

Date: 19 June 2023

Dear Councillor,

Planning Committee

A Meeting of the **Planning Committee** will be held at **Council Chamber**, Civic offices, Civic Way, Swadlincote on **Tuesday, 27 June 2023 at 18:00**. You are requested to attend.

Yours faithfully,



Chief Executive

To:- **Labour Group**

Councillor G Jones (Chair), Councillor D Shepherd (Vice-Chair) and
Councillors J Carroll, M Gee, I Hudson, A Jones, L Mulgrew and K Storey.

Conservative Group

Councillors K Haines, J Lowe and P Watson.

Non-Grouped

Councillor A Wheelton.

AGENDA

Open to Public and Press

- 1 Apologies and to note any substitutes appointed for the meeting.

23 August 2022 3 - 10

20 September 2022 11 - 15
- 2 To receive the Open Minutes of Meetings held on
- 3 To note any declarations of interest arising from any items on the Agenda
- 4 To receive any questions by Members of the Council pursuant to Council procedure Rule No. 11.
- 5 REPORT OF THE STRATEGIC DIRECTOR (SERVICE DELIVERY) 16 - 31

Exclusion of the Public and Press:

- 6 The Chairman may therefore move:-
That in accordance with Section 100 (A)(4) of the Local Government Act 1972 (as amended) the press and public be excluded from the remainder of the Meeting as it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that there would be disclosed exempt information as defined in the paragraph of Part I of the Schedule 12A of the Act indicated in the header to each report on the Agenda.
- 7 To receive any exempt questions by Members of the Council pursuant to Council Procedure Rule No. 11.

PLANNING COMMITTEE

23 August 2022

PRESENT:

Labour Group

Councillor Shepherd (Vice-Chair)
Councillors Dunn, Rhind, Richards, Southerd and Taylor

Conservative Group

Councillors, Bridgen, Brown, Dawson, Haines, Muller and Smith

Non-Grouped

Councillor Wheelton.

In Attendance

Councillor Fitzpatrick

PL/51 **APOLOGIES**

The Committee was informed that apologies had been received from Councillor Tilley, Councillor Gee and Councillor Pearson (Labour Group) and Councillor Redfern (Labour Group)

PL/52 **DECLARATIONS OF INTEREST**

The Committee was informed that a declaration of personal interest had been received from Councillor Muller regarding item PL/62 by virtue of being a County Councillor.

The Committee was informed that declarations of personal interest had been received from Councillor Smith regarding items PL/58, PL/59 and PL/62 by virtue of being a County Councillor.

The Committee was informed that a declaration of personal interest had been received from Councillor Wheelton regarding item PL/60 by virtue of representations made.

PL/53 **QUESTIONS BY MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE NO.11**

The Committee was informed that no questions from Members of the Council had been received.

MATTERS DELEGATED TO COMMITTEE**PL/54 REPORT OF THE STRATEGIC DIRECTOR (SERVICE DELIVERY)**

The Strategic Director (Service Delivery) submitted reports for consideration and determination by the Committee and presented oral reports to the Meeting to update Members, as necessary. Consideration was then given thereto and decisions were reached as indicated.

PL/55 APPROVAL OF DETAILS REQUIRED BY CONDITION 1 ATTACHED TO REF. DMPA/2020/0915 (TWO-STOREY SIDE AND SINGLE STOREY REAR EXTENSION ALONG WITH ATTACHED GARAGE) AT 247 HEARTHCOTE ROAD, SWADLINCOTE, DE11 9DU

The Head of Planning and Strategic Housing presented the report to the Committee noting that Members had previously raised concerns regarding the use of Ash trees and requested that the applicant considered building a boundary wall at the rear of the property.

Members were content with the proposed species of replacement trees suggested by the applicant but raised concern that the boundary wall had not been considered.

RESOLVED:

That planning permission be approved as per the recommendations, subject to conditions, in the report of the Strategic Director (Service Delivery).

PL/56 THE ERECTION OF LEISURE BUILDING WITH ASSOCIATED ACCESS, PARKING AND LANDSCAPING AT KNIGHTS LODGES, KNIGHTS LANE, BRETBY, BURTON ON TRENT, DE15 0RT

The Head of Planning and Strategic Housing addressed the Committee and summarised the revised application which addressed concerns previously raised by Committee Members and reduced the size of the development, improved the visual impact and added additional tree planting.

The Head of Planning and Strategic Housing summarised points raised by the Applicant's Agent who had attended a previous Committee meeting and noted that the Parish Council raised no further objections following a full consultation period.

Members noted the amendments and improved proposals and discussed the possibility of restricting future permitted development rights.

RESOLVED:

That planning permission be approved as per the recommendations in the report of the Strategic Director (Service Delivery) subject to an additional condition that removed permitted development rights for any further external changes.

PL/57 **RETROSPECTIVE APPLICATION FOR THE ERECTION OF 8 HOLIDAY LODGES AT KNIGHTS LODGE, KNIGHTS LANE, BRETBY, BURTON ON TRENT, DE15 0RT**

The Head of Planning and Strategic Housing presented the report to the Committee in relation to a retrospective application, noting that the proposal involved larger lodges with increased landscaping and screening. The Committee was informed that a condition would limit the use to holiday lodges. The Head of Planning and Strategic Housing informed the Committee of comments made following consultation with the Parish Council and noted points previously raised by Councillor Churchill, as a Local Ward Councillor.

The Applicant's Agent attended the meeting and addressed the Committee regarding the application.

Members discussed the size, construction and impact of the lodges on the landscape.

RESOLVED:

That planning permission be refused contrary to the recommendations in the report of the Strategic Director (Service Delivery) as the lodges were considered to be contrary to policy, due to size, construction, materials and impact on the landscape character.

PL/58 **OUTLINE APPLICATION (MATTERS OF ACCESS TO BE CONSIDERED NOW WITH MATTERS OF LAYOUT, SCALE, APPEARANCE AND LANDSCAPING RESERVED FOR LATER CONSIDERATION) FOR A DISTRICT CENTRE COMPRISING A RETAIL FOODSTORE (USE CLASS E), RETAIL/CAFÉ/RESTAURANT/DRIVE-THRU UNITS/NURSERY (USE CLASS E/SUI GENERIS), A TRANSPORT MOBILITY HUB AND PETROL FILLING/ELECTRIC CHARGING STATION (SUI GENERIS). RESIDENTIAL DEVELOPMENT (USE CLASS C3), A CARE HOME (USE CLASS C2), A COMMUNITY FACILITY (USE CLASS F2), AND ASSOCIATED ROAD INFRASTRUCTURE, LANDSCAPING, SERVICES, AND ENGINEERING WORKS. LAND EAST OF CHELLASTON LANE AND SOUTH OF SHARDLOW ROAD, DERBY**

It was reported that Members of the Committee had visited the site earlier in the day.

The Head of Planning and Strategic Housing presented the report to the Committee noting the dialogue that had taken place with the applicant. The Head of Planning and Strategic Housing sought approval to amend the final condition to regarding delegated authority in relation to the finalising the Section 106 Agreement.

The Head of Planning and Strategic Housing outlined the key points of the application, noting that no concerns had been raised by the County Highways Authority and requested that the travel plan be covered by the Section 106 Agreement.

The Applicant's Agent attended the meeting and addressed the Committee regarding the application.

Councillor Brown addressed the Committee on behalf of the Local Ward Member, who raised concerns regarding primary school provision, the healthcare needs of the community and the environmental impact.

The Head of Planning and Strategic Housing informed the Committee that the Environmental Impact Assessment Screening decision had not raised any concerns and explained that education had been discussed with the Education Authority and would be delivered and that financial contributions would be made in relation to healthcare provision

RESOLVED:

That planning permission be approved as per the recommendations in the report of the Strategic Director (Service Delivery) subject to an additional condition giving delegated authority to the Head of Planning and Strategic Housing in consultation with the Chair of the Committee to finalise the wording of the conditions and conclude the Section 106 Agreement.

PL/59 **CREATION OF A 4-ARM ROUNDABOUT AT CHELLASTON LANE, DERBY**

It was reported that Members of the Committee had visited the site earlier in the day.

The Head of Planning and Strategic Housing presented the report to the Committee and summarised the content of the application noting that it was presented to the Committee at the request of Councillor Watson as local concern had been expressed.

The Applicant's Agent attended the meeting and addressed the Committee regarding the application.

RESOLVED:

That planning permission be approved as per the recommendations in the report of the Strategic Director (Service Delivery).

PL/60 **ERECTION OF FOOD STORE (USE CLASS E), WITH CAR PARKING, LANDSCAPING, AND ASSOCIATED WORKS AT LAND NORTH OF DRIFT ROAD, CASTLE GRESLEY, SWADLINCOTE, DE11 9FW**

It was reported that Members of the Committee had visited the site earlier in the day.

The Senior Planning Officer addressed the Committee and sought approval for amendments to condition 2 in relation the approved listed plans and to the re-numbering of conditions within the report due to an administrative error. The Committee was informed that proposed development would be on a brownfield site

that had previous approval for industrial use. The Senior Planning Officer outlined the application and noted the number of parking spaces, layout, proposed store frontage and landscaping.

An Objector and the Applicant's Agent attended the meeting and addressed the Committee regarding the application.

The Senior Planning Officer confirmed that 'Click and Collect' service would not be considered as part of the application and that there would be funding in relation to cycle route connectivity.

Members raised queries regarding the delivery times, the number of car parking spaces.

The Senior Planning Officer informed the Committee that the Delivery Management Plan was covered by condition 14 and that there would be a mechanism in place to consider residents and noted that the car parking facility was considered generous with plenty of space for manoeuvring.

Members raised concerns regarding the landscaping and discussed the benefit of using mature planting.

RESOLVED:

That planning permission be approved as per the recommendations in the report of the Strategic Director (Service Delivery) subject to an amendment to the approved listed of plans within condition 2, the renumbering of conditions due to an administrative error and an amendment to condition 6 to include an alternative planting scheme to enhance the landscaping to Drift Road frontage and to retain existing planting where possible.

PL/61

TEMPORARY USE OF LAND FOR GLAMPING AND OVERNIGHT TOURIST ACCOMMODATION AT MELBOURNE HALL, CHURCH SQUARE, MELBOURNE, DERBY, DE73 8EN

The Head of Planning and Strategic Housing presented the report to the Committee outlining the application and highlighted the planning merits set out within the report. It was noted that there were no highways objections, no environmental concerns and no flood risk

The Applicant's Agent attended the meeting and addressed the Committee regarding the application.

As Local Ward Member, Councillor Fitzpatrick addressed the Committee and raised concerns on behalf of the local residents.

RESOLVED:

That planning permission be approved as per the recommendations in the report of the Strategic Director (Service Delivery).

PL/62 **PROPOSED CHANGE OF USE TO EXISTING LAND AND TURNING HEAD RESULTING FROM THE DEVELOPMENT OF THE KILN WAY LINK ROAD FOR THE CREATION 47NO. CAR PARKING SPACES, INC. 24NO. ELECTRIC VEHICLE CHARGING POINTS, ERECTION OF 10NO. CYCLE SPACES, STAFF SEATING AREA AND LANDSCAPING ON LAND ADJACENT TO FIRST FENCE LTD, KILN WAY / WOODHOUSE STREET, WOODVILLE, SWADLINCOTE, DE11 8EA**

The Head of Planning and Strategic Housing presented the report to the Committee and outlined the application to increase parking facilities that would include electric vehicle charging points and increase in hedges and soft landscaping. It was noted that concern was raised regarding the loss of landscaping and two mature trees.

As Local Ward Member, Councillor Taylor addressed the Committee and raised concerns on behalf of the local residents, noting the importance of the site's position at the gateway into Swadlincote.

Members discussed the impact of visual amenity the proposals on the local area, the loss of open space and how it would be contrary to the Local Plan.

RESOLVED:

That planning permission be refused contrary to the officer's recommendations in the report of the Strategic Director (Service Delivery) due to the undue adverse impact on the visual amenity of the area.

PL/63 **CONVERSION & EXTENSION OF EXISTING GARAGE INTO NEW 2 BEDROOM DWELLING AND ERECTION OF NEW FLAT ROOF GARAGE AT 57 EGGINTON ROAD, HILTON, DERBY, DE65 5FG**

The Head of Planning and Strategic Housing presented the report to the Committee and noted that although the garden size and car parking arrangements would be in conflict with the Neighbourhood Plan the application would reduce pressure on greenfield sites and no objection had been received from the Highways Authority in relation to the car parking arrangements.

As Local Ward Member Councillor Smith addressed the Committee regarding the conflict with the Neighbourhood Plan.

Councillor Muller supported some aspects of the application but raised concern regarding the conflict with the Neighbourhood Plan.

RESOLVED:

That planning permission be deferred to allow for the applicant to consider increased garden size and parking arrangements associated with the property.

PL/64 **LISTED BUILDING CONSENT FOR REINSTATEMENT OF FORMER BLOCKED-UP WINDOW OPENING AT GROUND FLOOR LEVEL TO THE REAR (EAST) ELEVATION AND TO CREATE BATHROOM/EN-SUITE AND WC FACILITIES AT FIRST AND SECOND FLOORS AT WALTON HALL, MAIN STREET, WALTON-ON-TRENT, SWADLINCOTE DE12 8LZ**

The Head of Planning and Strategic Housing presented the report and informed the Committee that advice given by statutory consultee, Historic England regarding the window and the stairs was inconsistent with the recommendation of the South Derbyshire Conservation Officer.

RESOLVED:

That planning permission be deferred to allow Members to visit the site.

PL/65 **DEMOLITION OF A BOUNDARY WALL AND THE ERECTION OF FENCING AND A REPLACEMENT GATE AND THE RETENTION OF AN ELECTRIC VEHICLE CHARGING POINT; AND LISTED BUILDING CONSENT FOR THE DEMOLITION OF A BOUNDARY WALL AND THE ERECTION OF A REPLACEMENT GATE AND THE RETENTION OF AN ELECTRIC VEHICLE CHARGING POINT AT TUDOR LODGE, 33 HIGH STREET, REPTON, DERBY, DE65 6GD**

The Head of Planning and Strategic Housing presented the report to the Committee and sought approval of the recommendations within the report.

RESOLVED:

That planning permission be approved as per the recommendations in the report of the Strategic Director (Service Delivery).

PL/66 **DEMOLITION OF BUILDINGS, AND REDEVELOPMENT OF SITE TO PROVIDE ADDITIONAL CAR PARKING SPACES AND URBAN PARK. ALTERATIONS TO MARKET HALL, INCLUDING REMOVAL OF EXISTING ROOF; ERECTION OF PAINTED METAL CANOPY, BRICKWORK, FENCING AND SOLAR PANELS; INSTALLATION OF LIGHTING; AND ASSOCIATED LANDSCAPING; TO CREATE A MULTI-FUNCTIONAL SPACE FOR 42 CAR PARKING SPACES AND EVENTS SPACE FOR SPECIALIST MARKETS AND CULTURAL EVENTS. BANKS HOUSE/BRETRY VIEW, SABINES YARD AND MARKET HALL, MIDLAND ROAD, SWADLINCOTE, DE11 0AG**

It was reported that Members of the Committee had visited the site earlier in the day.

The Head of Planning and Strategic Housing presented the report to the Committee and outlined the key points within the report. The Head of Planning and Strategic Housing sought approval for the recommendations within the report and with an amendment to condition 13. It noted that South Derbyshire District Council was the landowner and applicant.

Members fully supported the proposals and improvements that would be made to Swadlincote Town Centre.

RESOLVED:

That planning permission be approved as per the recommendations in the report of the Strategic Director (Service Delivery) subject to the removal of condition 13b.

PL/67 **DEED OF VARIATION – CHURCH STREET**

The Head of Planning and Strategic Housing presented the report to the Committee and outlined the Deed of Variation changes in relation to the transfer of the Sustainable Drainage System to the Residents Management Company.

Councillor Southerd raised concern regarding the commuted sum and what control the residents would have regarding oncosts.

The Head of Planning and Strategic Housing informed the Committee that there would be dialogue with Severn Trent to ensure that the Sustainable Drainage System would be managed correctly and if there were any concerns a report could be brought back to the Committee.

RESOLVED:

1.1 The Committee approved an amendment to the Section 106 Agreement (S106) by means of a Deed of Variation (DoV) to accept the transfer of the SUDs pond to the residents' management company.

1.2 The Committee delegated authority to the Head of Planning and Strategic Housing to agree the finer detail and wording of the DoV.

PL/68 **LOCAL GOVERNMENT ACT 1972 (AS AMENDED BY THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985)**

RESOLVED:

That, in accordance with Section 100(A)(4) of the Local Government Act 1972 (as amended), the press and public be excluded from the remainder of the Meeting as it was likely, in view of the nature of the business to be transacted or the nature of the proceedings, that there would be disclosed exempt information as defined in the paragraphs of Part 1 of the Schedule 12A of the Act indicated in brackets after each item.

PL/69 **EXEMPT QUESTIONS BY MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE No 11.**

The Committee was informed that no questions had been received.

The meeting terminated at hours. 21:10 hrs

COUNCILLOR D SHEPHERD

PLANNING COMMITTEE

20 September 2022

PRESENT:

Labour Group

Councillor Tilley (Chair) and Councillor Shepherd (Vice-Chair)
Councillors L. Mulgrew, Pearson, Rhind and Taylor

Conservative Group

Councillors Bridgen, Brown, Dawson, Haines, Muller and Redfern

Non-Grouped

Councillor Wheelton.

PL/70 **APOLOGIES**

The Committee was informed that apologies had been received from Councillor Gee (and Councillor Southerd (Labour Group). Councillor Smith (Conservative Group)

PL/71 **DECLARATIONS OF INTEREST**

The Committee was informed that a declaration of personal interest had been received from Wheelton regarding item PL/75.

PL/72 **QUESTIONS BY MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE NO.11**

The Committee was informed that no questions from Members of the Council had been received.

MATTERS DELEGATED TO COMMITTEE

PL/73 **REPORT OF THE STRATEGIC DIRECTOR (SERVICE DELIVERY)**

The Strategic Director (Service Delivery) submitted reports for consideration and determination by the Committee and presented oral reports to the Meeting to update Members as necessary. Consideration was then given thereto and decisions were reached as indicated.

PL/74 **CONVERSION & EXTENSION OF EXISTING GARAGE INTO NEW 2 BEDROOM DWELLING AND ERECTION OF NEW FLAT ROOF GARAGE AT 57 EGGINTON ROAD, HILTON, DERBY, DE65 5FG**

The Head of Planning and Strategic Housing presented the report to the Committee and noted that when the item was debated in August, Members raised concerns in relation to the proposed amenity space associated with the proposed dwelling.

An Objector attended the meeting and addressed the Committee regarding the application.

The Head of Planning and Strategic Housing addressed the Committee and noted that changes to the application included parking space for 2 vehicles and that there were no concerns raised by the Highways Authority.

Members welcomed the amendments to the application which reflected the Neighbourhood Plan requirements and Members discussed the merits regarding the installation of an Electric Vehicle Charging point.

RESOLVED:

That planning permission be approved as per the recommendations in the report of the Strategic Director (Service Delivery) subject to an additional condition regarding the installation of an electric vehicle charging point.

Councillor Wheelton left the Committee Meeting.

PL/75 **LISTED BUILDING CONSENT FOR REINSTATEMENT OF FORMER BLOCKED-UP WINDOW OPENING AT GROUND FLOOR LEVEL TO THE REAR (EAST) ELEVATION AND TO CREATE BATHROOM/EN-SUITE AND WC FACILITIES AT FIRST AND SECOND FLOORS AT WALTON HALL, MAIN STREET, WALTON-ON-TRENT, SWADLINCOTE DE12 8LZ**

It was reported that Members of the Committee had visited the site earlier in the day.

The Head of Planning and Strategic Housing presented the report to the Committee and outlined the application and noted the conflicting advice of Historic England and the Council's Conservation Officer in relation to the existence of the window and staircase together.

Members discussed the existence of the window and staircase, the removal of stairway panelling and the differing viewpoints of Historic England and the Conservation Officer. Members sought clarity regarding the chronology of changes to the building.

The Head of Planning and Strategic Housing confirmed that the dates for when the window was bricked up and the stairway installed were unknown but noted that the history of the building could still be read if the proposed alterations were undertaken.

RESOLVED:

That planning permission be approved as per the recommendations in the report of the Strategic Director (Service Delivery).

Councillor Wheelton re-joined the Committee Meeting.

PL/76 **TO CHANGE A MOUNDED GRASS AREA INTO A SMALL MINERS MEMORIAL PARK, TO INCLUDE SOME HARD SURFACING, 2 NO. SEATS, 2 NO. PERGOLAS, 2 NO. SCULPTURES, THE PLANTING OF 18 NO. TREES, A WILD FLOWER MEADOW AREA, AND BULB PLANTING WITHIN THE PROPOSED TREES, AND ONE SIGNAGE BOARD AT EUREKA PARK, MIDLAND ROAD, JOHN STREET, SWADLINCOTE**

The Planning Delivery Team Leader presented the report to the Committee and outlined the application for a small miners' memorial park that would create a public open space with tree planting and would promote local history. It was noted the report was before the Committee as South Derbyshire District Council owned land and submitted the application.

Councillor Taylor addressed the Committee in support of the application noting that it would be a positive and appropriate memorial to a former key industry of the Swadlincote and South Derbyshire.

RESOLVED:

That planning permission be approved as per the recommendations in the report of the Strategic Director (Service Delivery).

PL/77 **LISTED BUILDING CONSENT FOR THE CREATION OF A NEW DISABLED ACCESS, SECURITY GATE, AND ERECTION OF AN EXTERNAL WALL TO CREATE A NEW OUTDOOR AMENABLE SPACE (AMENDMENT TO EXISTING CONSENT REFERENCE DMPA/2021/1617) AT MELBOURNE ASSEMBLY ROOMS, LEISURE CENTRE, HIGH STREET, MELBOURNE, DERBY DE73 8GF**

It was reported that Members of the Committee had visited the site earlier in the day.

The Head of Planning and Strategic Housing presented the report to the Committee and summarised the application regarding alternation to erect a new boundary wall to create enclosed outdoor space for various functions and gate added to the existing boundary wall which would not change anything of substance. It was noted that the application was presented to the Committee as the site was owned by South Derbyshire District Council.

RESOLVED:

That planning permission be approved as per the recommendations in the report of the Strategic Director (Service Delivery).

PL/78 **NON MATERIAL AMENDMENT TO PLANNING PERMISSION REF. DMPA/2021/1597 TO AMEND LINE OF PROPOSED NEW EXTERNAL WALL AT MELBOURNE ASSEMBLY ROOMS, LEISURE CENTRE, HIGH STREET, MELBOURNE, DERBY DE73 8GF**

It was reported that Members of the Committee had visited the site earlier in the day.

The Head of Planning and Strategic Housing summarised the application to change the line of an existing wall to circumvent a gas pipe and main drain and noted that the report was presented to the Committee as the site was owned by South Derbyshire District Council.

RESOLVED:

That planning permission be approved as per the recommendations in the report of the Strategic Director (Service Delivery).

PL/79 **THE PRUNING OF A IVY AND EIFFEL TOWER BRACKET (PSEUDOINONOTUS DRYADEUS) TREES COVERED BY SOUTH DERBYSHIRE DISTRICT COUNCIL TREE PRESERVATION ORDER NO. 360 ON MAIN STREET, NETHERSEAL, SWADLINCOTE, DE12 8BZ**

The Planning Delivery Team Leader presented the report to the Committee and summarised the application regarding works to two protected Oak trees within a conservation area

RESOLVED:

That planning permission be approved as per the recommendations in the report of the Strategic Director (Service Delivery).

PL/80 **PLANNING AND OTHER APPEALS**

The Committee noted the planning appeal decisions in relation to the following applications:

Reference	Place	Ward	Outcome	Decision Level
<u>DMPA/2021/1389</u>	Newhall	Newhall and Stanton	Dismissed	Delegated
<u>DMPA/2019/1176</u>	Castle Gresley	Linton	Allowed	Committee

PL/81 **DEED OF VARIATION – LAND AT HILTON BUSINESS PARK, HILTON**

The Planning Delivery Team Leader addressed the Committee and summarised the report regarding a Deed of Variation in relation the affordable housing.

RESOLVED:

1.1 The Committee approved the request to amend the Section 106 Agreement (S106) to include amendments to be made to the definition of Affordable Housing and the inclusion of First Homes

which was within the fourth schedule of the Section 106 Agreement – Affordable Housing. This was based upon recommendations that had been received from the Strategic Housing and Development Manager.

1.2 The Committee delegated authority to the Head of Planning and Strategic Housing to agree the finer detail and wording of the obligations to be secured under the Deed of Variation.

PL/82 **LOCAL GOVERNMENT ACT 1972 (AS AMENDED BY THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985)**

RESOLVED:

That, in accordance with Section 100(A)(4) of the Local Government Act 1972 (as amended), the press and public be excluded from the remainder of the Meeting as it was likely, in view of the nature of the business to be transacted or the nature of the proceedings, that there would be disclosed exempt information as defined in the paragraphs of Part 1 of the Schedule 12A of the Act indicated in brackets after each item.

PL/83 **EXEMPT QUESTIONS BY MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE No 11.**

The Committee was informed that no questions had been received.

The meeting terminated at hours. 19:00 hrs

COUNCILLOR N TILLEY

CHAIR

Report of the Strategic Director (Service Delivery)

Section 1: Planning Applications

In accordance with the provisions of Section 100D of the Local Government Act 1972, background papers are the contents of the files whose registration numbers are quoted at the head of each report, but this does not include material which is confidential or exempt (as defined in Sections 100A and D of that Act, respectively).

1. Planning Applications

This section also includes reports on applications for: approvals of reserved matters, listed building consent, work to trees in tree preservation orders and conservation areas, conservation area consent, hedgerows work, advertisement consent, notices for permitted development under the General Permitted Development Order 2015 (as amended) responses to County Matters and strategic submissions to the Secretary of State.

Reference	Item	Place	Ward	Page
DMPA/2022/1182	1.1	Hilton	Hilton	19
DMPA/2022/1293	1.2	Shardlow	Aston	24

When moving that a site visit be held, Members will be expected to consider and propose one or more of the following reasons:

1. The issues of fact raised by the report of the Strategic Director (Service Delivery) or offered in explanation at the Committee meeting require further clarification by a demonstration of condition of site.
2. Further issues of principle, other than those specified in the report of the Strategic Director (Service Delivery), arise from a Member's personal knowledge of circumstances on the ground that lead to the need for clarification that may be achieved by a site visit.
3. Implications that may be demonstrated on site arise for consistency of decision making in other similar cases.

Glossary of terms

The following reports will often abbreviate commonly used terms. For ease of reference, the most common are listed below:

LP1	Local Plan Part 1
LP2	Local Plan Part 2
NP	Neighbourhood Plan
SPD	Supplementary Planning Document
SPG	Supplementary Planning Guidance
PPG	Planning Practice Guidance
NPPF	National Planning Policy Framework
NDG	National Design Guide
SHMA	Strategic Housing Market Assessment
SHELAA	Strategic Housing and Employment Land Availability Assessment
s106	Section 106 (Agreement)
CIL	Community Infrastructure Levy
EIA	Environmental Impact Assessment
AA	Appropriate Assessment (under the Habitat Regulations)
CPO	Compulsory Purchase Order
CACS	Conservation Area Character Statement
HER	Historic Environment Record
LCA	Landscape Character Area
LCT	Landscape Character Type
LNR	Local Nature Reserve
LWS	Local Wildlife Site (pLWS = Potential LWS)
SAC	Special Area of Conservation
SSSI	Site of Special Scientific Interest
TPO	Tree Preservation Order
PRoW	Public Right of Way
POS	Public Open Space
LAP	Local Area for Play
LEAP	Local Equipped Area for Play
NEAP	Neighbourhood Equipped Area for Play
SuDS	Sustainable Drainage System
LRN	Local Road Network (County Council controlled roads)
SRN	Strategic Road Network (Trunk roads and motorways)
DAS	Design and Access Statement
ES	Environmental Statement (under the EIA Regulations)
FRA	Flood Risk Assessment
GCN	Great Crested Newt(s)
LVIA	Landscape and Visual Impact Assessment
TA	Transport Assessment
CCG	(NHS) Clinical Commissioning Group
CHA	County Highway Authority
DCC	Derbyshire County Council
DWT	Derbyshire Wildlife Trust
EA	Environment Agency
EHO	Environmental Health Officer
LEP	(D2N2) Local Enterprise Partnership
LLFA	Lead Local Flood Authority
NFC	National Forest Company
STW	Severn Trent Water Ltd

Item No. 1.1

Ref. No. [DMPA/2022/1182](#)

Valid date: 19/08/2022

Applicant: Richard Forrester

Proposal: **Stockmans rest cabin at Land Adjacent to Stock Building, off Hoon Lane, Hilton, Derby**

Ward: Hilton

Reason for committee determination

This report was deferred at the meeting on 6 June 2023 to allow Members to undertake a site visit. All parts of the report remain unaltered.

This item is presented to the Committee at the request of Councillor Smith as unusual site circumstances should be considered by the committee.

Site Description

The site is accessed from a private access track from Hoon Lane to the east and Derby Road runs to the south with intervening fields. The site is part of a larger parcel of land used as grazing, rearing and breeding cattle. The area where the building is to be located is currently used for parking in association with the use of the wider site.

The proposal

The applications seeks planning permission for the siting of a single storey building within an existing agricultural unit to be used as an ancillary rest and storage facility for the agricultural activities on site. The building would measure 12.8 metres by 3.6 metres with a shallow pitched roof. It would provide shower, food prep and seating areas as well as storage rooms for medical, PPE supplies and smaller tools.

Applicant's supporting information

The application has been supported by an application form, block plan, floor and elevation plans and a Design and Access Statement.

Relevant planning history

DMPA/2021/0160 - The erection of an extension to the existing barn – Granted 15/11/22

Responses to consultations and publicity

Environmental Health raise no objections.

County Highways raise no objections, subject to conditions.

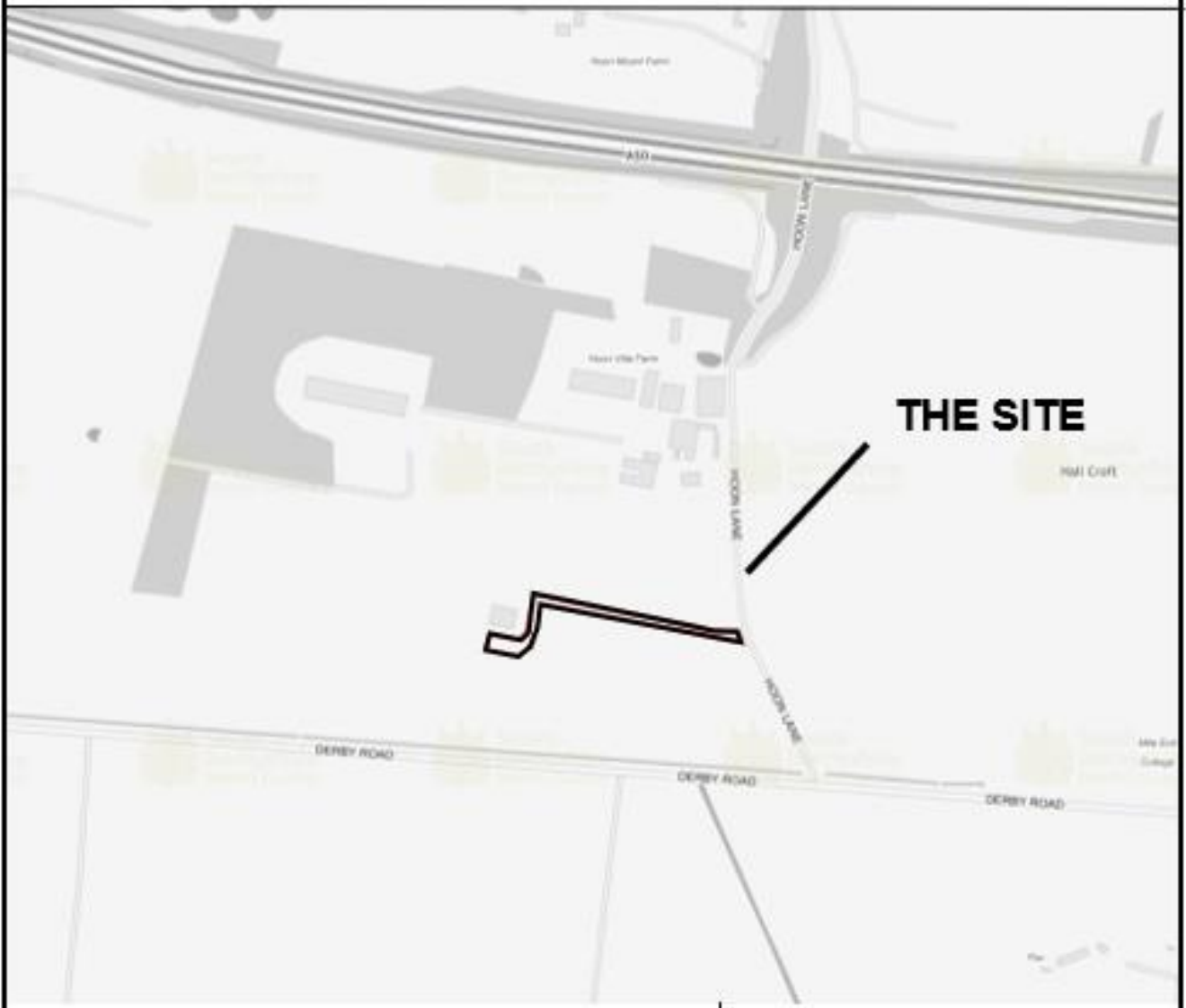
There were no representations received from neighbours as a result of publicity undertaken.

Relevant policy, guidance and/or legislation

The relevant Development Plan policies are:

2016 Local Plan Part 1 (LP1): S2 (Presumption in Favour of Sustainable Development), SD2

DMPA/2022/1182 - Land Adjacent to Stock Building, off Hoon Lane, Hilton, Derby



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South Derbyshire District Council, LA 100019461, 2020

(Flood Risk), BNE1 (Design Excellence), BNE4 (Landscape Character and Local Distinctiveness), INF2 (Sustainable Transport).Local Plan Part 2 (LP2): SDT1 (Settlement Boundaries and Development), H28 (Residential Conversion).

2017 Local Plan Part 2 (LP2): SDT1 (Settlement Boundaries and Development), BNE5 (Development in Rural Areas), BNE6 (Agricultural Development).Hilton, Marston on Dove & Hoon Neighbourhood Development Plan 2020 – 2035 (2021): E2 (Safeguarding Village Identity); Policy F1 Flood Mitigation

The local guidance is provided within the following:
South Derbyshire Design Guide Supplementary Planning Document.

The relevant national policy and guidance is:
National Planning Policy Framework (NPPF).
Planning Practice Guidance (PPG).

Planning considerations

In taking account of the application documents submitted (and supplemented and/or amended where relevant) and the site and its environs; the main issues central to the determination of this application is/are:

- Principle of Development;
- Environmental Impact;
- Flooding;
- Access; and
- Design.

Planning assessment

Principle of Development

The proposal seeks the erection of a 12.8m by 3.6m single storey welfare unit, providing shelter, washing facilities and secure storage to be used ancillary to the existing use of the site for housing cattle and associated storage. The unit is solely for daytime use, with no sleeping accommodation or overnight functionality proposed. The principle of agricultural use and buildings to support such uses is already established on the site. Given the proposal is solely an intensification of and ancillary to the existing use, albeit with the introduction of an additional small scale building, the principle of development is considered to be acceptable in relation to policies STD1, BNE5 and BNE6.

Environmental Impact

The use of the site to provide ancillary stockman's facilities to the established use of housing cattle and associated storage has raised no objections from Environmental Health. Although the building is located approximately 210m from residential development, the nature of the activities undertaken on-site are considered suitable given the rural context of the site's surroundings and would not give rise to unacceptable environmental impacts, in compliance with policy SD1.

Flooding

The site is located in Flood Zone 2/3. As a less vulnerable use as classified by the NPPG, the mitigation measures as set out within the supporting Design and Access Statement are considered to be proportionate to the nature of development proposed and adequate for the purposes of compliance with policy SD2.

Access

The building is to be located in the north-western corner of the field, in immediate proximity to where the existing agricultural building is sited. There is an established track, leading from Hoon Lane, which itself is an unclassified road serving a small number of agricultural and residential developments. The proposal would not surmount to a significant or harmful increase in vehicle movements resulting from the development's intensification. This view is supported by County Highways, who raise no objections to the scheme. The proposal is therefore in accordance with policy INF2.

Design

The proposal is of such a scale that it sits subserviently to the existing agricultural building and clearly reads as ancillary. The design is distinctly functional in appearance, in a similar materiality to that of the existing agricultural building. The site is screened on two sides by mature trees and hedgerow and is partly obscured by further hedgerow adjacent to Hoon Lane and Derby Road. It is likely that the proposal will be visible from Hoon Lane, however the minor scale and size of the building minimises visual impact and within the context of the existing agricultural building, the proposal does not represent a significant increase in development. Accordingly, it is considered that the proposal sites appropriately within the landscape and established rural character in accordance with policies BNE1, BNE4, BNE5, BNE6 and policy E2 of the Neighbourhood Plan.

The proposal supports the sustainable growth of a rural business, is appropriately sited and of a scale that creates minimal impact on the character of the surrounding landscape. Taking these main issues into account, the proposal would not result in a conflict with the policy requirements of the Local Plan and is considered to be acceptable. The relevant constraints have been considered in the planning balance and no material harms have been identified that would warrant refusal of the application.

None of the other matters raised through the publicity and consultation process amount to material considerations outweighing the assessment of the main issues set out above, noting that conditions or obligations have been attached where meeting the tests for their imposition. Where relevant, regard has been had to the public sector equality duty, as required by section 149 of the Equality Act 2010 and to local finance considerations (as far as it is material), as required by section 70(2) of the Town and Country Planning Act 1990 (as amended), as well as climate change, human rights and other international legislation.

Recommendation

APPROVE subject to the following conditions:

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

Reason: To conform with Section 91(1) of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2. The development hereby permitted shall be carried out in accordance with the submitted plans and drawings made valid on 19th August 2022 unless as otherwise required by condition attached to this permission or following approval of an application made pursuant to Section 96A of the Town and Country Planning Act 1990.

Reason: For the avoidance of doubt and in the interests of sustainable development.

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015, as amended, or any order revoking and re-enacting that Order with or without modification, the building shall be used for agricultural purposes in connection with the farming of the agricultural land within the agricultural unit only and shall not be used for overnight accommodation.

Reason: The use of the building as part of another agricultural enterprise or for other uses could lead to the intensification in the use of a substandard access, contrary to the best interests of highway safety.

Item No. 1.2

Ref. No. DMPA/2022/1293

Valid date: 20/09/2022

Applicant: Mark Rodgers

Agent: TUK Architecture

Proposal: **Change of use and Conversion of the existing Building into a Holiday Let at 11 Wilne Lane, Shardlow, Derby, DE72 2HA**

Ward: Aston

Reason for committee determination

This report was deferred at the meeting on 6 June 2023 to allow Members to undertake a site visit. All parts of the report remain unaltered.

This item is presented to the Committee at the request of Councillor Peter Watson based on local objection.

Site Description

The application site is located off Wilne Lane behind properties 19-27 Wilne Lane and relates to a single storey old Coach house currently used as garages with associated hardstanding. The site lies within the Shardlow Conservation Area and to the north of the site lies the Trent and Mersey Canal and the towpath. A number of listed buildings lies within the vicinity.

The wider area is made of residential properties with a holiday home park located to the southeast of the site along with some agricultural land.

The proposal

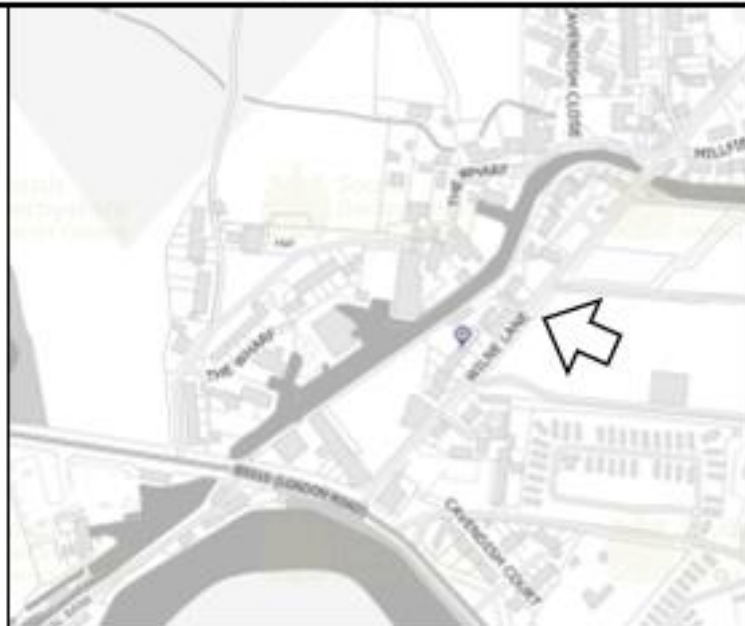
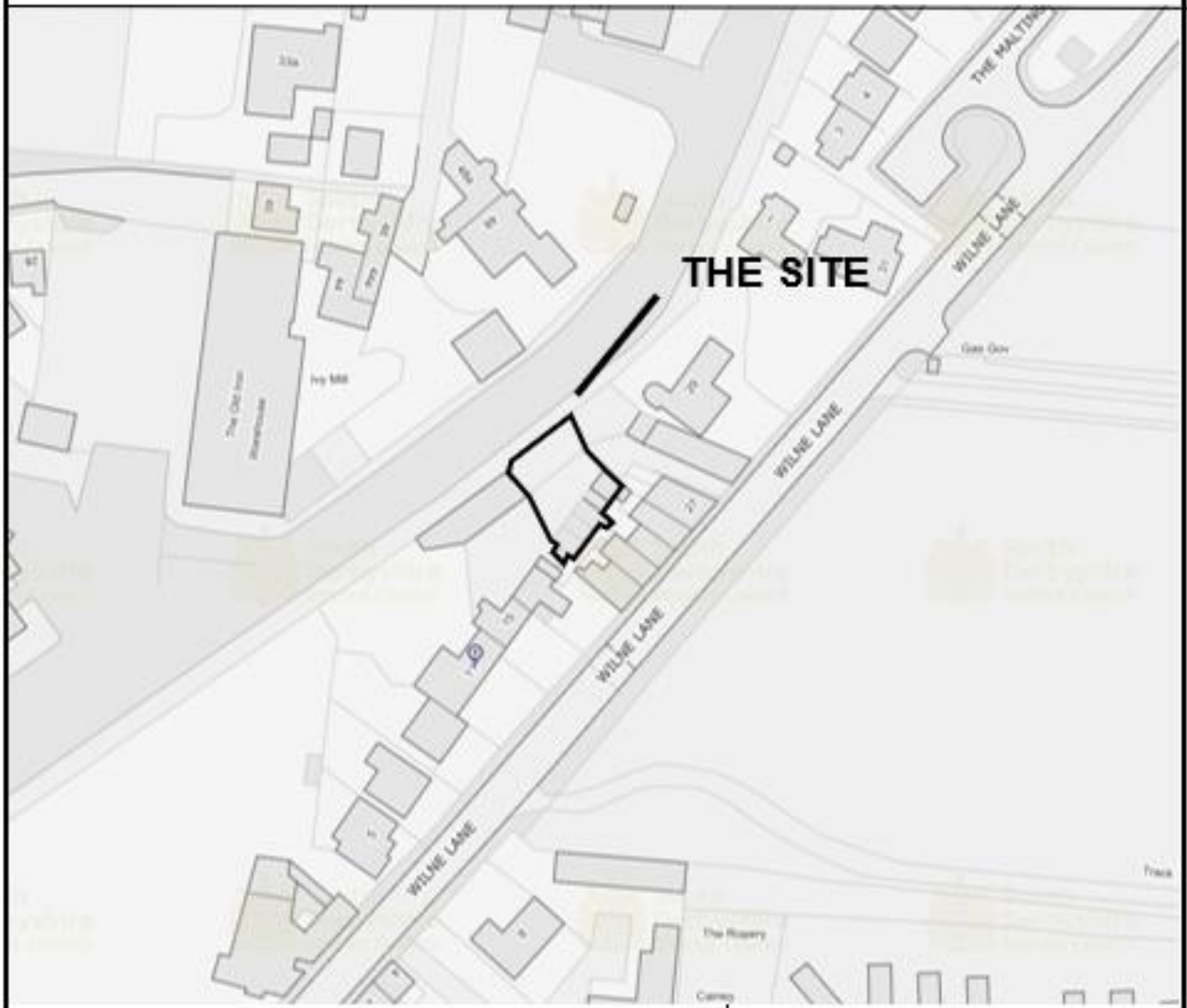
The application seeks permission to convert an existing outbuilding into a holiday let at the front of the property.

Applicant's supporting information

The documents submitted with the application include

- Location Plan, Block Plan and Proposed Plans & Elevations Dr No. 2111-BC01-P01 B received 18th April 2023
- Cover Letter – Update received 18th April 2023
- Flood Risk Assessment received 20th September 2022
- Inspection Report – ASP Consulting received 20th September 2022
- Bat Survey received 20th September 2022

DMPA/2022/1293 - 11 Wilne Lane, Shardlow, Derby, DE72 2HA



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Relevant planning history

DMPA/2020/0426 - Refurbishment of the existing sash windows (x 4) to the front elevation of house and replacement of the existing leaded lights with clear double-glazed glass and the replacement of the existing casement windows – Approved.

Responses to consultations and publicity

Highways

No objections to amended parking layout subject to condition.

Lead Local Flood Authority (LLFA)

No objection.

Conservation Officer

No objection.

Derbyshire Wildlife Trust

No objection provided appropriate mitigation measures to avoid harm to potential nesting birds is conditioned.

Environmental Health

No objection.

Parish Council.

Object on the following grounds:

- a) Parking - Wilne Lane is already overpopulated with vehicles, especially in the evenings/weekends and a number of complaints have been received over a period of time regarding the passage of agricultural vehicles which is impeded significantly at times due to the volume of parked vehicles. The application details the removal of some current parking spaces to the rear of the property and indicates there will only be two parking spaces instead of the current five. It is questioned, where the additional cars will park following the removal of parking spaces to the rear of the property.
- b) Access - there is a shared access to the rear of the properties and the access is owned by one resident who is not the applicant. This access is a right of way to all residents from number 19-27 Wilne Lane and is available for vehicle access for loading and unloading - it is not intended to be used as parking spaces and doing so will restrict access for other residents.
- c) Privacy - the plans indicate the construction will include a window which is less than 8ft from a neighbouring property rear entrance causing significant lack of privacy for the existing residents.
- d) Sewerage/Drainage - the current sewers are Victorian and have been lined rather than replaced in previous years. The current system already has significant issues with a connection to five existing properties and will unlikely be robust enough to add further connections. Severn Trent are regular visitors to these properties as blockages are extremely frequent and will only increase with additional connections.
- e) Appearance - the application states that this construction cannot be seen from a public footpath. This is incorrect in its entirety as the construction butts up to a public towpath to the rear of the property.

- f) Conservation Area - this proposed construction is within the conservation area, and it is not felt that this is in keeping.

Public Comments

7 objections have been received which have been summarised below;

- a) Exacerbate parking issues in the area. Already a lack of parking.
- b) Lack of sufficient drainage
- c) Lack of maintenance not a reason for change of use. Historical buildings formally the stables – Airbnb not in keeping.
- d) Too many short-term rentals in the village resulting in rowdy behaviour
- e) Need for more permanent accommodation rather than rentals.
- f) Impact on bats which are present in the building.
- g) Impact on privacy
- h) Damage to nearby land.
- i) Condition to restrict working hours and vehicle access should be attached.

13 letters of support were received which have been summarised below;

- a) Bring old buildings back into use – derelict and would enhance the appearance of the area.
- b) Bring business and people to the village.
- c) Changes sympathetic to historic area and canal close by.

Relevant policy, guidance and/or legislation

The relevant Development Plan policies are:

2016 Local Plan Part 1 (LP1): S1 (Sustainable Growth Strategy), S2 (Presumption in Favour of Sustainable Development), S6 (Sustainable Access), SD1 (Amenity and Environmental Quality), SD3 (Sustainable Water Supply, Drainage and Sewerage Infrastructure), BNE1 (Design Excellence), BNE2 (Heritage Assets), BNE3 (Biodiversity), BNE4 (Landscape Character and Local Distinctiveness), INF2 (Sustainable Transport), and INF10 (Tourism Development).

2017 Local Plan Part 2 (LP2): SDT1 (Settlement Boundaries and Development), BNE5 (Development in the Countryside), BNE10 (Heritage Assets),

The relevant local guidance is:

South Derbyshire Design Guide Supplementary Planning Document (SPD)

The relevant national policy and guidance is:

National Planning Policy Framework (NPPF)
Planning Practice Guidance (PPG)

Planning considerations

In taking account of the application documents submitted (and supplemented and/or amended where relevant) and the site and its environs; the main issues central to the determination of this application are:

Planning assessment

Principle of the Development

Policy S1 (Sustainable Growth Strategy) of the Local Plan seeks to support and encourage tourism that makes an important contribution to the local economy within the District.

Policy INF10 Tourism Development (Part A) of the Local Plan Part 1 states that tourism development, including overnight accommodation, will be permitted:

- i) Within or adjoining the urban area or the Key Service Villages or;
- ii) In other appropriate location where, identified needs are not met by existing facilities.

Policy INF10 Tourism Development (Part C) of the Local Plan Part 1 states that in all cases the District Council will expect new tourism development to be

- i) Provided through the conversion or re-use of existing buildings or;
- ii) Accommodation of a reversible and temporary nature, or
- iii) Sustainable and well-designed new buildings where identified needs are not met by existing facilities, subject to all the other relevant policies in the Local Plan.

The proposed change of use to the holiday let would be provided through the conversion and re-use of an existing building. The conversion is considered to be an appropriate use for the building that prevents further degradation of the building and restores its integrity through a viable use.

Design and impact on the Conservation Area.

Policy BNE1 states that new development should be well designed, visually attractive, appropriate, respect important landscape, townscape and historic views and vistas, contribute to achieving continuity and enclosure within the street scene and possess a high standard of architectural and landscaping quality.

The site also lies within the designated Conservation Area. Policy BNE2 of LP1 states that development is expected to protect, conserve and enhance heritage assets and their settings. Policy BNE10 of LP2 states that development affecting heritage assets should be determined in accordance with the NPPF.

The outbuilding is in bad state of repair and remedial work is required in order for it to be fit for occupation. Apart from repairs and the small enlargement of the building next to the archway it would remain the same size and style and would be sympathetic to the surrounding buildings and wider Conservation area. The Conservation Officer has reviewed the proposal and raises no objection from a design point of view which would have a negligible impact on the Conservation Area.

It is considered that the proposal accords with the aims of policies BNE1 and BNE2 of LP1 in terms of scale and design and would not impact negatively on the special character of the wider Conservation Area.

The impact on the amenity of neighbouring occupiers

Policy SD1 supports development that does not lead to adverse impacts on the environment or amenity of existing and future occupiers. Policy BNE1 requires development to not cause demonstrable harm to neighbouring amenity.

The existing building would be converted and would not extend in height at all resulting in no overbearing impact to the neighbouring properties directly behind the building. Some concerns have been raised on privacy issues from the rear window and the rooflight window added to the rear elevation/roof slope. The rear window would replace a door opening and would serve the kitchen area. The rooflight window would again serve the kitchen and would allow some light into the area. Given the small size of the kitchen window and its ground floor location, it is not considered to result in such a loss of privacy to No. 21 to justify a refusal in this instance.

Furthermore, the nature of the Airbnb would arguably mean limited time spent in the kitchen area when guests are there. The rooflight would be located at such a position in the roof that overlooking from this window would be minimal and not so intrusive to justify a refusal in this instance.

In terms of potential noise to arise from the conversion it is unlikely one single building would result in such significant on-going noise that would warrant a refusal of the application. The owner of the holiday let will manage and deal with any noise issues to arise and make guests aware it is a residential area.

Highways

Policy INF2 sets the policy framework for sustainable transport and states that planning permission will be granted for development where appropriate provision is made for safe and convenient access to and within the development for users of the private car and other modes of transport. The Design Guide SPD states that the Council '*strongly encourages developers to provide at least two spaces for dwelling*'.

There is no specific standard for tourism parking in the local planning policies and originally 2 car parking spaces were proposed. The Highway Authority raised concerns with this over the potential intensification of vehicle trips to the site. Following discussions with the Highway Authority, the agent amended the layout to provide 1 parking space for the development which is considered sufficient for the holiday let conversion and would also not intensify the use of the existing access to the site. The Highway Authority have raised no objections and on this basis, it is considered that the proposal would comply with policy INF2.

Ecology

The application is supported with a Bat Survey undertaken by in June 2022. The report concluded that the buildings have negligible roost opportunities for bats with no further surveys recommended. It also found 2 active robin nests so has advised site clearance is undertaken outside of the bird breeding season. It has recommended mitigation in the form of bird and bat boxes.

Derbyshire Wildlife Trust have reviewed the proposal and recommend a further nocturnal survey is carried out to identify any presence of occasionally used day roosts. They also recommended conditions relating to the protection of breeding birds, the submission of a Biodiversity Enhancement Plan and a Lighting Scheme to safeguard bats and nocturnal wildlife.

In this instance it is considered reasonable to condition the Nocturnal Survey as a pre - commencement condition and to attach the other suggested conditions. With these in place, the proposed development does not raise any issues regarding wildlife and protected species and overall would comply with BNE4 of the LP1.

Other Matters

Addressing the comments relating to too many Airbnb's in the area, there is no policy restricting the number of holiday lets within an area and as this is a conversion and not a new building and is bringing back into use a derelict building, it is deemed acceptable under local policy and guidance. There are no drainage objections from the LLFA, and property ownership is not a material planning consideration. Acceptable access arrangements are available to the property and the parking arrangements can be conditioned.

Conclusion

The principle of development would be in accordance with the Development Plan and material considerations indicate that the proposal would be acceptable. Accordingly, the application is recommended for approval.

None of the other matters raised through the publicity and consultation process amount to material considerations outweighing the assessment of the main issues set out above, noting that conditions or obligations have been attached where meeting the tests for their imposition. Where relevant, regard has been had to the public sector equality duty, as required by section 149 of the Equality Act 2010 and to local finance considerations (as far as it is material), as required by section 70(2) of the Town and Country Planning Act 1990 (as amended), as well as climate change, human rights and other international legislation.

Recommendation

APPROVE subject to the following conditions

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

Reason: To conform with Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2. The development hereby permitted shall be carried out in accordance with the application form, Location Plan, Block Plan and Proposed Plans & Elevations Dr No. 2111-BC01-P01 B received 18th April 2023, Cover Letter – Update received 18th April 2023, Flood Risk Assessment received 20th September 2022, Inspection Report – ASP Consulting received 20th September 2022, Bat Survey received 20th September 2022 unless as otherwise required by condition attached to this permission or following approval of an application made pursuant to Section 96A of the Town and Country Planning Act 1990.

Reason: For the avoidance of doubt and in the interests of achieving sustainable development.

3. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (as amended) and the Town and Country Planning (General Permitted Development) Order 2015, or any Order(s) revoking and re-enacting either or both Order(s), with or without modification, the building(s) hereby permitted shall be used for the purpose of holiday accommodation only and for no other purpose, including any other purpose within Class C3 of the Order, without the prior grant of planning permission by the Local Planning Authority pursuant to an application made in that regard, and:
 - (i) the building(s) shall not be occupied as a person's sole, or main place of residence;
 - (ii) the accommodation shall not be occupied by a person or group of persons for a continuous period of more than 28 days, and it shall not be re-occupied by the same person(s) within 3 months following the end of that period; and
 - (iii) the site operator shall maintain an up-to-date register of the names of all occupiers of the building(s), and of their main home addresses, and shall make that information available at all reasonable times to the Local Planning Authority.

Reason: The development hereby approved is expressed to be overnight accommodation, and as such, is permitted by virtue of its accordance with INF10 Tourism Development which supports the provision of overnight accommodation where identified needs are not met by existing facilities. The permitted development is,

therefore, considered to be contributing to an identified need, and should be retained as such.

4. The parking provision, 1 car parking space, shown on the approved plans shall be constructed and the space be available for use prior to the first use of the proposed holiday let, and thereafter the approved facilities together with the means of access thereto shall be maintained as approved, and be reserved for the benefit of the development hereby permitted. No additional car parking spaces should be provided unless details have first been submitted to and approved in writing by the Local Planning Authority

Reason: To ensure that the proposed development does not prejudice the free flow of traffic or the conditions of general safety along the neighbouring highway and to ensure that the facilities provided are reserved for the benefit of the development for which they are specifically required.

5. No work should be undertaken on either of the buildings between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check for active birds' nests immediately before the work is commenced. If any active nests are discovered, then these should be left undisturbed until the birds have fledged with an appropriate buffer surrounding the nest.

Reason: In order to safeguard protected and/or priority species from undue disturbance and impacts, noting that initial preparatory works could have unacceptable impacts.

6. Prior to building works, a Biodiversity Enhancement Plan should be submitted to, and approved in writing by, the Local Planning Authority. Approved measures could include those listed below and shall be implemented in full and maintained thereafter. The Plan shall clearly show positions, specifications and numbers of features, which will include (but are not limited to) the following:

- bird nest boxes.
- integrated bat boxes.

Photographs of these features in situ shall be submitted to the LPA to discharge this condition and the features shall be maintained in perpetuity.

7. Prior to the installation of lighting fixtures, a detailed lighting strategy shall be submitted to and approved in writing by the LPA to safeguard bats and other nocturnal wildlife. This should provide details of the chosen luminaires, their locations, and any mitigating features such as dimmers, PIR sensors and timers. Guidelines can be found in Guidance Note 08/18 - Bats and Artificial Lighting in the UK (BCT and ILP, 2018). Such approved measures will be implemented in full.

Reason: In order to safeguard protected and/or priority species from undue disturbance and impacts.