement of operations.
- Where trees stand adjacent to structures to be removed, the demolition should be undertaken inwards within the footprint of the existing building (often referred to as “top down, pull back”).
- The advice of an arboriculturist should be sought where underground structures present within the RPA are, or will become, redundant. In general it is preferable to leave such structures in situ, as their removal could damage adjacent tree roots.
- Where an existing hard surface is scheduled for removal, care should be taken not to disturb tree roots that might be present beneath it. Hand-held tools or appropriate machinery should be used (under arboricultural supervision) to remove the existing surface, working backwards over the area, so that the machine is not moving over the exposed ground.
- Wherever trees on or adjacent to a site have been identified within the tree protection plan for protective measures, there should be an auditable system of arboricultural site monitoring. This should extend to arboricultural supervision whenever construction and development activity is to take place within or adjacent to any RPA.
- To avoid damage to tree roots, existing ground levels should be retained within the approved RPA's. Only once the Landscaping Protection Methodology has been approved in writing by the Local Planning Authority shall any works commence on site in strict accordance with the details contained therein and as per the requirements set out above.

Reason - In the interest of safeguarding the protected trees and established landscaping in the Conservation Area, having regard to their Root Protection Areas, and in the interest of the appearance of the surrounding area.

20. The demolition hereby authorised shall not take place until such time as evidence showing that a contract has been let for the construction of the replacement development has been presented to and confirmed in writing as satisfactory, by the Local Planning Authority.

Reason – For the avoidance of premature demolition which would be contrary to the interests of the streetscene and the conservation area.

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

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

Notes

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

03. Pursuant to Section 278 of the Highways Act 1980, no works may commence within the limits of the public highway without the formal written Agreement of the County Council as Highway Authority. Advice regarding the technical, legal, administrative and financial processes involved in Section 278 Agreements may be obtained from the Strategic Director of Economy Transport and Community at County Hall, Matlock (tel: 01629 538658). The applicant is advised to allow approximately 12 weeks in any programme of works to obtain a Section 278 Agreement.
04. Pursuant to Section 163 of the Highways Act 1980, where the site curtilage slopes down towards the public highway [new estate street] measures shall be taken to ensure that surface water run-off from within the site is not permitted to discharge across the footway margin. This usually takes the form of a dish channel or gully laid across the access immediately behind the back edge of the highway, discharging to a drain or soakaway within the site.
05. Each parking bay should measure 2.4m x 5.5m (larger in the case of spaces for use by disabled drivers) with adequate space behind each space for manoeuvring.
06. Under the provisions of the New Roads and Street Works Act 1991 and the Traffic Management Act 2004, all works that involve breaking up, resurfacing and / or reducing the width of the carriageway require a notice to be submitted to Derbyshire County Council for Highway, Developer and Street Works. Works that involve road closures and / or are for a duration of more than 11 days require a three months notice. Developer's Works will generally require a three months notice. Developers and Utilities (for associated services) should prepare programmes for all works that are required for the development by all parties such that these can be approved through the coordination, noticing and licensing processes. This will require utilities and developers to work to agreed programmes and booked slots for each part of the works. Developers considering all scales of development are advised to enter into dialogue with Derbyshire County Council's Highway Noticing Section at the earliest stage possible and this includes prior to final planning consents.

07. Construction works are likely to require Traffic Management and advice regarding procedures should be sought from Dave Bailey, Traffic Management - telephone 01629 538686.

08. The applicant / developer is advised that in respect of any protected trees and associated RPAs the following advice should be taken into account in association with any soft / hard landscaping details required by condition.
 - soft surface finishes, including turf, mulch and cultivated beds are preferred around the protected trees as there is less likelihood of damage and there is a provision for adequate penetration of water and air into the soil. Any reinstatement of the ground surface within the RPA that is impermeable should not cover more than 20% of the root protection area and there should be no change to the existing ground level around the tree. Any hard surfacing within the root protection areas should be constructed above ground using a recognised 'no dig' method.