

ITEM 2

Case Officer: CW

Application No: CHE/21/00139/RET

PROPOSAL: ERECTION OF WORKSHOPS, GARAGE AND OFFICES TO REPLACE ORIGINAL FIRE DAMAGED BUILDING

LOCATION: 2A WORKSOP ROAD, MASTIN MOOR, CHESTERFIELD FOR J P GRAPHICS

Planning Committee Date: 13/05/2024

1.0 CONSULTATION RESPONSES

Ward Members:	No comments received.
Design Services Drainage	No objections, subject to further details submitted in regards soakaways.
Environment Agency	In flood zone 2 and therefore the LPA can apply National Flood Risk Standing Advice.
Strategic Planning	In conflict with policy CLP6 of the Local Plan. Plus further detailed comments.
Local Highways Authority	Issues related to previous 2012 application, such as conditions related to visibility splays that haven't been complied with.
Environmental Health	No objection
Representations	3 representations received – see report

2.0 THE SITE

2.1 The red line for the application relates to land at 2A Worksop Road, which is to the south of Worksop Road. It is the last westernmost property in the line of residential dwellings fronting the south side of the A619. There are dwellings to the east, open fields to the north and undeveloped land to the west and south. The site includes the dwelling to the frontage (2a Worksop Road) and the J P Graphics business to the rear.

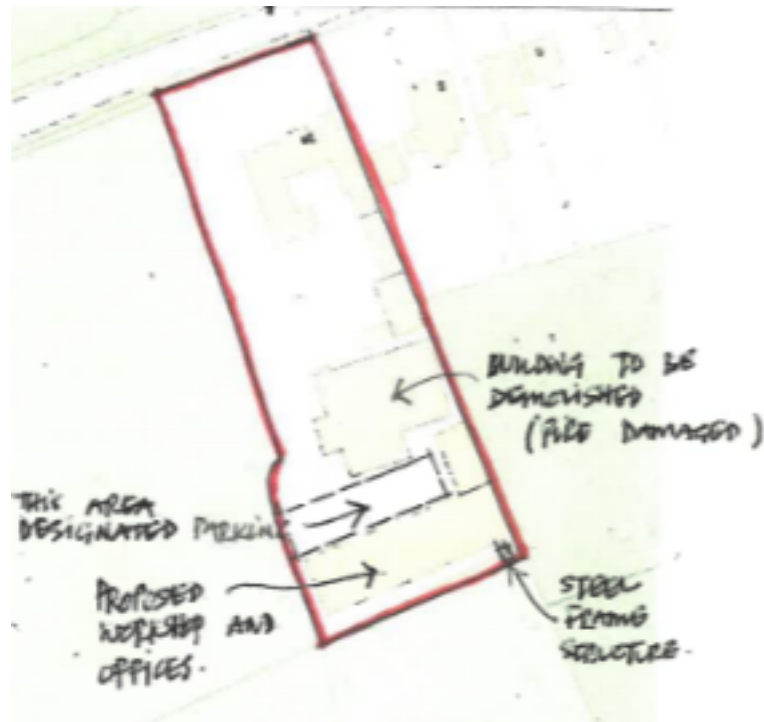


Image 1

- 2.2 The site has a derelict building in the middle, which was the previous business premises prior to a fire on site. The site also includes a driveway and some land alterations such as a bridge and raising the land levels on the land surrounding the new building.
- 2.3 The red line area includes a strip of land from front to rear, which doesn't include the field to the west; this land includes a driveway to facilitate access to the new business premises.
- 2.4 There was an existing business functioning on the rear of the site, which included parking for staff, deliveries and customers.
- 2.5 There are components of the site and business which haven't been subject to planning applications.
- 3.0 SITE HISTORY**
- 3.1 CHE/0798/0384 – Change of Use from domestic garage to graphic design office - Conditional Permission – 20/08/98
- 3.2 CHE/11/00617/FUL – Proposed two storey side extension with rooms in roof void - Conditional Permission – 22/12/11
- 3.3 CHE/12/00166/FUL – Create Improved Vehicular Access and close off existing access – Refused – 23/05/12
- 3.4 CHE/12/00437/FUL – Re-submission of CHE/12/00166/FUL – Create Improved Vehicular Access and close off existing access - Conditional Permission – 05/09/12

3.5 CHE/12/00554/DOC – Discharge of Planning conditions re materials samples for CHE/11/00617/FUL - Discharge of Planning conditions – 25/09/12

3.6 CHE/13/00189/TPO - Felling of Sycamore Tree - Conditional Permission - 18/04/13

4.0 THE PROPOSAL

4.1 The proposal seeks retrospective permission to retain the building constructed to the rear south of the site which includes a workshop, offices and garages related to the printing business, which can be classified as a light industrial use.

4.2 The building has been constructed with a pitched roof and it has a projecting subservient section from the eastern end of the building forming an L shape. The main section includes roof space and an elevated roof section above the garage. The main section is 42m long, 12m wide and 6m in height for the majority, with a 7m height at the garage. The eastern leg of the building projects 13m from the main building, is 7m wide and has a 4.8m height.

4.3 The land levels have been altered by an increase of approximately 2m on the land surrounding the building, but no clear details have been provided to indicate precisely by how much or to what extent. A spot levels drawing has been submitted based on a topographic survey of the site post change in levels. This part of the site is 38m deep and 50m wide area at the rear of the site, including the land surrounding the new building for parking.

4.4 The building has been constructed out of brick to the front and breeze block to the rear, with no render added to the structure at this point. It has 2 large garage doors each to the front and rear of the main building and 3 standard garage doors to the western side of the smaller section.

4.5 The application does not deal with the additional parts of the wider development of the site. This includes the change of use of the land to the west of the site (extended curtilage), the works to the dwelling, signs to the front or the pillars to the front of the site. A separate consideration of enforcement action may be required in this respect and the Council's position is reserved in this respect.

4.6 The demolition of the previous fire damaged business premises on the site is also required and the related alterations to the land levels, which would facilitate the use of the garages to the east of the building and provide space for parking provision.

5.0 PLANNING POLICY

5.1 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.

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

- CLP1 Spatial Strategy (Strategic Policy)
- CLP2 Principles for Location of Development (Strategic Policy)
- CLP6 Economic Growth (Strategic Policy)
- CLP11 Infrastructure Delivery
- CLP13 Managing the Water Cycle
- CLP14 A Healthy Environment
- CLP15 Green Infrastructure
- CLP16 Biodiversity, Geodiversity and the Ecological Network
- CLP19 River Corridors
- CLP20 Design
- CLP22 Influencing the demand for travel

5.5 **National Planning Policy Framework 2021**

- Part 1. Achieving sustainable development
- Part 4. Decision-making
- Part 6. Building a strong, competitive economy
- Part 8. Promoting healthy and safe communities
- Part 9. Promoting sustainable transport
- Part 12. Achieving well-designed places
- Part 14. Meeting the challenge of climate change, flooding and coastal change
- Part 15. Conserving and enhancing the natural environment

6.0 **CONSIDERATION**

6.1 **Principle of Development**

6.1.1 The Council's Strategic Planning team was consulted on the scheme and they have provided the following comments:

"The proposed use is in conflict with policy CLP6 of the Local Plan. The tests of CLP2 should be applied to determine if an exception is relevant in this case. The application will need to be considered using the tests set out in policy CLP15, CLP19, CLP14 and CLP20.

If permission is granted, it may be necessary to advertise as a departure.

There appears to be a discrepancy between the EA advice and the published Flood Map which should be resolved – and may require submission of an FRA.

If permission is granted, a condition should be applied to restrict the use of the development, otherwise retail and leisure sequential and impact assessments should be submitted prior to the application determined. Subject to such a condition, the proposed development would not be liable for the Community Infrastructure Levy (CIL)."

6.1.2 The 1998 and 2012 approvals show that there is a record of an approval for the principle of the business to the rear of the site and an improved access to the site, but not for any redevelopment or alterations to buildings on site or the land surrounding it.

6.1.3 The site is partially outside the 'Built Up Area' as defined on the adopted Local Plan Policies Map, although this part of the map appears to be incorrectly

delineated; the dwelling and the previous building on site have been present for over 20 years and are definitely part of established built up area in the locality. The site is affected by the designation of the Lowgates / Netherthorpe and Woodthorpe / Mastin Moor Strategic Gap (policy SG3) and the Doe Lee River Corridor (policy CLP19) which passes diagonally through the frontage dwelling (See below):

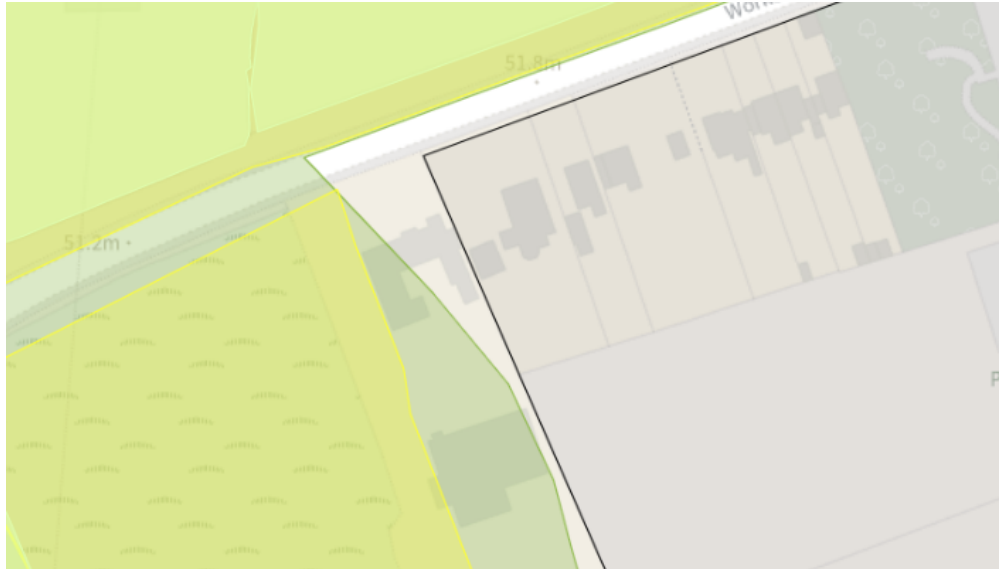


Image 2

6.1.4 The issue of the built up area boundary is not of particular relevance in this case as the policy (CLP3) defines the boundary as one relating to the consideration of new housing proposals which this is not.

6.1.5 Strategic Gap

Policy CLP15 ('Green Infrastructure') requires that "Development proposals should, where relevant:... b) not harm the character and function of the Green Wedges and Strategic Gaps;"

The purpose of the Strategic Gaps are to:

- maintain open land between neighbouring settlements to prevent merging (perceptual and physical) and protect the setting and separate identity of settlements;
- support the appreciation and wider perceptual benefits of open countryside;
- maintain existing or influence form and direction of settlements.

It should be noted however that the proposed development is relatively small and the intrusion into the Strategic Gap very minor and .

6.1.6 Below is a timeline of Google Earth images which show the development of the site over the last 25 years. These images show a clearly defined boundary to the western side of the site which included a hedgerow and a driveway related to the previous business premises. These images show the loss of the boundary hedge feature and the incursion into the adjoining land, which is into the strategic gap area and is not part of this application.

1999



Image 3

2007



Image 4

2010



Image 5

2017



Image 6

2020



Image 7

2023



Image 8

6.1.7

The proposed use appears to be best classified as 'light industry', which would formerly have fallen into use class B1(b) but would now be covered by use class 'E'. As the permission for the business on site was previously agreed in

1998, and this has been present for over 20 years, the general principle of a business in this location is considered to have been previously agreed.

- 6.1.8 The existing situation on site is that the owners of the business live in the dwelling to the front of the site, and that the building serves a mixed personal/business role, as it includes garages for the applicant's vehicles. The previous buildings on site were commercial in design and smaller and subservient to the dwelling, with clear overlap between the dwelling and business functions. The constructed building is much larger than the original footprint of the outbuildings on site and is separated from the residential dwelling. It is considered that with further land works the two parts of the site could be separated completely in the future. The existing situation where there is overlap between residential dwelling and business impacts how the site functions, but if this was separated off in the future the business could have a more severe impact on the residential amenity of local residents.
- 6.1.9 The new class E covers a much wider range of uses than the previous class B1. Many of these uses (which a permission would benefit from without the need for planning permission) would be classified as Main Town Centre Uses for the purposes of applying the requirement for a sequential and impact assessment under paragraph 87 of the NPPF 2021. Development for the wider use class can also be CIL liable (as it would allow for the use to change to the former A1 to A5 use classes). These requirements can be overcome, by the inclusion of a condition restricting the use to the proposed use of 'workshop, garage and office'.
- 6.1.10 As the scheme is to replace existing buildings on site and provide a larger business premises it is not considered that it is a departure from the local plan, as the established link between the dwelling and business has been previously accepted in a previous application. The principle of a business use in the red line area does not need to be considered again in this application. The new building, and the alterations to the site related to it, are considered further below.

6.2 Design and Appearance of the Proposal

- 6.2.1 Local Plan policy CLP20 states in part; all development should identify and respond positively to the character of the site and surroundings and respect the local distinctiveness of its context respect the character, form and setting of the site and surrounding area by virtue of its function, appearance and architectural style, landscaping, scale, massing, detailing, height and materials.
- 6.2.2 The constructed building is to the rear of the site and is constructed out of brick (to the front) and tile. It has a 6m to 7m height and is 42m long, which ensures that is a large building for the site and is clearly visible from the streetscene. The previous building on site was subservient to the main dwelling and behind it, ensuring it was not a dominant feature on site visually. The proposed building is of a comparable height to the main dwelling and is much longer, ensuring that it is a dominant feature on site. The building has been finished in red brick and black/grey tile, and could appear residential in design when viewed from the street.

6.2.3 The application site includes the land from the front pillars to the rear of the site, including a small section to the west side of the new building. The field to west of this is owned by the applicant but it is not part of the residential curtilage of the dwelling. As part of the works to the building and alterations to the land levels, a new driveway and hardstanding area around the building has been created (as shown in images 3 to 8); the driveway and area to the west of the building are not considered to be in the red line application site area. Since 2020 there has been a significant encroachment into the neighbouring field, which appears to include a driveway and bridge to the new unit. The land to the west is in the strategic gap and image 8 shows the spread of the urban character of the site westwards including building materials, vehicles and mixed detritus either side of the new driveway. This is considered to be an extremely negative aspect of the development, as this part of the site was previously countryside in character, is now in poor condition and an eyesore for local residents. It is unclear what the long-term proposal is for hard and soft landscaping related to the site, as this is not included as part of this application. It is considered that the land should be tidied up and the previous boundary for the site should be reinstated with a hedge or fence to delineate the site boundary and the strategic gap extent. This could be conditioned to be completed within 6 months of any decision taken and which will provide an appropriate edge to the site in visual terms.

6.2.4 It is therefore considered that the proposal would not cause significant adverse impacts on the visual amenity and character of the area. The proposal therefore accords with the provisions of policy Local Plan policy CLP20, subject to conditions.

6.3 Residential Amenity

6.3.1 Local Plan policies CLP14 and CLP20 require development to have an acceptable impact on the amenity of users and neighbours.

6.3.2 The previous situation on site included a business use in the rear garden, which included staff and customer parking, although the owners/employees live in the dwelling to the front of the site.

6.3.3 The building is more than 50m away from the residential dwellings to the front of Worksop Road and it is not considered to lead to significant levels of overlooking or overshadowing to the houses. In terms of massing/outlook, the scheme positions a large building in an area of the site which was fairly open in character. This has had a negative impact to the outlook for the residents of the dwellings on Worksop Road, but when assessing outlook in this regard this in reference to the ability of residents to see out of windows and receive natural light into them, not a right to have a view into the countryside.

6.3.4 No objections have been received from neighbours specifically on this issue. The proposal is acceptable in terms of residential amenity and is in line with policy CLP14, as well as the revised NPPF.

6.4 Flood Risk and Drainage

- 6.4.1 Policy CLP19 (River Corridors) states that “Development which prejudices the existing biodiversity, ecological value and character of and/or the future potential for the improvement and enhancement of the environment and character of the river corridors as shown on the Policies Map, including biodiversity, habitat connectivity, public access and recreation, will not be permitted”. Given the scale and location of the development, it is unlikely that the proposal will prejudice any of these matters.
- 6.4.2 The site has had its land levels raised to facilitate the development, with a platform of land created to the rear of the site. The creation of the bridge and driveway on higher land than the previous driveway would also facilitate the travel of vehicles to and from the business premises. It is unclear how these alterations to the land levels will impact flood storage for the river corridor to the west of the site and flooding on flood zones 2 and 3 on site.
- 6.4.3 **Flood Risk**
The Environment Agency’s Flood Map for Planning appears to show significant parts of this site as being within Flood Zones 2 and 3. It is noted that the response from the EA says the site is ‘wholly within flood zone 2’, but this does not appear to be borne out by their online flood map. As a result it is necessary for the council to be satisfied that the sequential approach has been applied to the development as required by paragraphs 162 and 167 of the NPPF (2021), and any exceptions test also applied. The aim of the Sequential Test is to steer new development to areas with the lowest probability of flooding (flood zone 1).
- 6.4.4 The proposed development would be classified as ‘Less Vulnerable’. Although the Flood Compatibility table published as part of the NPPG indicates that the proposal is an ‘appropriate’ use (Table_3_-_Flood_risk_vulnerability_and_flood_zone_compatibility_.pdf (publishing.service.gov.uk)). The NPPG is also clear that the table does not account for application of the sequential test. The PPG advises that a pragmatic approach on the availability of alternatives should be taken. In this case the application description indicates that the proposed development is to replace a previous building in the same use. In this case it wouldn’t be reasonable to ask the applicant to assess alternative sites. However, it would be appropriate to consider whether the proposed building could be located in another part of the site that is at lower risk of flooding. It is important to note that the flood risk sequential assessment does not address whether the principle of the proposed use is appropriate in this location – it relates only to whether or not the use should be located elsewhere in terms of flood risk.
- 6.4.5 **Environment Agency Comments:**
The site lies fully within flood zone 2 and therefore the LPA can apply National Flood Risk Standing Advice (FRSA) in this instance.
There are no other environmental constraints associated with the site which we wish to formally comment upon. No objection has been raised regarding the potential impact of the development on flood storage capacity elsewhere.
- 6.4.6 **Council Design Services Team Comments:**
In reference to the above planning application; the site is located in Flood Zone 2 and partially in Flood Zone 3. It is also partially within the area of risk

from surface water flooding according to the current Environment Agency Flood Maps.

It is noted from the application form that the developer intends to dispose of the surface water using soakaways. Percolations tests should be carried in accordance with BRE Digest 365 and the results submitted with suitable soakaway sizing calculations.

It is also noted within the submitted Flood Risk Assessment Section 4 that the developer accepts that there is a risk of the site being flooded by both fluvial and pluvial flooding, and also accepts the potential consequences of any flooding affecting the property and environs.

- 6.4.7 A Flood Risk Assessment has been submitted for the scheme, and its conclusion included the following comments:
“Although the site is located in Flood Zone 2, any fluvial floodwater affecting the site would be very shallow and therefore not present a significant hazard to personnel. According to the NPPF and associated PPG, the proposed ‘less vulnerable’ usage is ‘appropriate’ in these flood zones.
Although the site is located in an area of medium surface water flood risk on the EA Flood Risk from Surface Water map, surface water flooding is not considered to be a significant issue. As there will be no changes made to the drainage system, Worksop Road will continue to drain as it does at present. As a minimum, FFLs (Finished Floor Levels) will be set at +50.0m AOD to allow 600mm freeboard construction above the derived flood level of +49.4m AOD (Above Ordnance Datum) ascertained by the process set out in 4.1.3. In order to provide assurance to personnel, the office management will register with the EA’s Floodline Warnings Direct service so as to be able to evacuate in good time to nearby dry ground.
The Sequential Test is satisfied.
Although the NPPF does not require consideration of the Exception Test for ‘less vulnerable’ uses such as this, in order to ensure the safety of the occupants, warning and evacuation procedures will be implemented.
With regard to flood risk, therefore, the site is suitable for the proposed development and, subject to appropriate warning and evacuation procedures, may be occupied safely.

- 6.4.8 The development is within flood zones 2 and 3, but it is raised up above the previous land levels on site and the use is considered to be less vulnerable. The Environment Agency also has not objected to the development, such that the scheme is considered to be acceptable in regard policy CLP13.

6.5 Highways Safety

- 6.5.1 The Highways Authority has been consulted on the scheme and has stated that conditions related to application CHE/12/00437/FUL have not been completed. This application and application CHE/12/00166/FUL considered the issue of highway visibility and the potential impact of creating visibility splays to the trees and hedge on site. The proposal was approved and the decision included conditions to provide the visibility splays, root protection areas and gates. It is not considered by the highways authority that the required visibility splays have been provided however this is a separate matter and one which the local planning authority can consider the expediency of enforcement action.

- 6.5.2 Officers have visited the site and the previously submitted driveway has been provided, with the removal of some of hedge and w is maintained between 1-2m in height. As there is an existing use on site and the previously approved application is 12 years old it is not considered that bringing enforcement action is likely or practical in regard to the outstanding condition. The existing access on site is considered to be safe, as the pavement, grass verge and layout of the driveway would allow existing drivers good visibility of vehicles approaching the site from both directions.



Photograph 1

- 6.5.3 The site has parking to the rear and side of the building, which is considered to be sufficient for the business use. Having regard to policies CLP20 and CLP22 of the Local Plan, in respect of highway safety it is considered that the development proposals do not pose an adverse risk to highway safety.

6.6 Biodiversity including trees and landscaping

- 6.6.1 Local Plan policy CLP16 states that all development will “protect, enhance, and contribute to the management of the boroughs ecological network of habitats, protected and priority species ... and avoid or minimise adverse impacts on biodiversity and geodiversity and provide a net measurable gain in biodiversity.” The NPPF in paragraph 170 requires decisions to protect and enhance sites of biodiversity and paragraph 174 also requires plans to “pursue opportunities for securing measurable net gains for biodiversity”.
- 6.6.2 No details have been submitted with the application regarding biodiversity on site. The previous situation on this site was hardstanding, parking and buildings related to the business and dwelling. The works to the site have included the removal of a hedge to the western boundary of the site post 2020. It is considered that this should be re-instated as part of the re-introduction of a meaningful boundary to the west of the site. It is considered that this could be dealt with via condition post-decision. xx It is therefore considered reasonable and necessary to impose a condition for measures to

secure biodiversity features on site. On this basis the proposal is considered to accord with the provisions of policy CLP16 of the Local Plan.

6.7 Environmental Health - Land Condition / Contamination

- 6.7.1 Land condition and contamination need to be considered having regard to policy CLP14 of the Core Strategy.
- 6.7.2 The Council's Environmental Health Officer has reviewed the proposals and commented that they have no objections to the plans.
- 6.7.3 In respect of potential Coal Mining Risk, the site lies within the Low Risk Area and The Coal Authority's standing advice is applicable in this case.

6.8 Community Infrastructure Levy

- 6.8.1 Use Class E includes uses that are liable for the Levy under the council's Charging Schedule (uses formerly falling in to the A1 to A5 use classes) Community Infrastructure Levy (CIL) (chesterfield.gov.uk). The use described in the application would not have been liable under the previous use classes. If planning permission is granted, a condition limiting the use would mean that the development would not be liable for the Levy.

7.0 REPRESENTATIONS

- 7.1 3 representations received. 2 comments objecting on the grounds of policy, residential amenity, highways, flooding, biodiversity and visual amenity.
- 7.2 25 Netherthorpe asked/stated :
- Why has planning permission been submitted when the building has already been built?
 - Was the ground tested for coal mining issues pre-development?
 - Were the Highways Authority informed?
 - The area is subject to flooding.
 - New building is very large and next to a nature reserve in open green space.
 - The building is much larger than the existing building it's meant to be replacing.
 - It seems that you can build anything without planning constraints.
- 7.3 5 The Paddocks stated that:
- HS2 has now been scrapped,
 - This is not in-keeping with the area,
 - There are no industrial estates within 2 miles,
 - Nature Reserves surround it and it has been built prior to submitting a planning application,
 - The previous site had a few small sheds and garages on it.
- 7.4 2 Worksop Road stated they had concerns about potential flooding issues from the development, but after visiting the site their concerns were addressed and they were happy with the proposal, with no objections.
- 7.5 **Officer comments –**

- Consideration of retrospective applications falls within the regulations and which need to be considered on their individual planning merits as if the development had not commenced. This brings with it risks for the applicant/developer.
- Coal mining – There are no records of the testing of the ground on site – presumably this would have been considered under the Building Regulations.
- The Highways Authority were consulted on this scheme.
- Other issues dealt with within the report.

8.0 HUMAN RIGHTS ACT 1998

8.1 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

8.2 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. The applicant has a right of appeal against any conditions imposed.

9.0 STATEMENT OF POSITIVE AND PROACTIVE WORKING WITH APPLICANT

9.1 In accordance with the requirements of the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012 and the 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.

9.2 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.

10.0 CONCLUSION

10.1 Overall subject to conditions the proposal is considered to be acceptable in accordance with policies CLP1, CLP2, CLP6, CLP13, CLP14, CLP16, CLP20 and CLP22 of the Local Plan, subject to relevant conditions.

11.0 RECOMMENDATION

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

11.2 Conditions

1. 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
 - Proposed Floor plans
 - Proposed Elevations
 - Land levels drawing
 - Flood Risk Assessment

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

2. Within 6 months of the date of this permission a scheme (including a programme of implementation and maintenance) to provide a new hedge to the length of the western boundary of the application site as shown on the attached plan, shall have been submitted to the Local Planning Authority for consideration. The scheme which is agreed in writing by the Council shall thereafter be implemented during the 2024/25 planting season and thereafter retained and maintained in accord with agreed programme.

Reason - In the interests of achieving a net measurable gain in biodiversity in accordance with policy CLP16 of the adopted Chesterfield Borough Local Plan and to accord with paragraph 175 of the National Planning Policy Framework.

3. Notwithstanding the provisions of the Town and Country Planning (Uses Classes) Order 1987, and The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting these Orders with or without modifications), the premises shall be used as a workshop, garages and offices only and for no other purpose, including any other activity within the same class of the schedule to that Order.

Reason - In the interests of residential amenity and the potential of the change of the site for other uses that may be CIL liable and/or have an increased impact on the site or wider area, in regards policies CLP11, CLP14 and CLP20.

4. The development shall include a scheme for the provision of surface water run-off on site, either via the use of a SUDs channel or permeable block paving. If this is not possible the applicant is required to contact the Local Planning Authority to discuss alternative options; and then not complete works until an alternative solution has been agreed in writing by the LPA. The scheme shall incorporate sustainable drainage principles and shall be implemented in full. The submitted information shall include full details of the infiltration results and proposed location of the soakaway on site.

Reason - To prevent the increased risk of flooding, in relation to policy CLP13.

5. Within 6 months of this decision the derelict former business buildings on site shall be demolished and all materials removed from the site. A demolition method statement shall have been submitted to and been approved in writing by the Local Planning Authority prior to the demolition works. The approved plan/statement shall be adhered to throughout the demolition and construction periods. The statement shall include how the site shall be re-instatement pre-demolition, work hours, noise suppressions and other issues related to the safe demolition of the building.

Reason – In the interests of visual amenity, residential amenity and environmental health and policies CLP14 and CLP20.

11.3

Informative Notes

1. In accordance with condition 3, appropriate ecological/biodiversity enhancement measures shall include but shall not be limited to:
 - bird/owl/bat boxes
(Locating your nest box: 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 nest boxes 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 nest box close to a bird table 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