

Case Officer: Paul Staniforth

File Nos: CHE/20/00188/REM1

Plot No: 2/1048

Committee Date: 14th September 2020

ITEM 1

CHE/20/00188/REM1 - Variation of Condition 52 on application CHE/0892/0496 as varied by CHE/14/00087/REM1; CHE/16/00219/NMA; CHE/16/00318/REM1, CHE/16/00319/REM1 and CHE/16/00320/REM1 to substitute drawings to enable relocation of the approved phase 1 medical clinic, spa and apart hotel to an alternative location on land at The Brushes, Sheffield Road, Chesterfield for Peak Healthcare Park Ltd.

Local Plan: Green Belt

Ward: Old Whittington

1.0 CONSULTATIONS

DCC Highways	No highway objection – see report
Environmental Services	No objection in principle – see report
Design Services (Drainage)	no objection as amended
Environment Agency	No formal comment required
Derbyshire Wildlife Trust	Comments received – see report
Yorkshire Water	No comments received
Lead Local Flood Authority	No comment to make
Coal Authority	No objection received – Coal already removed by surface mining methods
North East Derbyshire DC	No comments received
Derbyshire Constabulary	No objections
Economic Development Unit	Supports proposals – see report
Ward Members	no representations received

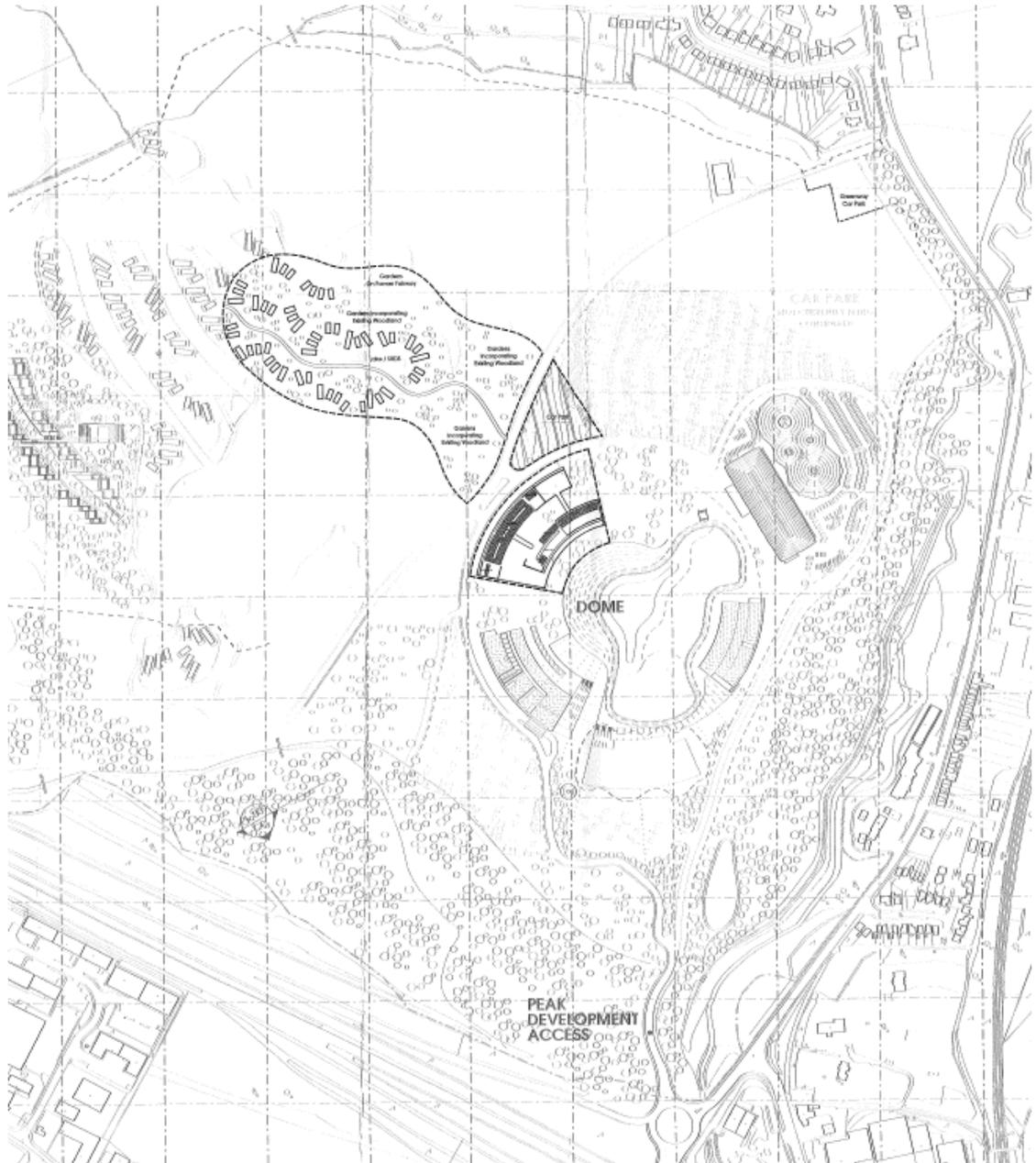
Chesterfield Cycle Campaign No comments received

Unstone Parish Council No objection

Neighbours/Site Notice/
Advert Representations from 3 parties
against received.

2.0

THE SITE



2.1

The site is within the designated Green Belt area and comprises the currently unused Birchall Golf Course and areas of woodland. Brierley Wood and Roughpiece Woods form part of the site and the

areas to the south west are ancient woodland and covered by Tree Preservation Orders. The woodland areas and an area extending along the Sheffield Road frontage are also designated as a local wildlife site and parts are designated as Ancient Woodland.

- 2.2 The site is bounded by the A61 to the south-west and by the Dronfield by pass to the south, by the river Drone to the south-east, by Unstone Green to the north and by Roughpiece wood to the north-west. It is part of a hilly landscape and presents significant level drops across its boundaries in excess of 100m. The site includes areas of commercial tree planting, gorse, grassland and is edged to the south-west by areas of protected woodland forming a natural buffer to the A61, and to the south-east by the woodland along the river Drone corridor.
- 2.3 The site was the subject of substantial opencast operations up to the 1980s and was subsequently restored to a golf course use (Birchall). Areas of protected ancient woodland on the southern part of the site were not affected by the opencast scheme and which remain today however much of Brierley Wood was destroyed. The golf course is currently not being maintained.
- 2.4 The site was up until recently crossed by a number of definitive Public Rights of Way including a bridlepath (BR39) which crossed and ran within the site and which were shown on the definitive plan. There were also a considerable number of 'desire line' paths which criss crossed the site at various locations however all these routes were diverted to a perimeter route which was created around the site following a Diversion Order granted by the Secretary of State on 15th December 2015. The site has subsequently been enclosed by a new fence line.
- 2.5 The site is now served by a new roundabout access situated at the south east A61 slip road corner of the site.

3.0 **PLANNING BACKGROUND**

- 3.1 Outline planning approval was granted on 17th August 1989 for the development of the 280 acre Peak Resort site for a major leisure venue under code **CHE/0389/0210**. This included a single domed structure containing hotel together with indoor and outdoor related leisure and educational facilities centred on a reconfigured golf course and lake together with 250 holiday lodges on the upper part

of the site. The scheme was described as *leisure centre consisting of a dome containing hotel with indoor and outdoor related leisure and educational facilities provision of accommodation lodges and a lake*. The supporting information with the application provided a schedule of the individual components and their quantum.

- 3.2 A subsequent Reserved Matters permission was made in 1992 for the scheme under code **CHE/0892/0496** and which was not determined until 1st July 2008. This dealt with a phase 1 of the scheme and reserved further detail for subsequent approval and the scheme therefore remains valid since the original condition on the outline permission allowed the scheme to be begun (implemented) before the expiry of two years from the date of approval of the last of the reserved matters to be approved.
- 3.3 A number of formal changes have been made to the scheme over the years with amendments to the conditions in 2005 under code **CHE/0301/0164** and which resulted in a S106 agreement dated 10th August 2005 concerning highway matters, travel planning, ecology management and Community Liaison. This scheme also resulted in the introduction of a breaking down of the original single domed structure into a phased scheme where by individual smaller components of the scheme could be provided. An alternative access to the site was also considered and agreed under code **CHE/09/00075/FUL** on 12th November 2009 and this resulted in the access to the site being created from a new roundabout at the junction of the A61 slip road with Sheffield Road.
- 3.4 The permission to amend the scheme granted in 2005 included the diversion of all routes crossing the site to the perimeter of the site and this was realised through SCRIF funding of £2.8m to implement the creation of the new access and s278 agreement, diversion of the footpath and bridle routes and new fencing as a way of facilitating the development.
- 3.5 Approvals for formal variation of a number of conditions were secured under permissions **CHE/14/00086/REM1**; **CHE/14/00087/REM1**; **CHE/14/00088/REM1** and **CHE/14/00089/REM1** on 2nd May 2014 and separate applications for the discharge of relevant pre-commencement conditions in the various permissions had been given on 12th November 2014 to allow works to progress on site. (Codes **CHE/14/00385/DOC**;

CHE/14/00386/DOC; CHE/14/00387/DOC; CHE/14/00388/DOC and CHE/14/00558/DOC).

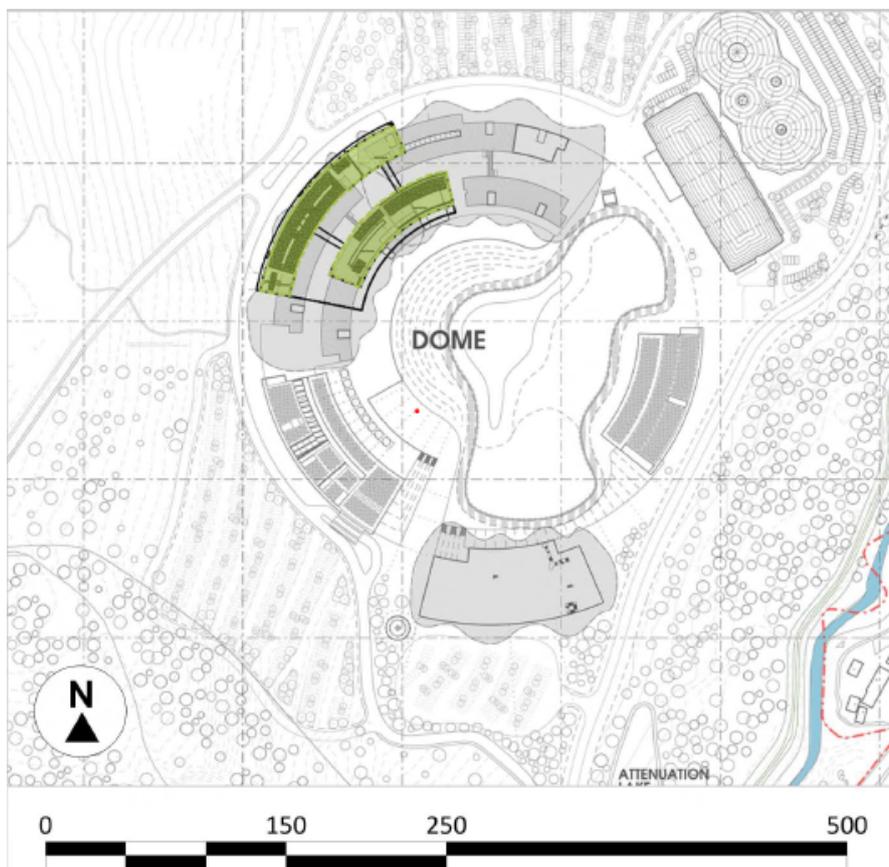
- 3.6 Further variations of conditions were secured in 2016 under permissions **CHE/16/00317/REM1** regarding maximum length of permitted stay; **CHE/16/00318/REM1** regarding relocation of car park; **CHE/16/00319/REM1** regarding inclusion of phase 2 apart hotel in phase 1 and **CHE/16/00320/REM1** regarding relocation of clubhouse. Permission **CHE/16/00219/NMA** introduced condition 52 allowing s73 submissions to consider amended drawings.
- 3.7 The submissions included Phase 1 of the development comprising of a domed visitor/arrival building, a 150-room hotel building incorporating, a 400-bed university building, a union building for accessing both the hotel and university buildings, landscaping and public realm facilities including a colonnade, new lake and amphitheatre. Phase 1 also includes a clubhouse with 30 No 5* lodges located at the top of the hill to the west of the 2008 consented dome. Phases 2 and 3 of this development remained unchanged from the 2008 consented drawings, with the exception of an observation tower adjacent to the arrival dome which will be part of Phase 2.
- 3.8 The agreed scheme included a domed structure arrival point on the site intended to provide a multifunctional, all-weather activity and events space to accommodate a visitor/arrival centre with transport interchange, information kiosks, ancillary retail, food & drink, assembly and event functions.
- 3.9 The agreed 150-room Hotel has a stepped 8 storey design incorporating a 360 degree glazed sky lobby, a restaurant, wellness and beauty spa facilities and other hotel amenities and which offers for a range of different visitors at a variety of price bands. As well as accommodation for tourists, the facility would cater for local businesses and the wider public through provision of conferences and meeting facilities, weddings and events. The sky lobby at level 8 would be a beacon and an exciting and exclusive destination. A 400-bed dual usage Tourist Hostel and University accommodation Building would also be occupied by students during term time, but its flexible design would allow for use as additional hotel rooms during the summer months to maximise the variety of accommodation and price ranges available across the resort as a whole. This component would be seven storeys high

with a stepped roof line and would include some classrooms and meeting areas.

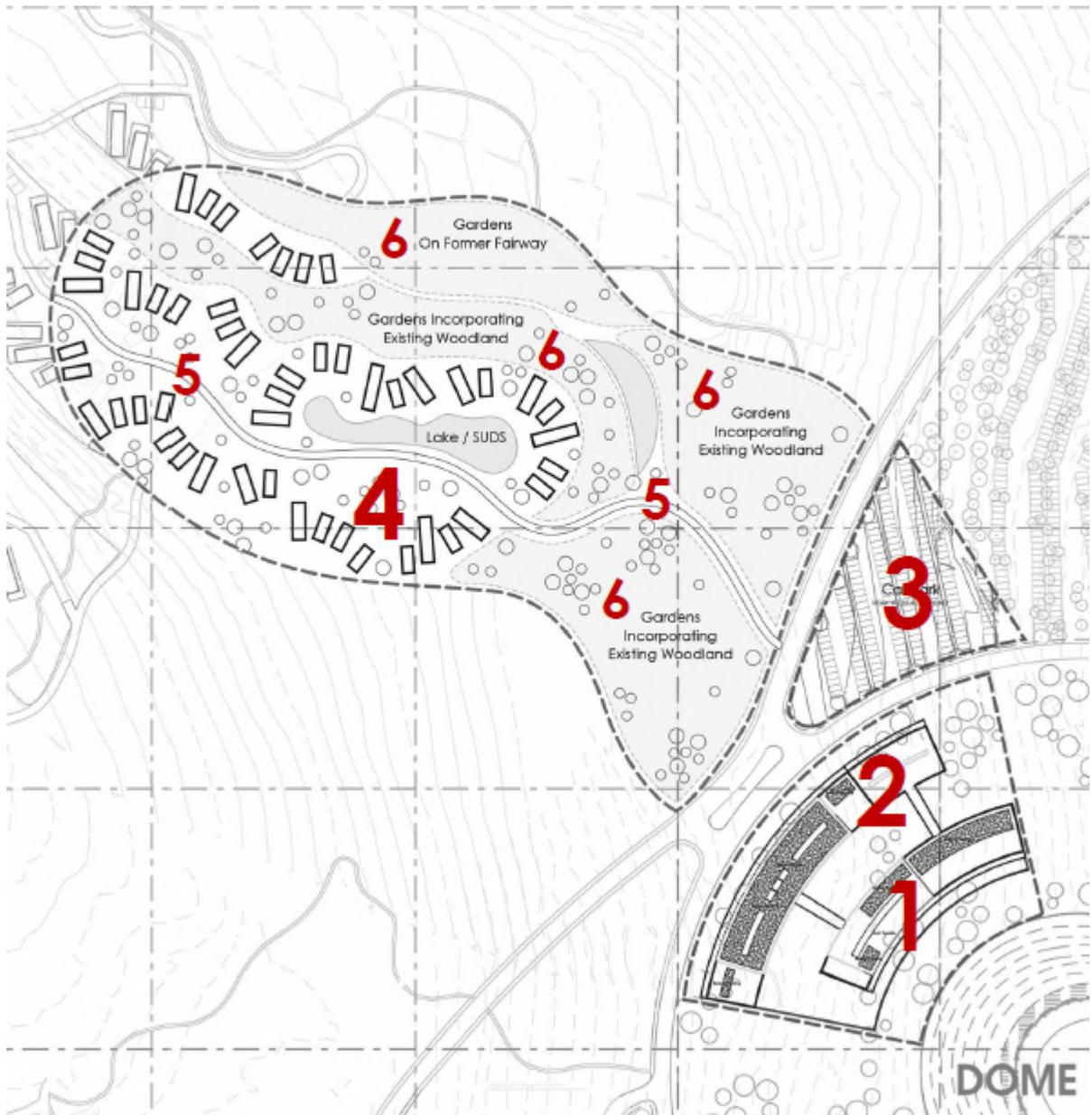
- 3.10 The scheme also included a Union building linking the structures and which allows for accessing both the hotel and university buildings. This would be a crescent shaped 6 storey building creating a spatial and visual break between the university and hotel accommodation wings and which would be intended as a common area with a flexible floor plan incorporating retail, restaurants, bars and cafés as well as areas for assembly, meetings and education.
- 3.11 Access to all buildings referred to above was shown to be linked via a double height colonnade overlooking a central lake and amphitheatre.
- 3.12 The phase 1 scheme also included a 30-unit Clubhouse and Lodges located at the top of the hill to the west of the 2008 consented dome where a group of lodges were previously shown. This was to be a 5* facility linked together by a funicular and containing restaurant, bar, beauty and wellness medical facility and other ancillary functions such as meeting rooms.
- 3.13 The full development would have use of 2,850 spaces for parking cars and coaches on site however the agreed phase 1 provides 400 permanent spaces and 400 overflow places with a number of coach and public transport spaces.
- 3.14 Application **CHE/19/00394/REM** agreed reserved matters for the development of the David Lloyd Adrenaline World component of the site and which was granted on 16th October 2019. The scheme comprises of two separate buildings including the Adventure Centre and an Open Sided Activity Canopy structure located to the north east quadrant of the development area. Separate applications for the discharge of relevant pre-commencement conditions have been given to allow works to progress on site. (Codes **CHE/20/00094/DOC** – Ecology Survey on 2nd March 2020; **CHE/20/00358/DOC** – Ground conditions on 16th July 2020 and **CHE/20/00359/DOC** – Noise survey on 20th July 2020).
- 3.15 Application **CHE/19/00509/REM** agreed the detail of the access road linking the spur of the new A61 roundabout along the east side of the site to the David Lloyd Adrenaline World plot. The permission was dated 24th April 2020.

3.16 Application **CHE/19/00456/REM1** proposed a s73 submission to amend the agreed scheme to relocate the gateway building, 150 room hotel, 400 bed dual use tourist hostel and university accommodation, union building and reshaping of the central lake within the development area in order to establish a revised phasing programme and enhance the area of landscaping at the heart of the development. The permission was granted on 16h October 2019

4.0 **THE PROPOSALS**



4.1 The application proposes the Medical Clinic, Spa and Hotel as part of the Health and Wellness component of the scheme and which has been designed within the framework of the permissions and conditions in place on the site. The scheme would be approached from the new roundabout to the south east and which would provide access to the plot via either a new upper access road or an extension of the lower access road. The access road options are to be the subject of future planning applications. The scheme would provide a car park to the north edge of the built form and which would provide 176 spaces.



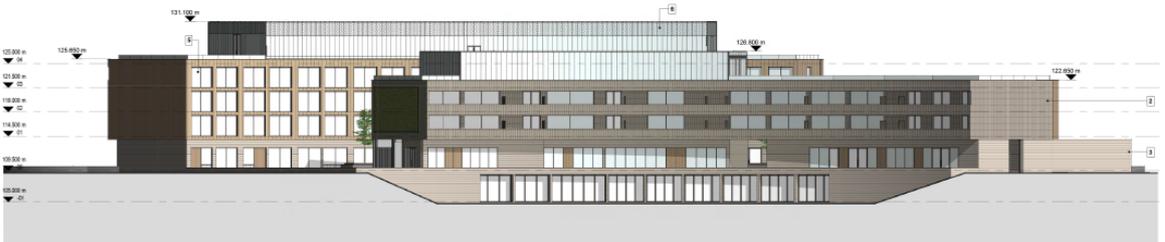
4.2

The scheme comprises of a six level built form which is arranged on the hillside in an arc and which sit either side of a landscaped promenade. The two sides of the promenade are linked by two walkway bridges. At lower level -1 and 00 the facility involves service areas and a number of areas of consultation, rehabilitation, treatment and spa with clinical spaces focused on diagnosis, treatments and procedures and areas dedicated to recovery, recuperation, re-mobilisation and physiotherapy. A café area is included. Level 01 and 02 proposes hotel accommodation comprising of 52 rooms designated for medical and 48 rooms designated as apart tourism hotel. Level 03 includes an additional 20 tourism hotel rooms and a Brasserie and roof terrace. Level 04

includes additional Brasserie accommodation with kitchens and additional roof terrace areas.



A - PROPOSED FRONT ELEVATION
1:250



B - PROPOSED REAR ELEVATION
1:250



C - PROPOSED BOULEVARD ELEVATION 01
1:250



D - PROPOSED BOULEVARD ELEVATION 02
1:250



- 4.3 The materials and design are in line with the pallet already established on the site with elevations designed as a combination of simple walls with punched windows and aluminium glazed openings overlaid with vertical timber board cladding and timber shingle cladding above coursed ashlar stonework at the lower level. Balcony and terrace parapets are included. Flat roofs are designed as green roofs with Sedum planting and areas of greenwall are included in the elevations. Ground floors facing the public areas are defined by large frameless glazed surfaces reflecting the public nature of the uses located at ground floor. The top floors are also designed as frameless glazed podiums.
- 4.4 The proposed building rises to 131.1 AOD compared with the previously indicative level of 139.0 AOD. The building varies in height across the sloping site however a cut and fill exercise is proposed to achieve the development platform and the outer arc of the building rises to 26 metres high and the inner arc to 21.8 metres high.
- 4.5 Landscaping and garden areas based on sensory, therapy and medicinal are proposed to the north west as a part of the scheme
- 4.6 The application is supported by:
- Health and Wellness Park
 - Visuals/3D Views
 - Design and Access Statement

5.0 **CONSIDERATIONS**

5.1 **Planning Policy**

5.1.1 The site is situated within the Green Belt area as defined by Policy CLP1 'Green Belt' of the recently adopted Chesterfield Local Plan 2018-2035. The boundary of the green belt has been retained as existing in the new Chesterfield Local Plan. Policy CLP1 states that the green belt will be maintained and enhanced. Policy CLP7 promotes tourism and the visitor economy within the Borough.

5.1.2 Having further regard to the nature of the application, Policies CLP2 (Principles of Location of Development), CLP6 (Economic Growth), CLP12 (Renewable Energy), CLP13 (Managing the Water Cycle), CLP14 (Healthy Environment), CLP15 (Green Infrastructure), CLP16 (Biodiversity, Geodiversity and Ecology), CLP20 (Design) and CS22 (Influencing the Demand for Travel) of the 2018-2035 Chesterfield Local Plan are applicable as well as the wider National Planning Policy Framework 2019 (NPPF).

5.1.3 **Key Issues**

- Principle of the development;
- Design/Appearance and Visual Impact;
- Impact on neighbouring residential amenity;
- Highways Safety and Parking Provision;
- Biodiversity and Ecology;
- Drainage;
- Land stability;
- Designing Out Crime.

5.2 **Principle of Development**

5.2.1 The Peak Resort scheme is a priority for Council in that it has the benefit of planning approval and which has been previously agreed and justified within the Green Belt area. This decision was agreed by the Secretary of State at the time as an appropriate development of more than local significance within the Green Belt area. The latest Chesterfield Council Plan 2019/23 confirms that under the "Making Chesterfield a Thriving Borough" the Council will support Peak in delivering the first phase of the Peak Resort development providing 400 jobs and maximising the benefit for the wider economy. In January 2015 the scheme was the subject of a significant press release when it was reported that the funding for the £400 million scheme delivering 1300 jobs had been secured

and which gave confidence in investment in the Borough. The scheme has progressed from that point and Stanton Williams Architects remain involved in designing a bespoke scheme for the site and which reflects the requirements of investors.

- 5.2.2 From day one the Peak Resort aimed to create a year round tourism, leisure and education destination on the edge of the Peak District National Park, comprising holiday lodges, hotel with leisure / activity base facilities all set within a 300 acre managed park. The agreed DLAW facility is a core day visitor attraction consistent with this aim. The activities of all the components across the site will be integrated to provide visitors and students alike world-class opportunities for learning as well as leisure opportunities. The scheme aims to create a destination where outstanding architecture combined with the highest quality of design achieve an iconic resort that maximises the potential of the site. The scheme aims to be exemplary in terms of sustainability from an environmental perspective and to develop successful strategies for the environment and local employment.
- 5.2.3 The scheme is planned to be constructed in phases. The applicant has indicated the intention to implement the development scheme with the DLAW being the first phase which is now being progressed. The works already undertaken comprising of the new access, diversion of rights of way and boundary fencing and creation of the dome plateau areas have paved the way for the components of the scheme to now be progressed.
- 5.2.4 The medical clinic, spa and apart hotel components of the scheme were included in the phase 1 reserved matters scheme under CHE/0892/0496. The scheme included the apart hotel condominium with 50 No bed units including restaurants and cafes together with a 2,650m² spa and a 3,225m² medical facility. The medical clinic included specialist equipment and diagnostic rooms (ECG, CT, MRI and X Ray), two operating theatres, wards and bedrooms; consultation rooms and recovery, gym and treatment rooms. The s73 application CHE/19/00456/REM1 agreed relocation of the facility to the north west quadrant of the development area to make way for the David Lloyd Adrenaline World component.
- 5.2.5 The Medical Centre, Spa and Hotel proposal is a component of the scheme which falls within the original intended uses which were

included from day one and where the principle of such a proposal is not therefore an issue. The positioning of the facilities was also amended and accepted last October under CHE/19/00456/REM1 and this did not alter the parameters set by the existing permissions with regard to location, scale and quantum of development all falling within what has already been assessed and granted. The proposed uses align with the original intended vision for the site and will form a major source of long term employment for the local community.



5.2.6 During the construction phases, the scheme will represent a significant source of employment for the local community, drawing on the local workforce and potentially putting local skills to use. Once in operation, the scheme will benefit the surrounding local community by adding services and facilities and supporting local business both during construction and in the long term with the operation of the resort.

5.2.7 The Economic Development Unit confirms their support for the proposals commenting that there will be employment, training and supply chain opportunities during the construction and operational phases. They recommend local labour / supply chain clauses are negotiated as part of a s106 or planning condition. They also encourage the end user to work with the Council and its partners to

ensure that local people are able to benefit from any additional jobs created by the development. The EDU confirms this would accord with the Councils Local Plan.

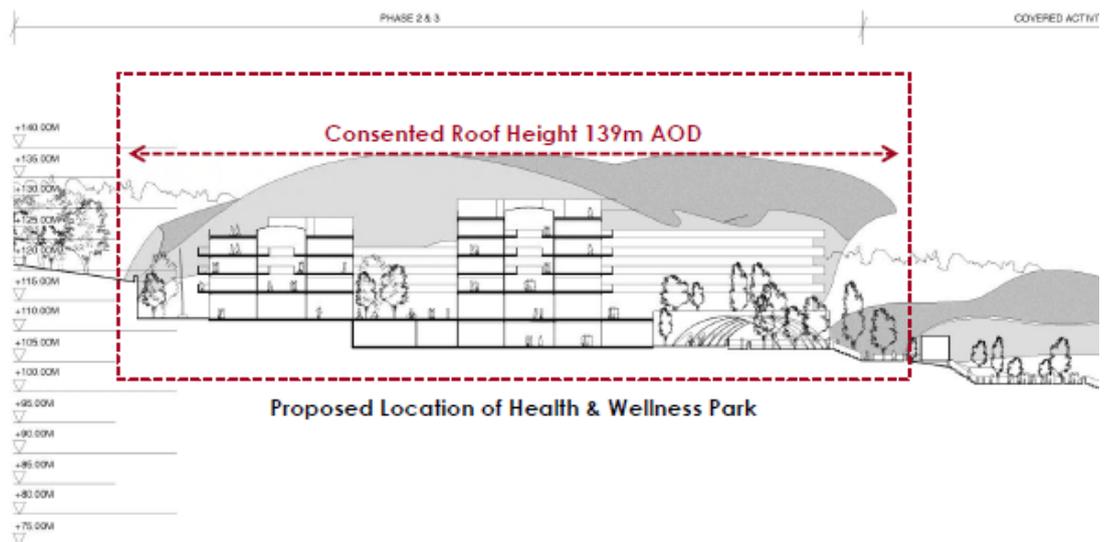
- 5.2.8 The development of the Medical facility, Spa and Apart Hotel falls within the existing permissions and no objections arise to the principle of the scheme.
- 5.2.9 As far as the Economic Development Unit comments are concerned the current application does not change the principle of the development of the site which is already established and it is not appropriate therefore to impose new requirements through a new legal agreement. There is an opportunity to discuss with the developer employment, training and supply chain opportunities however this cannot be made a formal requirement of the current applications.

5.3 **Design / Appearance and Visual Impact**

- 5.3.1 In accordance with the new Local Plan Policy CLP20, all new development should identify and respond positively to the character of the site and surroundings and respect the local distinctiveness of its context. In doing so developments are expected to respect the character, form and setting of the site and surrounding area; having regard to its function, appearance, architectural style, landscaping, scale, massing, detailing, height and materials.
- 5.3.2 The National Planning Policy Framework (NPPF) sets out the Government's planning policies and how these are expected to be applied. It places emphasis on the importance of good design stating:
'The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. (para 124)
- 5.3.3 The outline permission was for a fully enclosed built form of 312 metres diameter and 60 metres in height. Phase 1 of the 2016 proposal reflected the area identified as Phase 1 on the 2008 reserved matters consent, occupying a "wedge" of the overall development circle on the North East side of the site. Compared to

the notional scheme identified in the outline permission, the 2016 proposal for Phase 1 was much lighter in form. The buildings comprising of the Union Building, Hotel and University accommodation were broken down into three distinct volumes that did not exceed the permitted height. Similarly, the arrival Dome building was a single volume grid shell domed structure that sat within the parameters of the outline consent and the David Lloyd scheme similarly reflected the phased approach to the development of the overall site. The proposed location of the development already considered has been towards the south and east of the site, where the natural gradient of the land slopes down, ensuring that the profile of the development remains well below the ridge line of the hilltop immediately to the north and west.

5.3.4 The proposal includes buildings up to a height of 26.0m which is well below the 60m maximum height parameters prescribed in the 1989 outline planning permission and below the lighter touch 33.9 metre high scheme supported in the 2008 reserved matters scheme.



5.3.5 The buildings proposed have been designed within the framework of the permissions covering the site and will be smaller than the components of the scheme already accepted. The more sensitive areas of the site are on the higher ground to the west and north west however the lower buildings proposed will ensure that they are not visible from the west beyond the hill due to the landscaping and topography. Furthermore, the site is generally screened by the mature landscaping along the Sheffield Road and River Drone corridor however it is accepted that the buildings will be seen on the hillside from views further to the east on the elevated land and

also from the southern edge of Unstone to the north. It is likely that there will be an increased prospect from closer range that this component may interrupt the skyline although this will not be significantly different when viewed from off the site. The buildings are likely to affect the more open character of this part of the site with night time effects being particularly noticed (lighting from upper windows) however compared with the original agreed scheme the effects on landscape character will be medium to low significance and which can be mitigated in closer range impacts to a degree through appropriate landscaping and quality of design.





- 5.3.6 The supporting images of such similar structures at Lanserhof Tegernsee, Germany; Sopwell House, Hertfordshire; Lanserhof Lans, Austria; Vivamayr Altaussee confirm that an appropriate architectural style, design, quality and appearance can be achieved within the intended aspirations for the development on the site.
- 5.3.7 The buildings are designed around the arc of the originally intended development circle with a modern contemporary style. Materials are to be linked to the geological context of the local area with coursed stone for the plinth areas but with a softening impact through use of timber cladding to reflect the landscaped setting within which the buildings are to be located. The flat terraced roof design takes its cues from the sloping hillside and which breaks up the mass of the building. The inclusion of green roofs will further add to the softening impact of the proposal. The spaces around the buildings will be put to best use by creating high quality public amenity areas with good quality landscaping and which will add to the experience of the resort and create an opportunity for excellent public realm.
- 5.3.8 Landscape will be a crucial component of this scheme and which can also be used to limit impacts arising from the proposed parking area. Mitigation can include the use of mounding, high quality natural materials and native tree planting around the site to be of an initial size to provide immediate impact. Planting to the north west and north east of the new parking area will also soften foreground views and will help protect views from Unstone Green. Such mitigation measures can be conditioned as part of any permission issued.

- 5.3.9 Lighting within and around the whole development will be designed to provide low-level background lighting. High efficiency, low energy light sources will be selected to minimise energy requirements. Light sources are to be kept at low level, integrated in the fabric of the buildings and designed to light the objects within rather than the space itself. The applicant refers to the management policies of the resort which will ensure that light levels are kept to a minimum after hours. The Environmental Health Officer also comments that lighting should be sensitively designed so as not to cause glare and overspill off site.
- 5.3.10 Lighting details are covered by conditions 1 and 38 of the 2008 reserved matters scheme and the applicant confirms that a full package of information is to be provided under the conditions in due course.
- 5.3.11 The car park area secures a better and more attractive sense of arrival to the building. The original 2008 scheme placed the car park area ahead of and obscuring or distracting from the architecture however the current location allows visitors to appreciate the architecture on arrival and as they drive past it towards the car park area. Public car access to the site is restricted to the car parking area so, following the initial arrival, the scheme is designed to be car free, with access around the site via a capillary network of tracks and footpaths to encourage walking and cycling.
- 5.3.12 It is considered that the proposals are acceptable and within the parameters of the original design for the scheme. In this respect the proposals are not considered to be of a poor design and therefore accord with policy CLP20 and the wider requirements of the NPPF

5.4 **Residential Amenity**

- 5.4.1 Local Plan policy CLP14 states that '*All developments will be required to have an acceptable impact on the amenity of users and adjoining occupiers, taking into account noise and disturbance, dust, odour, air quality, traffic, outlook, overlooking, shading (daylight and sunlight and glare and other environmental impacts*'
- 5.4.2 Local Plan policy CLP20 expects development to '*k) have an acceptable impact on the amenity of users and neighbours;*'

5.4.3 The nearest residential neighbours to the site are those on Cheetham Avenue, Sylvia Road and the Sheffield Road frontage to the north and those on Sheffield Road and Mallory Close to the east. The existing permission allowed for a 60 metre high dome 312 metres in diameter. A first phase of buildings was considered within the dome area in 2016 and which was accepted and which achieved considerable separation distances to the nearest dwellings and in each case intervening woodland areas generally separated the site from views from the neighbours. The relationship was accepted as being appropriate. The closest neighbours to the current proposed building and car park area are as follows:

address	Distance proposed building to curtilage	Distance proposed car park to curtilage
15 Sylvia Road	390m	280m
Birchall Farm	560m	465m
19 Cheetham Avenue	400m	320m
266 Sheffield Road	410m	340m
Sandpiper Court	350m	400m
1 Mallory Close	470m	550m

5.4.4 There will be visual impacts for neighbours as a result of the proposals however they would not be significant due to the separating distances involved and the intervening landscaping features. The impacts can be further mitigated by additional landscaping features as a part of the scheme and which will be especially appropriate in respect of the proposed car parking area. The car parking area will be no closer to residents to the north of the site on Cheetham Avenue and Sylvia Road when compared with what has been accepted in 2016 and it is clear that the parking area will only be accessed from the south via the new main site access off the new roundabout. Property to the north is largely separated from the site by a woodland area and river and new planting has been carried out as part of the perimeter greenway and fencing. Any subsequent extension of the parking areas in later phases towards these properties would include new mounding and landscaped woodland which would be planted as a mitigation measure. The debate concerning the appropriate location for any further parking on site can be undertaken at a later date however it is considered that the relationship between the

proposed parking for the Medical Centre, Spa and Hotel accommodation and the nearest residential properties is acceptable and any impacts can be mitigated by sensitive mounding, landscaping and lighting and which can be dealt with by condition.

5.4.5 On this basis the proposals are considered to be acceptable in so far as they impact on the amenity of locals and which satisfies policies CLP14 and CLP20 of the Local Plan.

5.5 Highways Safety and Parking

5.5.1 Local Plan policy CLP20 expects development to ‘g) provide adequate and safe vehicle access and parking;’ and Local Plan policy CLP22 details the requirements for vehicle parking and seeks ‘e) provision of opportunities for charging electric vehicles where appropriate.’

5.5.2 The traffic impact of the proposed PEAK development was assessed within the Reserved Matters Environmental Statement 2008 supporting CHE/0892/0496 and an Addendum letter produced by Atkins was submitted with Section 73 Applications CHE/16/00317/REM1, CHE/16/00318/REM1, CHE/16/00319/REM1 and CHE/16/00320/REM1 in 2016 in relation to reconfigured Phase One elements. Further, a Generated Traffic Assessment (ref 1209-01-GTA-001 February 2017) was produced by Inspire Design & Development Ltd in association with Derbyshire County Council Highways Development Control to facilitate implementation of CHE/09/00075/FUL regarding the A61 junction and Site access road. Trip rates were obtained from TRICS, the national standard system of trip generation and analysis in the UK and the following summary tables provide details of anticipated peak time traffic flows:

Table 2: Trip Calculation			
Peak Period	Phase	Arrivals	Departures
AM 0800 - 0900	1	142	109
	2	182	146
	3	81	97
	TOTAL	406	353
Peak Period	Phase	Arrivals	Departures
PM1	1	77	130

1600 - 1700	2	111	193
	3	75	68
	TOTAL	263	391
Peak Period	Phase	Arrivals	Departures
PM2 1700 - 1800	1	95	120
	2	134	187
	3	96	79
	TOTAL	324	386

5.5.3 The proposed development does not exceed the built area or number of car parking spaces consented in 2016 in previous approvals and the proposal more than adequately caters for any impacts arising. The new access roundabout is to serve the complete Peak Resort site development and which is linked to the development plot by a new access road (subject to a separate application) which would be some 500m in length. The impact of the proposal on the safety of public highway users is likely to be relatively insignificant.



- 5.5.4 The car parking will be monitored by CCTV and clear signage, both electronic and static, will be used to ensure proper use of the car park by patrons only. Advanced booking systems and monitoring by staff will further limit any impact on the public highway. The car parking will be free of charge and both the operator and landowner will make use of signage and restrictions to deter improper use of the access road by visitors.
- 5.5.5 The development will also be required to adhere to the existing site-wide conditions and parameters of planning consents CHE/389/210, CHE/301/0164, CHE/0892/0496, CHE/09/00075/FUL, associated Travel Plan Framework and the Section 106 Agreement. This involves a requirement for Traffic Calming and Highway Works on Sheffield Road, the use of a Travel Plan and introduction of a Shuttle Bus Service in due course. The s106 agreement also limits the routing for contractors and service vehicles to avoid Unstone Green and the use of appropriate Directional Signage. All access for construction and customers will be from the new roundabout to the south. There are also monitoring requirements for the Jordanthorpe Parkway roundabout for 5 years post opening of the development.
- 5.5.6 On the basis of the above the County Council Highway Authority has commented that improvements to the existing highway network have been carried out to support development of the wider Peak Resort site and that the proposals should have no greater impact on operation of the highway than the development already consented. The Highway Authority conclude that subject to the conditions already in place there are no highway objections to the proposals.
- 5.5.7 Chesterfield Cycle Campaign has been consulted however they have not responded. Notwithstanding this the opportunity arises to incorporate cycle infrastructure which will link to the new bridleway built around the perimeter of the PEAK site and Derbyshire County Council's cycle infrastructure linking back to Whittington Moor and through to Dronfield which is under construction.
- 5.5.8 The opportunity to secure say 5 cycle lockers and 10 Sheffield Cycle stands as a part of the scheme can be achieved by a condition of the permission. There is plenty of space within the scheme to locate such facilities in close proximity to the entrances

to the buildings. It is not considered to be inappropriate to require racks for use by staff and visitors alike and which will fit in neatly with the travel plan requirements of the site.

- 5.5.9 It is appropriate to consider the potential for a vehicular link to the existing golf course site access which could be seen as an alternative, potentially more convenient entrance/exit point. The potential impact of the use of this access has not been previously considered or modelled in transportation terms however it is clear that this access could not cater for any significant increase in traffic that it could be subjected to as an alternative entrance/exit. It is clear however from the application submission that no public access will be available to the proposed parking area or site from the existing golf course access. The site is fenced to be able to control access. A gate into the Peak development site will be available for maintenance vehicles of the park only and a condition was imposed on the 2016 CHE/16/00318/REM1 planning permission to ensure that this route is not used as a public access to the parking area.
- 5.5.10 In so far as parking provision for the scheme the highway authority has no objection. The scheme provides 176 car spaces and which will all be served off a lengthy private access road. The highway authority is confident that the proposal will not therefore have a parking impact on the surrounding area or local highway network.
- 5.5.11 It is clear that the original assessment of the scheme included parking opportunities at all 4 quadrants of the dome area and this was illustrated in the lozenge shaped areas on the drawings accompanying the application at the time as shown above. The parking area proposed as part of this scheme is within the development circle inside of the lozenge zones shown to the north of the dome area. This achieves an improved ecological impact, a safer and more effective sustainable drainage scheme, a better visual impact and a more compact form of development.
- 5.5.12 The current proposed parking area is considered to be appropriate given the more limited area compared with what has already been agreed for parking purposes and which satisfies the requirements of policy CLP14 and CLP20 of the Local Plan. The Environmental Health Officer refers to the government target for all new vehicles in the UK to be zero emission at source by 2040. It will be necessary to impose conditions regarding further detail of the new

car park as included on CHE/16/00318/REM1 and it is now considered appropriate to require a 10% (17) electric vehicle charging points to be provided to reflect the current requirements to reduce vehicle emissions in line climate emergency concerns and with policy CLP14 and the wider NPPF.

5.6 **Ecology**

5.6.1 Local Plan policy CLP16 states that *'The council will expect development proposals to:*

- *avoid or minimise adverse impacts on biodiversity and geodiversity; and*
- *provide a net measurable gain in biodiversity'*

5.6.2 The NPPF also requires net gains in biodiversity (see paragraph 170 d).

5.6.3 The site is undergoing a re-naturalisation process following reclamation from open casting and closure of the former golf course. The consented development areas forming a series of platforms were cleared during the approved enabling works in 2015. Outside of these areas, the site is set aside for nature and is managed by grazing and which has resulted in the development of a habitat patchwork including mixed woodland, grassland and river corridor. Policy CLP15 and CLP16 (Green Infrastructure and Biodiversity) recognises Chesterfields green infrastructure at all levels of the planning process and the aim of protecting and enhancing the network.

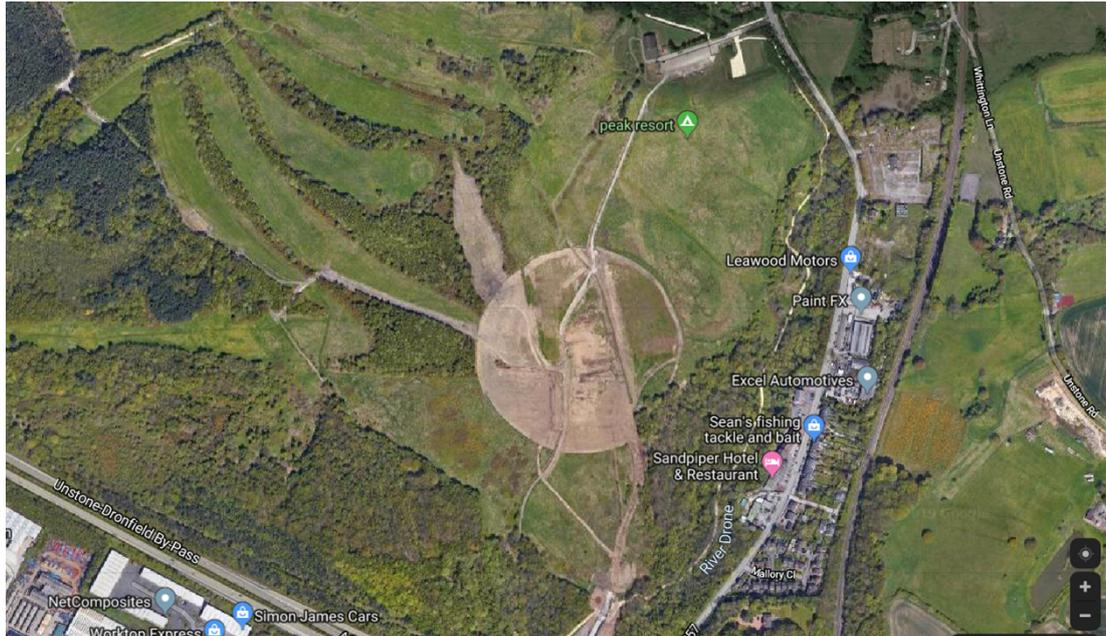
5.6.4 There is already a requirement to undertake ecological survey as part of the development of the wider site and the reserved matters already agreed. Full Ecological Surveys were undertaken in 2008 by Ecology Solutions and which provided a baseline data for the site. Additional reports addressing specific parts of the site have been submitted in recent years for approval during discharge of various pre-commencement conditions and prior to the works commencing in the respective parts of the site. This has included addendum surveys in 2014 concerning Nesting Birds, Water Voles, Invertebrates, Badgers, Ornithology, Reptiles, Trees and which were supported by a Construction Method Statement. An Extended Phase One Habitat Survey, Tree Survey Report and Habitat Creation report were also prepared in 2014. A Willow Tit Survey was undertaken in 2015 to address a particular component area of

the site, a Specific Arboricultural Method Statement in 2016, and Ecological Clerk of Works Reports were provided in September 2016 and December 2016 and which have been updated in connection with the David Lloyd scheme and the lower access road proposals. Further confidential survey and reports have been prepared more recently regarding Badgers involving Natural England in connection with the roundabout and access spur construction.

5.6.5 It is accepted that the Peak site accommodates a real variety of wildlife and habitat interest and its significance has been reflected in the conditions which have been imposed on the planning permissions which have been granted for the site. It is accepted that wildlife comes and goes and there is always a need to ensure that surveys where required are undertaken. A professional approach to safeguarding wildlife is provided in this case by working with an appointed Ecological Contractor and the Derbyshire Wildlife Trust. The intention is to develop a long term management and re-wilding scheme for the site. The applicant is keen to ensure that development can proceed without having significant adverse impact on species or habitat and this can be achieved by a combination of survey and presence of an Ecological Clerk of Works during the development process.

5.6.6 In this case the areas of the site affected by the current proposal fall within the area already consented with reserved matters approval in 2008 and where the land was stripped as part of the agreed implementation works. The latest Google Maps image below shows the land strip undertaken.





- 5.6.7 The developer is also bound by the conditions of the existing consents which have been granted in relation to ecology and biodiversity however the main issue in ecology terms relates to the area of the site affected by the current proposal and which is likely to have lower ecological value since the land was stripped as part of the implementation works were carried out in 2015. The previously submitted studies classified the part of the site affected by this proposal as improved grassland with little interest both botanically and for other wildlife on site with low ecological value and that loss of habitat would have negligible significance. It is clear that the proposal does not affect the areas of Ancient Woodland, areas of Tree Preservation Orders or Local Wildlife Sites.
- 5.6.8 Derbyshire Wildlife Trust has commented that the development is not likely to significantly change any of the ecological issues associated with the development. It is the case however that the developer is bound by the existing conditions and is keen to safeguard the ecological value of the overall site and there will be a need to revisit the parts of the sites affected by involving an Ecological Clerk of Works as part of the initial stages of the development process.
- 5.6.10 The site largely consists of soft landscaping set within an open landscaped area. It is considered that there is considerable scope for new planting within the site including potential for wildlife friendly shrubs to create a similar habitat structure including a

range of plants such as climbers/hedging to provide enhanced botanical diversity and food sources for wildlife. Additional biodiversity enhancements such as bat bricks/roosts built within the development, bees bricks or swift bricks to encourage nesting birds could be included. It is therefore recommended that a condition be imposed requiring the development to demonstrate a measurable net gain in biodiversity in accordance with the requirements of CLP16 and the NPPF.

5.6.11 It is considered that a specific condition relating to this particular proposal can be imposed on any consent granted and on this basis policy CLP15 and CLP16 is satisfied.

5.7 **Drainage**

5.7.1 Local Plan policy CLP13 states 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.*

Development proposals and site allocations will:

a) be directed to locations with the lowest probability of flooding as required by the flood risk sequential test;

b) be directed to locations with the lowest impact on water resources;

c) be assessed for their contribution to reducing overall flood risk, taking into account climate change.

5.7.2 The existing permissions already include conditions concerning the drainage strategy for the site and how surface water is to be managed. This comprises a site wide SUDs solution which is still to be detailed by discharge of the outstanding reserved matters planning conditions No 14 – 20. The drainage solution for the current development will need to have been agreed prior to the development commencing and which would then need to be implemented to ensure appropriate drainage is achieved for the scheme.

5.7.2 The Environment Agency, the Lead Local Flood Authority and the Councils own Drainage Engineer have raised no objections concerning the proposals.

5.8 **Land Stability**

- 5.8.1 Local Plan Policy CLP14 states that *'Unstable and Contaminated Land*
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 and shall include:
- a) a phase I land contamination report, including where necessary a land stability risk assessment with the planning application; and*
 - b) a phase II land contamination report where the phase I report under (a) indicates it is necessary, and*
 - c) a strategy for any necessary mitigation and/or remediation and final validation.*
- A programme of mitigation, remediation and validation must be agreed before the implementation of any planning permission on contaminated and/or unstable land. The requirement to undertake this programme will be secured using planning conditions.*
- 5.8.2 Paragraph 178 of the NPPF states that *'Planning policies and decisions should ensure that:*
- a) a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. This includes risks arising from natural hazards or former activities such as mining, and any proposals for mitigation including land remediation (as well as potential impacts on the natural environment arising from that remediation);*
 - b) after remediation, as a minimum, land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990; and*
 - c) adequate site investigation information, prepared by a competent person, is available to inform these assessments.'*
- 5.8.3 The existing reserved matters permissions already includes condition 3 concerning the necessity to ensure the stability of the site is safeguarded and the site is appropriately remediated from any contamination which may exist.
- 5.8.4 It is necessary for the development to properly take account of the ground conditions and any issues arising and the Councils Environmental Health Officer and the Environment Agency would be involved in such a process which needs to be followed in a thorough and appropriate manner. The applicant confirms that

appropriate submissions will be made under the existing condition 3 of the 2008 reserved matters approval. The Environmental Health Officer and Environment Agency confirm they have no objection on this basis.

5.8.5 The Coal Authority also has no concerns on the basis that the site was opencast in the 1960s thereby removing any shallow coal which may have previously existed.

5.9 **Designing out Crime**

5.9.1 The proposals for the Peak Resort are for a gated environment where guests and visitor access is monitored at the entrance point and throughout the car park, which are the only areas of the site to have vehicular public access.

5.9.2 The facility will be managed by on-site staff covering aspects of guest service as well as maintenance and security. An appropriate level of management and maintenance will be ensured throughout the site as part of the operation of the resort and contribute, together with the security features and developed in the future stages of the design, to achieve a highly safe and secure environment for the enjoyment of guests and visitors, and for the benefit of the wider community in the neighbouring area. The site now has a secure boundary fence around the site which controls access via barrier/gate control.

5.9.3 Derbyshire Constabulary has considered the applications and has confirmed that there are no objections to the scheme.

5.9.4 It is the case that the development will need to be secure, and the applicant has indicated this, however further detail will be required to be able to confirm that a sufficient level of security is provided as part of the scheme. It would therefore be appropriate to require by condition a package of security measures to be agreed by the Council in consultation with Derbyshire Constabulary and that the agreed measures should be deployed upon first occupation of the development.

6.0 **REPRESENTATIONS**

6.1 Site notices were posted on 14th May and an advert was placed in the Derbyshire Times on 2nd April and 21st May 2020. Letters were

posted to all boundary sharing neighbours on 24th March and 20th May 2020.

- 6.2 Representations against the proposal have been received from 3 interested parties. The points which have been made are all summarised below.
- 6.2.1 Owner of adjacent land to west accessed from spur off new roundabout – Objects on the basis the project has serious implications for traffic congestion, road safety, air and noise pollution as well as a terrible visual impact on the surroundings. Works taking place could also jeopardise his access and his rural business. The objector also questioned the delay in receiving a letter dated 20th May on 27th May.
- 6.2.2 Birchall Farm - Objects on the material planning condition of road safety. The current access to the bridleway forces horse riders to attempt to negotiate the new roundabout in contravention of highway code recommendations. The objector has written to the Council on numerous occasions pointing out this planning failure and comments that the government planning inspector stated in her report that this is "not a manoeuvre to be promoted". Despite this no safe access route has been provided. The objector considers it would seem sensible to put further developments on hold until the urgent matter has been rectified. Concerns are expressed regarding a negative effect on the project as a result of the imminent economic chaos that will ensue from covid-19. It would seem that development is again likely to be derailed. A great deal of council resources and public money have been spent on this development over the last thirty years, and the objector considers it might be unwise to continue doing so in the present uncertain economic climate. The objector has read with disbelief that whilst the meetings of elected members will not take place and the public will not be able to comment, that individuals at Chesterfield Council plan to take it on themselves to make very important planning decisions. The objector suspects that this situation is unprecedented and objects in the strongest terms to this taking place. He comments that he could hazard a guess at the likely result of these two applications.

6.2.3

7 Sylvia Road – concerns regarding visual impact and that the ownership boundaries for Sylvia Road are wrong as they own 8 foot over the small stream.

Comments – The development proposed is considered to fall within the parameters which were identified at the original outline stage in terms of use and scale of development. It is not considered appropriate or necessary to consider this scheme as a change from what was originally envisaged. The highway impacts of the scheme are considered in the report. Comments regarding highway safety and capacity and the operation of the new roundabout have been considered in the report however the Highway Authority support the proposals on the basis of the highways information provided and the capacity of the highway to accommodate any traffic which is generated.

The reference to an impact on the use of the access track to the land to the west is development is understood to be one concerning obstruction. Currently the spur off the roundabout is used by walkers to park cars and there is the prospect that access through to the track can be obstructed. In the event that the development takes place the access spur off the roundabout will need to be maintained clear as the construction route through to the site and then afterwards as the operational route for the development and this is more than likely going to improve the situation compared with the existing. The access road will remain private and a speed limit would be difficult to enforce however it is in the applicants interest to ensure that speeds are reduced on this road and measures will be deployed to facilitate this. The road also includes an appropriate Pegasus crossing.

The report also considers the impact on air and noise pollution and introduces mitigation measures where appropriate.

The issue of safety for horse riders at the access points to the bridlepath network from the public highway is not a matter which relates to the current application. The current proposal does not involve the access at the north Unstone end of the site. The roundabout at the south of the site has been adopted by the County Council and no changes are proposed as a result of the current development proposal.

There is no doubt that the Covid 19 Pandemic has affected business however it is clear that building and development and investment is encouraged by the government as a route to recovery. There is no reason why the development should now be paused after so long in bringing it to fruition. At the beginning of lockdown emergency changes were brought in to facilitate a continuation with the decision making process however the process very quickly changed with the introduction of the ability to hold Virtual Planning Committees where applicants and other interested parties are allowed to address the meeting and be heard by planning committee before a decision is taken.

In so far as visual impact this is considered in the report. The buildings proposed are a significantly smaller built form than what had originally been intended and accepted (60 metres). The reference to an ownership boundary line is a matter between the respective land owners and is not a material consideration in respect of the current submitted application.

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 The action in considering the application is in accordance with clearly established Planning law and the Council's Delegation scheme.

7.3 The objective of arriving at a decision is sufficiently important to justify the action taken over the period of the life of the application. The decision taken is objective, based on all planning considerations and is, therefore, not irrational or arbitrary. The methods used are no more than are necessary and required

to accomplish the legitimate objective of determining an application.

- 7.4 The interference caused by a refusal, approval or approval with conditions, based solely on planning merits, impairs as little as possible with the qualified rights or freedoms of the applicant, an objector or consideration of the wider Public Interest. The applicant has a right of appeal against any conditions imposed on any permission which may be issued.

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

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

- 8.2 The Local Planning Authority offers a free pre-application advice service which, in this instance, was utilised by the applicant. 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 officer report informing of the application considerations and recommendation/conclusion will be made available to all interested parties.

9.0 **CONCLUSION**

- 9.1 The development of the Peak Resort scheme is a priority for the Council and which has the benefit of permission in outline and detail for phase one. The current application reflects the evolution of the scheme and which has been considered in so far as the impacts on the local area.

9.2 The scheme is considered to be acceptable in planning terms and where the impacts can be mitigated by conditions as part of the permission granted. The scheme remains in accord with the principles of the development already agreed on the site and which are acceptable from a residential amenity, highways safety and design and appearance basis. The proposals accord with the requirements of Policies CLP1 (Green Belt), CLP2 (Principles of Location of Development), CLP6 (Economic Growth), CLP7 (Tourism and Visitor Economy), CLP12 (Renewable Energy), CLP13 (Managing the Water Cycle), CLP14 (Healthy Environment), CLP15 (Green Infrastructure), CLP16 (Biodiversity, Geodiversity and Ecology), CLP20 (Design) and CS22 (Influencing the Demand for Travel) of the 2018-2035 Chesterfield Local Plan as well as the wider National Planning Policy Framework 2019 (NPPF).

10.0 **RECOMMENDATIONS**

Approve subject to the following additional conditions:

1. All external dimensions and elevational treatments shall be as shown on drawings Base Masterplan 496_PL_007 Rev 01; Proposed Plot Plan 002; Proposed Elevations 01 PWC-FST-PL-011, Proposed Elevations 02 PWC-FST-PL-012, Proposed Elevations Materials PWC-FST-PL-013, Proposed Building Section PWC-FST-PL-014, Proposed 3D Views 01 PWC-FST-PL-015, Proposed 3D Views 02 PWC-FST-PL-016, Proposed Floor Plan level 00 PWC-FST-PL-005, Proposed Floor Plan level -1 PWC-FST-PL-004, Proposed Floor Plan level 01 PWC-FST-PL-006, Proposed Floor Plan level 02 PWC-FST-PL-007, Proposed Floor Plan level 03 PWC-FST-PL-008, Proposed Floor Plan level 04 PWC-FST-PL-009 and Proposed Roof Plan PWC-FST-PL-010 with the exception of any approved none material amendment.

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.

2. Unless otherwise agreed in writing by the Local Planning Authority work shall only be carried out on site between 8:00am and 6:00pm Monday to Friday, 9:00am to 5:00pm on a Saturday and no work on a Sunday or Public Holiday. The term "work" will also apply to the operation of plant, machinery and equipment.

Reason – In the interests of residential amenity

3. A. Development shall not commence to any particular areas of the site until details as specified in this condition have been submitted to the Local Planning Authority for consideration and those details, or any amendments to those details as may be required, have received the written approval of the Local Planning Authority.
- I. A desktop study/Phase 1 report documenting the previous land use history of the site.
- II. A site investigation/Phase 2 report where the previous use of the site indicates contaminative use(s). The site investigation/Phase 2 report shall document the ground conditions of the site. The site investigation shall establish the full extent, depth and cross-section, nature and composition of the contamination. Ground gas, groundwater and chemical analysis, identified as being appropriate by the desktop study, shall be carried out in accordance with current guidance using UKAS accredited methods. All technical data must be submitted to the Local Planning Authority.
- III. A detailed scheme of remedial works should the investigation reveal the presence of ground gas or other contamination. The scheme shall include a Remediation Method Statement and Risk Assessment Strategy to avoid any risk arising when the site is developed or occupied.
- B. If, during remediation works any contamination is identified that has not been considered in the Remediation Method Statement, then additional remediation proposals for this material shall be submitted to the Local Planning Authority for written approval. Any approved proposals shall thereafter form part of the Remediation Method Statement.
- C. The development hereby approved shall not be occupied until a written Validation Report (pursuant to A II and A III only) has been submitted to and approved in writing by the Local Planning Authority. A Validation Report is required to confirm that all remedial works have been completed and validated in accordance with the agreed Remediation Method Statement.

Reason - To protect the environment and ensure that the redeveloped site is reclaimed to an appropriate standard in accordance with CLP14 of the Chesterfield Local Plan 2013-31.

4. Precise specifications or samples of the walling and roofing materials to be used shall be submitted to the Local Planning Authority for consideration. Only those materials approved in writing by the Local Planning Authority shall be used as part of the development unless otherwise agreed by the Local Planning Authority in writing.

Reason – to ensure the material used is appropriate for the site context in accordance with CLP20 and CLP22 of the Chesterfield Local Plan 2013-31.

5. Prior to commencement of the development hereby approved a lifetime Woodland Management Scheme for the whole site including the dedicated car parking landscaped area shall be submitted to the Local Planning Authority for consideration to show how the woodland areas will be managed to ensure their future retention as part of the leisure development. Only the scheme approved in writing by the by the Local Planning Authority shall be implemented on site.

Reason - In order to ensure appropriate management of the woodland areas on site in accordance with CLP15 of the Chesterfield Local Plan 2013-31.

6. An ecological Management Plan for the progression of works on the application site shall be submitted to the local planning authority for consideration. The development shall only proceed on the basis of the submission and which shall include any necessary mitigation measures and the use of an Ecological Clerk of Works to oversee the site works. The details subsequently agreed in writing shall be carried out as part of the development hereby agreed.

Reason - In the interests of safeguarding any ecological interests which may exist on the site in accordance with policy CLP16 of the Chesterfield Local Plan 2013-31 and the wider requirements of the NPPF.

7. No drainage works shall commence until surface water management arrangements including a surface water regulation system has been submitted to the Local Planning Authority for consideration. The details shall include all types of how SUDs have been incorporated into the development. Only those details, or any amendments to those details as may be required, which

receive the written approval of the Local Planning Authority shall be implemented on site prior to the development being taken into use unless otherwise agreed in writing by the Local Planning Authority.

Reason - In order that the site is drained in a sustainable manner without detriment to the surrounding environment and to prevent increased risk of flooding in accordance with CLP13 of the Chesterfield Local Plan 2013-31.

8. No occupation of a building on the site shall take place until details of the proposed means of disposal of foul and surface water drainage, including details of any balancing works and off-site works, have been submitted to, approved in writing by The Local Planning Authority, and installed as approved.

Reason - To ensure that the development can be properly drained in accordance with CLP13 of the Chesterfield Local Plan 2013-31.

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

Reason - In the interest of satisfactory and sustainable drainage in accordance with CLP13 of the Chesterfield Local Plan 2013-31.

10. Unless otherwise agreed 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 and no buildings shall be occupied or brought into use prior to completion of the approved foul drainage works.

Reason - To ensure that no foul or surface water discharges take place until proper provision has been made for their disposal in accordance with CLP13 of the Chesterfield Local Plan 2013-31.

11. Prior to continuation of the development beyond the floor slab level a fully detailed strategy identifying all sustainable energy solutions for the scheme shall be submitted to the Local Planning Authority for consideration. Only the details submitted which receive the written approval of the Local Planning Authority shall be implemented on site as part of the development.

Reason - In order to ensure that appropriate sustainable energy solutions are installed on site in accordance with CLP12 of the Chesterfield Local Plan 2013-31.

12. Upon commencement of the building works within the development a detailed strategy identifying sustainable methods of waste disposal for the development shall be submitted to the Local Planning Authority for consideration. This document shall detail all methods proposed of disposal for the waste types anticipated to be produced by the operation of the development, including the medical facility and shall identify on site recycling facilities. The details approved under this condition shall be implemented in full unless otherwise agreed in writing by the Local Planning Authority.

Reasons - In order to ensure that the development accords with the objectives of sustainability.

13. Upon commencement of the development a detailed noise survey methodology for the site shall be submitted to the Local Planning Authority for consideration. This document shall include details on individual noise sources, including extractor fans and air conditioning units, compressors and refrigeration units within the development and any mitigation measures necessary. The development shall only be carried out in accordance with the details which have been agreed in writing by the local planning authority.

Reason - To ensure no adverse impact or disturbance from on site noise generation in accordance with CLP14 of the Chesterfield Local Plan 2013-31.

14. In the event it is proposed to import soil onto site in connection with the development the proposed soil shall be sampled at source and analysed in a MCERT certified laboratory, the results of which shall be submitted to the Local Planning Authority for consideration. Only the soil approved in writing by the Local Planning Authority shall be used on site.

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

15. Prior to the installation of any lighting works a detailed lighting scheme for the development site shall be submitted to the Local

Planning Authority for consideration. These details shall include location and type of lighting and a lux map of the site. Only those details, or any amendments to those details as may be required, which receive the written approval of the Local Planning Authority shall be installed on site and retained thereafter unless otherwise approved in writing by the Local Planning Authority.

Reason - To minimise light pollution in the interest of amenity in accordance with CLP14 of the Chesterfield Local Plan 2013-31.

16. Prior to their installation on site full details of fume extraction equipment proposed for the restaurants within the development shall be submitted to the Local Planning Authority for consideration. These details shall include the external appearance, location, materials and manufacture details of any such equipment. Only those details, or any amendments to those details as may be required, which receive the written approval of the Local Planning Authority shall be installed on site.

Reason - In order to ensure that there is no visual impact from their installation and that the equipment proposed is fit for purpose.

17. Prior to their installation on site details of any external air conditioning units proposed for the development shall be submitted to the Local Planning Authority for consideration. These details shall include the external appearance, location, materials and manufacture details of any such equipment. Only those details, or any amendments to those details as may be required, which receive the written approval of the Local Planning Authority shall be installed on site.

Reasons - In order to ensure that there is no detrimental visual impact or disturbance from their installation.

18. Prior to commencement of the development a Construction Method Statement shall be submitted to the Local Planning Authority for consideration, this document shall set out details of protective measures, a general programme of site works and details of appropriate on site personnel including the Ecological Clerk of Works for the development. No work shall commence on site until written approval of this document, or any amendments to it as may be required, have been received from the Local Planning Authority.

Reason - In order to ensure working methods are appropriate to such a sensitive location.

19. A noise methodology for the construction phase of the development, including any noise readings taken on site shall be submitted to the Local Planning Authority for consideration, this should include any mitigation measures necessary. Only the methodology and mitigation measures approved in writing by the Local Planning Authority shall be implemented on site.

Reason - In order to avoid unnecessary disturbance to nearby residents in accordance with CLP13 of the Chesterfield Local Plan 2013-31.

20. Details of the proposed site cross sections showing existing and proposed land levels and the proposed finished floor level of the dwelling shall be submitted to the Local Planning Authority for consideration and written approval. Only the approved details shall be carried out and incorporated as part of the development, unless otherwise agreed in writing by the Local Planning Authority.

Reason – to ensure the development responds to the site context.

21. The car parking area is approved by this permission subject to the submission of the further following details being submitted to the local planning authority for consideration:

- Screen bunding;
- Soft landscaping;
- Drainage;
- Lighting.

The car parking area shall thereafter be implemented on site in accord with the details, or any amendment to those details which may be required, which are agreed in writing by the local planning authority and which shall thereafter be retained.

Reason - In order to ensure that there is no detrimental impact on landscape character of the site from the appearance and layout of the car park and to safeguard residential amenity and the water environment.

22. There shall be no vehicular or pedestrian access to the proposed car parking area from the golf course access from Sheffield Road to the north of the site.

Reason - In the interests of highway safety and residential amenity.

23. Full details of security measures to be installed at the site shall be submitted to the local planning authority for consideration. The agreed details shall be implemented as part of the development and shall be installed and made available concurrent with the first occupation of the buildings on site.

Reason - In the interests of ensuring a secure and safe facility.

24. Within 2 months of commencement of development full details of hard landscape works for the approved development shall be submitted to the Local Planning Authority for consideration. Hard landscaping includes proposed finished land levels or contours, means of enclosure and minor structures such as furniture, refuse or other storage units, signs and lighting. The details agreed in writing by the local planning authority shall be carried out as approved prior to the occupation of the development.

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

25. Within 2 months of commencement of development details of a full soft landscaping scheme for the approved development shall be submitted to the Local Planning Authority for consideration. The required soft landscape scheme shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers; densities where appropriate, an implementation programme and a schedule of landscape maintenance for a minimum period of five years. Those details, or any approved amendments to those details shall be carried out in accordance with the implementation programme

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

26. If, within a period of five years from the date of the planting of any tree or plant, that tree or plant, or any tree or plant planted as a

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

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

27. Full details of 5 cycle lockers to be installed on site shall be submitted to the local planning authority for consideration. The details agreed in writing shall be implemented as part of the development and shall be provided prior to first occupation of the site and retained thereafter.

Reasons - In the interests of promoting alternative transport options to the private car in accordance with policy CLP22 of the Chesterfield Local Plan 2013-31

28. A scheme showing 10 Sheffield style cycle racks to be provided on the site shall be submitted to the local planning authority for consideration. The details agreed in writing shall be implemented as part of the development and shall be provided prior to first occupation of the site and retained thereafter.

Reasons - In the interests of promoting alternative transport options to the private car in accordance with policy CLP22 of the Chesterfield Local Plan 2013-31

29. A scheme showing 10% of the parking spaces to be provided on site with Electric Vehicle charging points shall be submitted to the local planning authority for consideration. The details agreed in writing shall be implemented as part of the development and shall be provided prior to first occupation of the site and retained thereafter.

Reasons - In the interests of promoting alternative transport options to the private car in accordance with policy CLP22 of the Chesterfield Local Plan 2013-31

30. Details of ecological enhancement measures to be implemented at the site to provide a measurable biodiversity net gain shall be submitted to the Local Planning Authority for consideration. Only the ecological enhancement measures agreed in writing shall be implemented on site prior to the development hereby approved being first occupied and the ecological enhancement measures shall thereafter remain in perpetuity.

Reason - In the interests of ecology and biodiversity in accordance with policy CLP16 of the Chesterfield Local Plan 2013-31 and the NPPF.

Notes

1. 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 planning application.
2. 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.