

Item 2

PROPOSED DEMOLITION OF EXISTING SEMI-DETACHED PROPERTY AND BUILD NEW DETACHED DORMER BUNGALOW AT WALTON VILLA, 32 MATLOCK ROAD, CHESTERFIELD, DERBYSHIRE, S42 7LD for Mr JOHN SCOTT

Local Plan: Unallocated
Ward: Walton

Planning Committee Date: 22nd June 2020

1.0 CONSULTATIONS

Ward members	No representations received
Strategic Planning Team	Comments received – see report
Environmental Services	Comments received – see report
Design Services	No objections – see report
Yorkshire Water Services	No representations received
Adjacent Authority	No representations received
DCC Highways	No objections- see report
Coal Authority	Comments received – see report
Urban Design Officer	No representation received
Neighbour letters and site notice	1 representation received – see report

2.0 THE SITE

- 2.1 The application site is located on the north side of Matlock Road, approximately 130 metres to the west of the junction of Foljambe Road and Matlock Road. The current property is a two storey semi-detached property. The property, the subject of the application is finished in a red brick, with white upvc windows and doors. There is a small porch at the property which is situated to the west of the application site, inset from the shared boundary by approximately 1.1 metres. The property has a slate roof. There is generous space at the frontage of the application site between the public highway and existing property which allows for at least no. 3 vehicles to be parked.
- 2.2 The semi-detached property is adjoined to a property to the south west. This property (no. 34 Matlock Road) presents as the far south west of the red brick property, as noted above. The remainder of the property is a mix of single storey and two storey; the single storey element of the property is formed of a double garage and porch/entrance way to the property. This is finished in red brick with white garage doors and white upvc windows and door. The

recessed two storey element of this property is finished in render. The character of the adjoining property is considered to be of relevance in this application due to existing and proposed relationship between the application site and the current adjoining property.





- 2.3 The north side Matlock Road is typically characterised by detached properties that are set back from the public highway resulting in generous off street car parking. The properties that front Matlock Road vary in appearance and as a result, there is no defining character to the street scene.
- 2.4 The north west boundary of the application site is currently formed of an evergreen hedge which also encapsulates the rear garden of the application site, and therefore extents of the north east and north west boundary are defined by this hedge. To the front of the application site, the boundary treatments alter. The south east boundary is formed of a stone wall that is approximately 1.8 metres in height. The south west boundary is formed of a timber fence that is approximately 1.2 metres in height. Finally, the south and south east boundary of the application site is formed of a stone wall with black railings.
- 2.5 The property, the subject of the application is located in an established residential area with properties to all boundaries. To the north and north west, and therefore the rear of the application site, the property shares a boundary with number 7 Fulford Close and number 22 Birkdale Drive. To the east of the application site, the property shares a boundary with no. 30 Matlock Road. This is a detached property that is situated immediately adjacent to the boundary shared with the application site. To the south of the application site, and therefore on the opposite side of the public highway, the property shares

a boundary with properties named as Kilbirnie and Woodside. These properties are situated in the neighbouring Local Authority however have been sent consultation letters. Finally, to the west of the application site, the property shares a boundary with, and is adjoined to no. 34 Walton Road.

3.0 RELEVANT SITE HISTORY & SURROUNDING SITE HISTORY

- 3.1 CHE/04/00136/FUL – Replacement of hedge with natural stone wall and railings.

Conditional permission granted 28/04/2004

- 3.2 Relevant surrounding site history

- 3.2.1 36 Matlock Road

CHE/09/00142/FUL – Extension to existing dwelling

Conditional permission granted 21/04/2009

4.0 THE PROPOSAL

- 4.1 The application proposes to demolish the existing semi-detached property and the building of a new detached dormer bungalow.



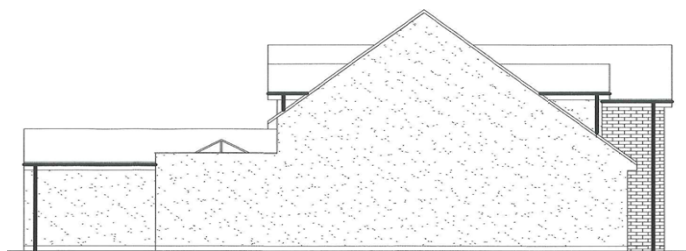
- 4.2 The proposed dormer bungalow will be of contemporary design that is situated approximately 1.5 metres inset from the west boundary of the application site. The proposed bungalow will be inset approximately 2.5 metres from the east boundary at the front elevation, whilst to the rear of the

proposed property (and therefore to the north of the plot), the bungalow will be situated approximately 1.5 metres inset from the east boundary. This is due to the tapering of the defined boundary.

- 4.3 The proposed dormer bungalow will present to the public highway with a width of approximately 11.8 metres. The proposed dormer bungalow will project a maximum of 16 metres on the east side of the property, whilst to the west side of the proposed bungalow, the building is shown to project approximately 12.5 metres to the north of the plot.
- 4.4 The proposed dormer bungalow will have a maximum height of 7.6 metres, with a gable roof design. The proposed bungalow will be 0.1 higher in height than the existing property. The roof of the proposed bungalow will extend further down than the existing roof of the property. The eaves height on the proposed bungalow will have a height of 2.8 metres on the south facing (front) elevation and 4.1 metres on the north facing elevation, whereas the existing dwellinghouse eaves are shown to have a height of 5.8 metres. This is shown in the drawings below.



FRONT



SIDE



REAR



SIDE

4.5 The extended roof slope of 7.5 metres (at the front elevation) will include no. 2 dormer windows; each will be situated approximately 1.2 metres inset from the east and west elevation respectively. The dormer windows will have a maximum height of 2.4 metres and will be set back from the eaves by approximately 1.2 metres. The dormers will have a width of 1.6 metres and will each include a window which measures 1.2 metres x 1.2 metres. The dormer to the east of the application site will serve light to a bedroom at first floor level whilst the dormer to the west of the

application site will serve light to the dressing room, which is located off the master bedroom.

- 4.6 Located in between these dormer windows, a central projecting feature is proposed. This feature will have an overall width of 3.6 metres and project approximately 1 metre beyond the frontage of the property. The central feature will have a maximum height of 6.5 metres. The proposed feature will include a gable frontage, to reflect the gable fronts of the dormer windows. The eaves of the feature will have a height of 4.6 metres.
- 4.7 At first floor level, the proposed feature projection will include floor to ceiling glazing which has a width of 2.3 metres, and a maximum height of 3.2 metres. This glazing will allow light from the south elevation in to the property at ground floor and first floor level due to the open plan design of the entrance hall. At ground floor level, a large entrance is proposed that has an overall width of 2.2 metres, with a door centrally located between glass each side. The door has a width of 1 metre and a height of 2.2 metres. The glazing either side will also have a height of 2.2 metres.
- 4.8 At ground floor level, to the east, the property will have a window that will measure 1.8 metres x 1.2 metres. This window will serve a ground floor bedroom.
- 4.9 To the south west side of the property, the ground floor is shown to provide access to an integral garage. This garage will have internal measurements of 3.7 metres x 6.2 metres. The entrance door is shown to be 2.4 metres in width. At ground floor level, the scheme will provide a large kitchen and dinning area to the rear of the property, a utility room with a W/C, a ground floor bedroom with an ensuite. At first floor level, the proposed dormer bungalow has the master bedroom with a large dressing room, and a further no. 2 bedrooms, as well as the main bathroom. The scheme therefore identifies no. 4 bedrooms.
- 4.10 To the rear and therefore the north west elevation of the proposed bungalow, the property will include additional single storey projections beyond the dormer bungalow. The first floor of the dormer bungalow will include no. 3 dormer windows, to reflect those detailed at the front. The dormer proposed to the east of the application site will be the same as the dormer on the front elevation, whilst the dormer to the west of the north west elevation will include doors and a Juliet balcony, rather than a window. The doors proposed in the balcony to the west will serve the master bedroom at the property. The dormer to the east of the north west facing elevation, will serve light to the bedroom located to the rear of the application site. The central feature, will also appear in the rear elevation; only at the rear it is flush with the property to create an enlarged dormer. This will include a smaller window than that

proposed in the south east facing elevation. The window will measure 1.2 metres x 1.1 metres and will serve light to the main bathroom of the property.

- 4.11 At ground floor level, at the rear, to the east of the application site, the proposal includes a single storey element that projects 6.6 metres beyond the dormer bungalow. The width of this element of the proposal is indicated to be 4.7 metres. The overall maximum height of the single storey element is proposed to be 3.8 metres, with the eaves height being 2.9 metres. The roof is to be a dual pitched roof.
- 4.12 The single storey rear projection is shown to include bi-fold doors in the north west facing elevation only. There will be no. 3 velux windows included in the east facing roof slope, each will measure 0.9 metres x 0.3 metres. These will provide light to the kitchen/dining area to the property.
- 4.13 To the centre of the rear elevation, and extending to the west, there is a smaller projecting single storey element to the proposal. This is indicated to project 3.3 metres beyond the dormer bungalow. This will have a width of 7.2 metres. The overall maximum height of this element of the development is shown to be 3.5 metres; this height is as a result of a roof lantern proposed in the flat roof. The eaves and the flat roof will have a height of 3.1 metres.
- 4.14 This single storey rear element of the proposal is shown to include bi-fold doors in the north west elevation only. These will extend 3 metres across the north west facing elevation. The previously mentioned roof lantern will be inset approximately 2 metres from the extent of the flat roof.
- 4.16 In the east facing elevation of the proposed dwelling, no. 1 side door access is proposed, and no. 2 ground floor windows. The windows will measure 0.6 metres x 0.9 metres. No windows or doors are proposed in the west facing elevation.
- 4.17 The application form details existing boundary treatments to be retained as existing.
- 4.18 The application form and relevant drawings indicate the proposed dormer bungalow to be finished in predominantly render, with the feature projection on the south facing (front) elevation being finished in brick, with a tile roof. All windows and doors are proposed to be finished in upvc. The following material specifications have been detailed on drawing labelled *Proposed elevations, Rev A, Scaled 1:100 @A3*:
- Walls to be rendered (colour unknown)
 - Main entrance – reclaimed brick from original dwelling
 - Roof tile – Marley modern, grey

- 4.19 In an email from the agent, acting on behalf of the applicant, dated 23rd May 2020 (and available for public viewing), the agent confirms that the client is to build the newly exposed east facing elevation of no. 34 Matlock Road in red brick. This wall is exposed as a result of the demolition of the current semi-detached property. The agent confirms the willingness to have this information conditioned to any decision granted. Additionally, the agent also confirms that the correct and necessary steps will be taken to ensure the property known as no. 34 Matlock Road is remediated accordingly, and all agreements will be in place with the owners of the neighbouring property (no. 34 Matlock Road).
- 4.20 The application submission is supported by the following plans/ documents:
- Application form
 - Drawing – Site location plan
 - Drawing – Block Plan
 - Drawing – Cross Section A, D, and F
 - Drawing – Drainage layout
 - Drawing – Existing elevations and existing floor plans
 - Drawing – Proposed elevations and proposed ground and first floor layout
 - Drawing – Proposed landscaping
 - Drawing – Proposed layout
 - Drawing – Site compound
 - Planning statement

5.0 CONSIDERATIONS

5.1 Planning policy

- 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 in 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 and construction
- CS7 Managing the water cycle
- CS8 Environmental Quality
- CS9 Green Infrastructure and biodiversity
- CS10 Flexibility in the delivery of housing
- CS18 Design
- CS20 Influencing the demand for travel

5.3 **Other relevant Policy and Documents**

- National Planning Policy Framework (NPPF)
- SPD “Successful Places” (adopted July 2013)

5.4 **Key Issues**

- Spatial Strategy and Principle of development
- Design and appearance of the proposal
- Impact on the neighbouring residential amenity
- Highways safety, parking provision and air quality
- Biodiversity
- Flood risk and drainage
- Environmental quality and land stability
- Community Infrastructure Levy (CIL)

5.5 **Spatial Strategy and principle of development**

5.5.1 The application site is located in an established residential area on a main arterial route between Matlock and Chesterfield. The road is also served by a bus route, the operating route is the X17 Gold which operates between Matlock, Chesterfield, and Sheffield.

5.5.2 To assess the principle of the development and determine if it accords with planning policy, it was necessary to consult with the **Strategic Planning Team**. The comments received are detailed below:

5.5.3 *“The current development plan for Chesterfield Borough consists of the Local Plan Core Strategy (2013) and the saved policies of the Replacement Chesterfield Borough Local Plan (2006). However, there is also the emerging Local Plan (2018 to 2035) – this is currently being examined and was the subject of hearing sessions in October/November 2019. The Inspectors’ initial response has indicated a number of modifications that are currently being consulted on. Weight should be given to the emerging policies in accordance with the criteria of para 48 of the NPPF. Where this is relevant to the determination of this application it is highlighted below.*

PRINCIPLE OF DEVELOPMENT

The application involves replacement of a dwelling within a residential curtilage. The NPPF does not include residential gardens within the definition of Previously Developed Land but is unclear on how replacement dwellings should be dealt with. Although there is an existing dwelling on the site it also includes part of garden. Therefore the policies of the Local Plan relevant to greenfield sites should be considered.

The key policy considerations in determining this application will therefore relate to policies CS1, CS2, CS10 and CS20 of the Core Strategy.

The site also falls within the extent of the 'Urban Area' proposed as a modification to the emerging Local Plan Policies Map, for the application of emerging policy LP4. The implications of this and weight to be given to the emerging plan are discussed further below.

The council can demonstrate a five year supply of suitable housing sites (<https://www.chesterfield.gov.uk/media/990534/excbc002-five-year-supply-position-april-2019.pdf>) and the main policies for the determination of the application are considered up to date and in accordance with the NPPF. Paragraph 11(d) of the NPPF (the presumption in favour of sustainable development) is therefore not engaged and the application should be determined according to the policies of the Local Plan and other material considerations.

Location of Development

Policies CS1 and CS2 seek to concentrate new development within walking and cycling distance of centres. Policy CS20 seeks to maximise walking, cycling and the use of public transport through the location and design of development. Paragraph 103 of the NPPF also states that planning should actively manage patterns of growth to support the use of public transport, walking and cycling. The council's Residential Design SPD indicates a distance of 800m to a centre is considered 'walkable'.

The application site is over a 800m to a range of facilities including a Local Centre, GP services and the nearest Infant School (Whitecotes Primary School). That said, there is a local Spar store close to the site and it is close to bus stops with services to Chesterfield Town centre (the hourly X17 service from Matlock).

Bearing in mind the small scale of the development proposed – a single replacement dwelling, it is unlikely that it will have any significantly greater

impact than the existing dwelling or generate more vehicle trips. The site is within the urban area (and will be within the Urban Area as defined in the new Local Plan). I am satisfied that the proposed development is sustainably located and is broadly in line with the Spatial Strategy as set out in policies CS1 and CS2.

Loss of Greenfield Site

Policy CS10 of the Core Strategy seeks to restrict housing led development on greenfield sites where the council can demonstrate a five-year supply of suitable housing sites. The council can also demonstrate a five-year supply of suitable housing sites. The proposal is therefore technically in conflict with policy CS10.

The replacement policy for CS10, LP4, moves the emphasis purely from greenfield sites to sites 'outside the urban area'. A modification to the emerging policies map has been prepared at the request of the Local Plan Inspectors establishing the extent of the urban Area, which would include the application site. Only limited weight should be given to the proposed boundary as it has not yet been the subject of consultation (which is expected to begin in March of this year following a report to the council's Cabinet on 25th February), but it is relevant in demonstrating the direction of travel for emerging policy. I would note that, if applied as proposed to be modified, the proposal would not be in conflict with policy LP4.

On this basis the technical loss of a greenfield site would not compromise the purposes of policy CS10 or the Core Strategy generally and limited weight should be given to this conflict in the circumstances.

OTHER MATTERS

Should planning permission be granted, the adopted and emerging Local Plan policies would require the following:

- Electric Vehicle charging provision (one point per property) – secured by condition*
- A condition requiring measures to result in a net gain of biodiversity through planting, nesting and roosting provision*

The development would be CIL liable. The site falls into the CIL high zone. With index linking the CIL rate is currently £92.78 per sqm gross internal floorspace. Any potential CIL charge may be affected by existing floorspace and possible exemptions and reliefs available in specific circumstances (eg: custom and self-build) but, if relevant, these must be applied for prior to any

commencement on site. The applicant should be made aware of these exemptions and the necessity of applying for them (if relevant) in a timely manner and asked to complete CIL form 1.

SUMMARY

The proposed development does not conflict with the objectives of policies CS1, CS2, CS10 and CS20 of the adopted Local Plan.

If approved, conditions should be applied as set out above and the development would be CIL liable.

5.5.4 Considerations

As noted above, the application site is currently occupied by a residential property, and associated garden area, as well as being situated within an established residential area. The immediate street scene is residential in character. Policies CS1, CS2, and CS10 of the Core Strategy and the wider National Planning Policy Framework (NPPF) are therefore considered to apply when determining the principle of the development. In addition, the Council's Supplementary Planning Document on Housing Layout and Design "Successful Places" is also a material consideration.

Core Strategy CS1 seeks to concentrate development within walking and cycling distances of local centres. The application site is not located within 800 metres of the defined local centre, in this case Walton. However, as outlined in the Local Planning Authority's SPD, "*Successful Places: A guide to sustainable housing layout and design*" (adopted July 2013), it is indicated that a sustainable location may be considered to be a site that has a bus stop within 400m (or a 5 minute walk) of the site. There is an identified bus stop within 200 metres of the application site. It is therefore accepted that the proposal does not fully meet the requirements of Core Strategy Policy CS1.

Notwithstanding this, Core Strategy Policy CS2 details the principles for the location of development. Part b) requires development to utilise previously developed land. The application site is currently known as 32 Matlock Road and hosts a semi-detached property; therefore the site is currently developed. Part f) of Core Strategy CS2 also requires development to "*maximise opportunities for walking and cycling and the use of public transport (CS20)*". As identified the application site is located within 200 metres of bus stop and it is therefore considered to comply with Part F of CS2. Core Strategy CS10 seeks to restrict housing led development on greenfield sites, of which the application site is considered to consist of due to the garden area of the application site, when a five year housing supply is demonstratable. The proposal is therefore in conflict with the provisions of CS10, given the LPA is

able to demonstrate a five year housing supply. However, as highlighted by the Strategic Planning Officer, the emerging Local Plan identifies an emphasis on greenfield sites to sites “outside the urban area”. The emerging local plan indicates that the application site is in the defined extent of the urban area.

The Strategic Planning officer notes other matters that are also of consideration when determining this application. These other matters, which have been addressed in other sections of this report and include an electric charging point (CS2 and CS8) (see Section 5.8); net biodiversity gain (CS9) (see Section 5.9) and Community Infrastructure Levy (see Section 5.12).

On balance, the proposal is considered to be acceptable in principle with regards to CS1 and CS2. Due to the emerging local plan, greater weight is now given to LP4, which will replace CS10. The process is all but completed now and the new local plan is likely to be adopted by full Council at its meeting on 15th July 2020. The proposal would not be in conflict with LP4 due to the adjustment to the emphasis of greenfield sites that are not within an urban area. To give CS10 less weight in this application is considered to be an appropriate approach due to the application site being located within an established residential area and already hosts a semi-detached dwelling. Development is generally considered to be acceptable in accordance with CS1 and CS2. This is subject to material considerations which will be covered in the following sections of this report. The considerations discussed will include impact on neighbouring properties, highway safety and parking provision, biodiversity, environmental quality and land stability (covering policies CS2, CS8, CS9, CS18 and CS20 and the Council’s adopted SPD “Successful Places”).

5.6 Design and appearance of the proposal

- 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 As noted, the surrounding residential area is characterised by predominantly detached properties, that vary in architectural style. The street scene displays a mixture of red brick and render, with smooth and pan roof tiles.

- 5.6.4 The proposed development consists of a rendered bungalow with a reclaimed (from the current property) red brick detail feature to the front. The proposal has consideration for the street scene with the immediate surrounding properties being set back from the public highway. The proposed dormer bungalow is also set back from the highway and is shown to be situated in the established building line. The proposed dormer bungalow is also shown to be similar in height as the existing dwelling. This is considered to be acceptable given the surrounding properties are both two storey.
- 5.6.5 The proposal is therefore considered to be acceptable in design, scale and siting and as such would not appear unduly prominent within the existing street scene.
- 5.6.6 The application form and submitted drawings state the proposed dormer bungalow will be finished in render, however the colour of which has not been detailed. It is therefore recommended that formal clarification of the colour of the rendering to be controlled by a condition requiring the submission of details prior to ordering. The brick to be used in the feature at the frontage of the application site is detailed to be reclaimed brick from the existing property and the roofing is proposed to be “Marley Modern- Grey”. Both of these materials are considered to be appropriate for the context of the application site and are therefore considered to be acceptable.
- 5.6.7 The “Successful Places” SPD indicates that a four bedroom dwelling would require a minimum of 90 square metres out door amenity space. The outdoor amenity space provided at the application site exceeds this requirement as it provides approximately 220 square metres amenity space. It is considered the outdoor amenity space and internal accommodation in the proposed dormer bungalow would be of an acceptable standard for future occupiers.
- 5.6.8 The submitted plans indicate the existing boundary treatments will remain at the application site, as will the existing established garden. This can be seen in the photos below. As the garden is established at the application site, it is not considered necessary to require a soft and hard landscaping condition be attached to any decision granted.



5.6.9 To the south of the application site, and therefore the front, the proposed vehicle hard standing area is detailed to remain as existing. This is also considered to be acceptable and no further information is considered to be required.

5.6.10 Having consideration for the observations above, the proposal is considered to be acceptable with respect to layout and design. It is not considered that the proposal would result in significant adverse impacts on the visual amenity and character of the area. The proposal will therefore accord with the design provisions of policy CS2 and CS18 of the Core Strategy and the wider NPPF.

5.7 Impact on the neighbouring residential amenity

5.7.1 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.”*

5.7.2 Core Strategy Policy CS18 also states that development must *“k) have an acceptable impact on the amenity of users and neighbours.”*

5.7.3 The application site is located in an established residential area, surrounded by other residential dwellings. Potential impacts of the proposed development will be considered below.

5.7.4 To the north and north west, and therefore the rear of the application site, the property shares a boundary with number 7 Fulford Close and number 22 Birkdale Drive. To the east of the application site, the property shares a boundary with no. 30 Matlock Road. To the south of the application site, and therefore on the opposite side of the public highway, the property shares a boundary with properties named as Kilbirnie and Woodside. Finally, to the

west of the application site, the property shares a boundary with, and is adjoined to no. 34 Walton Road.

5.7.5 Impact on no. 34 Walton Road

Number 34 Walton Road currently forms the other semi-detached property that the property the subject of the application adjoins to. Therefore, it is recognised there may be further impacts to this property than other neighbouring properties.

5.7.6 In line with the requirements of CS2 requiring all developments to have an acceptable impact on the appearance of adjoining neighbours, it is appropriate to consider the impact of the demolition of the east property which forms one of the semi-detached properties.

5.7.7 Following correspondence with the agent, the agent confirmed that the applicant would brick the exposed wall in red brick to match the existing property. The agent is happy to provide this information as a condition of any planning consent granted.

5.7.8 Whilst it may not be possible, it is considered that reclaiming bricks from the existing dwelling would be a more suitable solution to brick the exposed east elevation of no. 34 Matlock Road. It is considered that by doing this, the bricks will be aged and weathered similarly and therefore result in the east elevation of no. 34 Matlock Road blending better with the remainder of the red brick at the property. A condition will therefore be applied to any decision granted requiring reclaimed bricks where possible, or bricks which are similar in appearance. It is noted that the application proposes to use reclaimed bricks from the site for the projecting feature of the proposed bungalow and therefore this would be encouraged for the east gable elevation of no. 34 Matlock Road.

5.7.9 Similarly, CS2 requires development to have an acceptable environmental impact on adjoining properties. Whilst not necessarily a planning consideration and more related to Building Control, the applicant has also confirmed an application for the property known as no. 34 Matlock Road, as well as the proposed new dwelling at no. 32 Matlock Road, in respect of foundations and underpinning, will be submitted to building control for consideration. This confirms that the relevant and necessary structural works to the remaining property at no. 34 Matlock Road will be carried out. It is therefore considered by ensuring the correct ground works are carried out at no. 34 Matlock Road to ensure the property is correctly supported, the proposal complies with CS2.

- 5.7.8 The application does not propose to include any windows in the west facing elevation of the property, therefore potential adverse impacts of overlooking are considered to be minimal.
- 5.7.9 It is noted that the proposal includes a Juliet balcony to the west of the north west facing elevation of the dormer bungalow. This is not considered to have harm on the neighbouring property to the west due to the doors being situated further north in the plot than any windows in neighbouring property. In addition, the design of the balcony (being a Juliet balcony) does not create a raised platform area that would provide opportunities for overlooking.
- 5.7.10 Finally, due to the location of the application site in respect of no. 34 Matlock Road, it is considered there will be minimal impacts of overshadowing as a result of the proposed dormer bungalow.

5.7.11 Impact on no. 30 Matlock Road

Number 30 Matlock Road is located to the east of the application site. There are currently no. 2 windows at ground floor level in the west facing elevation of no. 30 Matlock Road. Due to the size of the windows and the location of each, the windows are not considered to be the main/sole window to each of the rooms they serve. The window to the north of the west facing elevation is currently obscured from view (when viewed from no. 32 Matlock Road) due to the garage that is located in close proximity to the application boundary.

- 5.7.12 In addition, only no. 1 of these windows will align with the proposed door and window at ground floor level to the dormer bungalow. The window located to the north of the west facing elevation will be in a similar location to the proposed doorway in the east facing elevation of the dormer bungalow.
- 5.7.13 As a result of the proposal, both of the windows in the west facing elevation of no. 30 Matlock Road are shown to be more readily viewable from no. 32 Matlock Road as a result of demolishing the existing garage at the application site.
- 5.7.14 As the windows located in the west facing elevation of no. 30 Matlock Road are at ground floor level, as are those proposed in the east facing elevation of no. 32 Matlock Road, it is considered these can be screen by means of a boundary treatment if it is felt necessary. Therefore, the windows are considered to have a negligible impact that can be mitigated and therefore acceptable.
- 5.7.15 To the rear of the application site (the north west), the dormer bungalow extends beyond the rear elevation of no. 30 Matlock Road by approximately 7.5 metres, 6.6 metres of this projects at a height of 3.8 metres. This projection will be inset a minimum of approximately 1.5 metres from the east boundary of the site.

5.7.16 It is noted that this proposed scheme projects further beyond the rear elevation of the current property, which projects by approximately 3.5 metres. As the proposed projection is single storey, it is considered that the impacts of such will be negligible on the neighbouring property, no. 30 Matlock Road. Furthermore, the proposed projection is situated a minimum of 1.5 metres away from the shared boundary. This helps to mitigate any overshadowing as a result of the proposal.

5.7.17 **Impact on all other boundary sharing neighbours**

Due to the scale and orientation of the proposed development relative to the other neighbouring dwellings, it is not considered that the development would cause any significant injury to the residential amenity of the neighbours with respect to overshadowing and overlooking.

5.7.18 The **Environmental Health Officer** reviewed the proposal and the comments received are as follows:

“To minimise noise impacts on the existing residential dwellings, I recommend that both ‘demolition work’ and ‘construction work’ shall only be carried out between the hours of 08:00am to 6:00pm, Monday to Friday and 09:00am to 5:00pm on a Saturday. Demolition and construction work shall not be carried out on Sundays or Public Holidays. The term ‘demolition work’ and ‘construction work’ shall include mobile and fixed plant/machinery, (e.g. generators), radios, and the delivery of construction materials.

NB. The above condition takes into account current guidance issued by Derbyshire County Council, Highways Agency and all Utility companies.”

5.7.19 To protect the amenity of the neighbouring properties, it is considered reasonable to restrict the hours of construction. It is therefore considered that an appropriate planning condition can be imposed on any consent granted to restrict the construction hours accordingly.

5.7.18 Having consideration for the observations above, the proposal is considered to be appropriately designed and is not considered to cause significant adverse impacts on residential amenity of the adjoining neighbours. The proposal will therefore accord with the design provisions of policies CS2 and CS18 of the Core Strategy.

5.8 **Highways Safety, Parking Provision and Air Quality**

5.8.1 Core Strategy Policy CS18 states that development will be expected to “*part g) provide adequate and safe vehicle access and parking*”.

5.8.2 Core Strategy Policy CS20 states that development proposals should demonstrate “*c)... appropriate parking provision in accordance with the*

guidance set out in Appendix G” and requires the installation of electric charging facilities (part e).

5.8.3 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.”*

5.8.4 The **Local Highways Authority**, Derbyshire County Council Highways, were consulted on the scheme and provided the following comments:

“No highway objections to the replacement dwelling, subject to adequate off street parking being demonstrated clear of sufficient manoeuvring space to enable all vehicles to enter and exit the site in a forward gear. Please note that current recommendations are that off-street spaces should be of 2.4m x 5.5m minimum dimension (2.4m x 6.5m where in front of garage doors) and single garages 3.0m x 6.0m minimum internal dimension to be counted towards parking provision.”

5.8.5 The **Environmental Health Officer** was also consulted on this proposal, and the comments received are detailed below:

“As the government has set an aspirational target for all new vehicles in the UK to be zero emission at source by 2040 (as continued in ‘The UK Plan for Tackling Roadside Nitrogen Dioxide Concentrations: Detailed Plan,’ published July 2017), I ask that infrastructure for electric charging points be installed as part of the build phase.”

5.8.6 The comments from the Local Highways Authority have been noted. The proposal will provide off-street parking for a minimum of no. 3 vehicles. One space is provided in the garage and the other no. 2 are provided on the hardstanding at the property.

5.8.7 Appendix G of the Core Strategy states that for a 4 bedroom dwelling a recommended maximum of 3 off-street parking spaces should be provided. It is worth noting that this is a recommended “maximum” and Appendix G continues to state that the level of parking provision should be appropriate based on the site context, availability of on street car parking and accessibility of the development. It is considered that the site could provide three off street car parking spaces, and conditions could be imposed requiring the parking to be made available for the life of the development.

5.8.9 In relation to the air quality, one electric charging point for the new dwelling should be installed as part of the build phase of the dwelling and this shall be controlled by condition.

5.8.10 Subject to the imposition of conditions detailed above, the proposal is considered to accord with the provisions of CS2, CS18, and CS20 of the adopted Core Strategy.

5.9 Biodiversity

5.9.1 Core Strategy Policy CS9 – Green Infrastructure and Biodiversity states that *“Development proposals will be expected to demonstrate that they will not adversely affect, or result in the loss of, features of recognised importance’ and the enhancement of the borough’s biodiversity (f).”*

5.9.2 The site, the subject of the application is currently occupied by a residential dwelling with an established garden to the front and rear of the application site.

5.9.3 It is considered that the demolition of this property is unlikely to adversely impact or result in the loss of habitats for protected species, such as bats. The presence of bats at the application site is considered unlikely due to the well maintained property offering limited opportunities for roosting. Notwithstanding this, prior to the demolition of this property, it is considered necessary to undertake a bat emergence survey to establish the presence of bats, or not. Mitigation measures will also need to be agreed prior to demolition to ensure that any bats found (which are a protected species) are dealt with in the correct manner. A planning condition will be attached to this decision notice to ensure the applicant provides the necessary information.

5.9.3 As highlighted by the **Strategic Planning Officer**, in accordance with CS9, the development is also required to result in a biodiversity net-gain. As identified, the existing curtilage of the property is an established garden area with a mix of mature shrubs and planting.

5.9.4 It is therefore considered reasonable to request the provision of bird/bat boxes to be provided in the scheme as a net gain at the application site. The provision of such will be ensured through the provision of a suitably worded planning condition.

5.10 Flood Risk and Drainage

5.10.1 Core Strategy Policy CS7 Managing the Water Cycle states that *“The council will require flood risk to be considered for all development commensurate with the scale and impact of the proposed development” and “Sustainable Drainage Systems (SuDS) should be incorporated into all development, unless it can be demonstrated that this is not appropriate in a specific location. The council will seek the maximum possible reduction in surface water run off rates based on the SFRA or most recent national guidance”.*

5.10.2 The application site is located in Flood Zone 1, as defined by the Environment Agency and is therefore considered to be at low risk of flooding. Having regards to the provisions of CS7 and the wider NPPF, the application was referred to the Council's **Design Services (Drainage) Team** and **Yorkshire Water** for comments in respect of flood risk and drainage/waste water. The comments received are detailed below:

5.10.3 No comments have been received from **Yorkshire Water**, however **Design Services (Drainage) Team's** reviewed the application and provided the following response:

"The site is not shown to be at risk of flooding, according to Environment Agency Flood Maps. Any new drainage for the proposed dwelling or any amendments to the existing drainage on site may require Building Control approval. Any new connections to the public sewerage system will need prior consent from Yorkshire Water".

5.10.4 Policy CS7 requires all development to consider sustainable drainage systems to deal with surface water arising as a result of the development. As the application details there to be no changes to the frontage of the application site and the rear garden, it is considered that the application site demonstrates mitigation to surface water drainage through the provision of the grass at the front of the application site. An informative note should also be imposed highlighting any new connections to the public sewerage system will need prior consent from Yorkshire Water.

5.11 Environmental Quality and Land Condition

5.11.1 Core Strategy Policy CS8 states that *"Unstable and Contaminated Land: Proposals for development on land that is, or is suspected as being, contaminated or unstable will only be permitted if the land is capable of remediation and fit for the proposed use and shall include: a) a desk top survey with the planning application b) a phase II study and strategy for remediation and final validation where the desk top survey (a) indicates remediation may be necessary, on any full or reserved matters planning applications A programme of remediation and validation must be agreed before the implementation of any planning permission on contaminated and/or unstable land. The requirement to undertake this programme will be secured using planning conditions.'*

5.11.2 The planning application site lies in an area considered to be at high risk of former coal mining legacy, having regard to the requirements of the NPPF and Policy CS8 of the Core Strategy, the application was referred to **The Coal Authority** for comments.

5.11.3 Initially, **The Coal Authority** responded on 31/03/2020, indicating the Authority had fundamental concern in relation to the application. The Coal Authority stated

“In accordance with the agreed risk-based approach to development management in the defined Development High Risk Areas, the applicant should be informed that they need to submit a Coal Mining Risk Assessment Report, or equivalent report, to support this planning application. As no relevant information has been submitted at this time the Coal Authority objects to this planning application.”

5.11.4 On the basis of the comments received above (full response available to view online), the applicant highlighted the information relating to coal mine workings in the Planning Statement. It was noted that this document was not visible to The Coal Authority at the time of consultation. **The Coal Authority** were reconsulted on the basis of this information being available. The comments, received on 15th April 2020, are provided below:

5.11.5 *“The Coal Authority previously commented on this planning application in a letter to the LPA dated 31 March 2020. We had requested that the applicant submit a Coal Mining Risk Assessment or equivalent report in support of their planning application.*

It still does not appear that the applicant has submitted a Coal Mining Risk Assessment. However, the Planning Statement (Orange Design, March 2020) which accompanies this planning application clearly references that an intrusive site investigation will be carried out due to the site falling within an area of probable unrecorded coal mine workings at shallow depth. It states that these investigations will determine the foundation type for the proposed built development.

The Coal Authority considers that this statement reflects the applicant's intention to undertake investigations despite no desk-based study being undertaken. We expect that intrusive site investigations should determine the exact ground conditions and the presence or otherwise of shallow mine workings. This usually requires boreholes being sunk to at least 30m bgl. If workings are encountered within shallow depths with the potential to influence surface stability then the Coal Authority will expect that an appropriate scheme of remediation (drilling and grouting) to be undertaken to consolidate the ground. This is necessary to ensure that the application site is safe, stable and suitable for development in accordance with paragraphs 178-179 of the National Planning Policy Framework; regardless of foundation design.

The exact form and extent of intrusive site investigations need to be agreed with the Permitting Section of The Coal Authority as part of the applicant's permit application. These intrusive site investigations should be prepared and conducted by a suitably competent person and findings used to inform an appropriate scheme of remedial measures if necessary. In addition, it would

be prudent if consideration was also afforded to the risk posed by mine gas to the application site and proposed development.”

5.11.4 The Coal Authority continue their response to detail the recommended conditions and the reasoning for such conditions. The full response from the Coal Authority is available for public viewing on the public access system. The recommended conditions can be found in Section 10 of this report. The conditions are considered reasonable to ensure the correct mitigation measures are identified and carried out at the application site in respect of the Coal Mining legacy.

5.12 Community Infrastructure Levy (CIL)

5.12.1 The application proposes the creation of a new dwelling, and the development is therefore CIL liable.

5.12.2 The site, the subject of the application, lies within the high CIL Zone. As noted by the **Strategic Planning Officer**, *“With index linking, the CIL rate is currently £92.78 per sqm gross internal floorspace. Any potential CIL charge maybe affected by existing floorspace and possible exemptions and reliefs available in specific circumstances...”*

5.12.3 The floorspace of the proposed development has been calculated as 238.78 square metres. The existing floor space from the existing dwelling was deducted to give a net gain of floor space of +162.29 square metres.

This was calculated on the following basis:

Existing dwelling house floor space: 76.49 square metres

Proposed new dwelling floor space: 283.78 square metres

→ 283.78 – 76.49 = a net gain of 162.29 square metres.

This figure will be added to the calculations below:

5.12.4 Based on the calculations of gross internal floor space, CIL liability is calculated as set out below:

		A	B	C	D	E
Development type	Proposed floor space (GIA in Sq. m)	Net Area (GIA in Sq. m)	CIL Rate	Index permission	Index Charging schedule 2020	CIL Charge

Residential (C3)	239	162	£80.00 (High Zone)	334	288	£15,030
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Calculation:

CIL Charge (E) is calculated as outlined below:

Net Area (A) x CIL Rate x BCIS Tender Price Index (at date of permission) (C)

BCIS Tender Price Index (at date of charging schedule) (D)

Therefore, the CIL charge liable for this application is as follows:

$$\frac{162 \times £80 \times 334}{288} = £15,030.00$$

5.12.5 If the applicant considers an exemption to the CIL levy is applicable (e.g. custom and self build), such exemptions must be applied for prior to any commencement on site. The applicant will need to apply for such exemption in a timely manner and complete a CIL Form 1.

6.0 Representations

6.1 The application has been publicised by neighbour notification letters to boundary sharing neighbours, which were posted on 17th March 2020; deadline for responses being 9th April 2020. A site notice was also displayed at the application site on 7th May 2020, deadline for responses being 30th May 2020.

One letter of representation have been received as a result. The letter is received from the daughter of her parents who live in the property adjoining the application site, and she also co-owns the property. The representation, received on 7th April 2020 is detailed below:

6.2 *“Thank you for your letter dated 17 March 2020, which was sent to my parents who reside at the adjoining semi-detached property known as ‘Iona’ No. 34 Matlock Road. I have an interest in the property as a co-owner.*

The properties of No. 32 and No. 34 are unusual in so far as the location of the dividing common boundary, and they are made up of a two-storey red brick building and a set back rendered building (which was a later addition that enabled the property to be divided into two). Subsequently the floorspace of the main red brick building is divided between the two properties. The far LH side ground floor (GF) and first floor (FF) rooms of the red brick building form the living room and master bedroom of No 34; whilst the central windows and far RH side windows (GF and FF) form No 32.

I can confirm that whilst I have no objections to the proposals to demolish No. 32 and build a new dormer bungalow, the plans which have been submitted do not include any detail of the construction or finish of the new gable end wall which will be required to be built following partial demolition of the red bricked building. I assume that the works will require underpinning or new foundations to be built and tied back into No 34, but the current plans do not show this. I also have some reservations about the proposed finish of the new gable end that will be required to be formed and the materials which are to be used. This is not detailed but it will be necessary to ensure that they are an appropriate match to the existing red bricks or even more desirable if they can be reclaimed from the demolition works for this purpose.

I trust that these matters will be considered and clarified.”

Officer's comments

The unusual location of the dividing boundary was noted by the case officer during a visit to the application site, and attention was drawn to the remaining red brick element of the property that will remain at no. 34 Matlock Road, following the demolition of no. 32 Matlock Road.

Following a site visit, the case officer contacted the agent to outline concerns for the newly exposed gable wall to be finished in render (as detailed in emails dated 31st March 2020). The proposed render was not considered to be the most appropriate material for the exposed gable wall due it forming part of the red brick element of the property.

The agent emailed the case officer back (on 23rd May 2020) to indicate that the applicant would build the new gable wall in the east elevation of no. 34 Matlock Road in red brick and would be able to provide a sample following a decision being issued.

The indication to build the gable wall in materials that are of a similar appearance is appropriate and it is suggested the use of reclaimed bricks from the site will be the most appropriate solution for this gable wall. The reasons for which have been highlighted in Section 5.7 of this report.

The agent also confirmed that the necessary underpinning will be carried out in accordance with Building Regulations whilst all necessary consents and notices will be served to the owners of no. 34 Matlock Road.

6.3 The representation continues, and reads as follows;

“In terms of the overall design of the proposed dormer bungalow these are considered in my opinion to be acceptable. The siting, scale and layout of the development proposals are unlikely to adversely impact upon the amenity or privacy of No. 34.

I note the comments which have been made by the Coal Authority in their consultee response dated 31 March 2020, requesting that a Coal Mining Risk Assessment (CMRA) is submitted and I support this. I do not believe the Planning Statement provided by the Agent dated 02 April 2020 addressed this matter sufficiently and a CMRA should be requested to be properly corroborated by the Coal Authority.

I also note that the commentary provided by the Agent in an email dated the 31 March 2020 indicates that the finish of the new gable end wall is to be rendered to match the existing property. I would however emphasise my comment above that a matching brickwork finish would be more desirable.

I fully understand that a number of the points I have raised above fall outside of the planning remit and relate to party wall / civil matters, however where they are material to the merits of the planning application I would appreciate if they are recorded and taken into account, nonetheless."

Officer's comments

Following receipt of the representation comments from the Coal Authority were received on 15th April 2020. The comments, as outlined in Section 5.11 indicate that The Coal Authority is satisfied that necessary investigation works, which will inform the foundation type for the proposed development will be carried out. As such, The Coal Authority have recommended planning conditions to be applied to any decision granted to ensure the correct investigations and remediation works are undertaken.

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:

- The action in considering the application is in accordance with clearly established Planning law and the Council's Delegation scheme.
- The objective of arriving at a decision is sufficiently important to justify the action taken over the period of the life of the application.
- The decision taken is objective, based on all planning considerations and is, therefore, not irrational or arbitrary.
- The methods used are no more than are necessary and required to accomplish the legitimate objective of determining an application.
- The interference caused by a refusal, approval or approval with conditions, based solely on planning merits, impairs as little as possible

with the qualified rights or freedoms of the applicant, an objector or consideration of the wider Public Interest.

- 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.

8.0 Statement of positive and proactive working with the 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 a copy of this report informing them of the application considerations and recommendation/ conclusion.

9.0 Conclusion

- 9.1 It is considered that the proposed demolition of an existing semi-detached property, to be replaced by a detached dormer bungalow is acceptable, subject to the below recommended planning conditions. The proposed development is considered to accord with the provisions of CS2, CS18 and CS20 of the Core Strategy and whilst the proposal is not considered to accord with CS10, the emerging Local Plan does allow for development such as this in established urban areas (as considered in LP4) and this can now be given substantial weight in planning decisions. The proposed development is not considered to negatively impact on the amenity of the neighbouring residential units and does not present any concerns in respect of overshadowing and overlooking. As a result of the proposal, the development will require works to the existing attached property, no. 34 Matlock Road to ensure the dwelling is structurally supported correctly. This is a matter for Building Control, however has some planning merit. In addition, the development will also result in the need to rebuild the party wall between no. 32 and 34 Matlock Road. This will be required through a planning condition.

Overall, the scheme is considered to be appropriately designed and is situated in an appropriate location on the application site to ensure adequate parking can be achieved. The proposal is therefore considered to comply with CS2, CS8, CS9, CS18 and CS20 of the Chesterfield Local Plan: Core Strategy 2011 – 2031, the emerging local plan and the wider National Planning Policy Framework. This application would be liable for payment of the Community Infrastructure Level.

10.0 Recommendation

- 10.1 That a CIL Liability Notice be served in line with Section 5.12 above.
- 10.2 That the above application be **GRANTED** subject to the following conditions and notes:

Conditions

1. 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 Sect 51 of the Planning and Compulsory Purchase Act 2004.*

2. The development hereby approved shall be implemented as per the approved plan/s (drawings labelled as *Block Plan, Rev A – 1:500 @A3; Proposed elevations, Rev A – 1:100 @A3; Proposed layout, Rev A – 1:100 @A3; Proposed floor plan, Rev A – 1:50 @A3; Proposed floor layout, Rev A, 1:50 @A3; Cross Section A, Rev A – 1:50 @A3; Cross Section D, Rev A – 1:50 @A3; Cross Section F, Rev A – 1:50 @A3; Proposed landscaping plan, Rev A – 1:200 @A3; Site compound, Rev A – 1:200 @A3; and Drainage layout, Rev A – 1:100 @A3*), with the exception of any approved non-material amendment.

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

3. No development shall commence until intrusive site investigations have been carried out on site to establish the exact situation in respect of coal mining legacy features. The findings of the intrusive site investigations shall be submitted to the Local Planning Authority for consideration and approval in writing. The intrusive site investigations shall be carried out in accordance with authoritative UK guidance.

Reason- 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. This condition is also in accordance with CS8.

4. Where the findings of the intrusive site investigations (required by condition 3 above) identify that coal mining legacy on the site poses a risk to surface stability, no development shall commence until a detailed remediation scheme to protect the development from the effects of such land instability has been submitted to the Local Planning Authority for consideration and approval in writing. Following approval, the remedial works shall be implemented on site in complete accordance with the approved details.

Reason- 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. This condition is also in accordance with CS8.

5. Following implementation and completion of the approved remediation scheme (required by condition 4 above) and prior to the first occupation of the development, a verification report shall be submitted to and approved in writing by the Local Planning Authority to confirm completion of the remediation scheme in accordance with approved details.

Reason- 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. This condition is also in accordance with CS8.

6. Construction work shall only be carried out between the hours of 08:00 am to 6:00pm Monday to Friday and 09:00 am to 5:00 pm on a Saturday. Construction work shall not be carried out on Sundays or Public Holidays. The term "construction work" shall include mobile and fixed plant/machinery (e.g. generators) radios and the delivery of construction materials.

Reason- In the interests of the residential amenity and in accordance with CS8.

7. Prior to commencement of the demolition of the building a preliminary bat survey of the site to assess the suitability of the structure for use by roosting bats shall be submitted to the local planning authority for consideration. If the results indicate that the site is suitable for bats or

evidence of a roost is found then further emergence surveys would be required during the peak bat activity season (May to August inclusive) to provide survey information compliant with current good practice guidelines. The submitted information shall include mitigation measures and the demolition shall only proceed in accordance with the mitigation measure previously agreed in writing by the local planning authority.

Reason- *To safeguard against the loss of protected species and habitats in accordance with Policy CS9 and the National Planning Policy Framework.*

8. A residential charging point shall be provided for the dwelling with an IPD65 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 charging point 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 accordance with CS8 and CS20.*

9. The dwelling hereby approved shall not be occupied until a minimum of no. 3 off street parking spaces have been made available for their designated use. Off street parking spaces shall each measure a minimum of 2.4 metres x 5.5 metres (unless parking in front of garage doors in which the space shall measure 2.4 metres x 6.5 metres). To be considered a parking space, the garage shall retain internal measurements of 3.0 metres x 6.0 metres minimum.

Reason- *In the interests of highway safety and in accordance with CS18 and CS20.*

10. Prior to the ordering of materials, details of the proposed bricks to be used in the east facing gable of no. 34 Matlock Road shall be submitted to the Local Planning Authority for consideration. Only the bricks approved in writing shall be used in the east facing gable of no. 34 Matlock Road.

Reason- *In the interests of requiring good design and ensuring the exposed gable wall at no. 34 Matlock Road is rebuilt appropriately. This condition is also in accordance with CS18.*

11. Prior to the ordering of roof materials, full details shall be submitted to the Local Planning Authority for consideration. Only the materials agreed in writing shall be used at the application site.

Reason- *In the interests of requiring good design. This condition is also in accordance with CS18.*

12. Prior to the rendering of the dwelling hereby agreed full details of the colour shall be submitted to the Local Planning Authority for consideration. Only the render colour agreed in writing shall be used at the application site.

Reason- *In the interests of requiring good design. This condition is also in accordance with CS18.*

13. Prior to the occupation of the development hereby approved, details of the ecological enhancement measures to be implemented at the site to provide a biodiversity net gain shall be submitted to the Local Planning Authority for consideration. Appropriate ecological enhancement measures shall include bird and/ or bat boxes and the details submitted shall include the number of units proposed and the location proposed. Only the ecological enhancement measures agreed in writing shall be implemented on site prior to the development hereby approved being first occupied. The ecological enhancement measures shall remain in perpetuity.

Reason- *In the interests of ecological enhancements and in accordance with CS9.*

Notes

1. 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.
2. The proposed development lies within an area that has been defined by the Coal Authority as containing potential hazards arising from former coal mining activity. These hazards can include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and previous surface mining sites. Although such hazards are seldom readily visible, they can often be present and problems can occur in the future, particularly as a result of development taking place.

It is recommended that information outlining how the former mining activities affect the proposed development, along with any mitigation measures required (for example the need for gas protection measures within the foundations), be submitted alongside any subsequent application for Building Regulations approval (if relevant).

Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant safety and engineering risks and exposes all parties to potential financial liabilities. As a general precautionary principle, the Coal Authority considers that the building over or within the influencing distance of a mine entry should wherever possible be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure that a suitable engineering design is developed and agreed with regulatory bodies which takes into account of all the relevant safety and environmental risk factors, including gas and mine-water. Your attention is drawn to the Coal Authority Policy in relation to new development and mine entries available at:

www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, digging of foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain a Coal Authority Permit for such activities is trespass, with the potential for court action.

Property-specific summary information on past, current and future coal mining activity can be obtained from: www.groundstability.com or a similar service provider.

If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority

3. Any new drainage for the proposed dwelling or any amendments to the existing drainage on site may require Building Control approval. Any new connections to the public sewerage system will need prior consent from Yorkshire Water.