

ITEM 5

OUTLINE APPLICATION FOR ONE RESIDENTIAL PROPERTY INCLUDING ACCESS AT LAND BETWEEN 34 AND 38 LAKE VIEW AVENUE, WALTON, CHESTERFIELD FOR MRS HELENE BUTLER

Local Plan: Unallocated
Ward: Walton

1.0 CONSULTATIONS

Ward Members	No comments received
DCC Highways	Comments received – see report
The Coal Authority	Comments received – see report
Neighbours/Site Notice	3 representations received – see report

2.0 THE SITE

- 2.1 The site subject of this application is located on Lake View Avenue, situated at the turning head of the cul-de-sac. The plot previously formed part of the garden curtilage of No 38 Lake View Avenue and is laid to lawn with trees and shrubs across the site. The plot is largely triangular in shape and according to the submitted application form the site measures approximately 620 square metres in area (0.06 hectares) overall.
- 2.2 The site and surrounding properties were originally sold as private self-build plots by Chesterfield Borough Council. The site subject of this application was known as 'Plot 59' and was never developed, instead bought by the owners of No 38 Lake View to extend the garden curtilage. The surrounding streetscene is formed of single storey, 1.5 and 2 storey dwellings of similar age which are mixed in character.
- 2.3 The plot has a narrow frontage facing on Lake View Avenue consists of a gated access. The existing boundary treatments are mixed, including a conifer hedge to the eastern boundary, timber

fence to the south boundary and a retaining brick wall to the north/north western boundary.

2.4 The land levels within the site increase towards the eastern boundary and as such the plot is elevated above No 34 Lake View Avenue to the West by approximately 1.5m. No 38 Lake View Avenue is situated to the south of the plot and is elevated above existing ground level by approximately 1.25m.

2.5 Outline consent was previously granted in 2016 (see application CHE/16/00019/OUT) for a single chalet bungalow with all matters reserved. The applicant/developer had three years from the date of the decision to submit the associated reserved matters application, this deadline recently expired on 31.03.2019.

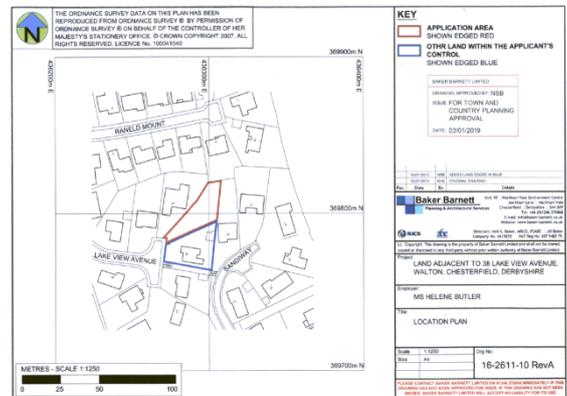


Photo taken from Lake View Avenue Highway facing towards the access to the application site



Photo taken from access point, showing increasing land levels towards eastern boundary

3.0 **RELEVANT PLANNING HISTORY**

3.1 CHE/596/247 – Construction of a greenhouse/conservatory at 38 Lake View Avenue was agreed on 28th June 1996

3.2 CHE/16/00019/OUT - Outline application for residential development of a single chalet bungalow with all matters reserved was conditionally approved on 31st March 2016.

4.0 THE PROPOSAL

4.1 The proposal is for an outline planning application for one dwelling with all matters except access reserved on a plot of land located to the north of No 38 Lake View Avenue and to the east/south east of No 34 Lake View Avenue.

4.2 The application submission is supported by the following plans and documents:

- 'Drawing to show Access', drawing number 16-2611-11 Revision A
- 'Location plan', drawing number 16-2611-10 Revision A
- Application form
- Non-residential mining report CON29M produced by The Coal Authority at Land Adjacent to 38 Lake View Avenue, Walton, Chesterfield, S40 3DR (Dated 22 November 2018)

4.3 The submitted site plan details the existing access point. An indicate layout is shown for illustrative purposes only. No formal details are provided with respect to appearance, landscaping, layout and scale. All detailed matters are therefore reserved for future approval.

5.0 CONSIDERATIONS

5.1 Planning Policy Background

5.1.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990 require that, 'applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise'. The relevant Development Plan for the area comprises of the saved policies of the Replacement Chesterfield Local Plan adopted June 2006 (RCLP) and the adopted Chesterfield Borough Local Plan: Core Strategy (2011-2031).

5.2 Chesterfield Local Plan: Core Strategy 2011 – 2031 ('Core Strategy')

- CS1 Spatial Strategy
- CS2 Principles for Location of Development
- CS3 Presumption in Favour of Sustainable Development
- CS4 Infrastructure Delivery
- CS6 Sustainable Design
- CS7 Managing the Water Cycle
- CS8 Environmental Quality
- CS9 Green Infrastructure and Biodiversity
- CS10 Flexibility in Delivery of Housing
- CS18 Design
- CS20 Influencing the Demand for Travel

5.3 Other Relevant Policy and Documents

- National Planning Policy Framework (February 2019)
- SPD 'Successful Places: A Guide to Sustainable Housing Layout and Design' (adopted July 2013)

5.4 Key Issues

- Principle of development (section 5.5)
- Design of the proposal (Impact of neighbours and future occupiers) (section 5.6)
- Highways safety and parking provision (5.7)
- Coal Mining Legacy (5.8)

5.5 Principle of Development

Relevant Policies

- 5.5.1 Policy CS1 states that *'The overall approach to growth will be to concentrate new development within walking and cycling distance of centres.'*
- 5.5.2 Policy CS2 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.'

- 5.5.3 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 if annual monitoring shows that there is less than a 5-year supply of deliverable sites and where:*
- a) they accord with the strategy of 'Concentration and Regeneration' as set out in policy CS1 and the criteria set out in policy CS2; or*
 - b) a specific housing need can be demonstrated that can only be met within a particular location'*

Principle of Development

- 5.5.4 The application site is situated within the built settlement of Walton. The area is residential in character therefore policies CS1, CS2, CS10 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.
- 5.5.5 Policy CS1 (Spatial Strategy) requires new development to be concentrate within walking and cycling distance of centres. The site is within walking and cycling distance of the defined Walton Local Centre and is also within walking and cycling distance of services located within the Chatsworth Road District Centre. The site is located within close proximity to a bus route in and out of Chesterfield and is therefore considered to be sustainably located.
- 5.5.6 It is acknowledged that the proposal does not fully meet the requirements of policies CS1 and CS2 with regards to previously development land. Policy CS10 refers to the development of unallocated 'greenfield land' as being inappropriate whilst the Council is able to demonstrate a deliverable 5 year supply of housing land. It is clear that domestic gardens are excluded for the definition of previously developed land and it follows therefore that they are regarded as greenfield. It is clear however that infill plots within established residential areas which are sustainably located

and meet the objectives of concentration of development should not be resisted necessarily on the basis of the strict definitions in the policy. Policy CS10 must be read in combination with policy CS1 which sets out that the overall approach to growth which is desirable will be to concentrate new development within walking and cycling distance of centres.

- 5.5.7 Taking into account the modest scale of development, infill nature of the proposed development, previous site history and relative proximity to local services, the proposal is considered to be sustainably located and is acceptable. It is accepted that development of the site will result in the loss of trees/shrubs on site and it is noted that the site has been partially cleared since previous consent 2016. The trees on site are largely self set and it is considered that appropriate landscaping can be secured by condition as part of a subsequent reserved matters application.
- 5.5.8 Overall, having regard to all of the above, it is considered that the principle of the development is acceptable and the site is considered to be sustainably located and accords with the principles of policies CS1, CS2 and CS10. Assessment of other material considerations in accordance with remaining policies CS8, CS18 and CS20 of the Core Strategy and the Council's adopted SPD 'Successful Places' will be covered in the following sections.

5.6 Design of the Proposal (Impact on Neighbours and Future Occupiers)

- 5.6.1 Core Strategy Policy CS18 states that *'all development should 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.'*
- 5.6.2 Core Strategy Policy CS2 states that *'All developments will be required to have an acceptable impact on the amenity of users or adjoining occupiers, taking into account things such as noise, odour, air quality, traffic, appearance, overlooking, shading or other environmental, social or economic impacts.'*
- 5.6.3 The Council's SPD 'Successful Places' provides further guidance in respect of privacy, day light and sunlight, overshadowing and external amenity space and is a material consideration.
- 5.6.4 The application is for outline consent with all matters reserved except access. An indicative layout has been provided but no

formal details with regards to the design, scale, siting and layout of a proposed dwelling on the site have been submitted as part of this application.

- 5.6.5 The surrounding streetscene is characterised by residential dwelling which are mixed in style, comprising of single storey, 1.5 storey and 2 storey properties. The application site occupies an elevated position with respect to No 34 Lake View Avenue and No 15 Sandiway is further elevated above the application site.
- 5.6.6 A new dwelling on the site will be required to respond to the variation in land levels which may require 'cutting' into the plot to ensure a new dwelling is not overly prominent. Observation of the surrounding streetscene shows some variation in the overall scale of properties with examples of dwellings with 2 storey elements and it is considered that a property on this site could be constructed in a similar manner. It is noted that the previously approved outline consent restricted future development on the site to 1.5 storeys. Based on observations of the surrounding streetscene on Raneld Mount, Sandiway and Lake View Avenue it is considered unreasonable to restrict the development and any future reserved matters application will be considered on its own merits. Careful consideration of the siting and orientation of a new dwelling will be required at reserved matters stage, to create a dwelling which responds to the surrounding context and preventing overlooking and overshadowing impacts to the adjoining neighbours.
- 5.6.7 Due to the land level changes within the site and land level variation across neighbouring properties, it is considered necessary to require the submission of levels drawings and sections through the development site as part of any Reserved Matters Application. A planning condition can be imposed to ensure that levels/sections drawings are submitted which will enable the impact of the detailed proposal to be accurately assessed in the interests of protecting neighbouring amenity.
- 5.6.8 The layout of the dwelling should also provide future occupants with private amenity space which accords with the Successful Places SPD (minimum outdoor amenity space requirements are 50sqm for a 1 or 2 bedroom house, 70 sqm for a 3 bedroom house and 90 sqm for a 4+ bedroom house). The layout of the site should take into account parking requirements as defined by appendix G (p146) of the Core Strategy (see section 5.7).

5.6.9 Overall the principle of development of the plot for an additional dwelling is considered to be of an appropriate but no further assessment can be made of the site until additional information is supplied in a reserved matters application. Overall the application site is considered to be appropriately sized to accommodate a dwelling which responds to the provisions of policies CS2 and CS18 of the Core Strategy and the wider SPD.

5.7 Highways Safety and Parking Provision

5.7.1 Core Strategy Policy CS18 states that development will be expected to part 'g) *provide adequate and safe vehicle access and parking*'

5.7.2 Core Strategy Policy CS20 states that development proposals should demonstrate the following 'c) ... *appropriate parking provision in accordance with the guidance set out in Appendix G*'

5.7.3 The Local Highways Authority Derbyshire County Council Highways were consulted on the scheme and provided the following comments;

5.7.4 *'The above outline application with means of access included has been forwarded to this Authority for highway considerations and I have the following comments to make :-
It is considered that the principle of residential development has been established given that outline consent has previously been granted for a residential dwelling under 16/00019. It is noted that this consent 'expires' shortly and comments are given on the basis that the current proposal will supersede the previous consent.*

The applicant should note that the internal dimensions of a double garage should be 6m x 6m. That indicated is below these measurements but given that two vehicles could park in front of the garage there would be considered to be an adequate level of off-street parking.'

5.7.5 *'There are, therefore, no objections to the proposal and it is recommended that the following conditions are included in any consent.*

1. The premises, the subject of the application, shall not be occupied until space has been provided within the site curtilage for the parking of vehicles, located, designed, laid out and constructed

all as agreed in writing with the Local Planning Authority and maintained throughout the life of the development free from any impediment to its designated use.

2. 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.

3. There shall be no gates or other barriers within 5m of the nearside highway boundary and any gates shall open inwards only, unless otherwise agreed in writing by the Local Planning Authority.

4. The proposed access/driveway to Lake View Avenue shall be no steeper than 1:20 for the first 5m from the nearside highway boundary and 1:14 thereafter.'

5.7.6 The application site is accessed from the turning head of Lake View Avenue. It is therefore necessary for the site to provide adequate off-street parking to prevent parking within the turning head which would not be in the best interests of highway safety. The recommended provision of 2 off-street parking spaces for a 2/3 bedroom property and 3 spaces for a 4/4+ property would be in accordance with the Councils adopted Local Plan requirements and the Successful Spaces SPD. It is considered that a relevant condition can be imposed to ensure adequate off-street parking arrangements at reserved matters stage and to be retained in perpetuity.

5.7.7 Having regard to the principles of policies CS2 and CS20 of the Local Plan in respect of highway safety it is not considered that the development proposals pose any adverse risk to highway safety. It is considered that sufficient space is available on site to provide an adequate level of off street parking, subject to condition.

5.8 **Coal Mining Legacy**

5.8.1 Core Strategy Policy CS8 states that *'The quality of the environment will be recognised at all levels of the planning and*

development process with the aim of protecting and enhancing environmental quality. Having regard to land condition and the requirements of the NPPF and policy CS8 of the Core Strategy the planning application site lies in an area covered by the Coal Authority's high risk referral area and as such it was necessary to consult the Coal Authority on the proposal.

- 5.8.2 The application submission is supported by a Non-residential mining report CON29M produced by The Coal Authority at Land Adjacent to 38 Lake View Avenue, Walton, Chesterfield, S40 3DR (Dated 22 November 2018).
- 5.8.3 The Coal Authority were consulted on the proposal and provided the following comments; *I have reviewed the proposals and confirm that the application site falls within the defined Development High Risk Area; therefore within the application site and surrounding area there are coal mining features and hazards which need to be considered in relation to the determination of this planning application.*
- 5.8.4 *'The Coal Authority records indicate that the site has been subject to both recorded and historic underground coal mining at shallow depth and the presence of a thick coal seam (BLACKSHALE) which is conjectured to outcrop to the west of the site. Due to the direction that this coal seam is 'dipping', workings within this coal seam could also be present at shallow depth beneath this site.'*
- 5.8.5 *'The applicant has submitted some coal mining information (Coal Mining Report dated 22 November 2018) to accompany the planning application; however, the Coal Authority does not consider this adequately addresses the impact of coal mining legacy on the proposed development. It is noted however, that a Coal Mining Risk Assessment (16/MSB/SB/2611, dated 26 February 2016) was submitted in support of a previous planning application for this site: CHE/16/00019/OUT (Outline application for residential development of a single chalet bungalow with all matters reserved). Based on the professional opinions made by the report author of the Assessment, the Coal Authority raised no objection to the proposal subject to the Local Planning Authority (LPA) imposing a planning condition for site investigations to be undertaken. We are pleased to note that a condition for site investigations was imposed by the LPA (Condition 4).'*

- 5.8.6 *‘On checking our records no site investigations have yet been undertaken for this site in order to inform the remedial / mitigatory measures which may be required to mitigate the risks from coal mining legacy impacting on the safety and stability of this development. Accordingly, if the LPA consider that the previously submitted Coal Mining Risk Assessment can be used in support of this current application (the applicant would appear to be the same) we would have **no objections** to this proposal, subject to the LPA imposing the same or a similarly worded condition. The nature and extent of the ground investigations will require the written consent / agreement from the Coal Authority’s Permitting Department as part of the permissions process.’*
- 5.8.7 *‘The Coal Authority Recommendation to the LPA
In light of the above, in order to ensure that sufficient information is provided by the applicant to demonstrate to the LPA that the site is safe and stable for the development proposed you may wish to consider the imposition of planning conditions which cover the issues set out below.
Prior to the commencement of development:*
- The undertaking of the scheme of intrusive site investigations, designed by a competent person and adequate to properly assess the ground conditions on the site and establish the risks posed to the development by past coal mining activity;*
 - The submission of a report of findings arising from the intrusive site investigations and any remedial works and/or mitigation measures considered necessary;*
 - Implementation of the remedial works and/or mitigation measures.’*
- 5.8.8 *‘The following statement provides the justification why the Coal Authority considers that a pre-commencement condition is required in this instance:
The undertaking of intrusive site investigations, prior to the commencement of development, is considered to be necessary to ensure that adequate information pertaining to ground conditions and coal mining legacy is available to enable appropriate remedial and mitigatory measures to be identified and carried out before building works commence on site. This is in order to ensure the safety and stability of the development, in accordance with paragraphs 178 and 179 of the National Planning Policy Framework.’*

5.8.9 Subject to the imposition of a condition covering the above, the proposal accords with the provisions of policy CS8 and in accordance with paragraphs 178 and 179 of the National Planning Policy Framework

6.0 REPRESENTATIONS

6.1 Neighbour notification letters were sent to surrounding neighbours on 19.02.2019, deadline for responses 12.03.2019. A site notice was also displayed on 01.04.2019, deadline for responses 22.04.2019. Three letters of representation have been received as a result and the main concerns raised are summarised below;

6.2 Local Resident (address unknown)

- The design and orientation of the proposed development could significantly impact the privacy of the neighbour.
- Neighbour would seek to comment on the submission of detailed plans.

6.3 Officer comments - All detailed matters such as design, land levels and ultimately impact on neighbouring amenity are to be considered in a subsequent Reserved Matters application.

6.4 11 Raneld Mount

- Neighbour queries why there is another planning application as the land has previously been granted planning consent and has been for sale.

6.5 Officer comments – The previously approved outline application was approved on 31.03.2016. The applicant/developer had three years to submit a valid reserved matters application and this deadline has now expired. This application seeks renewal of the previously approved outline consent.

6.6 34 Lake View Avenue

- The current application with all matters reserved has now almost expired. The previous consent was specific to a single chalet bungalow with reasonable conditions for implementation under reserved matters

- Neighbours previously raised concerns at outline stage due to limited information provided, specific concerns raised in relation to; the siting of the proposal in relation to No 34, levels, massing and potential overshadowing and overbearing impacts, design and appropriateness of dwelling in relation to siting and surrounding character of development, disturbance and major changes to existing boundary treatments and non-compliance with Local Plan Core Strategy and National Planning Policy Framework.
- Indicative proposed layout shows three levels of accommodation and includes drawings/photographs to support concerns (labelled figure 1, figure 2, figure 3, figure 4, figure 5, figure 6, figure 7, figure 8 and figure 9). Main concerns for the indicative layout are; siting of proposal in relation to No 34, levels, massing and overshadowing and overbearing impacts, implications of loss of screen vegetation and trees.
- Concerns about siting of proposal and proximity to No 34 combined with loss of trees would exacerbate overbearing, overlooking and overshadowing issues
- Concern about overall height and variation in land levels.
- Massing and scale is inappropriate, area characterized by bungalows with level variations and lower ground floor non-habitable accommodation
- Overdevelopment of the site
- Proposed windows overlooking habitable rooms of No 34
- Adverse impacts on existing properties at No 15 Sandiway, 9 and 121 Raneld Mount.
- Principle of the development could be supported by the Planning Authority, however current submission fails to mitigate the circumstances appropriate in this location.
- Policy CS2 requires development to have acceptable impacts on uses/occupiers with regards to appearance , overlooking, shading and other environmental, social and economic impacts. Policy CS18 requires development to respect the character, form and setting of the site surrounding area by virtue of its function, appearance and architectural style, landscaping, scale, massing, detailing, height and materials. It is considered that there are substantive issues which have not satisfied planning points and policies.
- Client is aggrieved with the proposal which in its current form is inappropriate, however it is recognised that the site is

capable of development and a more modest scheme should be investigated.

6.7 Officer comments – The above comments have been noted. All detailed matters such as design, land levels and ultimately impact on neighbouring amenity are to be considered in a subsequent Reserved Matters application.

7.0 Community Infrastructure Levy (CIL)

7.1 Having regard to the nature of the application proposals the development comprises the creation of 1 no. new dwelling and the development is therefore CIL Liable. The site the subject of the application lies within the high CIL zone and therefore the full CIL Liability would be determined at the reserved matters stage on the basis of a cumulative charge of £80 per sqm (index linked) of gross internal floor area created.

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.

8.3 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.

8.4 Whilst in the opinion of the objectors, the development could affect 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 paragraph 38 of the July 2018 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.

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.

9.0 CONCLUSION

9.1 The proposal is in outline form only with all matters reserved except access for future assessment. The proposed development is considered to be acceptable in principle and the site is of an appropriate size and shape to accommodate a new dwelling without detriment to the street scene or the amenity of nearby properties. As such, the proposal accords with the requirements of Policies CS1, CS2, CS3, CS8, CS9, CS10, CS18 and CS20 of the Local Plan: Core Strategy and the wider National Planning Policy Framework subject to the imposition of relevant conditions.

10.0 RECOMMENDATION

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

Conditions

1. Approval of the details of the scale, layout, 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.

Reason - The condition is imposed in accordance with article 3 (1) of The Town and Country Planning (General Development Procedure) Order 1995 (as amended).

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.

Reason - The condition is imposed in accordance with sections 91, 56 and 93 of the Town and Country Planning Act 1990.

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.

Reason - The condition is imposed in accordance with sections 91, 56 and 93 of the Town and Country Planning Act 1990.

4. Development shall not 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 stability of the site. Only those details which receive the written approval of the Local Planning Authority shall be carried out on site.

Reason - To fully establish the presence and / or otherwise of any coal mining legacy and to ensure that site is remediated, if necessary, to an appropriate standard prior to any other works taking place on site.

5. 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.

Reason - In the interests of residential amenities.

6. Concurrent with the submission of a reserved matters application, 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.

Reason - 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.

7. 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 1:00pm 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 amenities

8. The premises, the subject of the application, shall not be occupied until space has been provided within the site curtilage for the parking of vehicles, located, designed, laid out and constructed all as agreed in writing by the Local Planning Authority and maintained throughout the life of the development free from any impediment to its designated use.

Reason - In the interests of highway safety.

9. 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.

Reason - To ensure that the development can be properly drained.

10. A residential charging point shall be provided for the additional dwelling with an IP65 rated domestic 13amp socket, directly wired to the consumer unit with 32 amp cable to an appropriate RCD. The socket shall be located where it can later be changed to a 32amp EVCP. Alternative provision to this specification must be approved in writing, by the local planning authority. The electric vehicle charging points shall be provided in accordance with the stated criteria prior to occupation and shall be maintained for the life of the approved development.

Reason - In the interests of reducing emissions in line with policies CS20 and CS8 of the Core Strategy.

Notes

1. The Highway Authority recommends that the first 5 metres 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.
2. Pursuant to Sections 149 and 151 of the Highways Act 1980, the applicant must take all necessary steps 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.
3. Car parking provision should be made on the basis of 2 spaces per unit for 2-3 bedroom dwellings and 3 spaces per unit, of which no more than 2 shall be in line, for a 4/4+

bedroom dwelling. Each parking bay should measure a minimum 2.4m x 5.5m with adequate space behind each space for manoeuvring.

4. You are notified that you will be liable to pay the Community Infrastructure Levy (CIL) to Chesterfield Borough Council as CIL collecting authority on commencement of development. This charge will be levied under the Chesterfield Borough Council CIL charging schedule and s211 of the Planning Act 2008. A CIL Liability Notice will be issued at the time of a detailed planning permission which first permits development, in accordance with the Community Infrastructure Levy Regulations 2010 (as amended). The extent of liability will be dependent on the permitted Gross Internal Area. This will be calculated on the basis of information contained within a subsequent detailed planning permission. Certain types of development may be eligible for relief from CIL, such as self-build or social housing, or development by charities. Further information on the CIL is available on the Borough Council's website.