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File No: CHE/18/00697/OUT
Plot No: 2/3168

ITEM 4

Erection of four houses with enclosed gardens, designated off road car parking and communal bin stores with new access from Sydney Street. (Revised information received on 20.11.2018, revised description received 18.12.2018) at St Marks Vicarage, 15 St Marks Road, Chesterfield, S40 1DH for The Derby Diocesan Board Of Finance.

Local Plan: Unallocated
Ward: Holmebrook

1.0 **CONSULTATIONS**

Ward Members	No comments
Strategy Planning Team	Comments received – see report
Environmental Services	No comments
Design Services	Comments received – see report
Yorkshire Water Services	Comments received – see report
DCC Highways	Comments received – see report
The Coal Authority	Comments received – see report
Tree Officer	Comments received – see report
Derbyshire Wildlife Trust	Comments received – see report

DCC Archaeology

No objections

Neighbours/Site Notice

7 representations received – see report

2.0

THE SITE

2.1

The site the subject of the application comprises land to the East of St Marks Vicarage on St Marks Road. The land itself is situated on the corner of Sydney Street and Springfield Avenue, in the Holmebrook area of Chesterfield. The site is largely rectangular in footprint and measures approximately 1106.6 Square Metres in area. The site is covered by grass and is relatively flat. Hedgerows and timber fences form the boundaries to the site, and it appears that trees have been felled on the site at some stage. The roadway of Springfield Avenue is situated to the North of the site, the roadway of Sydney Street is situated to the East of the site, a neighbouring residential property on Sydney Street and St Marks Church are situated to the South of the site, and St Marks Vicarage is situated to the West of the site.

2.2

The application site is unallocated within the Local Plan.







3.0 **RELEVANT SITE HISTORY**

3.1 There is no planning history relevant to this site.

4.0 **THE PROPOSAL**

4.1 An outline planning application with Access and Layout considered and all other matters reserved has been made for four houses with enclosed gardens, designated off road car parking and communal bin stores with new access from Sydney Street. (Revised information received on 20.11.2018, and 18.12.2018). The application was originally for four three-bedroomed houses with Landscaping and Scale considered. The agent handling the application subsequently decided that these details should be dealt with at the Reserved Matters stage.

4.2 An application form, site location plan, site layout and coal mining risk assessment have been submitted, however no other details have been provided at this stage. Approval of the details of the scale, external appearance and landscaping of the site would be considered under a subsequent, separate reserved matters application.

4.3 The site layout indicates that a row of four terraced dwellings would be erected to the North of the site. These dwellings would front onto Springfield Avenue, where pedestrian access would be provided. Small front garden areas are proposed to the Northern front of the dwellings, and larger rear gardens are proposed to the Southern rear. Parking and bin storage is proposed to the South of the site, with 12 parking spaces and vehicle manoeuvring area provided. Vehicular access is proposed from Sydney Street, to the East of the site.

5.0 **CONSIDERATIONS**

Local Plan Issues

5.1 The site is situated within the built settlement of Holmebrook. This area is predominantly residential in nature, and is situated in close proximity to areas of green open space. Having regard to the nature of the application, policies CS2 and CS18 of the Core Strategy and the wider National Planning Policy Framework (NPPF) apply. In addition, the Councils Supplementary Planning Document on Housing Layout and Design 'Successful Places' is also a material consideration.

5.2 Policy CS2 (Principles for Location of Development) states that when assessing planning applications for new development not allocated in a DPD, proposals must meet the following criteria / requirements:

- a) adhere to policy CS1
- b) are on previously developed land
- c) are not on agricultural land
- d) deliver wider regeneration and sustainability benefits
- e) utilise existing capacity in social infrastructure
- f) maximise walking / cycling and the use of public transport
- g) meet sequential test requirements of other national / local policies

All development will be required to have an acceptable impact on the amenity of users or adjoining occupiers taking into account noise, odour, air quality, traffic, appearance,

overlooking, shading or other environmental, social or economic impacts.

- 5.3 Policy CS18 (Design) states that all development should identify, respond and integrate with the character of the site and its surroundings and development should respect the local character and the distinctiveness of its context. In addition it requires development to have an acceptable impact on the amenity of neighbours.

In addition to the above, the NPPF places emphasis on the importance of good design stating:

“In determining applications, great weight should be given to outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in the area, so long as they fit in with the overall form and layout of their surroundings.” (para131)

“Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents” (para 130).

- 5.4 In addition to the above, in July 2013 the Council adopted ‘Successful Places’ which is a Supplementary Planning Document which guides Sustainable Housing Layout and Design. The development proposed should be assessed against the design principles set out in this supporting document.

- 5.5 The proposed development site is situated within walking and cycling distance from Chesterfield Town Centre. Although the area of land is previously undeveloped, it is not considered that this site is of high environmental value, and the principle of residential development is therefore considered to be acceptable. The site is located within a built-up area where new housing development would be considered appropriate in principle. As such, this proposed development site is considered to be sufficiently sustainable for a development of this nature and is a logical housing plot.

- 5.6 In policy terms the application site is a residential garden to the vicarage and is considered a greenfield site as it would not meet the definition of previously developed land set out on page 70 of the NPPF. The NPPF specifically excludes private residential gardens within built-up areas from the definition of previously developed land (annex 2: Glossary). The Chesterfield Borough Core Strategy does not include specific policies on the development of residential gardens; instead the primary considerations are policies CS10 in terms of the principal of development, CS1 and CS2 in terms of the location and CS18 in terms of design and impact upon the environment and amenity.
- 5.7 Policy CS10 states that “planning permission for housing-led greenfield development proposals on unallocated sites will only be permitted if allocated land has been exhausted or...there is less than a 5 year supply of deliverable sites.” As the council is currently able to demonstrate a five year supply of deliverable housing sites, a strict interpretation of policy CS10 would indicate that planning permission should not be granted for the development of residential gardens or small scale greenfield urban infill plots.
- 5.8 However the NPPF is also clear that “Local planning authorities should approach decision-taking in a positive way to foster the delivery of sustainable development” (NPPF para 38). Decisions should be plan-led unless material considerations indicate otherwise and LPAs should apply the presumption in favour of sustainable development when determining development proposals.
- 5.9 Policy CS10 must be read in combination with policy CS1, the spatial strategy, which sets out that the overall approach to growth will be to concentrate new development within walking and cycling distance of centres. The site is approximately 0.1 miles from the nearest designated centre at Chatsworth Road. The site therefore meets the requirement of CS1.
- 5.10 The site is greenfield and therefore the proposal does not accord with CS10. However, the proposal is of small scale and is located very close to an existing District Centre and on

this basis an exception could be made to CS10. There are therefore no objections in principle, however a three storey design of the proposal would not respect the character, form and setting of the site and surrounding area and on this basis the applicant has been encouraged to consider an alternative design.

Design and Appearance (Including Neighbour Effect)

- 5.11 Having regard to the site location plan, it is expected that the development may impose the greatest degree of change to neighbouring properties on Sydney Street. The new properties would be situated several metres away from any neighbouring properties on this road so it is considered that a scheme can be devised that would result in no adverse impact in terms of overlooking, overshadowing or an overbearing impact on these properties. There are no other residential properties situated in close enough proximity to be affected by these plans. It is considered that the potential impact on neighbouring properties would not be significant, however this would be clarified at the reserved matters stage.
- 5.12 The plans indicate that sufficient outdoor amenity space would be provided for each of the new dwellings, in line with standards. The plans indicate that two parking spaces would be provided per dwelling, which meets standards. Four additional spaces are also proposed on site, which would result in a generous level of guest parking provision.
- 5.13 Overall it is accepted that development of this nature on previously undeveloped land would impose an impact upon neighbours. In this instance there is however a case to argue that this impact would be minimal, due to the separation distances and the relationship between properties.
- 5.14 In the context of the provisions of Policies CS2 and CS18 of the Core Strategy and the material planning considerations in relation to neighbour impact, it is concluded that the development can be designed to prevent any significant adverse impact upon the privacy and/or outlook of the adjoining and/or adjacent neighbours. As such, the

development is considered to be acceptable in terms of these policies.

- 5.15 Overall the principle of this scheme is considered to be acceptable, and is in accordance with policies CS2 and CS18 of the Core Strategy and the wider SPD.

Design Services

- 5.16 Design Services has commented that they would like to see drainage details of how the developer intends to dispose of surface water, prior to full approval. With the site being greenfield, the surface water discharge should be restricted to greenfield run-off rates. The site should also be developed with separate foul and surface water drainage systems. Any connections made to the public sewerage network will require prior consent from Yorkshire Water. Any connections to the existing drainage system, may require Building Control approval.
- 5.17 The comments from Design Services are accepted and it is considered necessary to impose a condition requiring drainage details, in the interests of sustainable drainage.
- 5.18 Yorkshire Water has also made comments on the application and recommended a number of notes and conditions.

DCC Highways

- 5.19 DCC Highways was consulted on this application and they have made the following comments;

Sydney Street is subject to a 30mph speed limit, and therefore visibility sightlines of 2.4m x 43m in each direction are required at any new access formed on this section of highway. This splay appears to be achievable from the proposed location of the access. The application drawings show the site access is to be 5m wide which is considered acceptable for a shared access. Each dwelling is to have 3 parking bays sized at 2.4m x 5.5m and this parking provision exceeds the current minimum recommended standards. There is a generous manoeuvring area shown within the site.

With the above in mind, there are no highway objections however I recommend the following conditions be included with any consent given:

1. Before groundwork commences, the proposed vehicular [and pedestrian] access to Sydney Street (NC) shall be created in accordance with the application drawings, laid out, constructed and provided with 2.4m x 43m visibility splays in both directions, the area in advance of the sightlines being maintained throughout the life of the development clear of any object greater than 1m in height (0.6m in the case of vegetation) relative to adjoining nearside carriageway channel level.
2. There shall be no gates or other barriers within 5m of the nearside highway boundary at the vehicular access and all gates shall open inwards only.
3. Before occupation, the area shown on the approved plans as reserved for parking, garaging, circulation and standing of vehicles shall be provided in accordance with the approved details. Thereafter the area shall be used for those purposes only and maintained free from any impediment to its designated use.

5.20 The comments from DCC Highways are accepted and it is considered necessary to impose the suggested conditions, in the interests of highway safety and parking.

Coal Authority

5.21 The Coal Authority has commented as follows:

The applicant has now obtained appropriate and up-to-date coal mining information for the proposed development site and has used this information to inform the Coal Mining Risk Assessment Report (prepared by Groundsmiths (UK) Ltd, dated 20 October 2018) which accompanies this planning application. The Coal Mining Risk Assessment Report correctly identifies that the application site has been subject to past coal mining activity. Specifically, the report identifies a risk posed by recorded and probable unrecorded shallow coal mining beneath the application site.

The report recommends intrusive site investigations comprising of 5 no. boreholes to determine the depth to, thickness and condition of coal beneath the site in order to accurately ascertain the risk posed by coal mining legacy to the proposed development. In addition, post-investigation ground gas monitoring is also recommended.

The Coal Authority concurs with the conclusions and recommendations of the Coal Mining Risk Assessment (prepared by Groundsmiths (UK) Ltd, dated 20 October 2018) which accompanies this planning application. However, the exact extent and form of intrusive investigations should be agreed with The Coal Authority's Permitting Team. The investigations need to be prepared and conducted by a suitably competent person and the findings used to inform an appropriate scheme of remedial measures, if necessary.

The Coal Authority recommends that the LPA impose a Planning Condition should planning permission be granted for the proposed development requiring these site investigation works prior to commencement of development.

In the event that the site investigations confirm the need for remedial works to treat the areas of shallow mine workings etc. to ensure the safety and stability of the proposed development, this should also be conditioned to ensure that any remedial works identified by the site investigation are undertaken prior to commencement of the development.

A condition should therefore require prior to the commencement of development:

- * The undertaking of an appropriate scheme of intrusive site investigations;
- * The submission of a report of findings arising from the intrusive site investigations;
- * The submission of a scheme of remedial works for approval; and
- * Implementation of those remedial works.

5.22 The comments from the Coal Authority are accepted and it is considered necessary to impose the suggested condition, in the interests of coal mining legacy and safety.

Tree Officer

5.23 The Tree Officer comments that the proposed development site has recently been cleared of all trees before any assessment for their retention in any scheme could be carried out. No objection therefore arise to the application however a condition should be attached if consent is granted to the application for a detailed landscaping scheme which should include tree and shrub planting to enhance the amenity of the area and in mitigation of the green landscape that was lost due to the felling of trees on the boundaries of the site.

5.24 The following condition should therefore be attached:

Prior to the commencement of the development, details of treatment of all parts on the site not covered by buildings shall be submitted to and approved in writing by the Local Planning Authority. The site shall be landscaped strictly in accordance with the approved details in the first planting season after completion or first occupation of the development, whichever is the sooner. Details shall include:

- a) a scaled plan showing trees and plants to be planted:
- b) proposed hardstanding and boundary treatment:
- c) a schedule detailing sizes and numbers of all proposed trees/plants
- d) Sufficient specification to ensure successful establishment and survival of new planting.

Any new tree(s) that die(s), are/is removed, become(s) severely damaged or diseased shall be replaced and any new planting (other than trees) which dies, is removed, becomes severely damaged or diseased within five years of planting shall be replaced. Replacement planting shall be in accordance with the approved details (unless the Local Planning Authority gives its written consent to any variation). Reason: Required to safeguard and enhance the character and amenity of the area, to provide ecological, environmental and bio-diversity benefits and to enhance its setting within the immediate locality.

Derbyshire Wildlife Trust

- 5.25 Derbyshire Wildlife Trust has also been consulted on this application and they comment that from reviewing the documents submitted with the application, no information on ecology has been provided. We have therefore reviewed our biological records, aerial photographs, consultee and public comments on this application in order to prepare our response. From reviewing aerial photographs the site appears to support amenity managed grassland and be surrounded by mature trees. It is understood from reading the comments from the tree officer that these trees have sadly been felled prior to the submission of a planning application. This is exceptionally disappointing, when the applicant should have sought to retain as many trees as possible as part of the development design, in order to retain probably the most important ecological features within the site. From reading a public comment it is understood a hedgerow may still be present on site and we therefore recommend that this is retained and incorporated into the development design, without it being split up into different ownerships. We do not hold any biological records that relate directly to the site or the immediate vicinity; however given that lack of any ecological survey, it is not clear if the site could still support protected species that would be adversely affected by the proposals. We therefore advise the Council that the applicant should be requested to provide an ecological survey report for the site, undertaken by a suitably experienced and qualified ecologist, to not only determine the existing ecological interest of the site but to also devise a strategy that enhances the ecological interest of the site, in line with guidance within Paragraph 175d of the NPPF. This could include native landscaping, retention of existing features of ecological value (such as the hedgerow) and incorporation of bat and bird boxes into the new dwellings. We would be happy to provide further comment once this report has been produced.
- 5.26 The comments from Derbyshire Wildlife Trust are accepted and it is considered necessary to impose the suggested conditions, in the interests of Ecology.

6.0 Community Infrastructure Levy (CIL)

6.1 Having regard to the nature of the application proposals the development comprises the creation of new dwellings and the development is therefore CIL Liable.

6.2 The site the subject of the application lies within the middle CIL zone and therefore the CIL Liability would be calculated using calculations of gross internal floor space on this basis.

7.0 REPRESENTATIONS

7.1 As a result of neighbour notification, seven letters of representation have been received. Seven of these are from immediate neighbours objecting to the application (17, 23, 27, 37, 39, 48 Sydney Street), and one letter of support has been received from an un-named address.

7.2 The letters of objection raise concerns with regards to parking issues, loss of parking spaces, highway safety, increased road traffic, three-storey town houses being out of keeping in the area, overlooking into a playground of the nursery/primary school directly opposite, ecological concerns, loss of privacy from the new houses, disruption during construction, and suggest that vehicular access should be from Springfield Avenue.

7.3 ***In response to these comments, it is not considered that the proposed plans would result in any major issues with parking, loss of parking spaces, highway safety or increased road traffic. It is considered that no more than two on-street parking spaces would be lost to cater for the proposed development, and the site would be generously served by on-site parking provision. It is not considered that the creation of four new houses would result in a significant increase in road traffic, and there have been no objections from DCC Highways to these plans. It is acknowledged that three-storey town houses may appear out of keeping in the area, however this description no longer forms part of the plans. It is not considered that there would be any significant issue with overlooking into a playground of the nursery/primary school directly opposite, and this would***

not impact upon amenity. The ecological concerns raised are accepted, and these are due to be addressed by condition following the comments of the Tree Officer and Derbyshire Wildlife Trust. With regards to noise and disruption, a condition should be imposed restricting working hours during construction in order to reduce the impact on neighbouring residents. It is acknowledged that some level of noise and disruption would be caused by the development, however it is considered that the imposition of such a condition would ensure that this was kept to a minimum. It is not considered that a vehicular access from Springfield Avenue would be preferable, as this is a busier road.

8.0 **HUMAN RIGHTS ACT 1998**

8.1 Under the Human Rights Act 1998, which came into force on 2nd October 2000, an authority must be in a position to show:

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

8.2 It is considered that the recommendation is objective and in accordance with clearly established law. The recommended conditions are considered to be no more than necessary to control details of the development in the interests of amenity and public safety and which interfere as little as possible with the rights of the applicant.

8.3 Whilst, in the opinion of the objectors, the development affects their amenities, it is not considered that this is harmful in planning terms, such that any additional control to satisfy those concerns would go beyond that necessary to accomplish satisfactory planning control

9.0 STATEMENT OF POSITIVE AND PROACTIVE WORKING WITH APPLICANT

- 9.1 The following is a statement on how the Local Planning Authority (LPA) has adhered to the requirements of the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012 in respect of decision making in line with paragraphs 186 and 187 of the National Planning Policy Framework (NPPF).
- 9.2 Given that the proposed development does not conflict with the NPPF or with 'up-to-date' Development Plan policies, it is considered to be 'sustainable development' and there is a presumption on the LPA to seek to approve the application. The LPA has used conditions to deal with outstanding issues with the development and has been sufficiently proactive and positive in proportion to the nature and scale of the development applied for. Pre application advice was provided.
- 9.3 The applicant / agent and any objector will be provided with copy of this report informing them of the application considerations and recommendation / conclusion.

10.0 CONCLUSION

- 10.1 The proposals are considered to be appropriate in principle, and would not have a significant unacceptable impact on the amenities of neighbouring residents or highway safety. The location of the proposed development site is sufficiently sustainable, is in a built up area and is adequately served by public transport and amenities. As such, the proposal accords with the requirements of policies CS2, CS10, CS18 and CS20 of the Core Strategy and the wider National Planning Policy Framework.
- 10.2 Furthermore subject to the imposition of appropriate planning conditions the proposals are considered to demonstrate wider compliance with policies CS7, CS8, CS9 and CS10 of the Core Strategy and the wider NPPF in respect of Highways, design, landscaping and materials. This application would be liable for payment of the Community Infrastructure Levy.

11.0 **RECOMMENDATION**

11.1 That the application be **GRANTED** subject to the following conditions:

Conditions

1. Approval of the details of the scale, external appearance and landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.
2. Application for approval of all the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.
3. The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.
4. Details of the existing and proposed land levels and the proposed floor levels of the dwelling hereby approved shall be submitted in writing concurrently with any application for the reserved matters being submitted to the Local Planning Authority for consideration. The details submitted shall include sufficient cross sections to fully assess the relationship between the proposed levels and immediately adjacent land/dwellings. The dwelling shall be constructed at the levels approved under this condition unless otherwise agreed, in writing, by the Local Planning Authority.
5. Before construction works commence or ordering of external materials takes place, precise specifications or samples of the walling and roofing materials to be used shall be submitted to the Local Planning Authority for consideration. Only those materials approved in writing by the Local Planning Authority shall be used as part of the development unless otherwise agreed by the Local Planning Authority in writing.

6. Unless otherwise approved in writing by the Local Planning Authority demolition, remediation or construction work to implement the permission hereby granted shall only be carried out on site between 8:00am and 6:00pm Monday to Friday, 9:00am to 3:30pm on a Saturday and no work on a Sunday or Public Holiday. The term "work" will also apply to the operation of plant, machinery and equipment.
7. Before groundwork commences, the proposed vehicular [and pedestrian] access to Sydney Street (NC) shall be created in accordance with the application drawings, laid out, constructed and provided with 2.4m x 43m visibility splays in both directions, the area in advance of the sightlines being maintained throughout the life of the development clear of any object greater than 1m in height (0.6m in the case of vegetation) relative to adjoining nearside carriageway channel level.
8. There shall be no gates or other barriers within 5m of the nearside highway boundary at the vehicular access and all gates shall open inwards only.
9. Before occupation, the area shown on the approved plans as reserved for parking, garaging, circulation and standing of vehicles shall be provided in accordance with the approved details. Thereafter the area shall be used for those purposes only and maintained free from any impediment to its designated use.
10. No development shall take place until details of the proposed means of disposal of foul and surface water drainage, including details of any balancing works and off-site works, have been submitted to and approved in writing by The Local Planning Authority. These details shall conform to the Chesterfield Borough Council Minimum Development Control Standards for Flood Risk.
11. No development shall take place until site investigation works have been undertaken in order to establish the exact situation regarding coal mining legacy issues on the site. Details of the site investigation works shall be submitted to and approved in writing by The Local Planning Authority. The details shall include;

- The submission of a scheme of intrusive site investigations for approval;
 - The undertaking of that scheme of intrusive site investigations;
 - The submission of a report of findings arising from the intrusive site investigations;
 - The submission of a scheme of remedial works for approval; and
 - Implementation of those remedial works
12. The site shall be developed with separate systems of drainage for foul and surface water on and off site. (In the interest of satisfactory and sustainable drainage)
13. There shall be no piped discharge of surface water from the development prior to the completion of surface water drainage works, details of which will have been submitted to and approved by the Local Planning Authority. If discharge to public sewer is proposed, the information shall include, but not be exclusive to
- i) evidence that other means of surface water drainage have been properly considered and why they have been discounted; and
 - ii) the means by which the discharge rate shall be restricted to a maximum rate of 3.5 litres per second.
14. As part of the reserved matters, details of treatment of all parts on the site not covered by buildings shall be submitted to and approved in writing by the Local Planning Authority. The site shall be landscaped strictly in accordance with the approved details in the first planting season after completion or first occupation of the development, whichever is the sooner. Details shall include:
- a) a scaled plan showing trees and plants to be planted:
 - b) proposed hardstanding and boundary treatment:
 - c) a schedule detailing sizes and numbers of all proposed trees/plants
 - d) Sufficient specification to ensure successful establishment and survival of new planting.

Any new tree(s) that die(s), are/is removed, become(s) severely damaged or diseased shall be replaced and any new planting (other than trees) which dies, is removed, becomes severely damaged or diseased within five years of planting shall be replaced. Replacement planting shall be in accordance with the approved details (unless the Local Planning Authority gives its written consent to any variation). Reason: Required to safeguard and enhance the character and amenity of the area, to provide ecological, environmental and bio-diversity benefits and to enhance its setting within the immediate locality.

15. As part of the reserved matters, an ecological survey report for the site shall be submitted to and approved in writing by the Local Planning Authority. This shall be undertaken by a suitably experienced and qualified ecologist, to not only determine the existing ecological interest of the site but to also devise a strategy that enhances the ecological interest of the site, in line with guidance within Paragraph 175d of the NPPF. This could include native landscaping, retention of existing features of ecological value (such as the hedgerow) and incorporation of bat and bird boxes into the new dwellings.
16. Electric Vehicle Charging Points shall be installed as part of the build phase and shall be retained available for use for the life of the development.

Reasons for Conditions

1. The condition is imposed in accordance with article 3 (1) of The Town and Country Planning (General Development Procedure) Order 1995 (as amended).
2. The condition is imposed in accordance with sections 91, 56 and 93 of the Town and Country Planning Act 1990.
3. The condition is imposed in accordance with sections 91, 56 and 93 of the Town and Country Planning Act 1990.
4. In the interests of residential amenities.

5. The condition is imposed in order to ensure that the proposed materials of construction are appropriate for use on the particular development and in the particular locality.
6. In the interests of residential amenities.
7. In the interests of highway safety and parking.
8. In the interests of highway safety and parking.
9. In the interests of highway safety and parking.
10. To ensure that the development can be properly drained.
11. In the interests of coal mining legacy and safety
12. In the interest of satisfactory and sustainable drainage.
13. To ensure that no surface water discharges take place until proper provision has been made for its disposal.
14. To safeguard and enhance the character and amenity of the area, to provide ecological, environmental and bio-diversity benefits and to enhance its setting within the immediate locality.
15. In the interests of ecology.
16. In the interests of reducing emissions in line with policies CS20 and CS8 of the Core Strategy.

Notes

1. Pursuant to Section 184 of the Highways Act 1980 and Section 86(4) of the New Roads and Streetworks Act 1991 prior notification shall be given to the Department of Economy, Transport & Communities at County Hall, Matlock regarding access works within the highway. Information, and relevant application forms, regarding the undertaking of access works within highway limits is available via the County Council's website http://www.derbyshire.gov.uk/transport_roads/roads_traffic/dvelopment_control/vehicular_access/default.asp, email

ETENetmanadmin@derbyshire.gov.uk or telephone Call Derbyshire on 01629 533190.

2. The Highway Authority recommends that the first 5m of the proposed access driveway should not be surfaced with a loose material (i.e. unbound chippings or gravel etc). In the event that loose material is transferred to the highway and is regarded as a hazard or nuisance to highway users, the Authority reserves the right to take any necessary action against the householder.
3. Pursuant to Sections 149 and 151 of the Highways Act 1980, steps shall be taken to ensure that mud or other extraneous material is not carried out of the site and deposited on the public highway. Should such deposits occur, it is the applicant's responsibility to ensure that all reasonable steps (e.g. street sweeping) are taken to maintain the roads in the vicinity of the site to a satisfactory level of cleanliness.
4. Car parking provision should be made on the basis of two spaces per two/three bedroom dwelling or three spaces per four/four plus bedroom dwelling. Each parking bay should measure 2.4m x 5.5m (larger in the case of spaces for use by disabled drivers).
5. Connection to the public sewerage system requires prior consent from Yorkshire Water. Connections to the existing drainage may require Building Control approval.
6. If planning permission is granted for the development which is the subject of this notice, liability for a Community Infrastructure Levy (CIL) payment is likely to arise. Persons with an interest in the land are advised to consult the CIL guide on the Chesterfield Council Website (<http://www.chesterfield.gov.uk/planning-and-building-control/planning-services/community-infrastructure-levy.aspx>) for information on the charge and any exemptions or relief, and to submit the relevant forms (available from www.planningportal.gov.uk/cil) to the Council before commencement to avoid additional interest or surcharges. If liable, a CIL Liability Notice will be sent detailing the charges, which will be registered as a local land charge against the relevant land.