

Case Officer: Sarah Kay File No: CHE/18/00842/FUL
Tel. No: (01246) 345786 Plot No: 2/313
Ctte Date: 1st April 2019 (deferred from 18th February 2019)

ITEM 2

PROPOSED ERECTION OF A 4 BED DETACHED BUNGALOW WITH GARAGE (CMRA RECEIVED / AMENDED 01/02/2019, 14/02/2019, 18/02/2019 AND 05/03/2019) AT LAND TO THE REAR OF 203 KESWICK DRIVE (FORMER CBC GARAGE SITE), NEWBOLD, DERBYSHIRE, S41 8HQ FOR MR D WOOD

Local Plan: Unallocated
Ward: Dunston

1.0 CONSULTATIONS

Local Highways Authority	Comments received 30/01/2019 – see report
CBC Strategic Planning	Comments received 30/01/2019 – see report
CBC Environmental Health	Comments received 10/01/2019 – see report
CBC Estates	Comments received 10/01/2019 – see report
CBC Design Services (Drainage)	Comments received 10/01/2019 – see report
Yorkshire Water Services	No comments received
Coal Authority	Comments received 21/01/2019, 13/02/2019, 15/02/2019, 01/03/2019 and 12/03/2019 – see report
Ward Members	No comments received
Site Notice / Neighbours	One representation received

2.0 THE SITE

2.1 The application site comprises a former garage site, which was previously owned and operated by the Council, but has been sold to Woodall Homes who are developing the site immediately adjacent to it for a development of 9 no. bungalows which were granted full planning permission in 2016 (see site history below).

- 2.2 The site is approximately 0.046ha in area and lies behind No 203 Keswick Drive and is currently served by a driveway / access which runs between No 203 and the Moonraker PH. The site is being used at present as a site compound for Woodall Homes and is fenced / gated. The photographs below show the site as a garage site in 2016; and as it appears now.

Photographs 1, 2 and 3 – Garage Site 2016



Photographs 4, 5, 6 and 7 – Site in January 2019



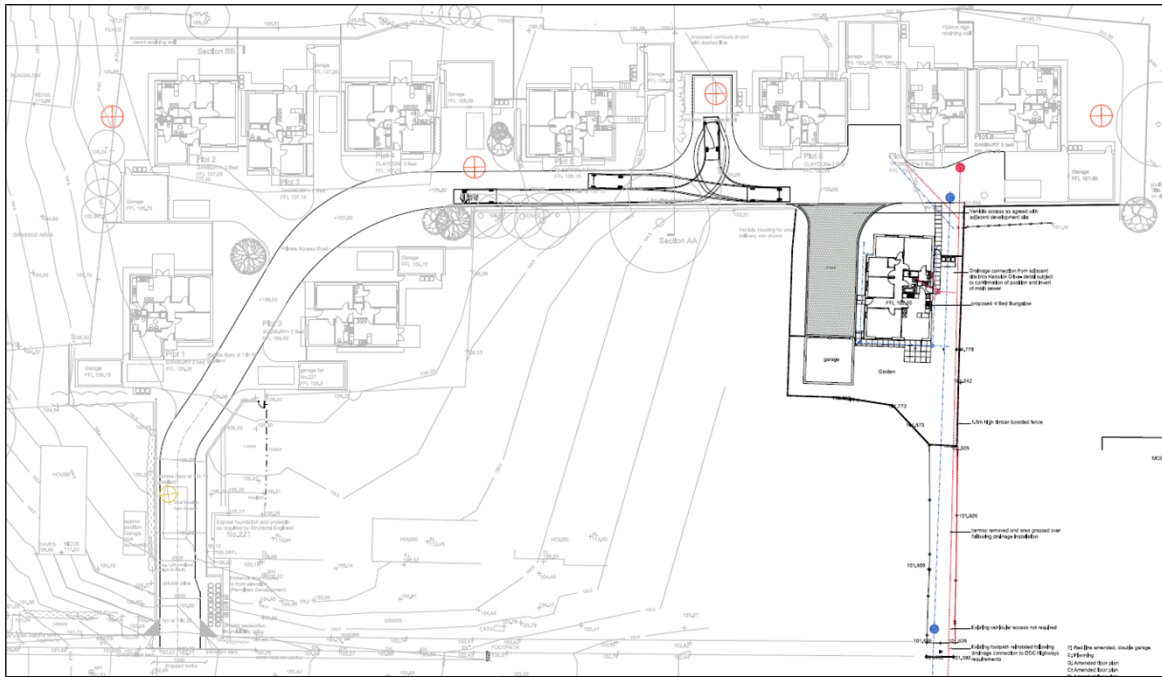


3.0 **RELEVANT SITE HISTORY**

- 3.1 CHE/18/00839/DOC - Discharge of conditions 3 (drainage), 5 (remedial work), 6 (remediation scheme), 9 (root protection), 10 (location of construction vehicles), 11 (site layout plan), 12 (bat survey), 13 (ecological enhancement strategy), 15 (lighting), 16 (on site storage), 22 (maintenance of streets) and 25 (materials samples) of CHE/16/00121/FUL.
- conditions 5, 6, 12, 15 agreed 31/01/2019
 - condition 22 agreed 13/02/2019
 - condition 3 agreed 28/02/2019
 - conditions 9, 10, 11 and 16 agreed 12/03/2019
 - condition 13 still outstanding
- 3.2 CHE/16/00121/FUL - Residential development of 9 bungalows, demolition of a garage, creation of a new access from Keswick Drive, internal road layout and associated landscaping (ecology report received 4th May 2016). Approved conditionally 08/06/2016.

4.0 **THE PROPOSAL**

- 4.1 The application submitted seeks full planning permission for the proposed erection of one four bedroom bungalow with garage, which will front onto the new development being undertaken by Woodall Homes on the adjacent parcel of land and will be served from the new driveway / access associated therewith (see site layout extract below).



4.2 The bungalow proposed will include entrance hallway, kitchen / diner, lounge, master bedroom (with en-suite), bathroom and three other bedrooms. The property will be served by a detached double garage and driveway parking in advance which will then adjoin the end of the new access driveway serving the adjacent development site. The current access driveway leading off Keswick Drive will be utilised by the developer to provide a drainage connection to the application site and wider development and will be fenced off to form the rear garden of the new bungalow.

4.3 The application submission is accompanied / supported by the following plans / documents:
 18-569-P01 REV G – Site Plan
 18-569-P02 REV F – Plans & Elevations
 Coal Mining Risk Assessment (received 01/02/2019)

5.0 **CONSIDERATIONS**

5.1 **Planning Policy Background**

5.1.1 The site is situated within the built settlement of Dunston in an area predominantly residential in nature. Having regard to the nature of the application proposals policies CS1 (Spatial Strategy), CS2 (Location of Development), CS3 (Presumption in favour of Sustainable Development), CS4 (Infrastructure Delivery), CS6 (Sustainable Design), CS7 (Management of the Water Cycle), CS8

(Environmental Quality), CS9 (Green Infrastructure and Biodiversity), CS18 (Design) and CS20 (Demand for Travel) 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 **Principle of Development**

5.2.1 The site the subject of the application was a former garage site, located in the built settlement of Dunston accordingly the site is regarded as previously development land (as defined in the NPPF 2018).

5.2.2 As new residential development the development should be considered against the provisions of policies CS1 and CS2 of the Core Strategy.

5.2.3 The site is within walking/cycling distance of the designated Newbold local centre and the Littlemoor local centre, therefore meeting the sequential approach to development and the proposal would result in the redevelopment of a vacant brownfield site. It therefore accords in principle with the Spatial Strategy set out in Core Strategy Policy CS1 and criteria (a) to (f) of policy CS2 and is therefore acceptable.

5.3 **Design and Appearance Considerations (inc. Neighbouring Impact / Amenity)**

5.3.1 The development the subject of this application clearly sits as an addition / component part of the wider / adjacent sites development and in this respect the principles of accepting the scale and nature of development are already established. This application site lies at a lower level to the adjacent development, which follows the lie of the land and explains the indication of drainage connection for the whole development as part of this application site boundary.

5.3.2 It considered that the relationship as indicated is an acceptable one (given the development is for a bungalow) and that appropriate separation distances between the proposed development and all of the neighbouring properties are achieved in accordance with the Councils adopted SPD.

- 5.3.3 Details of landscaping are currently limited to boundary treatments, therefore appropriate conditions would need to be imposed if permission is granted to secure further details of hard and soft landscaping.
- 5.3.4 The existing site context comprises predominantly 20th century bungalows to the west and post war housing to the east. The area generally has an established character in terms of its architectural style and appearance. The proposed bungalow is of a similar scale to those already accepted and is a further variance in house type to those also accepted on the site adjacent.
- 5.3.5 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 the proposals will not impact upon the privacy and/or outlook of the adjoining and/or adjacent neighbours and are acceptable in terms of these policies. Notwithstanding this however, it is noted that due to the proximity of some of the adjoining and adjacent neighbouring properties it could be possible that permitted development extensions may pose a threat to privacy and amenity and therefore it is considered necessary to impose a condition removing these rights to maintain control over the future relationship any such extensions or alterations would have upon the neighbours.

5.4 **Highways Issues**

- 5.4.1 The application submission has been reviewed by the **Local Highways Authority** (LHA) who provided the following response:

It is noted that the proposed access route to the site is not included in the area the subject of the application or within the area in the ownership/control of the applicant. No doubt you will ensure that vehicular and pedestrian access to the property would be available.

Although this proposed property is to the rear of No. 203 its access is to be taken from a new private drive which is adjacent to No. 221 which was approved under application 16/00121. The existing access to the site will, therefore, require to be closed by the provision of a full height kerb with any associated works to the satisfaction of the Highway Authority

Subject to access being available, there are no objections to the proposal and it is recommended that the following conditions are included in any consent.

1. Prior to occupation of the dwelling, a new vehicular and pedestrian access shall be formed to the private drive off Keswick Drive as a standard splayed dropped crossing and provided with visibility sightlines of 2.4m x maximum achievable over the site frontage in both directions. The land in advance of the visibility sightlines shall be retained throughout the life of the development free of any object greater than 1m in height (0.6m in the case of vegetation) relative to adjoining nearside carriageway channel level.

2. Prior to occupation of the dwelling the existing vehicular and pedestrian access to Keswick Drive shall be permanently closed and the existing vehicle crossover reinstated as footway in accordance with a scheme first submitted to and approved in writing by the Local Planning Authority.

3. The proposed dwelling shall not be occupied until space has been laid out within the site in accordance with the application drawing for cars to be parked. Once provided, the spaces shall be maintained free from any impediment to its designated use for the life of the development.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and/or re-enacting that Order) the garage hereby permitted shall be retained as such and shall not be used for any purpose other than the garaging of private motor vehicles associated with the residential occupation of the property without the grant of further specific planning permission from the Local Planning Authority.

5. The proposed access/driveway to the private drive off Keswick Drive shall be no steeper than 1:14 for the first 5m and shall not exceed 1:12 thereafter.

6. No part of the development shall be occupied until details of arrangements for storage of bins and collection of waste have been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the

agreed details and the facilities retained for the designated purposes at all times thereafter.

7.No work on the proposed dwelling shall be commenced until details of the proposed arrangements for future management and maintenance of the proposed street within the development have been submitted to and approved by the local planning authority. The street shall thereafter be maintained in accordance with the approved management and maintenance details until such time as a private management and maintenance company has been established.

5.4.2 Having regard to the comments made by the LHA above the Local Planning Authority is satisfied that the new proposed access to the site is available and is within the ownership of the applicant (Woodall Homes) who are also developing the site adjacent. A number of the conditions the LHA has recommended above are already imposed on the consent for the adjacent site and therefore they do not need to be replicated on this additional planning permission. It is also unclear why the LHA are suggesting the garage should be maintained exclusively for parking when the driveway in advance of it will allow for adequate dedicated parking to this dwelling without reliance upon the garage.

5.4.3 Having regard to the detail of the application proposals it is considered that the development is afforded an appropriate level of off street parking which can be provided within the plot without compromising the associated driveway and area for turning. Having regard to the requirements of policies CS20 of the Core Strategy and the Housing Layout and Design Guide SPD the development proposals are acceptable. Conditions can be imposed on any consent issued to require the necessary parking to be provided prior to dwelling being occupied and retained thereafter. The development proposal will clearly have a direct link to the adjacent site and therefore it is assumed that the plot the subject of this application will utilise the bin store which is shown to be provided at the new access point.

5.5 **Flood Risk / Drainage**

5.5.1 In respect of matters of drainage and potential flood risk (having regard to policy CS7 of the Core Strategy), it is noted that the application site lies within flood risk zone 1 and therefore is unlikely

to be at risk from flooding. In respect of drainage, the application details that the development is to be connected to existing mains drains for both foul and surface water.

- 5.8.2 The Councils **Design Services** (DS) team and **Yorkshire Water Services** (YWS) were both consulted on the application and no objections were received. Details of the proposed site drainage strategy will need to be submitted for approval in accordance with the Council 'Minimum Standards for Drainage'.
- 5.8.3 Full drainage details have not been submitted for consideration as part of the planning application submission however these matters are ordinarily dealt with by appropriate planning condition.

5.6 **Land Condition / Contamination**

- 5.6.1 The site the subject of the application comprises of hard surfaced / previously developed land and therefore land condition and contamination need to be considered having regard to policy CS8 of the Core Strategy.
- 5.6.2 In respect of land condition the **Coal Authority** (CA) were consulted on the application submission who initially objected to the application, requesting the submission of a coal mining risk assessment (CMRA) for the site.
- 5.6.3 Following the deferral of the application from Planning Committee held on the 18th February 2019 a series of exchanges between the applicant, the LPA and Coal Authority were undertaken to work to resolve issues raised by the Coal Authority concerning the investigation, identification and remediation of recorded mine entries on the site adjacent. The Coal Authority's concerns centred around whether any of the recorded mine entries on the adjacent site would have a zone of influence affecting the footprint of the proposed bungalow.
- 5.6.4 Under the terms of the planning permission granted on the site adjacent, the applicant has already undertaken intrusive site investigations to identify the mine entries and remediate them to allow the adjacent development to take place. This was agreed in consultation with the Coal Authority. On this basis the LPA queried why the Coal Authority was maintaining their initial objections to the scheme the subject of this application.

5.6.5 The Coal Authority subsequently confirmed the following:

In terms of the adjacent development for 9 bungalows approved under CHE/16/00121/FUL, the Pressure Grouting Report (November 2015, prepared by Eastwood & Partners) submitted in support of the discharge of condition application (CHE/18/00839/DOC) confirms that 4 mine entries were located, all of which will require some form of treatment. However, it would appear that none of the 4 mine entries located correspond with the shaft (436373-001) closest to the additional plot, which was searched for on the adjacent site but not located (as confirmed on page 22 of the Report).

*On the basis that the Pressure Grouting Report confirms that the 2 shafts not located are considered to be underground mineshafts or located off-site, which shaft 436373-001 is very unlikely to be, when considering its' departure from the source data, The Coal Authority **is able to withdraw its objection to this planning application.** However, this is **subject to the LPA imposing a condition to ensure that the recommended remedial measures to address shallow mine workings underlying the plot are implemented prior to the commencement of development.***

5.6.6 In addition to the comments of the CA, the Council's **Environmental Health Officer (EHO)** was consulted and raised no objections subject to the applicant submitting a contaminated land survey and the construction hours of the development being restricted to protect the amenity of nearby residential neighbours.

5.6.7 Having regard to the comments detailed above from the CA and EHO appropriate planning conditions can be imposed on any permission issued to ensure compliance with policy CS8 of the Core Strategy and the wider NPPF in respect of land condition, contamination and noise.

5.7 **Biodiversity / Trees**

5.7.1 The application site is previously developed land which was occupied by garage structures and bound by peripheral trees (which stood on the adjacent development site).

5.7.2 In preparation for the development of the adjacent site the majority of the common boundary trees were removed and the boundary opened up between that site and the application site to allow a compound to be created (see site photographs). The trees were not protected.

5.7.3 Under the provisions of policy CS9 of the Core Strategy new development is required to secure a net gain in biodiversity enhancements and therefore in accepting the principle of the development proposals it will be necessary to require this site to contribute ecological enhancement. Measures such as bird and bat boxes can be required along with boundary fencing which allows small mammal passage (hedgehog highway). Given the association of this proposal with the adjacent site it would make sense to include these measures in the details of ecology enhancement which are required to still be discharged on the adjoining development.

5.8 **Community Infrastructure Levy (CIL)**

5.8.1 Having regard to the nature of the application proposals the development comprises the creation of a new dwelling and the development is therefore CIL Liable.

5.8.2 The site the subject of the application lies within the medium CIL zone and therefore the CIL Liability has been calculated (using calculations of gross internal floor space [GIF]) as follows:

		A	B	C	D	E
Proposed Floorspace (GIA in Sq.m)	Less Existing (Demolition or change of use) (GIA in Sq.m)	Net Area (GIA in Sq.m)	CIL Rate	Index (permission)	Index (charging schedule)	CIL Charge
Total = 116sqm	0	116	£50 (Medium Zone)	317	288	£6,384

Net Area (A) x CIL Rate (B) x BCIS Tender Price Index (at date of permission) (C) / BCIS Tender Price Index (at date of Charging Schedule) (D) = CIL Charge (E).

6.0 **REPRESENTATIONS**

6.1 The application has been publicised by site notice posted on 11/01/2019 and by neighbour notification letters sent on 08/01/2019 and 21/01/2019.

6.2 As a result of the applications publicity there has been one representation received raising the following concerns / queries:

203 Keswick Drive

Concerns raised over their ability to maintain their garden boundary (fence and wall) which adjoins the application site and is shown in part to become an enclosed rear garden;
Also query who is going to maintain any gap between their boundary wall and the boundary fence of the new property;
Are also concerned about the issues raised by the Coal Authority and the mine entries mentioned as they have experienced issues in the past with their own extension moving and needing to be pinned and worry about further movement caused by such features and also the trees on the southern boundary; and
Also worry about works taken to the access / driveway and vehicles moving up and down this route creating further instability / movement issues.

Officer Response: The case officer liaised between the owner of 203 Keswick Drive and the Estates team at CBC (who were the previous owner of the garage site prior to its sale) to seek further advice.

The maintenance of a private garden boundary between two private parties is a civil matter. It is understood that if indeed the neighbouring property does have any access rights over the application site to maintain their garden boundary, these rights will have passed from the previous owner (CBC) to the new owner and they will be obliged to allow the relevant access for maintenance. It is accepted that whilst the boundary of No 203 was originally open to the garage site to allow No 203 free access, it is likely that the passage of any right by deed will simply mean the new owner of the site (the occupier of the new bungalow / or the maintenance company who retain the access driveway strip) will be required to give No 203 free access to continue to do the same. This however

is not a material planning consideration and is a private / civil matter. No 203 have been advised of this.

The matter concerning the Coal Authority and mine entries affecting the development site have now also been resolved.

- 6.3 Comments were also made by Kier on behalf of **CBC Estates** as follows:

As you know, the Council sold the garage site last October to Woodall Homes to facilitate drainage for the development site at the rear. I understand they are intending to build a bungalow on the former garage block. At the time of the sale, I requested from the developer and received confirmation that this did not become a through route for the whole development. Having looked at the plans, the positioning of the proposed garage to the bungalow would prevent that. Secondly, any openings/windows/outdoor space etc, should not adversely affect the existing amenity of the surrounding Council housing and pub garden, which is also in the Council's ownership.

7.0 **HUMAN RIGHTS ACT 1998**

- 7.1 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
- 7.2 It is considered that the recommendation is objective and in accordance with clearly established law.
- 7.3 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.
- 7.4 Whilst, in the opinion of the objector, 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.

8.0 **STATEMENT OF POSITIVE AND PROACTIVE WORKING WITH APPLICANT**

8.1 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 paragraph 38 of the National Planning Policy Framework (NPPF).

8.2 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.

8.3 The applicant / agent and any objector will be provided with copy of this report informing them of the application considerations and recommendation / conclusion.

9.0 **CONCLUSION**

9.1 The proposed development is considered to be appropriately sited, detailed and designed such that the development proposals comply with the provisions of policies CS1, CS2, CS4, CS11, CS13, CS18, CS19 and CS20 of the Chesterfield Local Plan: Core Strategy 2011 – 2031.

9.2 Planning conditions have been recommended to address any outstanding matters and ensure compliance with policies CS7, CS8, CS9, CS18 and CS20 of the Chesterfield Local Plan: Core Strategy 2011 – 2031 and therefore the application proposals are considered acceptable.

10.0 **RECOMMENDATION**

10.1 It is therefore recommended that the application be GRANTED subject to the following:

Time Limit etc

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

Reason - The condition is imposed in accordance with section 51 of the Planning and Compensation Act 2004.

02. All external dimensions and elevational treatments shall be as shown on the approved plans (listed below) with the exception of any approved non material amendment.

18-569-P01 REV G – Site Plan

18-569-P02 REV F – Plans & Elevations

Coal Mining Risk Assessment (received 01/02/2019)

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

Drainage

03. No development shall take place until details of the proposed means of disposal of surface water drainage, including details of any balancing works and off -site works, 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:-

- a) evidence to demonstrate that surface water disposal via infiltration or watercourse are not reasonably practical;
- b) evidence of existing positive drainage to public sewer and the current points of connection;
- c) the means of restricting the discharge to public sewer to the existing rate less a minimum 30% reduction, based on the existing peak discharge rate during a 1 in 1 year storm event, to allow for climate change; and
- d) details of either the proposed diversion of the public sewer which crosses the site and its easement protection which accords with the requirements of Yorkshire Water Services, or confirmation of a build over agreement approved with Yorkshire Water Services.

Furthermore, unless otherwise approved in writing by the Local Planning Authority, there shall be no piped discharge of

surface water from the development prior to the completion of the approved surface water drainage works.

Reason - To ensure that no drainage discharges take place until proper provision has been made for its disposal and in the interest of sustainable drainage.

Site Investigations

04. Development shall not commence until a scheme of remedial works have been prepared and submitted in accordance with the recommendations of the Coal Mining Risk Assessment Report (dated 18 February 2019, prepared by Eastwood & Partners) for approval in writing by the Local Planning Authority. Only those details which receive the written approval of the Local Planning Authority shall be carried out on site.

Reason - To ensure that site is remediated to an appropriate standard prior to any other works taking place on site.

Contaminated Land

05. A. Development shall not commence until details as specified in this condition have been submitted to the Local Planning Authority for consideration and those details, or any amendments to those details as may be required, have received the written approval of the Local Planning Authority.
- I. A desktop study/Phase 1 report documenting the previous land use history of the site.
- II. A site investigation/Phase 2 report where the previous use of the site indicates contaminative use(s). The site investigation/Phase 2 report shall document the ground conditions of the site. The site investigation shall establish the full extent, depth and cross-section, nature and composition of the contamination. Ground gas, groundwater and chemical analysis, identified as being appropriate by the desktop study, shall be carried out in accordance with current guidance using UKAS accredited methods. All technical data must be submitted to the Local Planning Authority.
- III. A detailed scheme of remedial works should the investigation reveal the presence of ground gas or other

contamination. The scheme shall include a Remediation Method Statement and Risk Assessment Strategy to avoid any risk arising when the site is developed or occupied.

B. If, during remediation works any contamination is identified that has not been considered in the Remediation Method Statement, then additional remediation proposals for this material shall be submitted to the Local Planning Authority for written approval. Any approved proposals shall thereafter form part of the Remediation Method Statement.

C. The development hereby approved shall not be occupied until a written Validation Report (pursuant to A II and A III only) has been submitted to and approved in writing by the Local Planning Authority. A Validation Report is required to confirm that all remedial works have been completed and validated in accordance with the agreed Remediation Method Statement.

Reason - To protect the environment and ensure that the redeveloped site is reclaimed to an appropriate standard.

Highways

06. The proposed dwelling shall not be occupied until space has been laid out within the site in accordance with the application drawing for cars to be parked. Once provided, the spaces shall be maintained free from any impediment to its designated use for the life of the development.

Reason – In the interests of highway safety.

07. Prior to occupation of the dwelling the existing vehicular and pedestrian access to Keswick Drive shall be permanently closed and the existing vehicle crossover reinstated as footway in accordance with a scheme first submitted to and approved in writing by the Local Planning Authority.

Reason – In the interests of highway safety.

Ecology

08. Prior to the commencement of development, a biodiversity enhancement strategy as outlined in the ecology report shall be submitted to and approved in writing by the Council, to ensure no net loss for biodiversity and aim for a net gain (NPPF 2018). Such approved measures should be implemented in full and maintained thereafter. Measures may include:
- details of bird and bat boxes will be clearly shown on a plan (positions/specification/numbers).
 - hedgehog connectivity measures will be clearly shown on a plan, such as small fencing gaps (130 mm x 130 mm), railings or hedgerows.
 - summary of ecologically beneficial landscaping (full details to be provided in Soft Landscape Plans).

Reason – In the interests of biodiversity and to accord with policy CS9 of the Local Plan: Core Strategy 2011-2031 and the National Planning Policy Framework.

Others

09. Construction work (inc. demolition works) shall only be carried out on site between 8:00am and 6:00pm Monday to Friday, 9:00am to 5:00pm 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.

Reason – In the interests of residential amenity.

10. Notwithstanding the provision of the Town and Country Planning (General Permitted) Development Order 1995 (as amended) there shall be no extensions, outbuildings or garages constructed (other than garden sheds or greenhouses of a volume less than 10 cubic metre) or additional windows erected or installed at or in the dwelling hereby approved without the prior written agreement of the Local Planning Authority.

Reason - In the interests of the amenities of occupants of adjoining dwellings.

Notes

01. If work is carried out other than in complete accordance with the approved plans, the whole development may be rendered unauthorised, as it will not have the benefit of the original planning permission. Any proposed amendments to that which is approved will require the submission of a further application.
02. This approval contains condition/s which make requirements prior to development commencing. Failure to comply with such conditions will render the development unauthorised in its entirety, liable to enforcement action and will require the submission of a further application for planning permission in full.
03. Construction works are likely to require Traffic Management and advice regarding procedures should be sought from Dave Bailey, Traffic Management at Derbyshire County Council - telephone 01629 538686.
04. Pursuant to Section 163 of the Highways Act 1980, where the site curtilage slopes down towards the public highway measures shall be taken to ensure that surface water run-off from within the site is not permitted to discharge across the footway margin. This usually takes the form of a dish channel or gulley laid across the access immediately behind the back edge of the highway, discharging to a drain or soakaway within the site.
05. Pursuant to Section 278 of the Highways Act 1980, no works may commence within the limits of the public highway without the formal written Agreement of the County Council as Highway Authority. Advice regarding the technical, legal, administrative and financial processes involved in Section 278 Agreements may be obtained from the Strategic Director of Economy Transport and Community at County Hall, Matlock (tel: 01629 538658). The applicant is advised to allow approximately 12 weeks in any programme of works to obtain a Section 278 Agreement.
06. Under the provisions of the New Roads and Street Works Act 1991 and the Traffic Management Act 2004, all works that involve breaking up, resurfacing and / or reducing the width of the carriageway require a notice to be submitted to

Derbyshire County Council for Highway, Developer and Street Works. Works that involve road closures and / or are for a duration of more than 11 days require a three month's notice. Developer's Works will generally require a three months notice. Developers and Utilities (for associated services) should prepare programmes for all works that are required for the development by all parties such that these can be approved through the coordination, noticing and licensing processes. This will require utilities and developers to work to agreed programmes and booked slots for each part of the works. Developers considering all scales of development are advised to enter into dialogue with Derbyshire County Council's Highway Noticing Section at the earliest stage possible and this includes prior to final planning consents.

07. Attention is drawn to the attached notes on the Council's 'Minimum Standards for Drainage'.