

## ITEM 4

### **ERECTION OF A NEW CARE HOME FACILITY WITH SEPARATE DETACHED DAY UNITS AND CREATION OF NEW ACCESS AND AUXILIARY CAR PARKING AREAS (REVISED PLANS RECEIVED 24/05/2022 AND 21/07/2022) AT AVENUE VILLA, 12A AVENUE ROAD, WHITTINGTON MOOR, CHESTERFIELD, DERBYSHIRE, S41 8TA FOR DIGNUS HEALTHCARE**

Local Plan: Unallocated, within the built up area defined by Policy CLP3

Ward: Dunston/Moor wards

#### **1.0 CONSULTATIONS**

Ward Members	No comments received.
Local Highways Authority	Comments received – see report
Design Services Drainage	Comments received – see report
The Coal Authority	Comments received – see report
Yorkshire Water	Comments received - Conditions requested - see report.
Derbyshire Constabulary	Comments received – see report
Derbyshire Wildlife Trust	Comments received – see report
Strategic Planning	Comment received – see report
Environmental Health	No objection, conditions recommended covering hours of construction/work, lighting, air quality

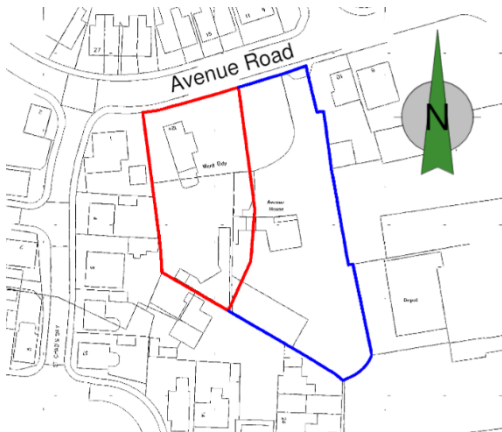
and electric vehicle charging, and land contamination.

Representations 2 representations received – see report

## 2.0 **THE SITE**

2.1 The site subject of this application is situated on the south side of Avenue Road, adjacent to the recent development at St Chad's Way and to the rear of commercial uses fronting on to Sheffield Road. To the north are residential properties fronting Avenue Road and the entrance to the Lidl, to the east are residential properties along Avenue Road and commercial units fronting Sheffield Road, to the south and west are properties on St Chad's Way.

2.2 The site is in a sustainable location in walking distance to a range of services in Whittington Moor District Centre (the application site abuts the District Centre boundary) which contains a range of Key Services and is also a main route for a range of high frequency public transport routes. Part of the Strategic Cycle network is also close by, adjacent to the A61. The application site is within the defined Built up Area as defined by Policy CLP3 of the Chesterfield Local Plan and is unallocated on the Chesterfield Borough Council adopted local plan policies map 2018-2035.



Extract of submitted location plan ©



Aerial photograph taken from Google maps ©

2.3 As can be shown from the site plan above, the owners of the site have split the whole site into two, with a separate application being progressed for the remainder of the plot (CHE/22/00034/OUT). The application site plot is broadly rectangular in shape covering

approximately 0.158 hectares in area (1580sqm). The prior use of the site was for residential with a number of residential buildings on site and onsite landscaping. As a result of anti-social behaviour issues, the buildings on site were demolished and the site is currently level. The landscaping shown on the Google earth image above has been removed.



Photo taken from within the site looking north to Avenue



Photo taken from within the site looking south

### **3.0 SITE HISTORY**

- 3.1 CHE/1085/0642 – Permission for the erection of dwelling  
**CONDITIONAL PERMISSION (19/11/1985)**
- 3.2 CHE/0690/0452 – Single storey extension to form multi gym bedroom sauna room and laundry room  
**CONDITIONAL PERMISSION (11/07/1990)**
- 3.3 CHE/13/00453/FUL – Two storey extension  
**CONDITIONAL PERMISSION (12/09/2013)**
- 3.4 CHE/22/00034/OUT – 3 storey residential block with associated parking and access  
**PENDING CONSIDERATION**

### **4.0 THE PROPOSAL**

- 4.1 The application proposes the erection of a detached care home facility (use class C2a) which will contain 8 no. residential units with associated common rooms, staff accommodation and storage, a

separate, detached unit containing a further 2 no. day units, a new vehicular access, associated parking and landscaping.

- 4.2 The planning statement submitted in support of the application provides further detail on the operation of Dignus Healthcare as an organisation and states as follows:

*“Dignus Healthcare was founded in 2006 to provide Person-Centred Support services for individuals with differing and complex needs. Operating care homes throughout the Midlands we have built a reputable name for our services within the care community.*

*“We pride ourselves in offering diverse and responsive support enabling us to cater for individuals who may display behaviours that challenge, autism spectrum disorders, mental health problems, physical and sensory disabilities. Our aim is to create safe spaces for individuals, giving them the opportunities to grow at their own pace and become independent.*

*“We are fully regulated in the care and support we provided by the Care Quality Commission (CQC), with whom we are a registered provider.*

- 4.3 The statement goes on to confirm the services provided, such as:
- Specialist care
  - Supported living
  - Community outreach

The statement confirms that the above services will be provided within the proposed development giving a *“greater level of independence for each occupant with some staff supervision. The management and supervision will be provided by on site staff numbering 10 full time and 2 part time who will work in varying shifts.”*

- 4.4 The revised plans (received 24 May 2022) for the main care home building propose self-contained accommodation units across two storeys, with the detached units being within a single storey building to the rear (south) of the site.

- 4.5 All of the accommodation units each contain a bedroom, lounge, store, kitchen, bedroom and bathroom/shower room. The day units

are shown to be wheelchair accessible. The main care home units are all 59sqm GIA and the detached day units are 52.74sqm GIA.

- 4.6 The main care home building is proposed as a contemporary building with the accommodation split across two wings joined together by a central atrium providing supporting facilities/stores. Each wing is distinguished by an asymmetrical high-pitched roof (11.3m) with a front-facing gable which recesses as the building steps towards the central atrium, which is flat-roofed.
- 4.7 The materials for the main care home building are shown as three different shades of render (white, mid grey and dark grey) to provide visual interest, with anthracite grey windows and door frames. Windows on the front and rear elevations are set within recessed panels to provide distinctiveness and to break up the design. The proposed roofing materials are grey roof tiles with the design featuring the installation of photovoltaic panels.



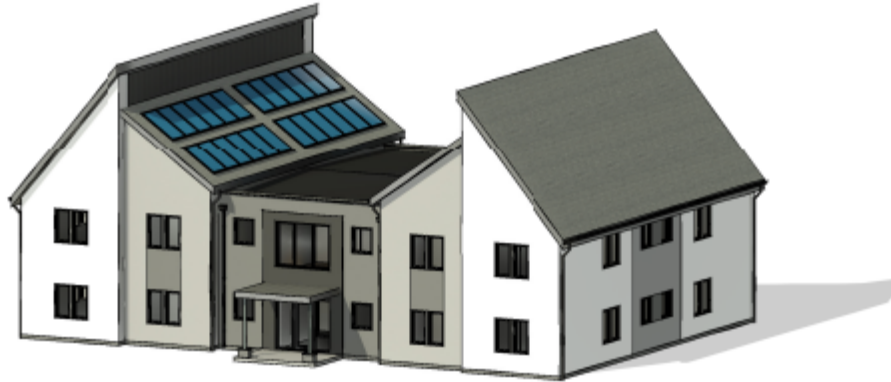
Proposed front elevation ©



Proposed rear elevation ©



Proposed side elevations ©



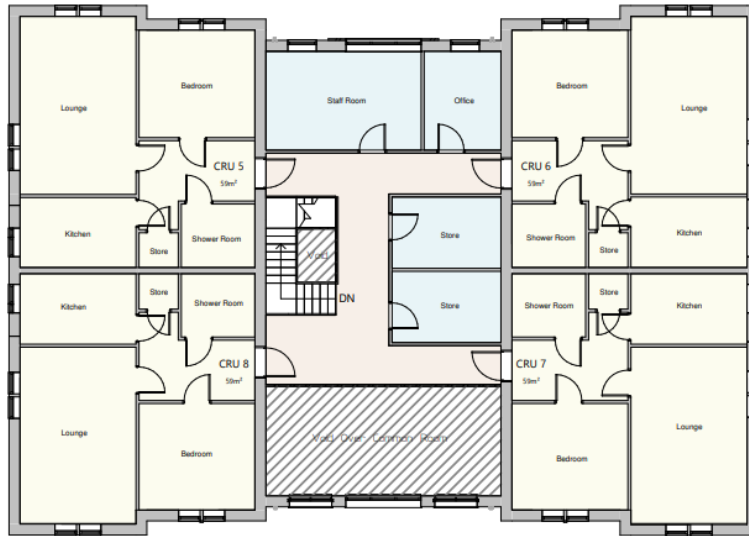
3d drawing ©

4.8 At ground floor level, a front entrance way with a projecting canopy is proposed to provide access to a secure lobby area, with a main office, plant room, visitor WC, store and a double height common room with external access to a terrace area being provided within the central atrium. Residential units are accessed from the central part of the building with a staircase provided to the first floor.

4.9 At first floor level additional staff accommodation, staff room, office and additional storage is provided with access to the residential units.

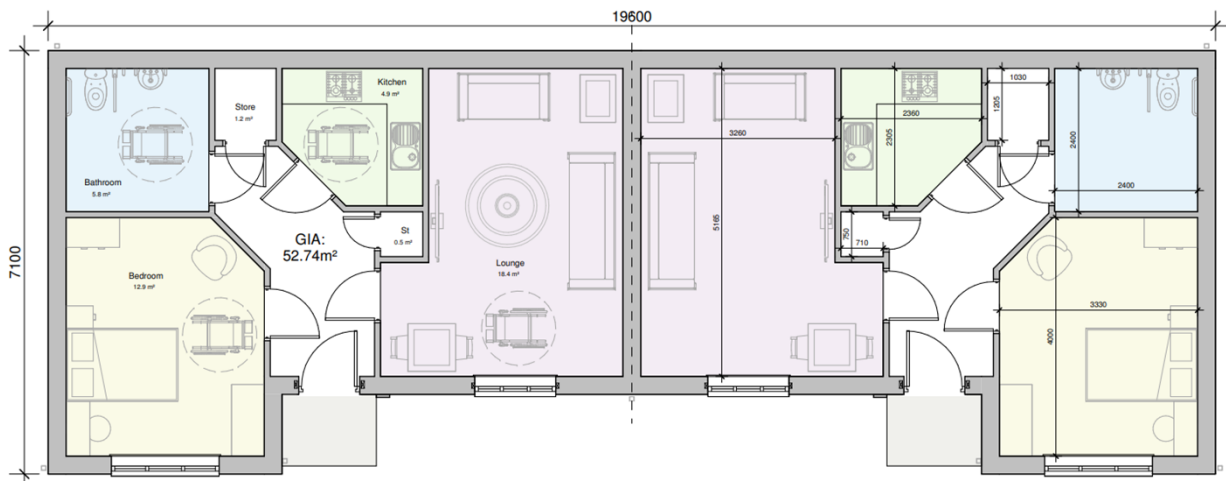


Proposed ground floor plan ©



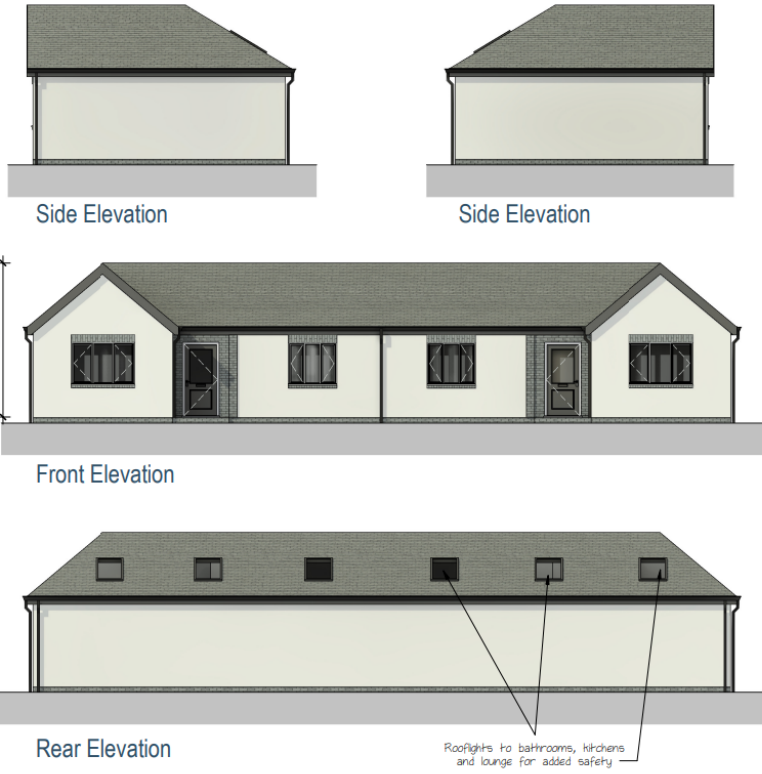
Proposed first floor plan ©

4.10 The detached day units are proposed as semi-detached bungalows with hip to gable roof and front facing gable at either side. The units will stand at 4.5m to ridge and 2.7m to eaves. The bock will be 19.6m wide and 7.1m deep. Each of the 2 units contains a lounge, kitchen, store, bathroom and bedroom.

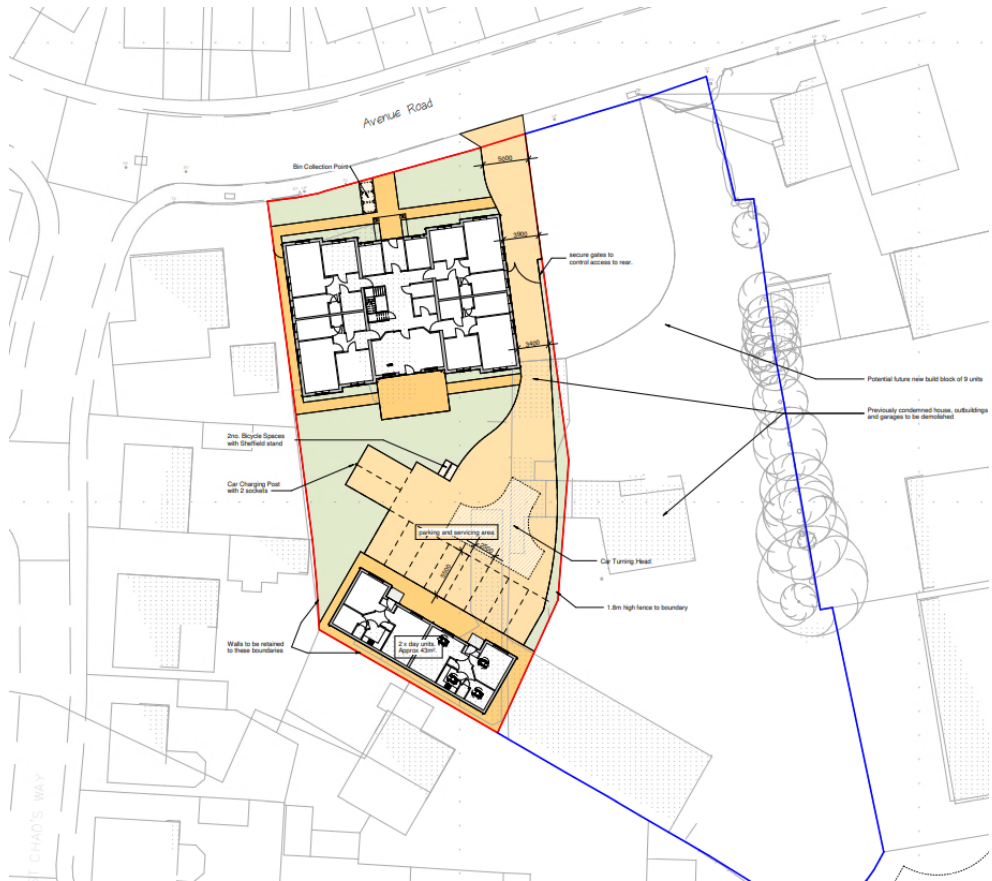


Detached day units, proposed floor plans ©





Detached day units, proposed elevations ©



Site layout

- 4.11 The detached block is proposed to be finished in white render with white upvc window and door frames, anthrasite composite front doors, grey concrete roof tiles, and skylights to the south (rear) roof pitch to provide natural light. Engineering brick detailing and coursing is provided around windows and doors to provide visual interest.
- 4.12 The application is supported by the following documents:
- Planning statement which provides details on Dignus Healthcare and their client base
  - Phase 1 Ground Investigation which includes a Coal Mining Risk Assessment (4<sup>th</sup> April 2022)
  - Flood Risk Assessment which includes recommendations on drainage (1<sup>st</sup> April 2022)
  - Biodiversity Offset and Mitigation Assessment (Version 3) (17 August 2022)
    - Biodiversity Calculation

## **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 (Strategic Policy)
- CLP11 Infrastructure Delivery
- CLP13 Managing the Water Cycle
- CLP14 A Healthy Environment
- CLP16 Biodiversity, Geodiversity and the Ecological Network
- CLP20 Design
- CLP22 Influencing the Demand for Travel

### 5.3 **National Planning Policy Framework**

- Part 2. Achieving sustainable development
- Part 5. Delivering a sufficient supply of homes
- Part 8. Promoting healthy and safe communities
- Part 9. promoting sustainable transport
- Part 12. Achieving well-designed places
- Part 14. Meeting the challenge of climate change, flooding and coastal change
- Part 15. Conserving and enhancing the natural environment

### 5.4 **Principle of Development**

#### **Relevant Policies**

- 5.4.1 The application site is unallocated and is positioned within the built up area of Whittington Moor therefore policies CLP1 and CLP2 are of relevance.
- 5.4.2 Policy CLP1 states that *'The overall approach to growth will be to concentrate new development within walking distance of a range of Key Services as set out in policy CLP2, and to focus on areas that need regenerating, including the 'place shaping' areas set out in policies SS1 to SS6 and Regeneration Priority Areas.'*
- 5.4.3 Policy CLP2 states that when *'Planning applications for developments that are not allocated the Local Plan, will be supported according to the extent to which the proposals meet the following requirements which are set out in order of priority:*
- a) deliver the council's Spatial Strategy (policy CLP1);*
  - b) are on previously developed land that is not of high environmental value;*
  - c) deliver wider regeneration and sustainability benefits to the area;*
  - d) maximise opportunities through their location for walking access to a range of key services via safe, lit, convenient walking routes;*
  - e) maximise opportunities through their location for cycling and the use of public transport to access a range of key services;*
  - f) utilise existing capacity in social infrastructure (Policy CLP10) or are of sufficient scale to provide additional capacity, either on site or through contributions to off-site improvements;*
  - g) ensure the long term protection of safeguarded Minerals Related Infrastructure as identified in the Derbyshire and Derby Minerals Local Plan and shown on the Policies Map;*
  - h) are not on the best and most versatile agricultural land;'*

- 5.4.4 The principle of development is assessed through consideration of Local Plan Policies CLP1 and CLP2 (see extracts above).
- 5.4.5 The application site is previously developed land, within a settlement boundary, and sits adjacent to the boundary of the Whittington Moor District Centre, which provides a range of key services and good public transport accessibility and connections to the strategic cycle network. The application will serve to bring a vacant and under-used site back into use and will help to provide additional specialist residential accommodation within the borough.
- 5.4.6 On this basis it is considered that that the principle of development is acceptable and in accordance with the Council's spatial strategy as established by policies CLP1 and CLP2 of the Chesterfield Local Plan.

## **5.6 Design and Appearance of the Proposal**

### **Relevant Policies**

- 5.6.1 Local Plan policy CLP20 states *'all development should identify and respond positively to the character of the site and surroundings and respect the local distinctiveness of its context respect the character, form and setting of the site and surrounding area by virtue of its function, appearance and architectural style, landscaping, scale, massing, detailing, height and materials.'*
- 5.6.2 Avenue Road comprises residential dwellings which are mixed in character. To the north side of the street are red brick Victorian terrace and semi-detached properties, comprised of two storeys with dual pitch roof forms, side gables, distinctive window and door detailing such as bay windows and ornate lintel beams. To the east, the recent development at St Chad's Way and wider Westbury Homes site that was developed following the grant of planning permission in 2002. These properties are of a more contemporary residential design with a mix of character that is particular to the estate as it was developed. Along the south side of Avenue Road between the application site and Sheffield Road properties are of a mixed height and finishing, including rendering and red brick, including properties that have been subject to unsympathetic extensions and additions.

- 5.6.3 The proposal for the main building which will front onto Avenue Road introduces a contemporary design to the street scene with a mix of coloured rendered finishing and distinctive roof form with two asymmetrical pitches at either end connected by a flat roofed central atrium. The original proposed design of the scheme sought to mimic the terraced/semi-detached properties within the street however this was considered to be unnecessary and a more stand out design encouraged to distinguish the building within the streetscape. The revised design is considered to be a welcome improvement which provides a landmark contemporary building that identifies the building as within a purpose-built use.
- 5.6.4 The proposal for the main building includes relief detailing to some windows and the use of different colours as the building recesses into the central atrium which connects both wings. The scale of the building, with a maximum height of 11.3m to either wing and a total building frontage of 23.9m is considered to be acceptable in the streetscene and to not overwhelm the residential dwellings that surround the site.
- 5.6.5 To the east, the adjacent site (subject to a separate application CHE/22/00034/OUT) is proposed as 3 storeys, which will provide additional context for the scale of the main building. To the west, the ridge height of the adjacent residential property sits at 8m with an eaves height of 5.5m. The proposed asymmetrical roof is noted to be higher than that of surrounding properties however the taller element is for a narrow extent of the frontage with a lower eaves height (5.4m) that echoes the residential properties adjacent which helps to mitigate the height, as the building then steps down in stages to the central atrium which has a flat roof at a height of 6.2m. As Avenue Road travels eastwards it slopes down to meet Sheffield Road, however properties along the south side are approximately 9.6m in height to ridge.
- 5.6.6 The height of the proposed main building is acknowledged to be higher than those residential uses surrounding, however the contemporary nature of the design and narrow, sectional frontage with a distinctive roof form and varied colouring is considered to mitigate against the additional height by breaking up the mass and will provide originality to the scheme.

- 5.6.7 The high sloped roof forms to the main care home building enable the installation of photovoltaic roof cells which will enable small-scale onsite energy generation, which is welcomed.
- 5.6.8 The proposed detached day units to the rear of the site will be single storey and of a simpler design, with a maximum height of 4.5m. The siting of the units to the rear of the site and their single storey nature will mean that the building is not highly visible within the streetscene. The proposed use of rendering with brick detailing as an architectural feature is considered to be acceptable within the site context and will provide uniformity with the main building.
- 5.6.9 Having consideration for the observations above the proposal is considered to be appropriately designed and would not cause adverse impacts on the visual amenity and character of the area. The contemporary design of the main building is considered to be a positive addition to the street scene and will distinguish the building as being within a purpose-built use. The proposed design of the detached day units is considered to be appropriate within the site context and the scale and siting of the building will mean that it is not harmful to the character of the site or the wider locality. The proposal will therefore accord with the provisions of policy Local Plan Policy CLP20.

## **5.7 Impact on Residential Amenity**

### **Relevant Policies**

- 5.7.1 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*'
- 5.7.2 Local Plan policy CLP20 expects development to '*k) have an acceptable impact on the amenity of users and neighbours;*'
- 5.7.3 The proposal will retain an acceptable separation distance between the proposed dwellings and surrounding residential dwellings. To the west, the property adjacent will be some 7m away which is considered to be acceptable in a residential context. To the south, the main building will be some 35m away from the nearest residential dwelling and this considered to be an acceptable

distance. To the north, the building will front Avenue Road and maintain the building line to the residential properties along the street which is considered to be acceptable.

- 5.7.4 To the west, the main care home building will sit adjacent to the residential property adjacent, with 2 of the internal units having windows to the west elevation from both the kitchen and living areas. The introduction of windows to this elevation is not wholly unacceptable and the imposition of a condition is recommended to require obscured glazing to the first floor accommodation windows to the east and west elevations. This will mitigate the risk of overlooking to the adjacent property's rear garden area.
- 5.7.5 To the east, the remainder of the application site is subject to a separate application (CHE/22/00034/OUT). An access route to the rear of the site which will provide parking and access to the detached day units is proposed to the east of the building, which will by its nature provide separation between the main building and any future development on the adjacent part of the site. Furthermore, the recommended inclusion of obscured glazing to side elevations will mitigate the risk of overlooking issues to adjacent properties.
- 5.7.6 The site boundary to the west and south is an existing wall which is detailed on the plans to be retained, this is considered to provide adequate privacy to the surrounding residents. To the east, the submitted plans detail a 1.8m high close boarded timber fence which is considered to be acceptable to protect the privacy of any future occupants of the site to the east.
- 5.7.7 The siting of the detached day units to the south of the site adjacent to the boundary is considered to be acceptable in this instance as the building and units contained therein are single storey in nature with no windows to the rear (south) elevation. Roof lights are proposed to the south facing roof slope which will provide natural light into the rooms and this is considered to be acceptable for both the amenity of surrounding residents and future occupiers of the building.
- 5.7.8 The Council's Environmental Health Officer reviewed the scheme and recommended a working hours condition to protect the residential amenity of the surrounding neighbours. It is recommended that this be secured by condition.

5.7.9 Having consideration for the observations above, based on the siting and orientation of the proposed development it is considered that the proposal will not adversely impact on the neighbouring residents in terms of loss of light or privacy such that refusal of the case is warranted. Subject to conditions regarding the window detailing to the proposal will therefore accord with the provisions of Local Plan policies CLP14 and CLP20.

## 5.8 **Highways Safety, Access, Parking Provision and Air Quality**

### **Relevant Policies**

5.8.1 Local Plan policy CLP20 expects development to 'g) provide adequate and safe vehicle access and parking and h)

5.8.2 Local Plan policy CLP22 details the requirements for vehicle/cycle parking

*'The level of vehicle and cycle parking provision appropriate to any individual proposal will take into account the circumstances of the particular scheme, including in particular:*

- i. The size of any dwellings proposed.*
- ii. The type, mix and use of the development.*
- iii. The proximity of facilities such as schools, shops or employment*
- iv. The availability of and capacity for safe on-street and public car parking in the area.*
- v. Proximity to and availability of public transport and other sustainable transport options.*
- vi. The likelihood that any existing on-street parking problems in terms of highway safety, congestion, pedestrian and cyclist accessibility and amenity will be made worse.*
- vii. Local car ownership levels.*

5.8.3 The Council's Environmental Health Officer requested electric vehicle charging points be installed as part of the building phase in accordance with policy. The application proposes a car charging post to serve 2 spaces within the rear car park and this is considered to be acceptable.

5.8.4 The Local Highways Authority Derbyshire County Council has raised a number of issues on the scheme, as follows:



- Access road width: The submitted drawings does not show the width of the access road as this information is required for assessment purposes.
- Refuse vehicle: The submitted drawing states that parking and service vehicles will be accessing the site, so can you ensure that the correct drive width/length and turning areas for a refuse vehicle is provided.
- Existing access closed off: The County Council require information regarding the reason for not closing off the existing access because it does not access any dwellings and could be used to drive up onto the existing footway if left in place.
- Parking requirements: No parking bay sizes or turning has been shown so each parking bay measuring 2.4m x 4.8m should be provided and shown, plus turning for residents/visitors/staff and refuse vehicles should also be shown on the submitted drawings.
- Parking provision: No information relating to the amount of bedrooms will be provided which must conform to the parking provision of 6Cs Design Guide below.
- Drop off area: The drop off area does not contain enough information as it does not show any vehicle turning characteristics ensuring the drop off area is of an appropriate size and location.
- Access gates: Are the access gates going to be locked at all times, what distance are they from the public highway and how will the staff, residents and visitors gain access through the gates if closed to prevent staking?
- Potential future development: Has the parking provision for the proposed site taken into account the potential future new build?

#### 5.8.5

Derbyshire Constabulary has sought further details regarding security at the site including specifications for gates and boundary treatments and has made recommendations relating to the location of cycle parking.

#### Access Road

5.8.6 Access to the site is taken from Avenue Road which is a 30mph classified road. The route is a busy residential street with on-street parking of residents' vehicles but also for some of those that are using the commercial / retail services within Whittington Moor District Centre. The applicant has confirmed within the planning statement and through their agent that staff are expected to travel to the site via public transport, by walking or by cycling, however there may be some that use the access road into the site to park their vehicles within the car park to the rear. The width of the access road (3.4m at its narrowest point) is sufficient for 1 vehicle to travel into the site at a time, with the security gate positioned at a point which would enable a minimum two vehicles to pull into the site from Avenue Road without causing any traffic to stack up on the road. In the event of a vehicle needing to exit / enter the site at the same time, the rear car park provides a pull in area to the left hand side which would enable this to take place safely without causing a significant risk to users of the public highway.

#### Refuse Vehicles

5.8.7 Refuse collection is anticipated from Avenue Road and will be by a private contractor. Bin storage and collection is provided to the front of the site and this is considered to be an acceptable arrangement. No refuse vehicles will enter the site via the access road.

#### Existing Site Access

5.8.8 There is an existing access to the western extent of the site frontage on Avenue Road. The applicant's agent has confirmed that this is not intended for use and can be reinstated. It is recommended that a condition is imposed to secure the reinstatement of the footway in line with Local Highway Authority guidelines.

#### Parking Requirements (inc. Cycle Parking)

5.8.9 The proposal includes a rear parking area with 10 no. car parking spaces, each measuring 5.5m x 2.5m. The applicant's agent has confirmed (as noted above) that staff working at the care home are anticipated to travel to work by public transport or on foot, however there will be some use of the car park. Residents are not anticipated to own cars so the parking spaces will be available for visitors (arrival times are known in advance and controlled) and for use by

some staff members. The 6Cs Design Guide has not been formally adopted as CBC policy, however it is noted that the recommended spaces which are equivalent to 1 space per 1 bedroom are satisfied by the proposed car parking arrangements for the application.

- 5.8.10 Cars are provided with sufficient turning / reversing space within the rear car park and this is shown on the proposed site plan. In addition, 2 no. bicycle parking spaces are proposed including a Sheffield stand within the rear car park (re-sited upon advice from Derbyshire Constabulary).
- 5.8.11 The LHA note that the adjacent site is marked on the site plans as to be subject to future development. This application is being considered separately and car parking requirements for the scheme will be dealt within the relevant report and recommendations as appropriate.

#### Drop Off Area

- 5.8.12 The initial design showed a drop off area to the front of the main care home building however this was considered inappropriate from both a design and highway safety perspective and has since been revised. Deliveries are anticipated to use the highway to the front of the building as they would do in a typical residential setting, and a drop off area is not considered to be necessary and would provide no operational advantage compared with utilising the highway edge.

#### Access Gates and Access into the Building

- 5.8.13 Secure access gates are shown along the access route some 15m from the highway edge which will provide sufficient space within the site to avoid stacking along the highway should there be multiple vehicles entering the site at the same time. A further security gate is shown on the proposed site plan to the western elevation of the building to provide security along this elevation.
- 5.8.14 The specification of the access gates is recommended to be subject to a condition to provide sufficient opportunity for both the LHA and Derbyshire Constabulary to comment.
- 5.8.15 Derbyshire Constabulary has requested that security / access control arrangements are specified for the entrance lobby. Again, it

is considered appropriate to secure this through the imposition of a condition.

- 5.8.16 The comments raised by the LHA and Derbyshire Constabulary are noted and have been sufficiently addressed above and through revisions to the proposed design of the scheme as appropriate. It is considered that there are no outstanding highway or security matters.
- 5.8.17 Subject to conditions as detailed above the development complies with the requirements of CLP20 and CLP22.

## **5.9 Flood risk, Drainage and Water Efficiency**

### **Relevant Policies**

- 5.9.1 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.*
- 5.9.2 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.
- 5.9.3 The Design Services (Drainage) Team reviewed the application and have requested further details regarding the proposed drainage arrangements based on the drainage hierarchy.

- 5.9.4 Yorkshire Water reviewed the application and raised no objections in principle however have requested further evidence regarding proposed drainage arrangements, subject to condition.
- 5.9.5 Conditions requested by Yorkshire Water are copied below;
1. *The site shall be developed with separate systems of drainage for foul and surface water on and off site. The separate systems should extend to the points of discharge to be agreed.  
(In the interest of satisfactory and sustainable drainage)*
  2. *There shall be no piped discharge of surface water from the development prior to the completion of surface water drainage works, details of which will have been submitted to and approved by the Local Planning Authority. If discharge to public sewer is proposed, the information shall include, but not be exclusive to:*
    - a. *Evidence to demonstrate that surface water disposal via watercourse is not reasonably practical;*
    - b. *Evidence of existing drainage to public sewer and the current points of connection; and*
    - c. *The means of restricting the discharge to public sewer to the existing rate less a minimum 30% reduction, based on the existing peak discharge rate during a 1 in 1 year storm event, to allow for climate change.**(To ensure that no surface water discharge takes place until proper provision has been made for its disposal and in the interest of sustainable drainage)*

5.9.6 The comments from Yorkshire Water and the Council's Design Services Drainage Team have been noted. It is recommended that conditions be imposed on the decision requiring further information on proposed drainage as detailed above.

5.9.7 Subject to the imposition of relevant conditions the proposal will accord with the provisions of CLP13 and the wider NPPF.

## **5.10 Ground Conditions Land contamination and Land Stability**

### **Relevant Policies**

- 5.10.1 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 (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.*
- 5.10.2 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.'*
- 5.10.3 The application site is located in area considered to be at 'high risk' of former Coal Mining Legacy, therefore the application is supported by a Phase 1 Ground Investigation Study and Coal Mining Risk Assessment.
- 5.10.4 The Environmental Health Officer highlighted that the site is in an area which could be affected by historical land contamination and recommended that a phase 1 land contamination study and if required a phase 2 intrusive site investigation with a remediation strategy and validation report.
- 5.10.5 A Phase 1 Ground Investigation (4 April 2022) has been undertaken which makes a recommendation (page 33) that intrusive ground

investigations targeted at providing detailed data to facilitate assessment of the identified geotechnical and contamination issues are carried out. The intrusive ground investigations should provide a remediation strategy for the site. The Phase 2 Intrusive Site Investigations are therefore recommended to be secured by condition.

5.10.6 The Coal Authority, upon review of the submitted Coal Mining Risk Assessment, have recommended the inclusion of conditions to establish further details of any mining legacy issues, as follows:

1. *No development shall commence until:*
  - a. *A scheme of intrusive investigations has been carried out on site to establish the risk posed to the development by past coal mining activity; and*
  - b. *Any remediation works and/or mitigation measures to address land instability arising from coal mining legacy, as may be necessary, have been implemented on site in full in order to ensure that the site is safe and stable for the development proposed.*

*The intrusive site investigations and remedial works shall be carried out in accordance with authoritative UK guidance.  
(In order to ensure the safety and stability of the development, in accordance with paragraphs 183 and 184 of the National Planning Policy Framework)*

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

*(In order to ensure the safety and stability of the development, in accordance with paragraphs 183 and 184 of the National Planning Policy Framework)*

5.10.7 Subject to the imposition of relevant conditions the proposal is considered to accord with the requirements of Local Plan policy CLP14 and the NPPF.

## 5.11 Biodiversity and Landscaping

### Relevant Policies

- 5.11.1 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'*
- 5.11.2 The NPPF also requires net gains in biodiversity (paragraph 170 d).
- 5.11.3 Following demolition of the residential buildings that occupied the site, the site has been levelled and existing landscaping removed. As noted above, the site has been split into two and is subject to two separate, but concurrent applications. Discussion with Strategic Planning Team, considered that biodiversity should be considered cumulatively across the whole site and addressed mutually by both schemes. This approach has been endorsed by Derbyshire Wildlife Trust.
- 5.11.4 On that basis, the applicant commissioned an ecologist to prepare a Biodiversity Offset and Mitigation Assessment (V3, 17 August 2022). The Biodiversity Impact Calculation (para 2.3) notes that the proposed development across the whole site results in a net loss in calculated biodiversity units of 0.45 habitat units. This decrease is primarily in habitat of low distinctiveness as the urban tree area has increased overall by retaining trees and adding new tree planting within the rear garden areas of the sites. On this basis it is considered reasonable to impose a condition to secure a scheme of biodiversity net gain.
- 5.11.5 Derbyshire Wildlife Trust has queried the assumptions within the biodiversity assessment and the use of the appropriate which have been further reviewed by the applicant's ecologist (CBE Consulting) and corrected as appropriate. The biodiversity assessment now uses the DEFRA Biodiversity Metric 3.1.
- 5.11.6 The application is supported by a site layout plan but detailing on the landscaping, surface treatments and boundary treatments remains unconfirmed. In addition, the site would benefit from a formal boundary treatment to the site frontage to Avenue Road which would



provide separation between public and private spaces and would provide screening to the proposed bin storage area to the site frontage.

- 5.11.7 On that basis, and to secure the appropriate biodiversity net gain measures, it is considered reasonable to impose conditions which require the provision of landscaping, biodiversity net gain measures and boundary treatments.
- 5.11.8 Furthermore, the Environmental Health officer has requested that the lighting be designed so as to control glare and overspill onto nearby residential properties. It is considered reasonable to impose a condition to confirm the details of proposed lighting at the site.
- 5.12.9 Subject to conditions as recommended above the development accords with the requirements of CLP16 and the NPPF.

## **6.0 REPRESENTATIONS**

- 6.1 The application has been publicised by neighbour notification letters and site notice. 2 representations have been received and are summarised below (see representations for full comments):
- Concerns raised regarding the occupancy of the care home in respect of antisocial behavior, crime and security
  - Concerns raised regarding overlooking potential.
- 6.3 ***Officer comments – the above comments have been noted.***
- ***Security: The client profile for the proposed care home has been described at paragraphs 4.2 and 4.3. The proposed occupants are not offenders, rather people with complex care needs including with learning disabilities, mental health conditions, and other needs. The building will be secured in line with recommended Care Quality Commission standards and details for access / security arrangements for the secure lobby area and security gates within the grounds are subject to conditions.***
  - ***Overlooking: The separation distance between the proposal and no. 8 Avenue Road is sufficient and the proposal is not considered to generate any substantial overlooking issues that cannot be mitigated through the use of obscured glazing to windows within side elevations. Furthermore, the parcel of the site closest to 8 Avenue Road is subject to a***

***separate application and any overlooking issues will be addressed within the report and recommendations for that application as appropriate.***

## **7.0 HUMAN RIGHTS ACT 1998**

7.1 Under the Human Rights Act 1998, which came into force on 2<sup>nd</sup> October 2000, an Authority must be in a position to show:

- Its action is in accordance with clearly established law
- The objective is sufficiently important to justify the action taken
- The decisions taken are objective and not irrational or arbitrary
- The methods used are no more than are necessary to accomplish the legitimate objective
- The interference impairs as little as possible the right or freedom

7.2 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 The proposal would introduce a residential care home use to a brownfield site in a highly sustainable location. The site sits adjacent to the Whittington Moor District Centre boundary and is therefore within close proximity to a range of Key Services and public transport routes and infrastructure. The proposal therefore satisfies

the requirements of Local Plan policies CLP1 and CLP2 and the NPPF.

- 9.2 The proposal is considered to be appropriately designed in a contemporary style and would not cause adverse impacts on the visual amenity and character of the area. Subject to conditions the proposal will therefore accord with the provisions of policy Local Plan policy CLP20.
- 9.3 Due to the siting and scale of the proposal the proposal is not considered to cause significant adverse impacts on the residential amenity of the adjoining neighbours and therefore accords with the amenity considerations of Local Plan policies CLP14 and CLP20, subject to conditions.
- 9.4 Subject to conditions no highways safety concerns arise and it is considered the site can accommodate sufficient off-street parking and provides satisfactory measures to accommodate access / egress from the site. It is therefore considered that the proposal accords with the requirements of CLP20 and CLP22.
- 9.5 Subject to conditions and the submission of further details controlled by condition covering land contamination, drainage and biodiversity the proposal is considered to accord with the principles of CLP13, CLP14, CLP16 and the wider National Planning Policy Framework.
- 9.6 The application is therefore considered to be acceptable from a design, amenity, highway safety, access, security, drainage, land contamination, ground conditions, biodiversity and landscaping perspective.

## **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).
  - Site Location Plan, drawing no. 14, 1:1250 @ A4, (dated December 2021)
  - Proposed Site Plan, drawing no. 10-E, 1:200 @ A1 (dated November 2021)
  - Proposed Plans and Elevations, drawing no. 13-C, 1:100 @ A1, (dated 14/04/2022)
  - Crisis Intervention Unit – Option 2 (plans and elevations), drawing no. 12-B, 1:100 & 1:50 @ A2, (dated December 2021)
  - Street Elevation, drawing no. 30, 1:200 @ A1, (dated 15/02/2022)

**Reason** - In order to clarify the extent of the planning permission for the avoidance of doubt.

Pre-commencement – Land contamination

3. a) Prior to work commencing on site, the application site shall be subjected to a detailed scheme for the investigation and recording of contamination and a report has been submitted to and approved in writing by the Local Planning Authority;  
b) Prior to works commencing on site, detailed proposals in line with current best practice for the removal, containment or otherwise rendering harmless such contamination (the 'Contamination Proposals') shall be submitted to and approved in writing by the Local Planning Authority;  
c) For each part of the development, 'Contamination Proposals' relevant to that part shall be carried out either before or during such development as appropriate;  
d) If during development works any contamination should be encountered which was not previously identified and is derived from a different source and/or of a different type to those included in the 'Contamination Proposals' then the revised 'Contamination

Proposals' shall be submitted to and approved in writing by the Local Planning Authority;

e) If during development work site contaminants are found in areas previously expected to be clean then their remediation shall be carried out in line with the agreed 'Contamination Proposals';

f) Prior to the commencement of any construction works in any area that has been subject to remediation, a verification report shall be submitted to and approved in writing by the Local Planning Authority.

**Reason** - This pre commencement condition is required in the interests of safeguarding the proposed development and adjacent properties from the possible harmful effects of development affecting contaminated land, in accordance with Policy CLP14

#### Pre-commencement – Coal Mining

4. No development shall commence until:

- (a) A scheme of intrusive investigations has been carried out on site to establish the risk posed to the development by past coal mining activity; and
- (b) Any remediation works and/or mitigation measures to address land instability arising from coal mining legacy, as may be necessary, have been implemented on site in full in order to ensure that the site is safe and stable for the development proposed.

The intrusive site investigations and remedial works shall be carried out in accordance with authoritative UK guidance.

**Reason** – In order to ensure the safety and stability of the development, in accordance with paragraphs 183 and 184 of the National Planning Policy Framework

#### Coal Mining

- 5. Prior to the development hereby being permitted being occupied or being brought into beneficial use, a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development shall be submitted to the Local Planning

Authority for approval in writing. This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.

**Reason** – In order to ensure the safety and stability of the development in accordance with paragraphs 183 and 184 of the National Planning Policy Framework

#### Hours of Construction

6. 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 amenity of the occupiers of adjoining properties in accordance with CLP20 and CLP14

#### Drainage - surface water

7. There shall be no piped discharge of surface water from the development prior to the completion of surface water drainage works, details of which will have been submitted to and approved by the Local Planning Authority. If discharge to public sewer is proposed, the information shall include, but not be exclusive to:
  - a) Evidence to demonstrate that surface water disposal via watercourse is not reasonably practical;
  - b) Evidence of existing drainage to public sewer and the current points of connection; and
  - c) The means of restricting the discharge to public sewer to the existing rate less a minimum 30% reduction, based on the existing peak discharge rate during a 1 in 1 year storm event, to allow for climate change.

**Reason** - To ensure that no surface water discharge takes place until proper provision has been made for its disposal and in the interests of sustainable drainage

#### Drainage – separate foul and surface

8. The site shall be developed with separate systems of drainage for foul and surface water on and off site. The separate systems should extend to the points of discharge to be agreed.

**Reason** - In the interest of satisfactory and sustainable drainage and in accordance with CLP13

#### Biodiversity Net Gain

9. Prior to building works commencing above foundation level, a Biodiversity Enhancement Plan shall be submitted to and approved in writing by the Local Planning Authority to achieve a net gain in biodiversity in accordance with the NPPF 2021. Such approved measures shall be implemented in full and maintained thereafter as part of the development. The plan shall clearly show positions, specifications and numbers of features.

**Reason** - In the interests of achieving a net measurable gain in biodiversity in accordance with policy CLP16 of Chesterfield Local Plan and to accord with paragraph 170 of the National Planning Policy Framework

#### Landscaping

10. Notwithstanding the submitted details no development above floor-slab/D.P.C level shall take place until details for the treatment of all parts on the site not covered by buildings shall be submitted to and approved in writing by the Local Planning Authority. The site shall be landscaped strictly in accordance with the approved details in the first planting season after completion or first occupation of the development, whichever is the sooner. Details shall include:
  - a) a scaled plan showing trees and plants to be planted including species and planting density. The plan shall include indications of all existing trees, hedgerows and other vegetation on the land to be retained and detail measures for the protection of retained vegetation during the course of development, including details of ecologically beneficial landscaping to provide a biodiversity enhancement.
  - b) proposed hardstanding surfacing materials and shall include elevational drawings of boundary treatments including materials, types of fencing and treatment/colour.

- c) a schedule detailing sizes and numbers of all proposed trees/plants
- d) Sufficient specification to ensure successful establishment and survival of new planting.

**Reason** - In order to safeguard and enhance the character and amenity of the area, to provide ecological, environmental and biodiversity benefits and to enhance its setting within the immediate locality in accordance with CLP16 of the Chesterfield Local Plan.

#### Retention of Soft Landscaping

11. The landscaping provided shall be retained and maintained as follows:
- a) All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the building(s) or the completion of the development whichever is the sooner;
  - b) All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock.
  - c) Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority.
  - d) All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.

**Reason** - To ensure a satisfactory standard of landscaping in the interests of amenity in accordance with policy CLP20 of the Chesterfield Local Plan.

#### Boundary Treatments

12. Full details of the boundary treatment to the northern boundary of the property adjacent to Avenue Road shall be submitted to and approved in writing by the local planning authority. The details which are subsequently agreed in writing shall be carried out as part of the development and shall be completed prior to the



development hereby agreed being first occupied / brought into beneficial use and shall be retained as such thereafter.

**Reason** - To ensure a satisfactory boundary treatment to the site in the interests of visual amenity in accordance with policy CLP20 of the Chesterfield Local Plan.

#### Reinstatement of Footway

13. Prior to the development hereby being permitted being occupied / brought into beneficial use, the existing vehicular / pedestrian access from Sheffield Road into the site shall be permanently closed off and the existing vehicular cross reinstated as footway in accordance with the County Council's latest standard for works in the public highway. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, or any statutory instrument amending, revoking and/or replacing that Order, the measures to close off the access shall be retained as approved throughout the lifetime of the development.

**Reason** - To ensure safe and suitable access for all users, in the interests of highway safety.

#### Lighting

14. Prior to installation of any external lighting scheme for the site, a detailed scheme shall be submitted to the Local Planning Authority for consideration. The lighting scheme agreed in writing shall be fully implemented in accordance with the approved scheme before the use commences and retained as such thereafter.

**Reason** - To ensure that the development does not appear as an unduly prominent feature in the area and in the interests of residential amenity in accordance with Policy CLP14 of the Chesterfield Local Plan.

#### Parking Provision

15. Prior to the development hereby being permitted being occupied / brought into beneficial use, space shall be provided within the application site in accordance with the approved application

drawings for the parking and manoeuvring of residents vehicles, laid out, surfaced and thereafter maintained throughout the life of the development free from any impediment to its designated use.

**Reason** - In the interests of providing adequate off-street parking provision in accordance with CLP20 and CLP22.

#### Electric Vehicle Charging Infrastructure

16. The Electric Vehicle Charging Points (EVCPs) shown as part of the agreed scheme shall be provided for at least 2 no. car/van parking spaces together with passive provision to be made available for the remainder of the site so that spaces are capable of being readily converted to EVCPs in the future. The EVCPs shall be available for use concurrent with the first occupation of the building and which shall thereafter be retained and maintained operational for the lifetime of the development.

**Reason** - In the interests of reducing emissions in line with Policy CLP22 of the Adopted Local Plan 2020.

#### Secure Gates to Entrance Ways

17. Prior to the development being occupied / brought into beneficial use, the details, specification and access control arrangements for the security gates at the exterior of the building and the buildings entrance lobby shall be submitted to the Local Planning Authority for consideration. The detail subsequently agreed in writing shall be carried out as part of the development and shall be retained as such thereafter for the life of the development.

**Reason** – In the interest of security.

#### Obscure Glazing

18. Prior to the development hereby being permitted being occupied brought into use the first floor windows to the side (east and west) elevations shall be installed with obscure glazing to at least Pilkington level 4 and with no opening part being less than 1.7 metres above the floor level immediately below the centre of the opening part. Once installed the glazing shall be retained as such thereafter.

**Reason** - To safeguard the privacy and amenities of the occupiers of adjoining properties in accordance with CLP14 and CLP20 of the of the adopted Chesterfield Borough Local Plan

Solar PV

19. Prior to installation of the solar PV arrays shown on the agreed drawings full details shall be submitted to the Local Planning Authority for consideration. The details agreed in writing shall be fully implemented in accordance with the approved scheme before the use commences and retained as such thereafter.

**Reason** - To ensure a satisfactory appearance of the building in the interests of amenity of the area in accordance with policy CLP20 of the Chesterfield Local Plan.

### **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. Connection to the public sewerage system requires prior consent from Yorkshire Water. Connections to the existing drainage may require Building Control approval.
4. It should be noted that wherever coal resources or coal mine features exist at shallow depth or at the surface, there is the potential for mine gases to exist. These risks should always be considered by the LPA. The Planning & Development team at the Coal Authority, in its role of statutory consultee in the planning process, only comments on gas issues if our data indicates that gas emissions have been recorded on the site. However, the absence of such a comment should not be interpreted to imply that there are no gas risks present. Whether or not specific

emissions have been noted by the Coal Authority, local planning authorities should seek their own technical advice on.

5. It should be noted that where SUDS are proposed as part of the development scheme consideration will need to be given to the implications of this in relation to the stability and public safety risks posed by coal mining legacy. The developer should seek their own advice from a technically competent person to ensure that a proper assessment has been made of the interaction between hydrology, the proposed drainage system and ground stability, including the implications this may have for any mine workings which may be present beneath the site.
6. Pursuant to Section 184 of the Highways Act 1980 and Section 86(4) of the New Roads and Streetworks Act 1991 prior notification shall be given to the Department of Economy, Transport & Environment at County Hall, Matlock regarding access works within the highway. Information, and relevant application forms, regarding the undertaking of access works within highway limits is available via the County Council's website [http://www.derbyshire.gov.uk/transport\\_roads/roads\\_traffic/development\\_control/vehicular\\_access/default.asp](http://www.derbyshire.gov.uk/transport_roads/roads_traffic/development_control/vehicular_access/default.asp) , e-mail [highways.hub@derbyshire.gov.uk](mailto:highways.hub@derbyshire.gov.uk) or telephone Call Derbyshire on 01629 533190.
7. The Highway Authority recommends that the first 5m of the proposed access/driveway should not be surfaced with loose material (i.e. unbound chippings or gravel.) In the event that loose material is transferred to the highway and is regarded as a hazard or nuisance to highway users, the Authority reserves the right to take any necessary action against the householder.
8. Where the site curtilage slopes down towards the public highway provisions within Section 163 of the Highways Act 1980 requires measures to be taken to ensure that surface water run-off from within the site is not permitted to discharge across the footway margin. This usually takes the form of a dished channel or gully laid across the access immediately behind the back edge of the highway, discharging to a drain or soakaway within the site.
9. 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.

10. If construction works are likely to require Traffic Management, advice regarding procedures should be sought from Mr J Adams, Traffic Management, 01629 538628. All road closure and temporary traffic signal applications will have to be submitted via the County Council's website, relevant forms are available via the following link: <https://www.derbyshire.gov.uk/transport-roads/roads-traffic/roadworks/roadworks.aspx>
11. Lighting installed on site shall be designed to ensure no glare or overspill occurs to nearby residential properties.
12. In accordance with the ecological/biodiversity enhancement condition 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.

<b>Species</b>	<b>Potential Enhancement Measure</b>	<b>Notes</b>
<b>Wildflowers</b>	<p><b>Native wildflower meadow areas:</b> as an alternative to amenity grassland.</p> <p><b>Wildflower verges.</b></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 <a href="#">Wildlife Trust website</a> and through <a href="#">Flora Locale</a>.</p>
<b>Birds</b>	<p><b>Bird Boxes and other nesting features:</b> (such as stone ledges and wooden</p>	<p>Particularly where adjoining natural areas such as woodland, areas of priority habitat and the river and canal environment. For guidance on</p>

	<p>cladding).  <b>Native species planting and boundary features:</b> Berry and seed producing shrubs are particularly beneficial for wildlife and include: Barberry, Blackthorn, Common Dogwood, Guelder Rose Hawthorn and Spindle berry.</p>	<p>installing bird boxes including minimum height see:  <a href="https://www.bto.org/how-you-can-help/providing-birds/putting-nest-boxes-birds/putting-nest-box">https://www.bto.org/how-you-can-help/providing-birds/putting-nest-boxes-birds/putting-nest-box</a>  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><b>Invertebrates</b></p>	<p><b>Bug hotels and log piles with stones:</b> particularly near ponds.  <b>South facing banks:</b> with some bare ground.  <b>Rough or natural stone walls with holes</b> for invertebrates to use.  <b>Brown roofs with a range of substrates</b> these are particularly recommended on brownfield sites where open mosaic habitat may have</p>	<p>Examples of living roof projects are available on the Buglife web page:  <a href="https://www.buglife.org.uk/our-work/living-roof-projects/">https://www.buglife.org.uk/our-work/living-roof-projects/</a></p>

	been lost. The substrate does not have to cover the entire roof.	
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