



dynamic development solutions™

For and on behalf of
Vistry

PLANNING STATEMENT

**Reserved Matters Application
Land to the west of Northmoor View, Brimington, S43 1QY**

**Prepared by
DLP Planning Ltd
Sheffield**

December 2020



Prepared by:	Stella Heeley BSc (Hons) MSc MRTPI Planner
Checked by:	Sarah Wills BA (Hons) DipTRP MRTPI Associate Director
Approved by:	Lydia Sadler BSc (Hons) MTP MRTPI Director
Date:	December 2020

DLP Planning Ltd
Ground Floor V1 Velocity
Tenter Street
Sheffield
S1 4BY

Tel: 01142 289190

DLP Consulting Group disclaims any responsibility to the client and others in respect of matters outside the scope of this report. This report has been prepared with reasonable skill, care and diligence. This report is confidential to the client and DLP Planning Ltd accepts no responsibility of whatsoever nature to third parties to whom this report or any part thereof is made known. Any such party relies upon the report at their own risk.

CONTENTS	PAGE
1.0 INTRODUCTION.....	4
2.0 SITE DESCRIPTION	5
3.0 PLANNING HISTORY	7
4.0 DEVELOPMENT PROPOSAL.....	8
Discharge of Conditions.....	12
Pre-Application Engagement and Community Involvement.....	14
5.0 PLANNING POLICY FRAMEWORK AND ASSESSMENT	15
National Planning Policy Framework (2019)	15
Achieving Sustainable Development.....	15
Delivering a Sufficient Supply of Homes	16
Promoting Healthy and Safe Communities.....	16
Open Space and Recreation.....	17
Considering Development Proposals	17
Making Effective Use of Land	18
Achieving Well-Designed Places.....	19
Planning and Flood Risk	20
Conserving and Enhancing the Natural Environment.....	21
Ground Conditions and Pollution.....	21
Chesterfield Borough Local Plan (2020).....	22
6.0 OTHER MATERIAL CONSIDERATIONS.....	31
Locational Sustainability and Suitability.....	31
Landscape	32
Heritage.....	32
Supplementary Planning Documents (SPDs).....	34
National Design Guide.....	36
7.0 CONCLUSION	38

1.0 INTRODUCTION

- 1.1 This Planning Statement has been prepared by DLP Planning Ltd on behalf of Vistry (the “Applicant”) in support of a Reserved Matters application for the provision of 150 dwellings, public open space, drainage attenuation, and walking and cycling routes at land to the west of Northmoor View, Brimington, S43 1QY.
- 1.2 This Statement sets out the site context, planning history, and details of the proposed development. It also assesses the proposal against national and local planning policies and objectives, and reviews other material considerations.
- 1.3 This Statement should be read alongside the other supporting documents that have been submitted as part of the application package.
- 1.4 The structure of this Statement is as follows:
- Description of the site, its location and other relevant background information in Section 2;
 - Review of the site’s planning history in Section 3;
 - Description of the development proposal in Section 4;
 - Assessment of the proposal against national and local planning policies in Section 5;
 - Review of other material considerations in Section 6; and
 - Conclusion in Section 7.

2.0 SITE DESCRIPTION

2.1 The application site comprises of land to the west of Northmoor View, Brimington, S43 1QY, as shown in the map extract below (Figure 1).



Figure 1: Aerial view of the site (Source: Google Maps)

- 2.2 The site is considered to be low grade agricultural land which means that proposals for development of the site will not represent the loss of a high quality agricultural resource.
- 2.3 Land levels fall away from a high point at the north east of the site.
- 2.4 Two Public Right of Way footpaths run through the site, one from north to south west which is located towards the western boundary of the site, and one from east to west which is located towards the southern boundary of the site.
- 2.5 The site is located entirely within Flood Zone 1 on the Government's flood maps which means that the site has a very low risk of flooding from rivers of the sea (less than 0.1% chance annually). The site is also at very low risk of flooding from surface water (less than 0.1% chance annually).
- 2.6 The site is not located within or adjacent to the boundary of the Brimington Conservation Area and there are no listed buildings or scheduled monuments on the site.

- 2.7 The Grade II listed Manor House and its associated Grade II listed street boundary wall and gatepiers are located adjacent to the eastern boundary of the application site. The matter of heritage is discussed further in Section 6 of this Statement.
- 2.8 Brimington is located approximately 1.8 miles from Chesterfield town centre, and Brimington centre is 280 metres from the site. Brimington itself benefits from a range of public transport links and local facilities and services. Further details in relation to the locational sustainability and suitability are provided in Section 6 of this Statement.

3.0 PLANNING HISTORY

3.1 The planning history associated with the site is set out in Table 1 below.

Application / appeal reference	Application / appeal description	Decision
APP/A1015/W/19/3223162	Outline application for residential development (of up to 150 dwellings) and associated access works – Re-submission of CHE/16/00614/OUT	Appeal allowed – 5 th August 2019
CHE/18/00532/OUT	Outline application for residential development (of up to 150 dwellings) and associated access works – Re-submission of CHE/16/00614/OUT	Refused – 29 th January 2019
CHE/18/00438/EIA	EIA screening opinion for residential development	EIA not required – 2 nd July 2018
CHE/16/00614/OUT	Outline application for proposed housing development with all matters reserved except the access – additional information received – heritage impact assessment and geophysical survey rec'd on 19/04/2017; and transport assessment addendum rec'd on 02/05/2017	Refused – 30 th August 2017

Table 1: Planning History

3.2 The planning history provided in Table 1 demonstrates that the principle of residential development at the site has been accepted previously. Further to this, it is of note that access was approved as part of the appeal where outline planning permission was granted for the development of the site, and matters regarding air quality, archaeology and highways impact were addressed and discussed in depth as part of the appeal.

4.0 DEVELOPMENT PROPOSAL

- 4.1 The development proposal comprises of the provision of 150 dwellings (ranging from 2 – 5 bedroom units), public open space, drainage attenuation, and walking and cycling routes at land to the west of Northmoor View, Brimington, S43 1QY.
- 4.2 The schedule of accommodation for the proposed open market housing and affordable housing is set out in Table 2 below.

House type	Number of bedrooms	Number of units proposed	Unit area (sqm) (rounded)	Percentage (%) of total units (rounded)
Market housing				
Rowan (ROW)	3 (5 person)	16	86.5	11
Hazel (HAZ)	3 (5 person)	16	86.5	11
Juniper (JUN)	4 (6 person)	15	113.4	10
Chestnut (CHS)	4 (6 person)	17	126.3	11
Aspen (ASP)	4 (8 person)	18	127.3	12
Alder (ALD)	4 (8 person)	13	139.7	9
Birch (BIR)	5 (8 person)	10	167.7	7
Affordable housing				
A26	2 (4 person)	8	74.6	5
A20	2 (4 person)	23	70.5	15
A30	3 (5 person)	14	94.9	9

Table 2: Schedule of Accommodation

- 4.3 The affordable housing is proposed to be a 50:50 split between social rent and intermediate tenure. This will be discussed further with the Affordable Housing and CIL officers during the application process.
- 4.4 The A26 house type is a single storey bungalow, and the remainder of the house types are two storey units.

- 4.5 Neither the Chesterfield Local Plan nor the residential design supplementary planning document set out minimum space standards that will be applied to new dwellings. In light of this, it is understood that the Council have not formally adopted the Nationally Described Space Standards (2015) (“NDSS”) and as such they are only advisory and desirable where possible. The majority of the units meet and exceed the specific number of bedrooms and persons requirements referenced in the NDSS, with the exception of the Rowan, Hazel and A20 units which are marginally (Rowan and Hazel approximately 7%, and A20 approximately 11%) below.
- 4.6 The proposed dwellings have been designed to comply with the latest energy efficiency standards and will be constructed to the latest building regulations.
- 4.7 The proposed materials schedule for the dwellings is provided in Table 3 below. These materials have been selected to compliment the existing local vernacular whilst providing variation and interest across the scheme.

Feature	Proposed Material / Colour
Roof	Forticrete SL8 Grey
Brick	Ibstock Minster Beckstone, Ibstock Morpeth Blend, Wienerberger Crofters Medley
Window Head	Brick
Window Cill	Brick
RWP and Guttering	Black
Entrance Doors	Black
Garage Doors	Finish to be painted to match the entrance door colour (Black)
Windows	White UPVC

Table 3: Materials Schedule

- 4.8 A proposed materials layout plan which provides further details has been submitted as part of the application package.
- 4.9 The proposal includes a comprehensive landscaping scheme that has been designed to

create a visually attractive and welcoming development for residents in both the public and private realm. The landscaping also creates an organic appearance along the southern, western and eastern boundaries to soften the transition between the application site and the surrounding area. Further to this, 2.5 metre close board fencing and landscaping is proposed along a portion of the western boundary to screen the adjacent breakers yard. Boundary treatments - such as 1.8 metre brick walls with piers and 1.8 metre close board fencing - are also proposed throughout the development to create private amenity areas for each plot.

- 4.10 A comprehensive landscape strategy, detailed proposed landscape plans and a proposed boundary treatments plan which provide further details have been submitted as part of the application package.
- 4.11 The proposed parking arrangements vary throughout the site to ensure that the appearance of the development is not dominated by parking and to allow for landscaping to be provided to soften the appearance of parking that is visible from the street scene. The majority of the dwellings will either have allocated car parking spaces located to the front or side of the dwelling, or a driveway with a garage located to the side of the dwelling. Variation is also introduced with a garage proposed to the rear of some dwellings and the Alder house type with an integral garage. The location of, and the movements associated with, the proposed car parking locations will create natural surveillance and security for residents. Further to this, each dwelling will be provided with an electric vehicle charging point, which once provided will be retained thereafter, in accordance with condition 13 of the outline planning permission.
- 4.12 There is ample space within the plots for residents to store cycles.
- 4.13 Neither the Chesterfield Local Plan nor the residential design supplementary planning document set out minimum car and cycle parking provision requirements for new dwellings. Rather, Local Plan policy CLP22 sets out that the level of vehicle and cycle parking provision appropriate to any development proposal will take the circumstances of the particular scheme into account, including matters such as the size of dwellings and the proximity to public transport links, local facilities and services. In light of this, the proposed parking provision is considered to be appropriate for the development.
- 4.14 The proposed public open space area will contain a surface drainage attenuation basin. It is

of note that the basin will be dry for the majority of the year. The use of natural drainage solutions is promoted in national guidance and the multi-functional use of open space has been encouraged through discussions with the Council. The area is visible from all sides, from the proposed footpaths and cycleway and / or the road network and the frontage of plots, which will create natural surveillance and security for residents using the space.

- 4.15 The proposed footpaths and cycle path are to utilise the existing Public Right of Ways (although slight re-alignments are necessary) and they will benefit from natural surveillance created by the active frontages along them. Also, the Public Right of Ways will be formalised and improved as part of the proposed development. The proposed location of the footpath and cycle way running from east to west – between North Moor View and Chesterfield Road – is in accordance with the Local Planning Authority’s request during the pre-application process and it relates to condition 14 of the outline planning permission.
- 4.16 Vehicular access to the site is to be provided via one access point on Chesterfield Road. The proposed access is as approved in the outline planning permission. It is of note that the proposed access arrangement will minimise the likelihood of any non-residential presence within the site because the development cannot be used as a ‘through route’.
- 4.17 Further to the above, the Applicant’s transport consultant Mosodi noted that the access from the approved outline planning permission proposed through lanes of 3.5 metres and a right turn ghost island facility of 3.5 metres. This led to a reduction in footway width on the application site side of the junction and had an impact on the services located in the footway. Mosodi discussed this with Nick Knowles at Derbyshire County Council as part of the pre-application discussions and it was agreed that the through lanes can be reduced to 3.25 metres to reduce the impact on the removal of the footway.
- 4.18 The proposed layout and road network have been designed to encourage low vehicle speeds throughout the development. For example, shared surfaces and shared drives are proposed and there are several turns in the road. Also, there will be a considerable amount of human activity associated with the frontage of dwellings, the public open space, and the footpaths and cycle way being located along the road network (which also has footpaths along either side of the main road). These features combined encourage drivers to be alert to their surroundings and therefore encourage low vehicle speeds.

4.19 A 'Land Transfer' plan has been submitted as part of the application package. This plan details which parts of the site ('common amenity areas') will be transferred to highways, Yorkshire Water, and a management company to manage and maintain. It is understood that, as part of the land deal, there will be an obligation for the landowner to enter into any necessary section agreements in relation to the future management and maintenance of these areas, and these agreements will also cover the off-site drainage.

Discharge of Conditions

4.20 As part of this Reserved Matters application a number of technical documents are submitted to discharge the conditions as set out in Table 4 below from the outline planning permission.

Condition number	Condition requirements and details that have been submitted to discharge the condition
4	<p>Prior to any development above slab level details of the external materials shall be submitted to and agreed in writing by the Local Planning Authority. Development shall be completed in accordance with the approved details.</p> <p>Details submitted: Proposed materials layout plan.</p>
5	<p>No development shall take place until details of the proposed means of surface and foul water drainage, including details of any balancing and off-site works, have been submitted to and approved by the Local Planning Authority. Furthermore, no piped discharge of surface water from the application site shall take place until works to provide a satisfactory outfall, other than the existing local public sewerage, for surface water have been completed in accordance with details submitted to and approved by the Local Planning Authority.</p> <p>Details submitted: Drainage strategy prepared by Fortem.</p>
6	<p>No building or other obstruction including landscape features shall be located over or within 3 metres either side of the centre line of the public sewer i.e. a protected strip width of 6 metres, that crosses the site. If the required stand-off distance is to be achieved via diversion or closure of the sewer, the developer shall submit evidence to the Local Planning Authority that the diversion or closure has been agreed with the relevant statutory undertaker and that prior to construction in the affected area, the approved works have been undertaken.</p> <p>Details submitted: Yorkshire Water recent Water and Sewer map*.</p> <p>*Note that the map is provided in Appendix 1 of this Planning Statement, and it demonstrates that the sewer runs to the south of the application site outside of the red line boundary. It is formally requested that this map</p>

	satisfies the requirements of condition 6.
7	<p>No development shall commence until intrusive site investigations have been carried out by the developer to establish the exact situation regarding coal mining legacy issues on the site and approval for commencement of development given in writing by the Local Planning Authority. The investigation and conclusions shall include any remedial works and mitigation measures required / proposed for the remediation / stability of the site. Only those details which receive the written approval of the Local Planning Authority shall be carried out on site.</p> <p>Details submitted: Intrusive Site Investigations report* prepared by Lithos.</p> <p><i>*Note that the report concludes that “this site is located within a Coal Mining Development Low Risk Area and no significant risks have been identified, therefore an intrusive mining investigation will not be required”.</i></p>
8	<p>No development shall commence until a written scheme of archaeological investigation / resource management that includes post excavation analysis and publication has been submitted to and approved in writing by the Local Planning Authority. The development hereby approved shall only be implemented in full accordance with the approved scheme.</p> <p>Details submitted: Updated Written Scheme of Archaeological Investigation report prepared by MAP Archaeological Practice.</p>
10	<p>Prior to the commencement of development, a biodiversity enhancement strategy incorporating the recommendations of the Ecus Ecological Appraisal July 2018 shall be submitted to and approved in writing by the Local Planning Authority to ensure no net loss for biodiversity and aim for a net gain. Such approved measures should be implemented in full and maintained thereafter.</p> <p>Details submitted: Biodiversity enhancement strategy prepared by Ecus.</p>

Table 4: Conditions to Discharge

4.21 In relation to condition 16 which requires details of the site access, estate roads, footpaths and footways, and a timetable for implementation; a full discharge of this condition is not possible during the Reserved Matters application. Whilst some details are provided on the proposed plans that have been submitted as part of the application package, some of the details are addressed post-planning because they require detailed Section 38 designs and construction timescales for example. The requisite discharge of conditions application will be submitted in due course once the Reserved Matters application is determined.

4.22 Further to the above, in relation to condition 9 which requires a pre-commencement survey

for badgers; it is of note that Ecus have been commissioned to undertake the survey at the appropriate time and the requisite discharge of conditions application will be submitted following Reserved Matters approval. A letter confirming this commission has been submitted as part of the application package for reference.

4.23 In addition to the above, condition 15 of the appeal decision states the following:

“The Approved Travel Plan shall be implemented in accordance with the timescales specified therein, to include those parts identified as being implemented prior to occupation and following occupation, unless alternative timescales are agreed in writing with the Local Planning Authority. The Approved Travel Plan shall be monitored and reviewed in accordance with the agreed Travel Plan targets.”

4.24 It is of note that paragraph 1.1.2 of the approved Travel Plan requires a detailed Travel Plan to be submitted prior to the start of construction. Therefore, a detailed Travel Plan has been submitted as part of this Reserved Matters application for the Local Planning Authority’s review and approval in writing.

Pre-Application Engagement and Community Involvement

4.25 A formal pre-application request was submitted to Chesterfield Borough Council in August 2020 to facilitate discussions with the Local Planning Authority in relation to the key principles of the proposed scheme. A public consultation in the form of a letter drop to local residents, and a virtual public consultation event which provided local residents with the opportunity to meet the project team and discuss the proposal, was also undertaken in September - October 2020.

4.26 The detailed comments provided by the Local Planning Authority and by those who responded to the public consultation have been taken into account and have informed the design evolution of the final proposal as submitted.

4.27 The Statement of Community Involvement that has been submitted as part of the application package provides full details regarding the pre-application engagement and community involvement, the feedback comments and how they have been addressed.

5.0 PLANNING POLICY FRAMEWORK AND ASSESSMENT

5.1 The relevant planning policy framework for Chesterfield Borough Council comprises of the following documents:

- National Planning Policy Framework (Adopted February 2019)
- Chesterfield Borough Local Plan (Adopted July 2020)

NB – Reference to national and local heritage policies is provided in Section 6 of this Statement.

National Planning Policy Framework (2019)

5.2 The National Planning Policy Framework (the “Framework”), which was updated in February 2019, sets out the Government’s planning policies for England.

Achieving Sustainable Development

5.3 Paragraph 10 of the Framework states “so that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development”.

5.4 Paragraph 11 of the Framework then states that the presumption in favour of sustainable development means the following for decision-taking:

- *Approving development proposals that accord with an up-to-date development plan without delay; or*
- *Where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:*
 - *The application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
 - *Any adverse impact of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of this Framework taken as a whole.*

5.5 Sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs (paragraph 7). Sustainable development is made up of three overarching objectives which are interdependent – economic (to help build a strong, responsive and competitive economy),

social (to support strong, vibrant and healthy communities) and environmental (to contribute to protecting and enhancing our natural, built and historic environment) (paragraph 8). These objectives should be delivered through the application of the policies in the Framework (paragraph 9).

- 5.6 As set out in Sections 2 and 6 of this Statement, the application site is located in a sustainable location which is suitable for residential development. Further to this, Section 5 of this Statement demonstrates that the development proposal is in accordance with the relevant national and local planning policies. Therefore, the Statement as a whole demonstrates that the proposal constitutes sustainable, appropriate development that is policy compliant.

Delivering a Sufficient Supply of Homes

- 5.7 Paragraph 59 of the Framework states the following:

“To support the Government’s objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.”

- 5.8 This is a Reserved Matters application and the principle of residential development at the site (which is located within the built-up area of Brimington) has already been deemed acceptable by the outline planning permission. Further to this, the scheme is policy compliant with the mix of house types and tenures that are proposed which ensures that the right types of housing are being provided in the right location. The Applicant intends to progress with the development as soon as possible once all of the required permissions are received.

Promoting Healthy and Safe Communities

- 5.9 Paragraph 91 of the Framework sets out that planning policies and decisions should aim to achieve healthy, inclusive and safe places that:

- a) *Promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other – for example through mixed-use developments, strong neighbourhood centres, street layouts that allow for easy pedestrian and cycle connections within and between neighbourhoods, and active street frontages;*
- b) *Are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion – for example through the use of clear and legible pedestrian routes, and high quality public space, which encourage the active and continual use of public areas; and*
- c) *Enable and support healthy lifestyles, especially where this would address*

identified local health and well-being needs – for example through the provision of safe and accessible green infrastructure, sports facilities, local shops, access to healthier food, allotments and layouts that encourage walking and cycling.

- 5.10 Social interaction will be promoted by the development. The scheme has been designed to encourage human activity throughout the site (the footpaths and cycle way for example) and the site will have a visually attractive and welcoming street scene. Also, a public open space area, which will be accessible to all residents, is proposed to the west of the site. Further to this, the active frontages - which are created by the plots being sited to face the proposed road network, and by the car parking provision being located to the front and side of plots – will create natural surveillance and security for residents.

Open Space and Recreation

- 5.11 Paragraph 98 of the Framework states the following:

“Planning policies and decisions should protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users, for example by adding links to existing rights of way networks including National Trails.”

- 5.12 The proposed footpaths and cycle path are to utilise the existing Public Right of Ways (although slight re-alignments are necessary) and they will benefit from natural surveillance created by the active frontages along them. Also, the Public Right of Ways will be formalised and improved as part of the proposed development.

Considering Development Proposals

- 5.13 Paragraph 108 of the Framework sets out that the following should be ensured when possible allocations for development in Plans, or specific applications for development, are assessed:

- a) *Appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;*
- b) *Safe and suitable access to the site can be achieved for all users; and*
- c) *Any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.*

- 5.14 Paragraph 109 of the Framework then states the following:

“Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.”

- 5.15 Further to the above, paragraph 111 of the Framework then sets out a Travel Plan and

Transport Statement/Assessment should be submitted with applications for all developments that will generate significant amounts of movement so that the likely impacts of the proposal can be assessed.

- 5.16 A Transport Assessment and Travel Plan were submitted as part of the outline planning application. The Transport Assessment demonstrated that a new access from Chesterfield Road can be accommodated to serve the development providing left and right turning movements into and out of the site with suitable visibility splays. Further to this, the Transport Assessment concluded that any residual transport related impacts arising from the proposed development will be minor and not severe, and accordingly the proposed residential development is acceptable from a transport perspective.
- 5.17 The Travel Plan was approved as part of the outline planning permission (condition 15). Notwithstanding this, as referenced previously in this Statement, paragraph 1.1.2 of the approved Travel Plan requires a detailed Travel Plan to be submitted prior to the start of construction. Therefore, a detailed Travel Plan has been submitted as part of this Reserved Matters application for the Local Planning Authority's review and approval in writing. A revised Transport Statement has also been prepared to reflect the current status of the development proposal, such as the slight re-alignment of the Public Right of Ways.

Making Effective Use of Land

- 5.18 Paragraph 117 of the Framework sets out that the effective use of land in meeting the need for homes and other uses should be promoted by planning policies and decisions, whilst also safeguarding and improving the environment and ensuring safe and healthy living conditions.
- 5.19 Paragraph 118 of the Framework then states that planning policies and decisions should (amongst other things):

“Promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively (for example converting space above shops, and building on or above service yards, car parks, lock-ups and railway infrastructure)”

- 5.20 The application site is designated within the built-up area (settlement boundary) of Brimington on the Council's Local Plan Policies Map, it is located in a sustainable location which is suitable for residential development, and it benefits from an extant outline planning

permission for up to 150 dwellings. Therefore, the submission of this Reserved Matters application for the provision of 150 dwellings, which provides a policy compliant range of house types and tenures, represents an effective use of land.

Achieving Well-Designed Places

5.21 Paragraph 124 of the Framework states the following:

“The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.”

5.22 Paragraph 127 of the Framework then sets out that planning policies and decisions should ensure that developments meet the following range of design criteria:

- a) *Will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*
- b) *Are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*
- c) *Are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);*
- d) *Establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;*
- e) *Optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and*
- f) *Create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.*

5.23 The Applicant proposes to create a high quality and visually attractive development with dwellings that are of a high architectural quality and constructed from high quality building materials. The scheme has been designed to encourage social interaction and human activity throughout the site (which, as mentioned above, will be visually attractive and welcoming), with natural surveillance and security enhanced by the active frontages and the proposed public open space area accessible to all residents. Further to this, the proposed dwellings will have sufficient living and amenity standards for residents.

5.24 A Design and Access Statement, which provides comprehensive detail about the evolution of the final design of the scheme and the factors that influenced the design (such as the

surrounding area), has been submitted as part of the application package.

5.25 Paragraph 128 of the Framework states the following:

“Design quality should be considered throughout the evolution and assessment of individual proposals. Early discussion between applicants, the local planning authority and local community about the design and style of emerging schemes is important for clarifying expectations and reconciling local and commercial interests. Applicants should work closely with those affected by their proposals to evolve designs that take account of the views of the community. Applications that can demonstrate early, proactive and effective engagement with the community should be looked on more favourably than those that cannot.”

5.26 The Applicant undertook pre-application discussions with the Local Planning Authority and undertook a letter drop and virtual public consultation event with local residents prior to the submission of this Reserved Matters application. The feedback received from the Local Planning Authority and the local residents was recorded and actioned to address points of concern where possible in the final design of the scheme. A Statement of Community Involvement which sets out comprehensive detail in relation to this matter has been submitted as part of the application package.

5.27 Further to the above, a Design and Access Statement which provides comprehensive detail about the evolution of the final design of the scheme has been submitted as part of the application package.

Planning and Flood Risk

5.28 Paragraph 165 of the Framework firstly sets out that sustainable drainage systems should be incorporated into major developments unless there is clear evidence that it would be inappropriate to do so. Paragraph 165 then states that the systems used should:

- a) *Take account of advice from the lead local flood authority;*
- b) *Have appropriate proposed minimum operational standards;*
- c) *Have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development; and*
- d) *Where possible, provide multifunctional benefits.*

5.29 A Flood Risk Assessment and Sustainable Drainage Report was submitted alongside indicative surface water drainage storage calculations as part of the outline planning application. The indicative calculations concluded that surface water outflow from the site will need to be controlled and the excess water temporarily stored on site because the

impermeable area of new development will lead to surface water outflow from the site being substantially greater than the greenfield run-off. Following this, the project team's engineer and drainage consultant reviewed the possible Sustainable Urban Drainage Systems (SUDS) options for the site and determined that the proposed attenuation basin (located within the public open space area) is suitable. Further details in relation to this matter can be found in the drainage strategy that has been submitted as part of the application package.

Conserving and Enhancing the Natural Environment

5.30 Paragraph 170 of the Framework states that planning policies and decisions should contribute to, and enhance, the natural and local environment in a number of ways, including:

- *Minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures; and,*
- *Preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability.*

5.31 A biodiversity enhancement strategy has been submitted as part of the application package. Further to this, it is of note that matters such as air pollution were considered in detail during the appeal inquiry with detailed existing and future modelling showing air quality effects of the development to be 'not significant'. The Council accepted the methodology used and air quality was not a reason for refusal. Also, the Council's environmental health officer was consulted on the technical documents as part of the outline application to ensure that any impacts are mitigated and are not unacceptable for existing or future residents.

Ground Conditions and Pollution

5.32 Paragraph 178 of the Framework states the following in relation to ground conditions and risks arising from land instability and contamination:

Planning policies and decisions should ensure that:

- a) A site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. This includes risks arising from natural hazards or former activities such as mining, and any proposals for mitigation including land remediation (as well as potential impacts on the natural environment arising from that remediation);*
- b) After remediation, as a minimum, land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990; and*
- c) Adequate site investigation information, prepared by a competent person, is*

available to inform these assessments.

5.33 Following this, paragraph 179 of the Framework sets out that if a site is affected by contamination or land stability issues then it is the developer and/or landowner’s responsibility to secure a safe development.

5.34 A coal mining and ground stability report, which made recommendations for further site investigation works, was submitted with the outline planning application. In accordance with condition 7 of the outline planning permission, intrusive site investigations have been carried out and a report of the findings has been submitted as part of the application package.

Chesterfield Borough Local Plan (2020)

5.35 The Council’s current Local Plan is the Chesterfield Borough Local Plan 2018 to 2035, which was adopted on 15th July 2020.

5.36 The application site is located within the built-up area (settlement boundary) of Brimington on the Local Plan Policies Map, as shown in the map extract provided in Figure 2.

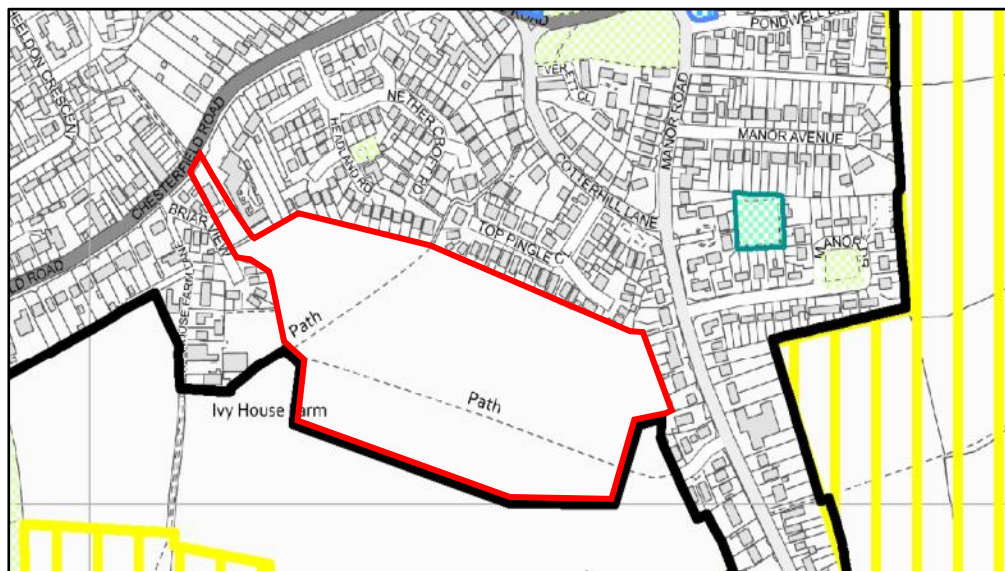


Figure 2: Local Plan Policies Map Extract

5.37 The following policies are considered to be of particular relevance to the application.

5.38 Policy CLP2 (Principles for Location of Development) sets out that planning applications for developments that are not allocated in the Local Plan will be supported according to the extent that the proposals meet the requirements that are listed in the policy. The

requirements, which are in order of priority, are as follows:

- a) *Deliver the Council's Spatial Strategy (policy CLP1);*
- b) *Are on previously developed land that is not of high environmental value;*
- c) *Deliver wider regeneration and sustainability benefits to the area;*
- d) *Maximise opportunities through their location for walking access to a range of key services via safe, lit, convenient walking routes;*
- e) *Maximise opportunities through their location for cycling and the use of public transport to access a range of key services;*
- f) *Utilise existing capacity in social infrastructure (policy CLP10) or are of sufficient scale to provide additional capacity, either on site or through contributions to off-site improvements;*
- g) *Ensure the long term protection of safeguarded Minerals Related Infrastructure as identified in the Derbyshire and Derby Minerals Local Plan and shown on the Policies Map;*
- h) *Are not on the best and most versatile agricultural land.*

5.39 In relation to housing growth, the Council's Spatial Strategy sets out that the Council will make provision for the delivery of a minimum of 240 new dwellings per year.

5.40 Notwithstanding the contents of policy CLP2, this is a Reserved Matters application and the principle of residential development at the site has already been deemed acceptable by the outline planning permission. Therefore, there is no requirement as part of this application to further demonstrate the acceptability of the site for the proposed use.

5.41 Policy CLP3 (Flexibility in Delivery of Housing) firstly sets out that planning permission will be granted for residential development on allocated sites provided they accord with other relevant policies from the Plan. The policy then sets out when residential development will be permitted outside of the built-up area on non-allocated sites. The policy does not specifically reference sites that are non-allocated sites within the built-up area.

5.42 As discussed above, this is a Reserved Matters application and the principle of residential development at the site has already been established by the outline planning permission. Therefore, there is no requirement as part of this application to further demonstrate the acceptability of the site for the proposed use.

5.43 Policy CLP4 (Range of Housing) firstly sets out that the Council will seek a range of dwelling types and sizes in new housing developments. The policy then sets out that affordable housing provision is required on sites of 10 or more dwellings and the amount that is required is determined by which CIL Charging Zone the application site is located in. Lastly, the policy

sets out adaptable and accessible housing / building regulations requirements for sites of 10 or more dwellings.

- 5.44 As demonstrated in the schedule of accommodation in Table 2 and on the planning drawings submitted as part of the application package, a range of house types and tenures are proposed. The proposed mix includes bungalows in response to local resident feedback. Discussions were undertaken with the Local Planning Authority's Housing Delivery Manager (Marc Hollingworth) prior to the submission of this Reserved Matters application to inform the proposed schedule of accommodation (i.e. the number of affordable units proposed, the tenure split of the affordable units, M4(2) building regulation compliance, and the number of bungalows proposed).
- 5.45 Further to the above, the application site is located in CIL Charging Zone "Medium" which means that CIL is charged at £50 per square metre for residential development and the policy requirement for affordable housing is 10%. However, the Section 106 legal agreement that was engrossed and signed as part of the outline planning permission sets out that the specified percentage of affordable housing units is 30% of the dwellings comprised in the development. Therefore, 30% affordable housing provision has been provided.
- 5.46 Policy CLP11 (Infrastructure Delivery) firstly sets out that developer contributions will be used to mitigate the impact of new developments and to ensure that appropriate infrastructure is in place to support growth. The policy then sets out that on site requirements will generally be met via planning conditions or a Section 106 legal agreement, and developers will be required to demonstrate that the necessary infrastructure will be in place prior to or in tandem with the new development and arrangements are in place for its maintenance where required. Lastly, the policy sets out that where the provision of infrastructure is a strategic need then liable developments will be required to contribute to the Community Infrastructure Levy (CIL).
- 5.47 A number of developer contributions were previously secured via planning conditions and a Section 106 legal agreement as part of the outline planning permission. The developer will also pay their required CIL contribution when it is the correct time to do so.
- 5.48 In relation to improving the drainage network, Policy CLP13 (Managing the Water Cycle) sets out that Sustainable Urban Drainage Systems (SUDS), and clear arrangements for their on-going maintenance over the lifetime of the development, should be incorporated into all major

developments unless it can be demonstrated that it is not appropriate, and the Council will seek for the maximum possible reduction in surface water run-off rates based on the SFRA or most recent national guidance.

5.49 An attenuation basin (a type of SUDS) is proposed to manage surface water run-off at the site. In relation to its maintenance, Yorkshire Water will own the public open space area which contains the basin. Further details in relation to this matter can be found in the drainage strategy that has been submitted as part of the application package.

5.50 In relation to protecting the water environment, Policy CLP13 (Managing the Water Cycle) states the following:

“Development proposals will be expected to demonstrate that water is available to support the development proposed and that they will meet the optional Building Regulation water efficiency standard of 110 litres per occupier per day.”

5.51 The water availability and proposed drainage arrangements will adhere to the relevant adopted guidance and Building Regulations requirements.

5.52 Policy CLP14 (A Healthy Environment) states the following:

“All developments will be required to have an acceptable impact on the amenity of users and adjoining occupiers, taking into account noise and disturbance, dust, odour, air quality, traffic, outlook, overlooking, shading (daylight and sunlight and glare and other environmental impacts.”

5.53 The policy then sets out when further details are required for submission in relation to air quality, water contamination, soil and agricultural land quality, and unstable and contaminated land.

5.54 As discussed previously, matters such as air pollution were considered in detail during the appeal inquiry with detailed existing and future modelling showing air quality effects of the development to be ‘not significant’. The Council accepted the methodology used and air quality was not a reason for refusal. Also, the Council’s environmental health officer was consulted on the technical documents as part of the outline application to ensure that any impacts are mitigated and are not unacceptable for existing or future residents. Further to this, there will be a form of fencing / boundary during construction to mitigate disturbance, of which the proposed final details are to be confirmed at a later date and submitted to the Council for approval.

- 5.55 Further to the above, policy compliant separation distances have been provided which ensures that residential amenity for existing residents, such as provision of outlook and daylight, is not adversely impacted by the development.
- 5.56 Policy CLP15 (Green Infrastructure) firstly sets out that development proposals should demonstrate that they will not adversely impact/result in the loss of green infrastructure unless suitable mitigation measures/compensatory provision is provided. The policy then sets out that development proposals should (amongst other points) not harm the character and function of the Green Wedges and Strategic Gaps, and there must be clear funding and delivery mechanisms in place for long term management and maintenance (prior to commencement) where new green infrastructure is proposed. Further to this, where necessary and appropriate, development will be expected to make a contribution towards the establishment, enhancement and on-going maintenance of green infrastructure through planning obligations or the Community Infrastructure Levy.
- 5.57 As referenced previously, this is a Reserved Matters application and the principle of residential development at the site has already been accepted by the outline planning permission. Therefore, it can be concluded that the development proposal will not harm the character and function of the Green Wedge and Strategic Gap that is located beyond the application site to the south.
- 5.58 Further to the above, an on-site public open space area which contains an attenuation basin is proposed to the west of the site. A Common Amenity Area Management Scheme has been submitted as part of this Reserved Matters application in accordance with the Section 106 legal agreement that was engrossed and signed as part of the outline planning permission.
- 5.59 Policy CLP16 (Biodiversity, Geodiversity and the Ecological Network) sets out that the Council expects development proposals to: protect, enhance and contribute to the management of the Borough's ecological network of habitats and protected and priority species and sites; avoid or minimise adverse impacts on biodiversity and geodiversity; and provide a net measurable gain in biodiversity.
- 5.60 Details in relation to biodiversity and ecology can be found in the biodiversity enhancement strategy that has been submitted as part of the application package.
- 5.61 Policy CLP17 (Open Space, Play Provision, Sports Facilities and Allotments) sets out that

where a proposed development results in a need for new public open space it should be provided on-site in a suitable location, taking account of accessibility, wherever possible. On-site provision is to be incorporated into development proposals with suitable management and maintenance arrangements secured through Section 106 legal agreements.

5.62 An on-site public open space area, which will be accessible for all residents, is proposed to the west of the site. A Common Amenity Area Management Scheme has been submitted as part of this Reserved Matters application in accordance with the Section 106 legal agreement that was engrossed and signed as part of the outline planning permission.

5.63 Policy CLP20 (Design) firstly states that *“all development should identify and respond positively to the character of the site and surroundings and respect the local distinctiveness of its context”*. The policy then sets out that all development will be expected to achieve the following:

- a) *Promote good design that positively contributes to the distinctive character of the borough, enriches the quality of existing places and enhances the quality of new places;*
- b) *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;*
- c) *Be at a density appropriate to the character of the area whilst not excluding higher densities in and close to designated local, district and town centres;*
- d) *Contribute to the vitality of its setting through the arrangement of active frontages, accesses, and functions, including servicing;*
- e) *Ensure that the interface between building plots and streets and also the boundaries of development sites and their surroundings are attractive and take account of the relationship between public and private spaces;*
- f) *Provide appropriate connections both on and off site, including footpath and cycle links to adjoining areas to integrate the development with its surroundings;*
- g) *Provide adequate and safe vehicle access and parking;*
- h) *Provide safe, convenient and attractive environment for pedestrians and cyclists;*
- i) *Preserve or enhance the landscape character and biodiversity assets of the borough;*
- j) *Be designed to be adaptable and accessible for all;*
- k) *Have an acceptable impact on the amenity of users and neighbours;*
- l) *Be designed to be safe and secure and to create environments which reduce the potential for crime;*
- m) *Minimise the impact of light pollution;*
- n) *Be able to withstand any long-term impacts of climate change.*

5.64 Further to the above, in relation to reducing emissions the policy sets out that, as far as is feasible and financially viable major developments should minimise CO₂ emissions during

construction and occupation, and maximise the use of and the generation of renewable energy. Planning applications for major new development should be accompanied by a statement which sets out how the development would achieve this.

5.65 In addition, the policy states the following in relation to ‘percent for art’:

“On major developments, the council will encourage developers to incorporate public art on site into structures and public spaces where reasonable.”

5.66 The Applicant proposes to construct dwellings that are of a high architectural quality and that are constructed from high quality building materials. Also, the street scene will be visually attractive and welcoming, a public open space area which is accessible for all residents is proposed, and the proposed density is in accordance with the outline planning permission for up to 150 residential units. Further to this, the proposed dwellings will have sufficient living and amenity standards for residents, and policy compliant separation distances will ensure that the residential amenity of existing residents is not adversely impacted.

5.67 The proposed access point on Chesterfield Road was approved as part of the outline planning permission. The proposed car parking provision is located in visible locations and is considered to be an acceptable level of provision. The proposed footpaths through the site utilise the existing Public Rights of Way and will be formalised and enhanced as part of the development proposal.

5.68 Natural surveillance and security are created by the opportunities for social interaction and the active frontages throughout the site with privacy and security provided for residents by appropriate boundary treatments for rear gardens. A biodiversity enhancement strategy has been submitted as part of the application package.

5.69 In addition to the above, a proposed materials schedule is provided in Table 3, and a Design and Access Statement which provides further details about the design of the scheme has been submitted as part of the application package.

5.70 In relation to emissions, as set out in the Design and Access Statement, the dwellings have been designed to have high standards of energy efficiency by limiting the heat loss across the building envelope. This is in order to minimise the overall energy demand in line with the requirements of the Building Regulations Approved Document Part L.

- 5.71 In accordance with policy CLP20, a requirement for the provision of public art (to a value of up to 1% of the total development cost) was agreed in the Section 106 legal agreement that was engrossed and signed as part of the outline planning permission. The public art requirement is to be an off-site contribution following requests from the community in the public consultation.
- 5.72 Policy CLP22 (Influencing the Demand for Travel) firstly sets out that the Council will expect development proposals to demonstrate the following in order of priority:
- a) *Site specific and area wide travel demand management (measures to reduce travel by private car and incentives to use walking, cycling and public transport for appropriate journeys including travel planning);*
 - b) *Improvements to walking and cycling facilities and public transport services that are provided early in the build out period of new developments and that are sufficient to encourage sustainable modes of transport;*
 - c) *Optimisation of the existing highway network to prioritise walking, cycling and public transport such as measures to prioritise the needs of pedestrians above the car and improved or new cycle and bus lanes, provided early in the build out period of new developments; and*
 - d) *Mitigation including highway capacity enhancements where the initiatives required under points (a) to (c) above are insufficient to avoid significant impacts from the development on the transport network in terms of capacity and congestion; and*
 - e) *Provision of opportunities for charging electric vehicles where appropriate.*
- 5.73 The policy then sets out that development proposals will not be permitted if they would have an unacceptable impact on highway safety or the residual cumulative impacts on the road network would be severe, and cycle parking in new developments should be located to ensure safe, secure and convenient access with weather protection provided where possible.
- 5.74 As discussed previously, a Transport Assessment and Travel Plan were submitted as part of the outline planning application. The Transport Assessment demonstrated that a new access from Chesterfield Road can be accommodated to serve the development providing left and right turning movements into and out of the site with suitable visibility splays. Further to this, the Transport Assessment concluded that any residual transport related impacts arising from the proposed development will be minor and not severe, and accordingly the proposed residential development is acceptable from a transport perspective.
- 5.75 As referenced previously, the Travel Plan was approved as part of the outline planning permission (condition 15). Notwithstanding this, as referenced previously in this Statement,

paragraph 1.1.2 of the approved Travel Plan requires a detailed Travel Plan to be submitted prior to the start of construction. Therefore, a detailed Travel Plan has been submitted as part of this Reserved Matters application for the Local Planning Authority's review and approval in writing. A revised Transport Statement has also been prepared to reflect the current status of the development proposal, such as the slight re-alignment of the Public Right of Ways.

- 5.76 Further to the above, each dwelling will be provided with an electric vehicle charging point, which once provided will be retained thereafter, in accordance with condition 13 of the outline planning permission, and there is ample space within the plots for residents to store cycles in a safe, secure and conveniently accessible location. Also, the proposed footpaths utilise the existing Public Rights of Way (although slightly re-aligned) that run through the site and will be formalised and improved as part of the development proposal.

6.0 OTHER MATERIAL CONSIDERATIONS

Locational Sustainability and Suitability

- 6.1 The application site is located in a sustainable location which is suitable for residential development, in close proximity to public transport links and local facilities and services.
- 6.2 There are two bus stops (one per direction) located approximately 200 metres from the site on Manor Road (to the east). These stops provide access to the 80, 80A and 512 services. There are also two bus stops (one per direction) located under 400 metres from the site on Chesterfield Road (to the west). These stops provide access to the 74, 74A, 77, 77A and 512 services. Details of the routes that the services provide access to are as follows:
- 74 and 74A: Chesterfield to Duckmanton via Brimington, Inkersall and Staveley (amongst other stops)
 - 77 and 77A: Chesterfield to Worksop via Brimington, Staveley, Clowne and Creswell (amongst other stops)
 - 80 and 80A: Chesterfield to Sheffield via Brimington, Killamarsh and Mosborough (amongst other stops)
 - 512: Calow Church to Springwell Community School via Brimington
- 6.3 Further to the above, Chesterfield train station is located less than 2.5 kilometres to the south west of the application site. The station is served by Cross Country, EMR and Northern services that provide access to a range of locations including Sheffield, Nottingham, Leeds, Liverpool and London.
- 6.4 Brimington benefits from a range of local facilities and services. Some of the nearby facilities and services include, but are not limited to, the following:
- Brimington Doctors Surgery – Located to the north (<400 metres)
 - Brimington Pharmacy – Located to the north (< 400 metres)
 - Brimington Methodist Church – Located to the north (< 400 metres)
 - The Butchers Arms Public House – Located to the north (< 400 metres)

- Chutney Spice Indian Restaurant – Located to the north (< 400 metres)
- Co-Operative Food – Located to the north (< 500 metres)
- Brimington Cemetery – Located to the west (< 600 metres)
- Chesterfield and District Crematorium – Located to the south west (< 700 metres)
- Henry Bradley Infant School - Located to the north east (< 800 metres)

6.5 Further to the above, Chesterfield Royal Hospital is located approximately 2 kilometres to the south of the application site.

6.6 As discussed in Section 2 of this Statement, the site is located entirely within Flood Zone 1 on the Government's flood maps which means that the site has a very low risk of flooding from rivers of the sea (less than 0.1% chance annually). The site is also at very low risk of flooding from surface water (less than 0.1% chance annually). It is of note that the National Planning Practice Guidance sets out that residential development is an appropriate land use in Flood Zone 1 areas (paragraph 066, reference ID 7-066-20140306).

Landscape

6.7 The matter of landscape was discussed in detail as part of the appeal where outline planning permission was granted, and a requirement for the development of the application site is that it is a landscape led scheme that respects views into and out of the site whilst also enhancing the existing boundaries to dwellings.

6.8 A comprehensive landscape strategy and detailed proposed landscape plans have been prepared by FPCR to support this Reserved Matters application. The strategy and plans (alongside the proposed site layout plan) demonstrate that there are a number of locations where opportunities for long distance views have been created along the southern portion of the application site. The strategy and plans also provide details about the landscaping that is proposed to enhance the boundaries to existing dwellings.

Heritage

6.9 The Grade II listed Manor House and associated Grade II listed street boundary wall and gatepiers at 76 Manor Road is located adjacent to the eastern boundary of the application site. It is of note that there are modern bungalows on either side of the building.

6.10 The Manor House (list entry number 1088252) was first listed on 26th September 1977 and the building itself dates back to the 17th and 18th Century. It is a two storey L shaped house which is constructed of coursed stone rubble with quoins and it has a slate roof with coped gable ends and end chimneys.

6.11 The street boundary wall and gatepiers (list entry number 1088253) were also first listed on 26th September 1977. The wall which is constructed from stone and is ramped up to the gatepiers, and the gatepiers which are tall and constructed from ashlar with cornices and ball finials on pedestals, date back to the 17th Century.

National Policy

6.12 Paragraph 184 of the Framework sets out that heritage assets are an irreplaceable resource and that they should be conserved in a manner appropriate to their significance so that they can be enjoyed for their contribution to the quality of life of existing and future generations. Paragraph 189 of the Framework then states the following:

“In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets’ importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. ...”

6.13 Further to the above, paragraph 193 of the Framework states that:

“When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be).”

6.14 Paragraph 196 of the Framework then states that:

“Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.”

Local Policy

6.15 Policy CLP21 (Historic Environment) firstly sets out that the Council will give great weight to the conservation, and wherever possible the enhancement, of designated heritage assets, and they will protect them. The policy then sets out that where a development is likely to

result in harm to, or a degree of loss of, designated heritage assets and / or their setting the planning application should be accompanied by evidence that sets out a description of the significance and an assessment of the impact, an evaluation of how harm or loss will be avoided, minimised or mitigated, and a justification for the development.

Heritage Asset and the Development Proposal

- 6.16 A Heritage Impact Assessment which considered the development proposal and the possible impacts on the Manor House and its associated street boundary wall and gatepiers was submitted as part of the outline planning application. The Assessment determined that the proposed development will not impact on the importance or setting of the building.
- 6.17 Further to the above, it is of note that the proposed layout has been designed to incorporate a large separation from the Manor House to the dwellings to the east. Also, these dwellings have been designed to be orientated in a more organic layout, enhanced by landscaping, to ensure that the setting of the Listed Building is protected.

Supplementary Planning Documents (SPDs)

- 6.18 The ‘*Successful Places*’ residential design SPD was adopted by the Council in July 2013.
- 6.19 In relation to separation distances, the document sets out that the following represent good practice:
- 21 metres between the rear elevations of two dwellings directly facing one another;
 - 12 metres front to front (minimum); and
 - 12 metres rear to a side wall / gable.
- 6.20 Following this, the document states the following:

“These are accepted ‘rules of thumb’ in most suburban settings and remain a useful benchmark / starting point for assessing matters of privacy. However, with careful design they may be able to be relaxed.”

- 6.21 As stated in the Design and Access Statement that has been submitted as part of the application package, *“the separation distances within the development are in accordance with Chesterfield Council Policy. In addition, separation distances have been increased further between the existing single storey properties and the new dwellings”*.

6.22 In relation to outdoor amenity space, the document sets out that dwellings should normally have a minimum single area of private open space, excluding parking areas and garage spaces, in accordance with the following minimum requirements:

- 1 or 2 bed house: 50sqm
- 3 bed house: 70sqm
- 4+ bed house: 90sqm.

6.23 The vast majority of the proposed units meet or exceed the minimum requirements referenced above for a single area of private open space (i.e. a private rear garden), with 8 of the units (which equates to 5%) falling slightly below the guidance. The proposed design allows for existing hedgerows to be maintained and enhanced, and it allows for an organic appearance along the southern, western and eastern boundaries to soften the transition between the proposed development and the surrounding area. Also, the proposed design allows for a comprehensive landscaping scheme to be incorporated to create a visually attractive and welcoming development for residents in both the public and private realm.

6.24 Further to the above, it is of note that landscaping and amenity is also provided to the front of plots, and there is a large area of Public Open Space proposed within the development which will be accessible for use and enjoyment by all residents.

6.25 The *'Designing Out Crime'* SPD was adopted by the Council in June 2007.

6.26 In relation to natural surveillance, the document firstly sets out that natural surveillance limits the opportunity for crime. The document then states the following:

"It occurs by designing the location of physical features, activities and people in such a way as to maximise visibility and foster positive social interaction among legitimate users of private and public space."

6.27 As discussed previously in Section 5 of this Statement, natural surveillance and security are provided throughout the proposed development by the opportunities for social interaction and by the active frontages.

6.28 In relation to the design of dwellings, the document states the following:

“Residential development should face onto the most public side by fronting streets, footpaths and public spaces. Room and window orientations should ensure good natural surveillance both to and from the street, with at least one habitable room fronting the street at ground floor level. Private rear gardens should be back to back wherever possible. Ideally, rear gardens should not back onto footpaths or service roads.”

6.29 As demonstrated on the proposed layout submitted as part of the application package, the proposed development has been designed to: ensure that the plots front the road network, the footpaths and the public open space area; ensure that natural surveillance and security are provided; and ensure that rear gardens are back to back wherever possible.

6.30 In relation to mix of dwelling types and tenures, the document states the following:

“Surveillance within a housing development can be increased for longer periods of the day if there is a good mix of dwelling types. This encourages a mix of occupants who may have different patterns of employment and activity.”

6.31 As demonstrated in the schedule of accommodation in Table 2, and on the proposed layout submitted as part of the application package, a mix of dwelling types and tenures (which is policy compliant) is provided and the different types and tenures are scattered throughout the development.

National Design Guide

6.32 The National Design Guide, which sets out the characteristics of well-designed places and demonstrates what good design means in practice, was published on 1st October 2019. The Guide forms part of the Government’s collection of planning practice guidance and should be read alongside the separate planning practice guidance on design process and tools. The Guide is also capable of being a material consideration in planning applications and appeals, meaning that where relevant Local Planning Authorities should take it into account when decision taking.

6.33 In regard to existing local character and identity, the Guide states that well-designed new development is influenced by the following:

- *An appreciation and understanding of vernacular, local or regional character, including existing built form, landscape and local architectural precedents;*
- *The characteristics of the existing built form;*
- *The elements of a place or local places that make it distinctive; and*
- *Other features that are particular to the area*

6.34 Further to the above, in regard to well-designed, high quality and attractive places, the Guide

states that well-designed places contribute to local distinctiveness in a number of ways, which may include:

- *Adopting typical building forms, features, materials and details of an area;*
- *Drawing upon the architectural precedents that are prevalent in the local area, including the proportions of buildings and their openings;*
- *Using local building, landscape or topographical features, materials or planting types;*
- *Introducing built form and appearance that adds new character and difference to places;*
- *Creating a positive and coherent identity that residents and local communities can identify with*

6.35 As discussed previously in Section 5 of this Statement, the Applicant proposes to construct dwellings that are of a high architectural quality and that are constructed from high quality building materials. Also, the street scene will be visually attractive and welcoming, a public open space area which is accessible for all residents is proposed, and the proposed density is in accordance with the outline planning permission for up to 150 residential units. Further to this, the proposed dwellings will provide good living and amenity standards for residents, natural surveillance and security is created by the opportunities for social interaction and the active frontages throughout the site, and privacy and security are provided for residents by appropriate boundary treatments for rear gardens.

6.36 Further to the above, the pre-application feedback from the Local Planning Authority included a number of urban design comments. These included: that further consideration should be given to views and terminating vistas; that a series of legible spaces and / or notable buildings / corners and focal points of interest are sought; and that plots in focal point locations need to be recognised as such and celebrated to strengthen the sense of place. As set out in the Design and Access Statement that has been submitted as part of the application package, plot specific enhanced elevations have been introduced at key focal points within the development, and these focal buildings along with the proposed nodes and vistas enhance the proposed scheme's sense of place.

6.37 The Design and Access Statement provides comprehensive detail about the evolution of the final design of the scheme and the factors that influenced the design (such as the surrounding area).

7.0 CONCLUSION

- 7.1 This Planning Statement has been prepared by DLP Planning Ltd on behalf of Vistry (the “Applicant”) in support of a Reserved Matters application for the provision of 150 dwellings, public open space, drainage attenuation, and walking and cycling routes at land to the west of Northmoor View, Brimington, S43 1QY.
- 7.2 This Statement has set out the site context, planning history, and details of the proposed development. It has also assessed the proposal against national and local planning policies and objectives, and it has reviewed other material considerations.
- 7.3 The proposed development will be a policy compliant, high quality and visually attractive scheme which will utilise a site within the built-up area of Brimington that has an extant outline planning permission for up to 150 residential units.
- 7.4 Based on the assessment provided in this Statement and in the other supporting documents that have been submitted as part of the application package, it is considered that planning permission should be granted without delay.



dynamic development solutions™

APPENDIX 1

YORKSHIRE WATER PROTECTION OF MAINS AND SERVICES

1. The position of Yorkshire Water Services Ltd (YWS) apparatus shown on the existing mains record drawing(s) indicates the **general** position and nature of our apparatus and the accuracy of this information cannot be guaranteed. Any damage to YWS apparatus as a result of your works may have serious consequences and you will be held responsible for all costs incurred. Prior to commencing major works, the exact location of apparatus must be determined on site, if necessary by excavating trial holes. The actual position of such apparatus and that of service pipes which have not been indicated must be established on site by contacting the Customer Helpline on 0845 124 24 24 for both water and sewerage.
2. The public sewer and water network is lawfully retained in its existing position and the sewerage and water undertaker is entitled to have it remain so without any disturbance. The provisions of section 159 of the Water Industry Act 1991 provides that the undertaker may "inspect, maintain, adjust, repair or alter" the network. Those rights are given to enable the undertaker to perform its statutory duties. Any development of the land or any other action that unacceptably hindered the exercise of those rights would be unlawful. The provisions contained in Section 185 of the Water Industry Act 1991 state that where it is reasonable to do so, a person may require the water supply undertaker to alter or remove a pipe where it is necessary to enable that person to carry out a proposed change of use of the land. The provisions contained in Section 185 also require the person making the request to pay the full cost of carrying out the necessary works.
3. Ground levels over existing YWS apparatus are to be maintained. Sewers in highways will **generally** be laid to give 1200mm of cover from finished ground level working to kerb races, other permanent identification of the limits of the road or to an agreed line and level. Substantial increases or decreases to this 1200mm depth of cover will result in the sewer being re-laid at your expense. Water mains and services will **generally** be laid with a minimum of 750mm depth of cover however some mains and services usually those installed over 50 years ago may have less ground cover.
4. If surface levels are to be decreased / increased significantly the effects on existing water supply apparatus will be carefully considered and if any alterations are necessary, the costs of the alterations will be recharged to you in full. Outlets on fire hydrants must be no more than 300mm below the new levels and all surface boxes must be adjusted as part of the scheme.
5. To enable future repair works to be carried out without hindrance; any pipe, cable, duct, etc. installed parallel to a water main or service pipe should not be installed directly over or within 300mm of a water main or service pipe or 1000mm of a waste water asset. Where a pipe, cable, duct, etc. crosses a main or service it should preferably cross perpendicular or at an angle of no less than 45° and with a minimum clearance of 150mm. These requirements apply to activities within an existing highway and are relevant to the installation of pipes, cables, ducts, etc. up to and including 250mm in diameter (*see illustration below*). Necessary protection measures for installations greater than 250mm in diameter and/or in private land will need to be agreed on an individual basis. Installations within a new development site must comply with the National Joint Utilities Group publication Volume 2: NJUG Guidelines On The Positioning Of Underground Utilities Apparatus For New Development Sites.
6. All excavation works near to YW apparatus should be by hand digging only.
7. Backfilling with a suitable material to a minimum 300mm above YW apparatus is required.
8. Adequate support must be provided where any works pass under YW apparatus.
9. Jointing chambers, lighting columns and other structures must be installed in such a way that future repair or maintenance works to YW apparatus will not be hindered.
10. Apparatus such as; railings, sign posts, etc. must not be placed in such a way that they prevent access to or full operation of controlling valves, hydrants or similar apparatus. YWS surface boxes must not be covered or buried. Any adjustment, alteration or replacement of manhole covers must be agreed on site prior to the commencement of the works with a YWS Inspector who may be contacted via our Call Centre on 0845 124 24 24.
11. Explosives shall not be used within 100 metres of any Yorkshire Water Services apparatus or installations.
12. Vibrating plant should not be used directly over any apparatus. Movement or operation by vehicles or heavy plant is not to be permitted in the immediate vicinity of YWS plant or apparatus unless there has been prior consultation and, if necessary, adequate protection provided without cost to YWS.
13. **Under no circumstances** should thrust boring or similar trenchless techniques commence until the actual position of the Company's mains/services along the proposed route have been confirmed by trial holes.
14. Any alterations to the highway should be notified following the procedures outlined in the New Road and Street Works Act 1991 Code of Practice; Measures Necessary Where Apparatus Is Affected By Major Works (Diversionary Works).
15. You will be held responsible for any damage or loss to YWS apparatus during and after completion of work, caused by yourselves, your servant or agent. Any damage caused or observed to YWS plant or apparatus should be immediately reported to YWS. Should YW incur any costs as a result of non-compliance with the above, all costs will be rechargeable in full.
16. You should ensure that nothing is done on the site to prejudice the safety or operation of YWS employees, plant or apparatus.
17. In accordance with the New Roads and Street Works Act 1991, Chapter 22, Part 3, Section 80. The location of any identified YW asset "*which is not marked, or is wrongly marked, on the records made available*" should be communicated back to Yorkshire Water. The location of the apparatus should be identified on copies of the supplied plans which should be returned to Yorkshire Water (Asset Records Team) with photographic supporting evidence where possible.
18. The Government has decided that responsibility for private sewers serving two or more properties and lateral drains (the section of pipe beyond the boundary of a single property, connecting it to the public sewer) will be transferred to the water companies on Oct 1 2011.












Private pumping stations will also transfer during the period 1 October 2011 – 1 Oct 2016. Records of these assets may not yet be shown on the existing mains record drawing(s). If you encounter any of these assets you must inform Yorkshire Water Services Ltd (YWS).

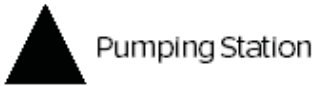
19. Please note that the information supplied on the enclosed plans is reproduced from Ordnance Survey material with the permission of the Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office, © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. Licence Number 1000019559.
20. This information is for guidance only and the position and depth of any YW apparatus is approximate only. Likewise, the nature and condition of any YW apparatus cannot be guaranteed. YW has no responsibility for recording the locations of privately owned apparatus. As of 1 October 2011, there may be some lateral drains and/or public sewers which are not documented on YW records but may still be present. For the avoidance of doubt, this information is not a substitute for appropriate professional and/or legal advice. YW accepts no responsibility for any inaccuracy or omissions in this information. The actual position of YW apparatus must be determined on site by excavating trial holes by hand. YW requires a minimum of two working days' written notice of the intention to excavate any trial holes before any excavation can be undertaken. If there are any queries in this respect please contact Yorkshire Water on 0845 124 24 24.

Property Identifier









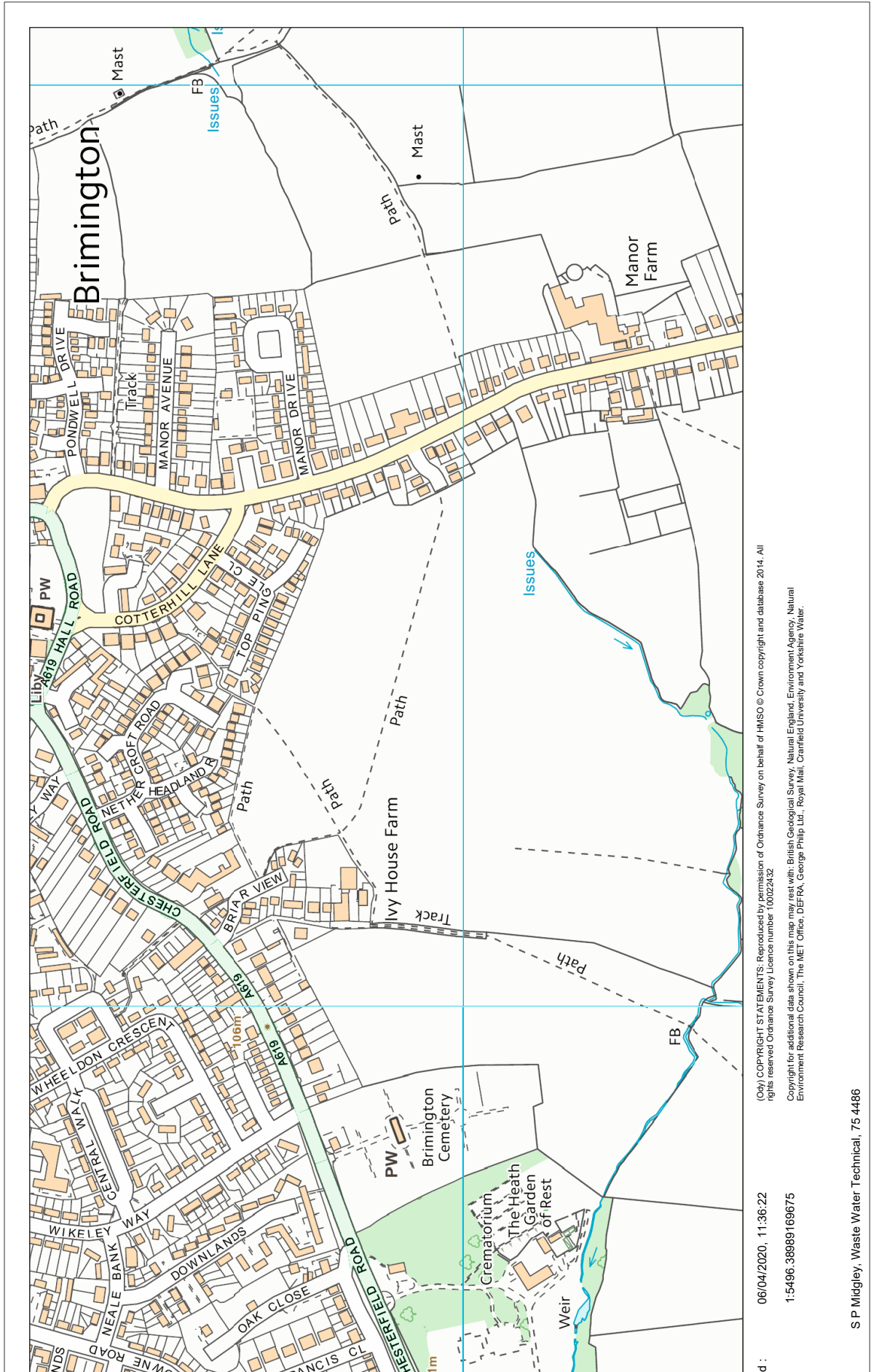
Sewer Legend

-  Combined Sewer
-  S24 Combined Sewer
-  Surface Water Sewer
-  S24 Surface Water Sewer
-  Foul Sewer
-  S24 Foul Sewer
-  Section 104 Sewer
-  Rising Main
-  Overflow Sewer
-  Abandoned Sewer
-  Syphone Sewer & Vacuum Sewer



Water Legend

-  Water Main 4" and below
-  Water Main 4" and above
-  Raw Water Main
-  Private Water Main
-  Fire Hydrant
-  Pumping Station



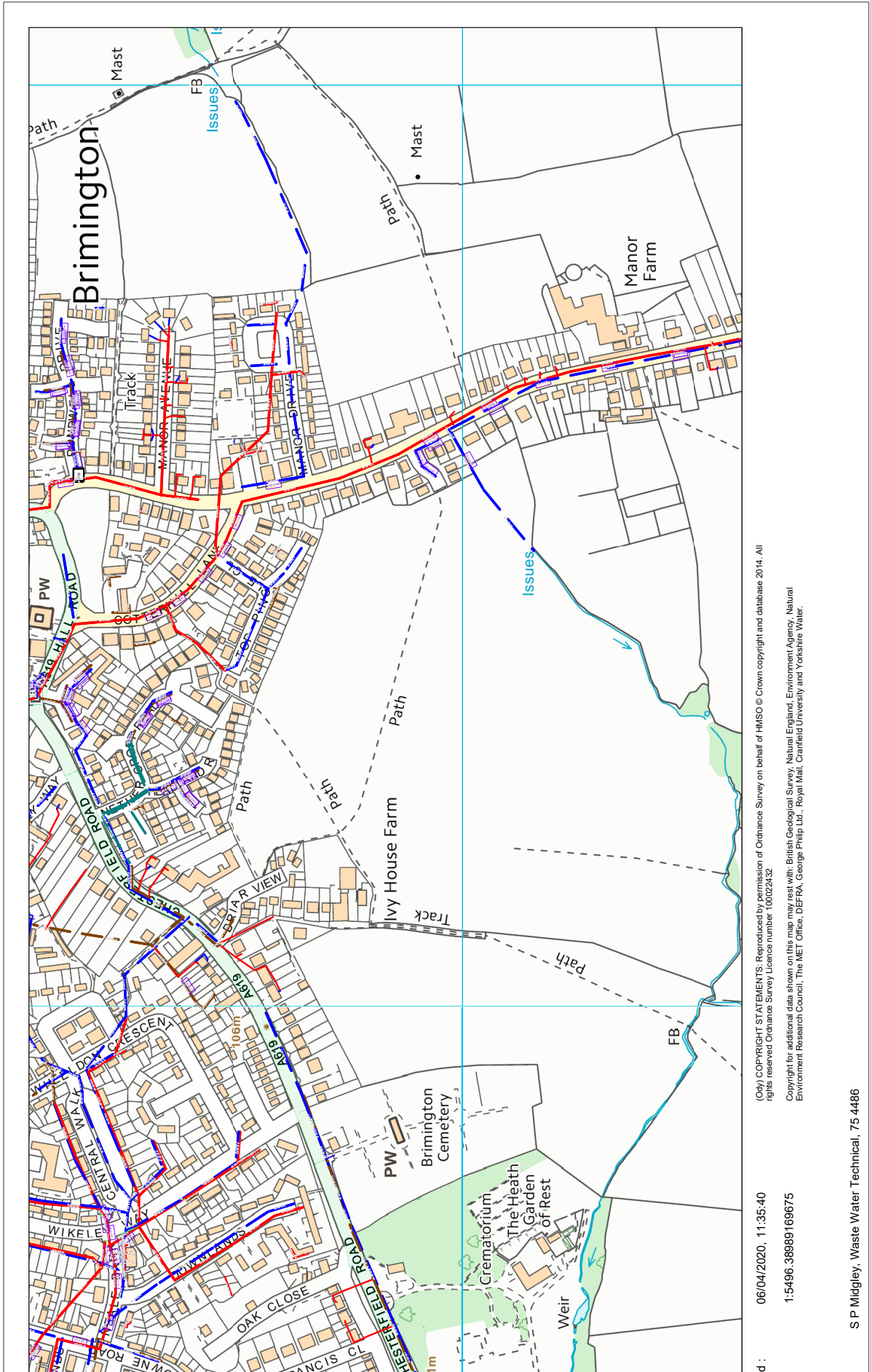
d : 06/04/2020, 11:36:22

1:5496.38989169675

(Only) COPYRIGHT STATEMENTS: Reproduced by permission of Ordnance Survey on behalf of HMSO © Crown copyright and database 2014. All rights reserved Ordnance Survey Licence number 100022432

Copyright for additional data shown on this map may rest with: British Geological Survey, Natural England, Environment Agency, Natural Environment Research Council, The MET Office, DEFRA, George Philip Ltd., Royal Mail, Cranfield University and Yorkshire Water.

S P Midgley, Waste Water Technical, 75 4486



d : 06/04/2020, 11:35:40
 1:5496.38989169675

(Ody) COPYRIGHT STATEMENTS: Reproduced by permission of Ordnance Survey on behalf of HMSO © Crown copyright and database 2014. All rights reserved Ordnance Survey Licence number 100022432
 Copyright for additional data shown on this map may rest with: British Geological Survey, Natural England, Environment Agency, Natural Environment Research Council, The MET Office, DEFRA, George Philip Ltd., Royal Mail, Cranfield University and Yorkshire Water.

S P Midgley, Waste Water Technical, 75 4486

BEDFORD / SDD / SPRU

4 Abbey Court, Fraser Road
Priory Business Park, Bedford. MK44 3WH
bedford@dlpconsultants.co.uk
01234 832 740

BRISTOL / SDD / SPRU

Broad Quay House (6th Floor)
Prince Street, Bristol. BS1 4DJ
bristol@dlpconsultants.co.uk
01179 058 850

EAST MIDLANDS / SDD

1 East Circus Street, Nottingham
NG1 5AF
nottingham@dlpconsultants.co.uk
01158 966 622

LEEDS

Princes Exchange
Princes Square, Leeds. LS1 4HY
leeds@dlpconsultants.co.uk
01132 805 808

LONDON

107 Clerkenwell Workshops,
31 Clerkenwell Close, London, EC1R 0AT
london@dlpconsultants.co.uk
020 3761 5390

MILTON KEYNES

Midsummer Court, 314 Midsummer Boulevard
Milton Keynes. MK9 2UB
miltonkeynes@dlpconsultants.co.uk
01908 440 015

RUGBY / SDD

18 Regent Place, Rugby, Warwickshire
CV21 2PN
rugby.enquiries@dlpconsultants.co.uk
01788 562 233

SHEFFIELD / SDD / SPRU

Ground Floor, V1 Velocity Village
Tenter Street, Sheffield. S1 4BY
sheffield@dlpconsultants.co.uk
0114 228 9190



IEMA Transforming the world
to sustainability



RTPI
Chartered Town Planner