

Case Officer: EC
Committee Date: 04.10.2021

Application No: CHE/21/00187/COU

ITEM 5

PROPOSAL: CHANGE OF USE OF FORMER METHODIST CHAPEL (D1 USE) TO SINGLE DWELLING (C3A USE) WITH ANCILLARY WORKSHOP AND STORAGE (B2 USE)

LOCATION: CHAPEL, CAVENDISH PLACE, BARROW HILL, DERBYSHIRE, S43 2NS for Mr P Simpson

Local Plan: Outside of Built Settlement
Ward: Barrow Hill and New Whittington

1.0 CONSULTATIONS

Ward Members	No representations received
Strategic Planning	On balance, the location is suitable in principle for residential development. This is not a standalone B2 use, but a workshop connected to the occupation of an adjacent residential property, and so it is possible to consider whether either of criteria (i) or (ii) of policy CLP2 apply. There would be a functional link to the proposed residential use, and it would regenerate a building that has been vacant for some time.
Environmental Health	No adverse comments to make. I ask that the hours of operation on the site are restricted in line with current government guidance. I ask that EV charging infrastructure is included in the conversion works.
Design Services Drainage	The site is not shown to be at risk of flooding, according to the Environment Agency Flood Maps.
Derbyshire Wildlife Trust	Comments received – see report
Conservation Officer	The former Barrow Hill Methodist Church is located within the Barrow Hill Conservation Area and has been included in the Council's Local List

	of Heritage Assets. As such any proposals to alter the building should be sympathetic and aim to protect its character and appearance, as well as the acknowledging the wider conservation area and setting of the listed buildings. - no objections in principle to a change of use (on the basis that sustainable new uses needs to be found for old churches and chapels)
Chesterfield Civic Society	No comments received
Yorkshire Water	No comments received
Staveley Town Council	No comments received
Network Rail	No observations to make.
HS2	no objection – see report
Local Highways Authority	Given the previous use of the building, conversion to a single dwelling would reduce vehicular activity and car parking demand on Cavendish Place. The Highway Authority would not be in a position to sustain an objection in principle to the proposals.
Representations	Two representations received from one residential neighbour – summarised in report (see section 6.0)

2.0 **THE SITE**

- 2.1 The site subject of this application is situated within the Barrow Hill Conservation Area and forms part of the setting of Grade II listed buildings on Cavendish Place. The site is situated outside of the defined built up area of Barrow Hill, however is within the Staveley and Rother Valley Corridor Strategic Allocation (SS5)
- 2.2 The Chapel is also on the Local List of Heritage Assets (list number 003), see extract below;

'Description

Pitched slate roof, brick elevations with Venetian style windows with stone arches. Front elevation above windows made up of dentil brick

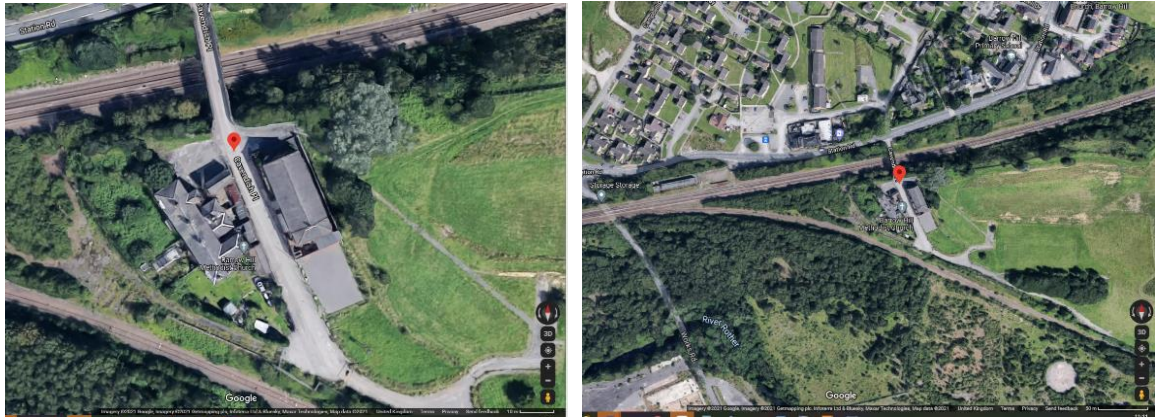
frieze and pediment with stone kneelers. Small round window with keystone and blocks in centre of tympanum. The building retains its extensive curtilage wall some stone pier caps and dentil style brick detailing. Modern flat roof extension to rear and some window openings area bricked-up.

Reason for nomination

Notwithstanding modern additions, a relatively good example of local late Victorian parish church architecture. Still in use and provides a valuable community resource.'

2.3

Access to the site is gained from Station Road across a railway bridge to Cavendish Place, an adopted public highway. Staveley public footpath 11 starts at the junction with Station Road extending from the south of the site and linking to wider public footpaths to the east.



Aerial photograph of application site taken from Google ©





- 2.3 The existing building measures 290sqm in footprint and the built form occupies the majority of the site. The site is surrounded by a large brick wall and has a small walled yard to the south and a small open area to the north around the original main entrance.

3.0 SITE HISTORY

- 3.1 No recent planning history for application site – Former Chapel

4.0 THE PROPOSAL

- 4.1 The application proposes the change of use of the building to create a single residential dwelling (C3A use) with ancillary linked workshop and storage (B2 use).
- 4.2 The proposed residential dwelling is situated in the southern end of the building, occupying the former stage area, meeting hall, kitchen and toilets. The proposed dwelling comprises of living accommodation at ground floor and the creation of a mezzanine floor with three bedrooms with access to an external raised deck above the existing flat roof structure to the south of the building.

- 4.3 The remaining footprint is indicated for the workshop/storage area. The application also proposes alterations to the west elevation to create a larger external access door to the workshop area.
- 4.4 The agent provided a statement of use to summarise the intentions for the proposed workshop use on 14.06.2021
- Applicant is a Marine Engineer and the vast majority of his workload is associated with the R.N.L.I in which in the main is carried out in situ at various life boat stations throughout the country. Occasionally, because of the scale and or complexity, individual tasks need to be workshop based. The tasks which need to be workshop based often related to dismantling, cleaning, re-painting and re-assembling items prior to transporting back to the coast.
 - The applicant would like to stress that he does not operate a manufacturing business and workshop based projects are not the norm. The primary function of the workshop would be storage of the extensive range of tools and equipment that are needed for him to operate a safe and effective service e.g. the business has a small RIB boat which when it is not being used on location needs to be safely stored. This is the main reason why the application seeks to increase the width and height of the existing door to the west elevation.
 - The applicants trade and scale of projects undertaken rarely require more than two operatives (himself and one assistant) with any workshop based tasks being undertaken during normal daytime working hours. The workshop tasks are not noisy operations – painting and the like.
 - Whilst the description refers to the intended use as a ‘workshop’ this will also be his family home
- 4.5 Additional information was provided by email on 16.08.2021
- Typically there would be Mr Simpsons van (ford transit type) and the trailer for the RIB as previously noted. When working on workshop based projects he has an assistant with him who also has a similar van. There would also be the family car and those of any visitors to the family home.
 - Having discussed with Mr Simpson the nature of his work in more depth it is clear that usually any equipment that needs workshop time is broken down to its component parts on site at the coast for ease of transporting and reassembled back at the coast. The component parts are usually 1m to 2m long and 1m

tall. Equipment used are as basic as spanners and paint brushes with welding repairs sometimes required.

- Its fair to say that Mr Simpson doesn't often have two weeks that are the same in terms of location and hours of work. The majority of the time he is away at the coast. I understand that he is away for an 8 week spell starting late August. When he is home/workshop based he usually works more conventional hours, 8.30am until 5pm, but often spends much of the time when at home catching up on admin associated with the business.
- The only planned replacement of windows are those associated with the dwelling conversion.
- Waste storage / collection point is indicated on the proposed plan view to the rear of the building.

4.6 Additional matters raised

- Screening to the proposed raised balcony
- Details of bin/waste storage
- Proposed windows to be heritage style profiles
- Alter the height and width of the existing entrance door to the west elevation which has been unsympathetically modified over time. Seek to introduce stone and brick detailing replicating the existing building with precise details which could be subject of condition.
- Long term lease of the car parking area to the south of the site for car parking (does not form part of the application).

5.0 **CONSIDERATIONS**

5.1 **Planning Policy**

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

5.2 **Chesterfield Borough Local Plan 2018 – 2035**

- CLP1 Spatial Strategy (Strategic Policy)
- CLP2 Principles for Location of Development
- CLP3 Flexibility in Delivery of Housing
- CLP6 Economic Growth

- CLP13 Managing the water cycle
- CLP14 A Healthy Environment
- CLP16 Biodiversity, Geodiversity and the Ecological Network
- CLP20 Design
- CLP21 Historic Environment
- CLP22 Influencing the Demand for Travel
- SS5 Staveley and Rother Valley Corridor

5.3 Other Relevant Policy and Documents

- National Planning Policy Framework (NPPF)
- ‘Successful Places’ Supplementary Planning Document

5.4 Principle of Development

Relevant Policies

- 5.4.1 In assessing the principle of development policies CLP1, CL2, CLP3, CLP6 and SS5 are of key consideration. For full wording of policies see the Chesterfield Borough Local Plan 2018 – 2035 and NPPF.

Considerations

- 5.4.2 The application site is located outside of the defined built up area of Barrow Hill as detailed on the Local Plan policies map and therefore requires consideration in respect of Local Plan policy CLP3. The site would have reasonable access to some of the services as set out in CLP2 (a) with a nearby primary school and shop. The site will result in the re-use of a redundant or disused building in the conservation area which also forms part of the setting of a listed building (b). External alterations to the building are relatively minimal and it is considered that conditions can be used to fully detail the external changes to ensure the character of the building is maintained and enhanced given its Local Heritage Asset status and location within the conservation area. The proposal will provide an alternative use to a large disused heritage asset which would serve to secure the future of the building (e).
- 5.4.3 The site is also located within the Staveley and Rother Valley Corridor Strategic Allocation (SS5) which broadly accords with the principles of the policy enabling the re-use of an existing building to incorporate new housing (see indicative site layout p114 of the Local Plan). The principle of the conversion of the building to residential is on balance

considered to be acceptable in accordance with Local Plan policies CLP3 and SS5.

- 5.4.4 The application also includes an ancillary workshop element (listed as B2) which should be assessed under policy CLP6. As detailed above the indicative layout for the Staveley and Rother Valley corridor indicates housing for this area rather than an employment use. As the workshop is proposed to be directly linked to the residential occupation of the building consideration of CLP2 i and ii is necessary. The proposal would regenerate a vacant site with a clear link to the residential occupation of the building which can be controlled by condition (ii). The proposal presents a unique use of the building which is specific to this site (i).
- 5.4.5 On balance subject to relevant conditions the principle of the development for a residential dwelling with ancillary workshop is considered to be acceptable in accordance with Local Plan policies CLP1, CLP2, CLP3, CLP6 and SS5
- 5.4.6 Further policy considerations covering water efficiency (CLP13), biodiversity (CLP16), Electric vehicle charging (CLP22) and CIL will be covered in the following sections.

5.5 Design and Appearance of the Proposal Including Impact on Heritage Asset, Conservation Area and Setting of Listed Building

Relevant Policies

- 5.5.1 Local Plan policy CLP20 requires development to identify and respond positively to the character of the site and surroundings and respect the local distinctiveness of its context respect the character, form and setting of the site and surrounding area by virtue of its function, appearance and architectural style, landscaping, scale, massing, detailing, height and materials. For full wording of policy see the Chesterfield Borough Local Plan 2018 – 2035.
- 5.5.1 Local Plan policy CLP21 requires consideration of the protection of non-designated heritage assets of local significance on the Local List (e) and to conserve or enhance the significance of non-designated heritage assets and designated assets and their settings.

Considerations

- 5.5.2 The application proposes external alterations to the existing building including altering the existing access to the west elevation, increasing the height and width of the access door, the creation of a raised terrace/balcony above the existing flat roof extension to the south of the building and the replacement of some windows associated with residential conversion.
- 5.5.3 To ensure the proposed alterations respect the character and architectural style of the building considering its status on the list of Local Heritage Assets and location in the conservation area it is recommended that conditions be imposed requiring the submission of further details of the windows and new access door for written agreement prior to works commencing on those specific aspects.
- 5.5.4 It is considered that the proposal will result in the re-use of a building which accords with policies CLP2 and CLP3. Subject to relevant conditions as set out above it is considered that the proposal will accord with the principles of CLP20 and CLP21.

5.6 Impact on Neighbouring Residential Amenity

Relevant Policies

- 5.6.1 Local Plan policy CLP14 and CLP20 requires development 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. For full wording of policy see the Chesterfield Borough Local Plan 2018 – 2035.

Considerations

- 5.6.2 The application proposes the creation of a workshop within the building therefore consideration is required of the potential impact on the residential neighbours in terms of noise, dust, odour and disturbance.
- 5.6.3 The Council's Environmental Health Officer reviewed the application and raised no objections subject to the hours of operation on the site being restricted in line with government guidance and also requested electric vehicle charging provision. Whilst it is unclear which

government guidance is referred to it is considered that the hours of operation could reasonably be restricted and controlled by condition to protect the amenity of the surrounding residents. It is also recommended that a condition be imposed creating an ancillary link to the residential occupation of the building to prevent separate use of the workshop. The supporting statement provided by the agent confirmed that no extraction machinery for dust/fumes would be required due to the nature of the applicants work.

5.6.4 Consideration of electric vehicle charging will be addressed in the following section (5.7)

5.6.5 The application proposes the creation of raised terrace above the existing flat roof extension. Revised plans propose installing a privacy screen to the west elevation of the terrace to protect the amenity of the residential neighbours to the west. It is considered that this can be controlled and retained by condition.

5.6.6 Subject to conditions it is considered that the proposal accords with Local Plan policies CLP14 and CLP20.

5.7 Highways Safety, Parking Provision and Air Quality

Relevant Policies

5.7.1 Local Plan policies CLP20 and CLP22 requires development to provide adequate and safe vehicle access and parking with provision for electric vehicle charging where appropriate

Considerations

5.7.2 Dedicated off-street parking is not proposed as part of the application due to the constraints of the site and limited additional space for parking provision. It is understood that a separate agreement between the applicant and the land owner of the car park to the south could be reached, however this is outside of the red line boundary and does not form part of the application consideration.

5.7.3 The Local Highways Authority reviewed the proposal and raised no objections to the scheme on the basis of the previous use of the building as a Chapel. The Highways Authority considered that the conversion to a single dwelling would reduce the level of vehicular activity and car parking demand on Cavendish Place. The Local

Highways Authority noted that whilst the access to Cavendish Place from Station Road is constrained with limited visibility, the Highway Authority would not be in a position to sustain an objection in principle to the proposals on sound highway safety grounds, taking into account the previous use of the building. The Highways Authority recommended that the workshop/storage facility associated with the dwelling be for private, domestic, ancillary purposes only.

- 5.7.4 The application does not propose the creation of dedicated off-street parking and therefore it is considered unreasonable to require electric vehicle charging provision.
- 5.7.5 Subject to conditions the proposal is considered to accord with the principles of CLP20 and CLP22 of the Local Plan.

5.8 Flood risk, Drainage and Water Efficiency

Relevant Policies

- 5.8.1 Local Plan policy CLP13 requires consideration of flood risk for all development commensurate with the scale and impact of the proposed development so that developments are made safe for their lifetime without increasing flood risk elsewhere.
- 5.8.2 Local Plan policy CLP13 requires development proposals to meet the optional Building Regulation water efficiency standard of 110 litres per occupier per day.

Considerations

- 5.8.3 The application site is located in 'Flood Zone 1' as defined by the Environment Agency and is therefore considered to be at low risk of flooding. Having regards to the provisions of CLP13 and the wider NPPF the application was referred to the Council's Design Services (Drainage) Team and Yorkshire Water for comments in respect of flood risk and drainage/waste water.
- 5.8.4 No comments were received from Yorkshire Water and the Council's Drainage Engineer highlighted that any amendments to existing drainage may require Building Control consent and any new connections to the public sewerage network will require prior approval from Yorkshire Water.

5.8.5 Subject to a condition covering water efficiency standards the proposal is considered to accord with Local Plan policy CLP13.

5.10 Biodiversity and Impact on Protected Species

Relevant Policies

5.10.1 The NPFF and Local Plan policy CLP16 requires proposals to provide a net gain in biodiversity.

Considerations

5.10.2 The Derbyshire Wildlife Trust were consulted on the plan in respect of protected species and noted that the change of use appears to have a limited impact on the main structure of the building and asked that clarification was sought on whether any works would be required to the external roof or eaves or internally within the roof void. If not, then no ecological survey is recommended, however a condition could be attached to any permission securing biodiversity enhancements. If works are required the external roof and eaves or internally within the roof void, then a Preliminary Bat Roost Assessment should be undertaken by a suitably qualified ecologist.

5.10.3 The agent has confirmed that nothing is proposed to the roof externally or to the eaves. The main part of the works at 1st floor are in the existing two storey element that has previously been ancillary living accommodation to the Chapel. The works to this area are minimal but include mineral wool insulation above the ceiling level and over boarding and skim to the under side. The applicant anticipates the roof over the new 'mezzanine 1st floor area will require insulation only.

5.10.4 It is considered that appropriate biodiversity enhancements can be achieved through the imposition of a relevant condition.

5.11 Other considerations

5.11.1 The application site is in proximity to the proposed HS2 development. No objections were raised to the proposal by Network Rail or through consultation with HS2.

5.12 Developer Contributions and Community Infrastructure Levy

5.12.1 Having regard to the nature of the application proposals the development comprises the creation of a new dwelling and is therefore CIL Liabile.

5.12.2 The proposed residential dwelling would be liable for CIL. However it is noted that the site falls within the £0 charging rate area in the Staveley and Rother Valley Corridor.

		A		B	C	D	E
Development type	Proposed floor space (GIA in Sq. m)	Less Existing (Demolition or change of use) (GIA in Sq.m)	Net Area (GIA in Sq. m)	CIL Rate	Index permission	Index Charging schedule 2020	CIL Charge
Residential (C3)	154		154	£0	333	288	£0

Calculation:

CIL Charge (E) is calculated as outlined below:

$$\frac{\text{Net Area (A)} \times \text{CIL Rate} \times \text{BCIS Tender Price Index (at date of permission) (C)}}{\text{BCIS Tender Price Index (at date of charging schedule) (D)}}$$

6.0 REPRESENTATIONS

6.1 The application has been publicised by neighbour notification letters, site notice and advert in the local press. Two representations received from one residential neighbour at 4 Cavendish Place are summarised below;

- Noise and noise levels
- What Equipment will be used in the Workshop?
- Hours of work/operation
- Visual impact from open deck area which will overlook the residential properties at Cavendish Place.

6.2 ***Officer comments – the above comments have been noted. See section 5.6 in respect of residential amenity. It is considered that hours of operation can be controlled by condition and a privacy screen to the west elevation of the raised deck also controlled by***

condition would protect the residential amenity of the surrounding neighbours.

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. It is considered that the recommendation accords with the above requirements in all respects.

8.0 STATEMENT OF POSITIVE AND PROACTIVE WORKING WITH APPLICANT

- 8.1 In accordance with the requirements of the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012 and paragraph 38 of 2021 National Planning Policy Framework (NPPF) as the proposed development does not conflict with the NPPF or with 'up-to-date' policies of the Local Plan, it is considered to be 'sustainable development' to which the presumption in favour of the development applies.
- 8.2 The Local Planning Authority have during the consideration of this application engaged in a positive and proactive dialogue with the applicant in order to achieve a positive outcome for the application.

9.0 CONCLUSION

- 9.1 Overall subject to conditions the proposal complies with Local Plan policies CLP1, CLP2, CLP3, CLP6, CLP13, CLP14, CLP16, CLP20, CLP21, CLP22 and SS5 and the National Planning Policy Framework.

10.0 RECOMMENDATION

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

Conditions

Standard time frame

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

Reason - This is a statutory period which is specified in Section 91 of the Town and Country Planning Act 1990.

Approved plans and documents

2. The development hereby approved shall only be carried out in full accordance with the approved plans and documents (listed below) with the exception of any approved non material amendment. All external dimensions and elevational treatments shall be as shown on the approved plan/s (listed below).
 - Drawing 1, received 14.06.2021
 - Drawing 3, received 14.06.2021
 - Drawing 4, received 10.03.2021
 - Statement of use, dated 10.06.2021, received 14.06.2021

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.

Hours of construction

3. No construction or demolition works, movement of construction traffic, or deliveries to and from the premises, shall occur other than between 0800 and 1800 hours weekdays, and 0800 and 1300 hours on Saturdays, and at no time on Sundays or Public Holidays. The term 'construction work' shall include mobile and fixed plant/machinery, (e.g. generators) radios and the delivery of construction materials.

Reason - To safeguard the privacy and amenities of the occupiers of adjoining properties in accordance with CLP20 and CLP14

Ancillary link

4. The workshop and store hereby permitted shall only be occupied ancillary to the residential occupation of the dwelling hereby approved **and** shall not at any time be occupied as an independent

dwelling and workshop/store or separated from the ownership or curtilage of the residential dwelling.

Reason- To preserve the amenity of the nearby residential property in accordance with CLP14 and CLP20 of the Local Plan.

Hours of operation

5. The workshop premises shall not be used for the purposes authorised by this permission (including deliveries) other than between the following hours: between 0800 and 1800 hours weekdays, and 0800 and 1300 hours on Saturdays, and at no time on Sundays or Public Holidays; unless otherwise agreed in writing by the Local Planning Authority.

Reason - To safeguard the privacy and amenities of the occupiers of adjoining properties in accordance with policy CLP14 and CLP20 of the Local Plan.

Water efficiency

6. The dwelling hereby approved shall be occupied until the optional requirement for water consumption (110 litres use per person per day) in Part G of the Building Regulations has been complied with for that dwelling.

Reason - To protect the water environment in accordance with policy CLP13 of the of the adopted Chesterfield Borough Local Plan and to accord with paragraph 149 of the National Planning Policy Framework.

Materials

7. Samples of all materials to be used in the construction of the external surfaces of the proposed development shall be submitted to and approved in writing by the Local Planning Authority before any work to any external surface is carried out. The development shall thereafter be constructed in accordance with the approved details.

Reason - To ensure a satisfactory external appearance of the development in accordance with CLP20 and CLP21 of the Local Plan

Works to the proposed access to the workshop

8. prior to the commencement of works to the access to the western elevation of the building to the hereby approved workshop, full details of shall be submitted to the Local Planning Authority for written agreement including but not limited to
- drawing showing the proposed design of the structure including brick and architectural detailing
 - drawing of the external doors, including colour and detailing

Reason - To ensure a satisfactory external appearance of the development in accordance with CLP20 and CLP21 of the Local Plan

Details of windows

9. Prior to works commencing on any existing or new windows full details shall be submitted to the Local Planning Authority for written agreement showing including details of the proposed colour, profile and design.

Reason - To ensure a satisfactory external appearance of the development in accordance with CLP20 and CLP21 of the Local Plan

Biodiversity net gain

10. Within 2 months of the commencement of the development a scheme for biodiversity net gain shall be submitted to the Local planning authority for written agreement.

Reason - To ensure the development provides a net gain in biodiversity in accordance with CLP16 and the NPPF

Privacy Screen

11. Prior to the first use of the hereby approved raised deck a solid privacy screen boundary treatment measuring a minimum of 1.8m in height when measured from the height of the deck shall be installed along the full west elevations of the raised external deck and measuring 2.8m in length.

The screen shall be obscurely glazed to a minimum of Pilkington - Privacy Level 3 or an equivalent product.

The privacy screen shall be installed prior to the first use of the raised patio and retained as such in perpetuity for the lifetime of the development hereby approved.

Reason - In the interests of the privacy of neighbour occupiers in accordance with CLP14 and CLP20

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

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

Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant safety and engineering risks and exposes all parties to potential financial liabilities. As a general precautionary principle, the Coal Authority considers that the building over or within the influencing distance of a mine entry should wherever possible be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure that a suitable engineering design is developed and agreed with regulatory bodies which takes into account of all

the relevant safety and environmental risk factors, including gas and mine-water. Your attention is drawn to the Coal Authority Policy in relation to new development and mine entries available at: www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries

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

Property-specific summary information on past, current and future coal mining activity can be obtained from: www.groundstability.com or a similar service provider.

If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority

Connection to the public sewerage system requires prior consent from Yorkshire Water. Connections to the existing drainage may require Building Control approval.

4. Pursuant to Sections 149 and 151 of the Highways Act 1980, steps shall be taken to ensure that mud or other extraneous material is not carried out of the site and deposited on the public highway. Should such deposits occur, it is the applicant's responsibility to ensure that all reasonable steps (e.g. street sweeping) are taken to maintain the roads in the vicinity of the site to a satisfactory level of cleanliness.
5. When you carry out the work, you must not intentionally kill, injure or take a bat, or intentionally or recklessly damage, destroy or block access to any structure or place that a bat uses for shelter. These would be offences under the Wildlife and Countryside Act 1981, the Habitats Regulations 1994 and the Countryside and Rights of Way Act 2000, Habitats Regulations 2017. Planning consent for a

development does not provide a defence against prosecution under European and UK wildlife protection legislation.

6. Lighting installed on site shall be designed to ensure no glare or overspill occurs to nearby residential properties.
7. The site is within close proximity to HS2 works. Therefore, the applicant should consider the impact of potential noise and disruption that may occur during the construction and operation period in that location upon a residential dwelling. It is also important to note that utility works and a PROW diversion is proposed on Barrow Hill. The applicant is advised to closely follow the progress of Phase 2b of HS2. Further information can be found in the Working Draft Environmental Statement (WDES). Having considered the location of the development in relation to the safeguarded land and submitted documents, HS2 Ltd would raised no objection to the change of use.
8. In accordance with the ecology and landscaping conditions above appropriate ecological/biodiversity enhancement measures shall include but shall not be limited to:
 - Bird/owl/bat boxes
 - (Locating your nestbox: Whether fixed to a tree or a wall, the height above ground is not critical to most species of bird as long as the box is clear of inquisitive humans and prowling cats. If there is no natural shelter, it is best to mount a box facing somewhere between south-east and north to avoid strong direct sunlight and the heaviest rain. The box should be tilted slightly forwards so that the roof may deflect the rain from the entrance.
 - You can use nails to attach the box directly to a tree trunk or branch; or you can use rope or wire wrapped right around the box and trunk (remembering to protect the trunk from the wire cutting into it by using a piece of rubber underneath it). Both methods are satisfactory, but annual maintenance is easier if the box is wired and can be taken down easily for cleaning.
 - The number of nestboxes which can be placed in a garden depends on the species you wish to attract. Many species are fiercely territorial, such as blue tits, and will not tolerate another pair close by; about 2 to 3 pairs per acre is the normal density for blue tits. Other

species, such as the tree sparrow, which is a colonial nester, will happily nest side-by-side.

- Do not place your nestbox close to a birdtable or feeding area, as the regular comings and goings of other birds are likely to prevent breeding in the box.)
- (Locating your bat box: Bat boxes should be positioned at least 3 metres above the ground (5 metres for noctules) in a position that receives some direct sun for part of the day, with a clear flight path to the box, but preferably also with some tree cover nearby as protection from the wind. In the roof eaves, on a wall or fixed to a tree are all suitable sites.)
- Biodiversity enhancing planting and landscaping including trees, hedges and native species, wildflower planting and nectar rich planting for bees and night scented flowers for bats.
- Measures to enhance opportunities for invertebrates including bug hotels/log piles, stone walls including a programme of implementation and maintenance.
- Holes in fences and boundary treatment to allow species such as hedgehog to move across the site.
- Bee bricks.

Species	Potential Enhancement Measure	Notes
Wildflowers	<p>Native wildflower meadow areas: as an alternative to amenity grassland.</p> <p>Wildflower verges.</p>	<p>Wildflower meadow can be added where there is grassed verge / communal garden space as well as within residential gardens or as part of wider landscaping schemes.</p> <p>Advice for creating and maintaining a wild patch is available on the Wildlife Trust website and through Flora Locale.</p>
Birds	<p>Bird Boxes and other nesting features: (such as stone ledges and</p>	<p>Particularly where adjoining natural areas such as woodland, areas of priority habitat and the river and canal</p>

	<p>wooden cladding).</p> <p>Native species planting and boundary features: Berry and seed producing shrubs are particularly beneficial for wildlife and include: Barberry, Blackthorn, Common Dogwood, Guelder Rose Hawthorn and Spindle berry.</p>	<p>environment. For guidance on installing bird boxes including minimum height see: https://www.bto.org/how-you-can-help/providing-birds/putting-nest-boxes-birds/putting-nest-box</p> <p>Generally, boxes should be sheltered from prevailing wind, rain and strong sunlight. Check local records (Magic portal and DWT advice) for target species.</p>
<p>Invertebrates</p>	<p>Bug hotels and log piles with stones: particularly near ponds.</p> <p>South facing banks: with some bare ground.</p> <p>Rough or natural stone walls with holes for invertebrates to use.</p> <p>Brown roofs with a range of substrates these are particularly recommended on brownfield sites where open mosaic habitat may have been lost. The substrate does not have to cover the entire roof.</p>	<p>Examples of living roof projects are available on the Buglife web page: https://www.buglife.org.uk/our-work/living-roof-projects/</p>