

ITEM 1

Proposal: Change of use from Health Centre to Residential Assessment Centre and Children's Home Including Alterations to Roof, Installation of Dormers, Single Storey Rear Extension and Other Alterations

Location: 82 St Philips Drive, Hasland, Chesterfield For Dr Catherine Kemp

Local Plan: Unallocated, within the built-up area.

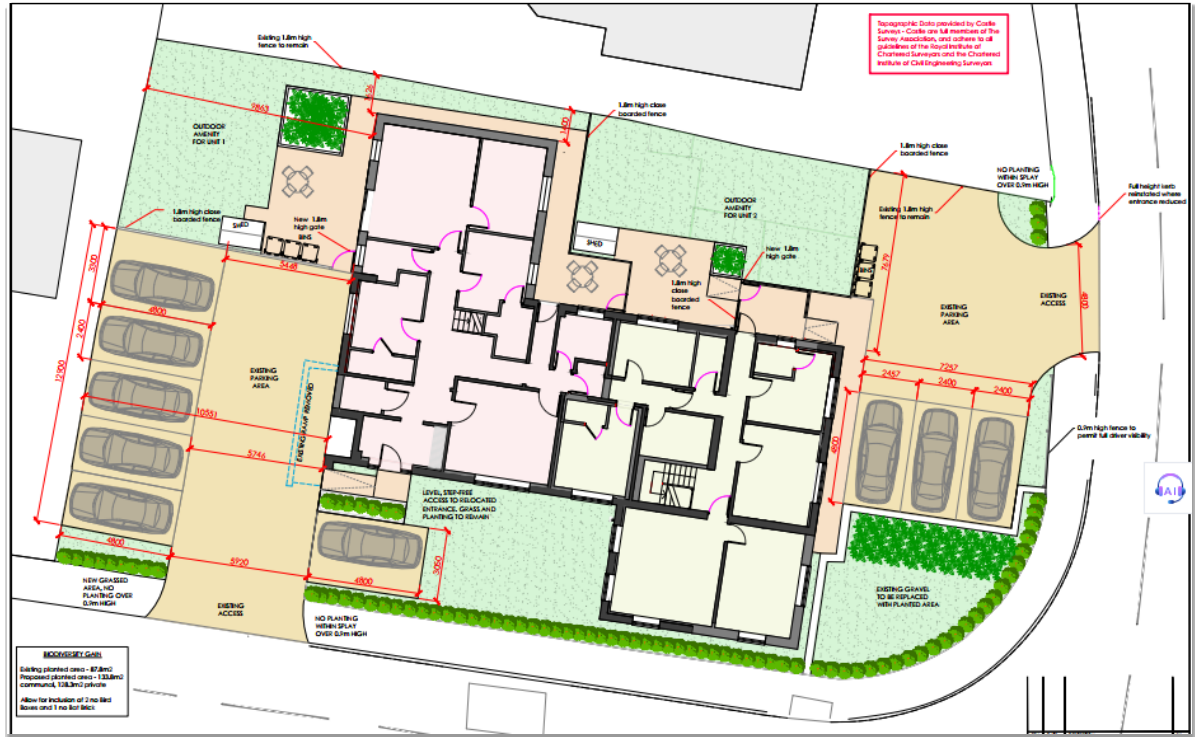
Ward: Hasland

1.0 BACKGROUND

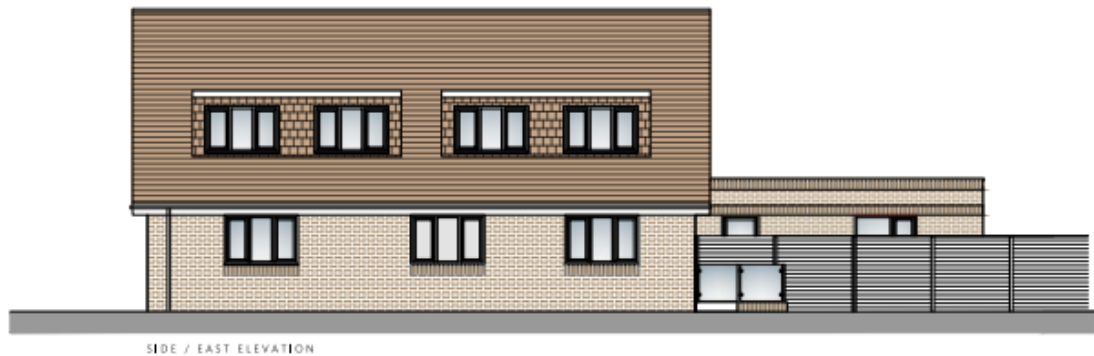
- 1.1 The application was deferred at the Planning Committee held on 3rd February for Members to visit the site and to give local residents more time to consider the addendum report which was published on 29th January 2025. The previous report and the addendum report follow as Appendices C and D respectfully.
- 1.2 The applicant's agent has subsequently responded to the concerns expressed at the 3rd February meeting. The agent's letter and a further letter from the proposed operator follow this report as Appendices A and B.
- 1.3 In response to the comments made at the committee meeting amended plans and further information have been received from the applicant's agent. The changes being the main entrance to Unit 1 moved to the front elevation, a rearrangement of the parking layout so the sixth parking space would be to the right of the entrance in front of the building. This allows for the fence separating the parking area from the garden area to be relocated increasing the size of the amenity area for unit 1 to 111sqm with a larger patio and lawn.
- 1.4 Updated tracking plans and a daylight assessment section plan have also been submitted.

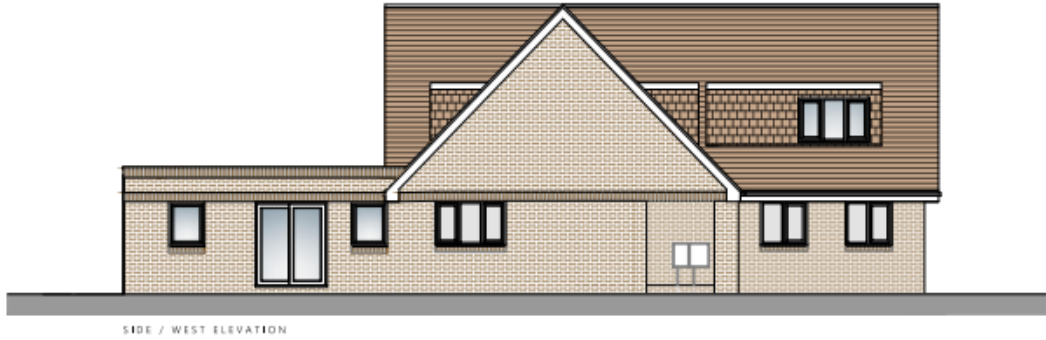
1.5 It is considered that the additional information and amended plans are an improvement to the scheme, which is recommended for approval.

Landscape Plan



Proposed Elevations



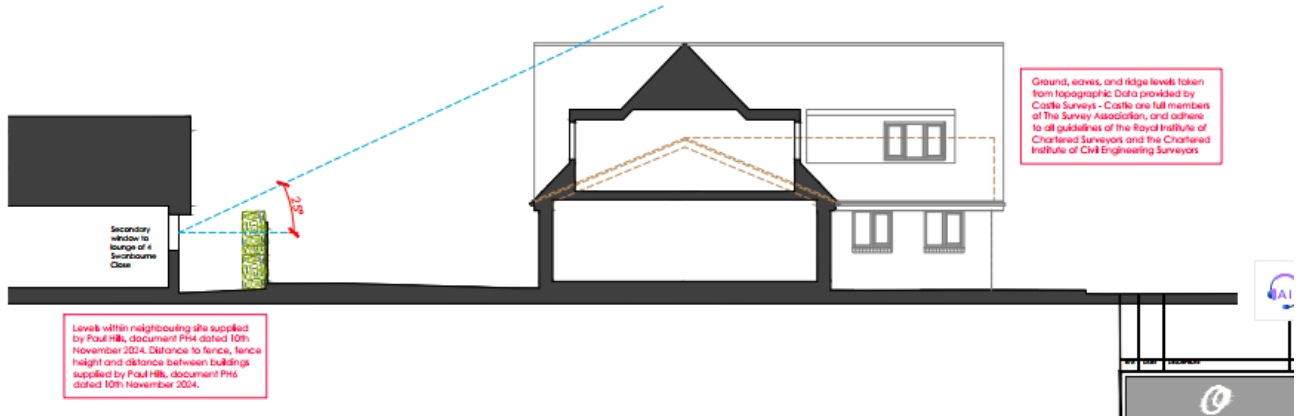


Proposed Ground Floor Plan



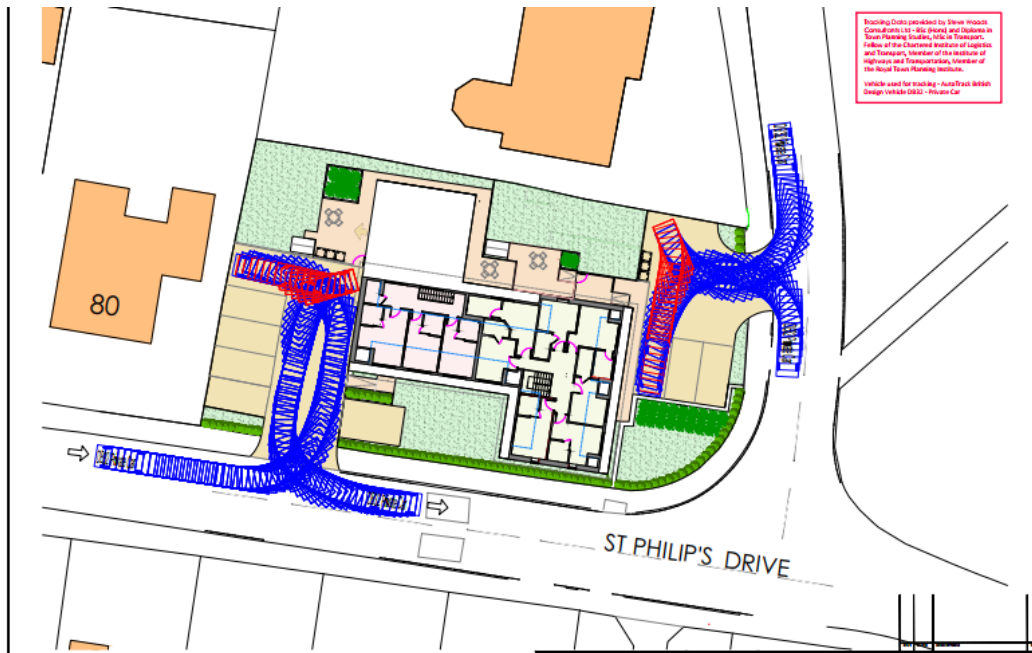
PROPOSED GROUND FLOOR PLAN

Daylight Assessment Section



Tracking Plans





2.0 Representations:

2.1 Since the publication of the addendum report but before the receipt of the additional information from the applicant's agent, a further neighbour comment was received, this can be read in Appendix E. Following the submission of the amended scheme two further representations have been received, these are provided in Appendices F and G. Any further comments received following the drafting of this report will be read out to the committee.

3.0 HUMAN RIGHTS ACT 1998

- 3.1 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
- 3.2 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.

4.0 STATEMENT OF POSITIVE AND PROACTIVE WORKING WITH APPLICANT

- 4.1 In accordance with the requirements of the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015 and the 2024 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.
- 4.2 The Local Planning Authority have during consideration of this application engaged in a positive and proactive dialogue with the applicant in order to achieve a positive outcome for the application.

5.0 CONCLUSION

- 5.1 The Officers' recommendation remains that the proposed development is considered to overcome the previous reason for refusal. The proposal is a sustainable form of development for which planning permission should be granted 'without delay' in accordance with the presumption in favour of sustainable development as set out in paragraph 11 of the NPPF.
- 5.2 The planning balance here is considered to weigh considerably in favour of the social benefits arising from the proposal in line with the social objective of sustainable development established in Paragraph 8 of the NPPF. The recommendation is therefore to grant planning permission subject to conditions as set out below.
- 5.3 It is not considered that there are any matters arising from the development for which a refusal of planning permission could be justified.

11.0 RECOMMENDATION

- 11.1 It is therefore recommended that subject to the receipt of a bat survey, the application be **GRANTED** subject to the following conditions:

11.2 Conditions

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

Reason: The condition is imposed in accordance with section 51 of the Planning and Compulsory Purchase Act 2004

2. The development hereby approved shall only be carried out in full accordance with the approved plans (listed below) with the exception of any approved non-material amendment. All external dimensions and elevational treatments shall be as shown on the approved plans/documents (listed below).

P/001 Site Location Plan

P/002 Existing Floor Plan

P/003 Existing Roof

P/004 REV A Existing Elevations

P/011 REV D Proposed Ground Floor Plan

P/012 REV B Proposed First Floor Plan

P/013 REV A Proposed Roof Plan

P/014 REV B Proposed Elevations Sheet 1

P/015 REV D Proposed Elevations Sheet 2

P/016 REV G Proposed Landscape Plan

P/017 REV F Proposed Constraints Plan

P/018 REV D Proposed Tracking Plan Near Side

P/019 REV D Proposed Tracking Plan End Side

P/020 Vehicle Tracking New front space

P/021 Daylight Assessment Section

P/022 Proposed Landscape Roof Plan

Reason: In order to clarify the extent of the planning permission

3. No construction or demolition works, movement of construction traffic, or deliveries to and from the premises, shall occur other than between 0800 and 1800 hours weekdays, and 0800 and 1300 hours on Saturdays, and at no time on Sundays or Public Holidays.

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

4. At the commencement of operations on site (excluding demolition/ site clearance), space shall be provided within the site curtilage for storage of plant and materials, site accommodation, loading and unloading of goods vehicles, parking and manoeuvring of site operatives and visitors vehicles, laid out and constructed in accordance with detailed designs to be submitted in advance to the Local Planning Authority for written approval and maintained throughout the contract period in accordance with the approved designs free from any impediment to its designated use.

Reason: In the interests of safe operation of the adopted highway in the lead into development during the construction phase of the development and policies CLP20 and CLP22 of the Adopted Local Plan.

5. The development hereby approved shall not be occupied until the access, parking and turning facilities have been provided as shown on drawings P/016 REV G, P/018 REV D, P/019 REV D and P/021.

Reason: To ensure conformity with submitted details in the interest of highway safety and policies CLP20 and CLP22 of the Adopted Local Plan.

6. The development hereby approved shall not be occupied until sheltered, secure and accessible bicycle parking has been provided in accordance with details which shall be first submitted to and approved in writing by the Local Planning Authority. The storage area shall be maintained for this purpose thereafter.

Reason: To promote sustainable and healthy communities in accordance with CLP20 and CLP22 of the Adopted Local Plan.

7. The development hereby approved shall not be occupied until the first floor windows to the north elevation have been fitted with obscure glazing to a minimum of level 4 which shall thereafter be retained.

Reason: In the interests of residential amenity in accordance with policies CLP14 and 20 of the Adopted Local Plan.

8. The development hereby approved shall not be occupied until a scheme of soft landscaping and landscape management plan has been submitted to and approved in writing by the Local Planning Authority. 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; All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. 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.

Reason - To ensure a satisfactory standard of landscaping in the interests of amenity in accordance with CLP20 and CLP16

9. Prior to installation of external lighting, full details including height, design, location and intensity shall be submitted to and approved in writing by the Local Planning Authority. The lighting installation shall then be implemented in accordance with the approved details.

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.

10. The development hereby approved shall not be occupied until a scheme for biodiversity and ecological enhancement measures has been submitted to and agreed in writing by the Local Planning Authority. The biodiversity and ecological enhancement measures shall thereafter be retained and maintained throughout the life of the development.

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 the National Planning Policy Framework.

11. The development hereby permitted shall not be occupied until the optional requirement for water consumption (110 litres use per person per day) in Part G of the Building Regulations has been complied with.

Reason – To protect the water environment in accordance with Policy CLP 13 of the adopted Chesterfield Local Plan and to accord with the National Planning Policy Framework.

12. The development hereby approved shall not be brought into use until details of an operational management plan have been submitted to and approved in writing by the Local Planning Authority. The approved plan shall thereafter be adhered to throughout the operation of the residential assessment centre and children's home.

Reason - To safeguard the amenities of the occupiers of adjoining properties in accordance with Policies CLP 14 and 20 of the Adopted Local Plan.

11.3 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. It is expected that contractors are registered with the Considerate Constructors scheme and comply with the code of conduct in full, but particularly reference is made to “respecting the community” this says: Constructors should give utmost consideration to their impact on neighbours and the public a. Informing, respecting and showing courtesy to those affected by the work; b. Minimising the impact of deliveries, parking and work on the public highway; c. Contributing to and supporting the local community and economy; and d. Working to create a positive and enduring impression, and promoting the Code.

The CMP should clearly identify how the principal contractor will engage with the local community; this should be tailored to local circumstances. Contractors should also confirm how they will manage any local concerns and complaints and provide an agreed Service Level Agreement for responding to said issues. Contractors should ensure that courtesy boards are provided, and information shared with the local community relating to the timing of operations and contact details for the site coordinator in the event of any difficulties. This does not offer any relief to obligations under existing Legislation.

3. The development hereby approved, and any associated highway works required, is likely to impact on the operation of the highway network during its construction (and any demolition required). You are advised to contact the Highway Authorities Network Management Team at:
www.derbyshire.gov.uk/transportroads/roadtraffic/roadworks/roadworks.aspx before undertaking any work, to discuss any temporary traffic management measures required, such as footway, Public Right of Way, carriageway closures or temporary parking restrictions a minimum of eight weeks prior to any activity on site to enable Temporary Traffic Regulation Orders to be prepared and a programme of Temporary Traffic Management measures to be agreed.
4. The Local Highway Authority has no objection to the above subject to the applicant obtaining a section 184 licence. The construction of a new access will require a footway crossing from the carriageway under the Highways Act 1980 - Section 184 and the Applicant is required to obtain the permission of Derbyshire Highways details can be found at www.derbyshire.gov.uk/transport-roads/roads-traffic/licences-enforcements/vehicularaccess/vehicle-accessescrossovers-and-dropped-kerbs.aspx or email highways.hub@derbyshire.gov.uk before commencing any works on the highway.
5. Drainage arrangements shall be provided to ensure that surface water from the driveway and/or vehicular turning area does not discharge onto the public highway. No drainage or effluent from the proposed development shall be allowed to discharge into any highway drain or over any part of the public highway.

The Biodiversity Gain Plan Condition Note:

The permission which has been granted is for development which is exempt being:

Development below the de minimis threshold, meaning development which:

- i) does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and
- ii) impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (as defined in the statutory metric).