

**Item 3**

**PROPOSAL: OUTLINE APPLICATION FOR A SINGLE STOREY BUNGALOW TO INCLUDE RESERVED MATTERS FOR ACCESS. (DESCRIPTION AND DRAWINGS AMENDED 03/03/21) ON LAND AT 3 AND 5 CORDWELL AVENUE, NEWBOLD, CHESTERFIELD**

1.0 **CONSULTATIONS**

Ward Members:	No comments received.
Local Highway Authority:	Commented on original and revised scheme – revised scheme comments - Requested further information regarding visibility, proposed gradient of new driveway, clarification of lighting column on street, turning circle for delivery vehicles and parking spaces.
Chesterfield Design Services:	The proposed dwelling should be raised and the existing public sewers on site require further investigations. The site should be developed using separate drainage systems. Further information required regarding soakaways.
Yorkshire Water Services:	No objection, subject to separate drainage systems utilised, and further information submitted regarding surface water drainage.
Urban Design Officer:	Verbal comments – supportive of revised scheme.
Environmental Health:	No objection subject to conditions related working

hours, air quality and land contamination.

Coal Authority:

Material Consideration, request the inclusion of conditions.

Forward Planning:

No comments provided.

Representations:

1 objection received for the original iteration of scheme.

## 2.0 **THE SITE**

- 2.1 The application site presently forms part of the rear garden curtilages of no. 3 and 5 Cordwell Avenue within an area which is exclusively residential in nature.
- 2.2 The site has the houses and gardens of two other streets to the north and south, with Kirkstone Road to the south and Monkwood Road to the north. To the east there is a garage site, which is accessed from Kirkstone Road.
- 2.3 The existing site consists of two semi-detached two storey dwellings and the gap in-between them. The rear gardens of the dwellings are approximately 30m in depth. The gap in-between the dwellings is approximately 4.5m. The dwellings are stepped down from the street by several metres and they currently have no off-street parking from Cordwell Avenue. No.3 Cordwell Avenue appears to have removed a fence panel to the rear boundary to allow access to the garage site to the rear and to allow vehicles into the rear of the site
- 2.3 The site of the proposed dwelling measures approximately 18 metres in length by 14.5 metres in width. The driveway to the highway would be approximately 25m in length and 4-4.5m in width. The existing dwellings would be left with gardens that would be 11m in length and 5.5m in width.
- 2.4 The site is bounded by mature 1-1.5m hedges to the north, south and through the middle of the site separating the existing gardens, as well a wooden fence separating the two dwellings closer to the houses. There is a 1.8-2m fence to the rear of the site. There are

also several mature trees on site including what appears to be an overgrown hedge to the rear of no.3.

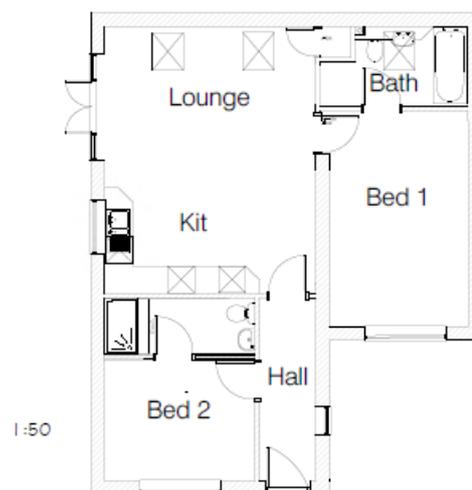
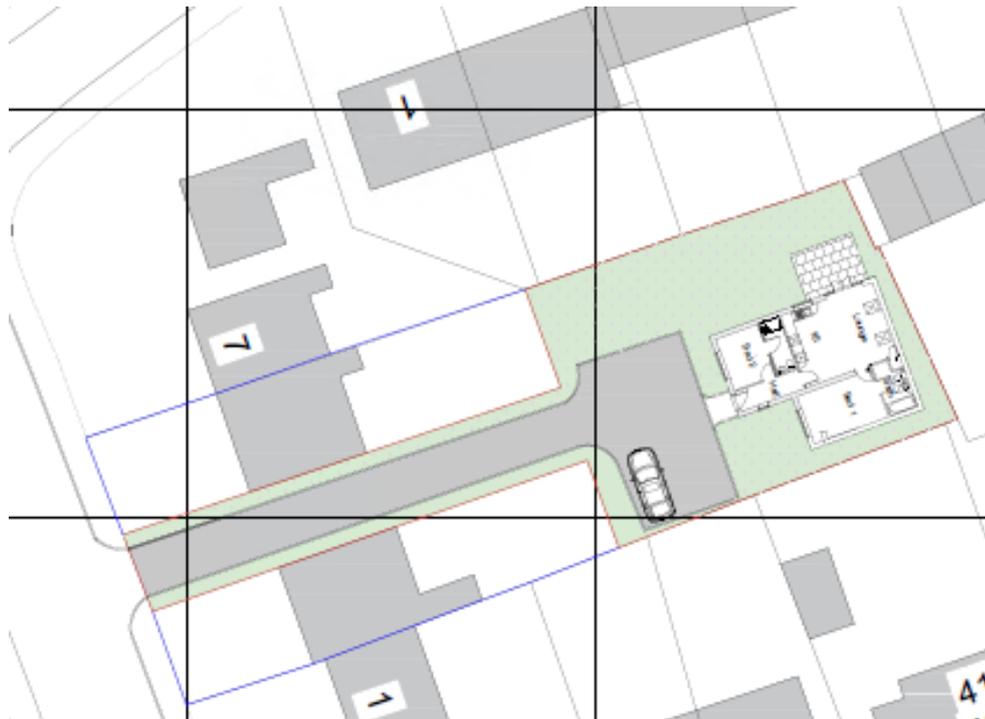
- 2.5 With regard to land levels the site itself is relatively flat to the rear, with an incline up to the street level on the proposed driveway area.
- 2.6 The bungalows to the north of the site have small gardens and are characterised by well-maintained 1m hedges to that surround their rear gardens.

### 3.0 **RELEVANT SITE HISTORY**

- 3.1 No relevant applications

### 4.0 **THE PROPOSAL**

- 4.1 Outline planning approval is sought to erect a single storey detached dwelling within the rear residential curtilage of no. 3 and 5 Cordwell Avenue.
- 4.2 This application includes access for consideration which would be from Cordwell Avenue and involve a driveway in-between the two existing dwellings. An indicative drawing has been provided with the application which shows a hipped roofed 2 bedroom dwelling positioned to the south-east of the site with a garden to the north side and parking and turning to the west of the housing area. All matters apart from means of access are reserved for approval at a later date.
- 4.3 The below drawings have been provided as part of the application:



4.3

Within the application form the description is for a single storey dwelling but with no details of bedroom numbers.

- 4.4 Further information such as scale, layout, appearance and landscaping will be considered in a reserved matters application. No information has been provided regarding boundary treatments, biodiversity on site or the access driveway.
- 4.5 This application does not include any details regarding future parking arrangements for no. 3 or 5 Cordwell Avenue.
- 4.6 The original scheme was for 2 two storey dwellings on site however after consultations with the applicant it was agreed to amend the scheme as proposed and make significant changes to it.

## 5.0 **CONSIDERATION**

- 5.1 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 Chesterfield Borough Local Plan 2018 – 2035.

## 5.2 **Chesterfield Borough Local Plan 2018 – 2035**

CLP1	Spatial Strategy (Strategic Policy)
CLP2	Principles for Location of Development (Strategic Policy)
CLP3	Flexibility in Delivery of Housing (Strategic Policy)
CLP13	Managing the Water Cycle
CLP14	A Healthy Environment
CLP16	Biodiversity, Geodiversity and the Ecological Network
CLP20	Design
CLP22	Influencing the Demand for Travel

## 5.3 **National Planning Policy Framework (2019)**

Part 2.	Achieving sustainable development
Part 4.	Decision-making
Part 5.	Delivering a sufficient supply of homes
Part 8.	Promoting healthy and safe communities
Part 9.	Promoting sustainable transport

- Part 12. Achieving well-designed places  
Part 14. Meeting the challenge of climate change, flooding and coastal change  
Part 15. Conserving and enhancing the natural environment

#### 5.4 **Supplementary Planning Documents**

Successful Places' Residential Design Guide

#### 5.5 **Principle of Development**

5.5.1 The Council's Forward Planning Team provided these comments on the scheme:

*As a location within the urban area, the principle of a single dwelling in this broad location is in accordance with the adopted Local Plan policies CLP1 and CLP2 – there are a range of key services within a reasonable walking distance.*

*The application is in outline only all matters reserved other than access. The design criteria in policy CLP20 should be taken into account only to the extent that they are relevant at this stage. Under policy CLP20(g and h) development should provide safe vehicle access and parking and a safe, convenient and attractive environment for pedestrians.*

*The application is in outline only at this stage, but if permission is granted conditions will need to be put in place relating to:*

- *Electric Vehicle Charging (CLP22)*
- *Application of the higher optional water efficiency standard (CLP13)*
- *Biodiversity Net Gain (CLP16)*

*Community Infrastructure Levy*

*As a new dwelling, the proposed development would be liable for Community Infrastructure Levy. Exemptions can apply (for example for Custom and Self Build). The liability would be confirmed upon approval of reserved matters- at this stage an not should be added to any permission regarding the potential liability.*

5.5.2 The proposed development site is situated within walking distance from key services and is located on land that is currently utilised as residential curtilage. The site is located within a built-up area where new housing development would be considered appropriate in principle. As such, this proposed development site is considered to be sufficiently sustainable for a development of this nature and adheres to the policies CS1, CS2. Other aspects of the scheme will be considered below.

## 5.6 **Residential Impact**

5.6.1 Local Plan policy CLP14 states that development will be expected to have an acceptable impact on the amenity of users and neighbours. The Council's SPD 'Successful Places' provides further guidance in respect of privacy, day light and sunlight, overshadowing and external amenity space.

5.6.2 The Council's SPD advises that the separation distances between the rear elevation of two dwellings directly facing one another should be 21 metres, that first floor habitable room windows directly facing a rear boundary should not normally be sited closer than 10.5 metres to the boundary of an adjoining residential garden, and that a modest 1 or 2 bedroom dwelling should have an outdoor amenity space of 50 sq. metres. These standards seek to protect the amenity of both existing dwellings and the amenity of the proposal in terms of overlooking and seek to provide a reasonable level of outdoor amenity space. Whilst this is guidance with some element of flexibility, it is considered that the standards should be met in this instance, particularly as the site comprises land which is not previously developed and lies within an established residential area. In this case the application is applying for a 2 bedroom scheme but the officer considers that (depending on the exact details of a future reserved matters application) that a 3 bedroom house could fit onto the site, in this case further parking spaces and a larger garden would be sought under the Council's amenity guidance and in relation to the character of the wider area.

5.6.3 Bearing in mind the above standards, a modestly sized single storey dwelling is considered to be able to fit on the site (as shown by the indicative drawing) This shows a dwelling with over 20m of separation with no.3 and 5 Cordwell Avenue and over 13m of separation to the dwellings to the north and south, bearing in mind there is likely to be a 1-2m boundary treatment. Over 50m of

private amenity space is also provided. No overshadowing or massing issues are caused by the proposal.

5.6.4 It is considered that the local area includes a clear character in the area for 1m plus hedges with clear sight into gardens. The officer considers that it would be unfortunate in the future if a future reserved matters or full application was received that ignored this characteristic, as this would have a negative impact on the residential amenity and character of the area.

5.6.5 On the basis of the above, the site is appropriate for erection of 1 single storey dwelling which would be possible on site, as shown on the indicative drawing. It would be acceptable with the requirements of Policies CLP14 and CLP20 of the Local Plan and the advice contained within the 2019 NPPF (paragraph 127) which states that planning decisions should ensure that developments have a “high standard of amenity for all existing and future users” and chapter 3.11 (Amenity) of the Council’s SPD ‘Successful Places’. This is subject to any further reserved matters or full application, which will provide more information in regards appearance, layout, scale, appearance and landscaping.

## 5.7 **Design and Visual Impact**

5.7.1 Local Plan policy CLP20 states in part; all development should identify and respond positively to the character of the site and surroundings and respect the local distinctiveness of its context 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.

5.7.2 The application has been made on an outline basis with most matters reserved for future consideration. As such, it is not possible to assess the detailed design of the proposal at this stage. An indicative drawing has been provided that shows the possibility of a dwelling on site, which would be acceptable in relation to residential amenity. This drawing shows a hipped roof bungalow, which wouldn’t be viewed from Cordwell Avenue but would be highly visible from the surrounding dwellings who look out onto the rear gardens of this site. The proposal would be a big change to the existing open nature of the site including several mature trees. The principle has been shown to be possible on site, but further

details of the scheme will be considered at a reserved matters stage.

- 5.7.3 Accordingly the proposed scheme would be not be highly visible in the street scene, and acceptable to visual amenity, which is acceptable in relation to the Council's Supplementary Planning Document 'Successful Places' (section 3.16 Building Design), Policy CLP20 of the Chesterfield Borough Local Plan and paragraph 130 of the revised National Planning Policy Framework.

## 5.8 **Highways Issues**

- 5.8.1 Local Plan policies CLP20 and CLP22 require consideration of parking provision and highway safety.

- 5.8.2 The proposal includes access from Cordwell Avenue and provides parking and manoeuvring for 2 vehicles on site.

- 5.8.3 The LPA has consulted the Highways Authority for the scheme, they provided these comments on the revised scheme:  
*I refer to the revised details submitted in association with the above application which were referred to this Authority on the 2nd March 2021, for further consideration.*  
*The submitted details propose a 2no bedroom detached bungalow with associated off-street parking and the creation of a new vehicular access from Cordwell Avenue.*  
*It is noted that access is to be determined under this application.*  
*The proposed vehicular access is the same in principle as what was previously proposed, therefore, in view of Cordwell Avenue being subject to a 30mph speed limit and part of a bus route, emerging visibility sightlines of 2.4m x 47m in both directions to the nearside carriageway level from the proposed vehicular access would be considered acceptable.*  
*As the application site/proposed access slopes downwards from the public highway, it is suggested that the applicant provides details demonstrating that a suitable gradient can be achieved i.e. 1:20 for the first 5m from the nearside highway boundary and 1:12 thereafter. Along with construction details for the proposed vehicular access and the retention of the highway.*  
*There appears to be an existing street lighting column on the footway fronting the proposed vehicular accessway which will be likely to require relocation, which will be at the applicant's expense.*

*As the proposed bungalow would be in excess of the recommended maximum mancarry distance of 25m from Cordwell Avenue, an area suitable for the standing and turning of a typical supermarket delivery type vehicle (typically measuring 9m x 9m) should be demonstrated clear of adequate parking provisions to serve the proposed bungalow.*

*There appears to be sufficient space within the site for the parking of 2no vehicles which is sufficient to serve a 2no bedroom dwelling. Each parking bay should measure a minimum of 2.4m x 5.5m with an additional 0.5m of width to any side adjacent to a physical barrier e.g. wall, hedge, fence, etc.*

*I trust that you will ensure that the level of off-street parking provision satisfies the requirements of your own Authority's standards.*

*Therefore, it's recommended that the applicant is given opportunity to submit revised details demonstrating measures to satisfactorily address the above access issues.*

*However, if you are minded to determine the application in its submitted form, I would be grateful if you could revert back to the Highway Authority for any further comments.*

5.8.4 It is considered that the existing site has no formal parking arrangements for either dwelling. Many dwellings in the area have suitable off-street parking arrangements such as a driveway and/or garage, including no.7 Cordwell Avenue. In this matter the proposed driveway would require significant groundworks to make it safe and have an acceptable gradient when joining the highway. In theory the concept of a driveway in a residential area is acceptable, but it is considered that a badly designed, unsympathetic driveway could have a negative impact on the character of the area and the existing site. It is also considered the existing dwellings use this area to enter the highway on foot and have no parking themselves, which ensures that this issue should be. A reserved matters application should include information about what it proposed for pedestrian access for the residents of no.3 and 5 though. This will need to provide details of the levels and materials proposed, as well as details of visibility and if any works are required for the street lighting column to the front of the site. It is considered that issues can be dealt with via conditions/a reserved matters application at a later date.

5.8.5 As previously mentioned in discussions for the application it could also be envisaged that the front gardens of no.3 and 5 could have

parking spaces on them, this would then lead to a situation where the existing front gardens would change from a soft landscaped area including steps to a whole frontage with hard surfacing and a raised platform, which would not be a positive change to the existing situation, as the surrounding dwellings with parking have included those works to the side of houses with minimal hard landscaping to achieve this. For clarity, any future proposals to provide parking to the frontages of no.3 and 5 Cordwell Avenue would require a separate application, as this is not part of this red line area.

5.8.6 The Highways Authority have requested a 9m by 9m area for turning for delivery vehicles; the officer considers that this would take a large amount of land for one dwelling, which is not reasonable in this case. Whilst this would be preferable the officer considers that there are many sites in the country with further distances to travel for 1 dwelling, and whilst not ideal, is acceptable on small sites.

5.8.6 Accordingly, it is considered that the access arrangements are considered to be achievable subject to further information submitted at later date. Two parking spaces are provided on site as well as manoeuvring so vehicles can leave in a forwards gear. The proposal therefore is acceptable with the requirements of Policy CLP20 of the Local Plan which seeks the provision of adequate and safe vehicle access and parking (criteria g) and a safe, convenient and attractive environment for pedestrians and cyclists (criteria h), as well as CLP22.

## 5.9 **Biodiversity**

5.9.1 Local Plan policy CLP16 states that all development will “protect, enhance, and contribute to the management of the boroughs ecological network of habitats, protected and priority species ... and avoid or minimise adverse impacts on biodiversity and geodiversity and provide a net measurable gain in biodiversity.” The NPPF in paragraph 170 requires decisions to protect and enhance sites of biodiversity and paragraph 174 also requires plans to “pursue opportunities for securing measurable net gains for biodiversity”.

5.9.2 No information has been provided in this regard. The site has several mature hedges and trees in place, none of these are

protected. As part of landscaping issues this will be considered at a reserved matters stage, and the officer considers that the existing baseline and proposed situation on site will be clearly defined and shown on site, ensuring that no biodiversity loss occurs.

## 5.10 **Developer Contributions**

5.10.1 The Council's CIL Officer reviewed the application and highlighted that the site falls within the medium charging zone. The CIL liability would be calculated at the reserved matters stage, based on proposed floorspace.

## 5.11 **Coal mining risk and ground contamination**

5.11.1 The application site is within the High Risk Area in respect of former coal mining activity. Policy CLP14 of the Adopted Local plan requires that; Proposals for development on land that is, or is suspected of being, contaminated or unstable will only be permitted if mitigation and/or remediation are feasible to make the land fit for the proposed use and shall include:

- a) a phase I land contamination report, including where necessary a land stability risk assessment with the planning application; and
- b) a phase II land contamination report where the phase I report (a) indicates it is necessary, and
- c) a strategy for any necessary mitigation and/or remediation and final validation.

A programme of mitigation, 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 application is supported by a Coal Mining Risk Assessment which has been considered by the Coal Authority. The report concludes there is a potential risk posed to the development from former coal mining activity. It is therefore recommended that intrusive site investigations are carried out on site in order to establish the risks/issues. On this basis the Coal Authority has recommended conditions to secure the appropriate investigations and remedial works or mitigation necessary to address the risks.

5.11.3 The Council's Environmental Health team has been consulted on the proposal and they have concluded that the site is within an

area of potential land contamination. They require the submission of a pre-commencement land contamination report to assess any issues on site.

5.11.4 On this basis the proposal is considered to meet the requirements of policy CLP14, subject to conditions.

## 5.12 **Flood Risk**

5.12.1 The site is in a low/medium area in relation to risk of flooding. CBC's drainage team and Yorkshire Water have been consulted on the scheme. CBC's drainage team requested that the proposed dwelling should be raised and the location of existing public sewers on site require further investigations. The site should be developed using separate drainage systems. Further information is required regarding soakaways also. Yorkshire Water Services had no objection, subject to separate drainage systems utilised, and further information submitted regarding surface water drainage.

5.12.2 Conditions can be included in a permission to ensure these issues are considered further prior to any future works. This ensures that the proposal is acceptable in relation to Policy CLP13 of the Local Plan.

## 5.13 **Lighting, noise and air pollution issues**

5.13.1 The Council's environmental health team have commented that several conditions are required to ensure that the proposal doesn't lead a negative impact in terms of an increase in lighting, noise pollution from construction and air pollution from increased traffic. They are requested a restriction on unacceptable lighting to surrounding areas, the workings hours for construction and the inclusion of electric charging points into the scheme.

5.13.2 The requested conditions have all been included in this decision, to ensure that it is compliant with CLP14 of the Local Plan.

## 6.0 **REPRESENTATIONS**

6.1 The application has been advertised via a site notice and letters sent to surrounding local residents and 1 comment has been received regarding the original iteration of scheme. The resident objected and considered a 2 storey scheme could overlook them, it

could have parking issues, highways safety issues re parking, ground works affecting their property, impact on wildlife from removal of trees and impacting of view of residents of adjoining bungalows.

6.3 The proposal has been amended to be a single storey dwelling with parking/access for one dwelling. The others issues raised have been considered in the report.

## 7.0 **HUMAN RIGHTS ACT 1998**

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

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

7.2 The action in considering the application is in accordance with clearly established Planning law and the Council's Delegation scheme. It is considered that the recommendation accords with the above requirements in all respects.

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

8.1 In accordance with the requirements of the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012 and paragraph 38 of 2019 National Planning Policy Framework (NPPF) as the proposed development does not conflict with the NPPF or with 'up-to-date' policies of the Local Plan, it is considered to be 'sustainable development' to which the presumption in favour of the development applies.

8.2 The Local Planning Authority have during and prior to the consideration of this application engaged in a positive and

proactive dialogue with the applicant in order to achieve a positive outcome for the application.

## 9.0 **CONCLUSION**

9.1 The proposal is in outline form only including access but with other matters reserved. The proposed development is considered to be acceptable in principle and the site is of an appropriate size and shape to accommodate one new dwelling without detriment to the street scene or the amenity of nearby properties. As such, the proposal accords with the requirements of Policies CLP1, CLP2, CLP3, CLP13, CLP14, CLP16, CLP20 and CLP22 of the adopted Local Plan and the 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**

#### Reserved matters submission

1. Approval of the details of the access, appearance, landscaping, layout and scale 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).*

#### Time frame for reserved matters submission

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.*

#### Time frame for commencement

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.*

Land Stability/Coal Mining Legacy

4. Prior to the submission of the reserved matters intrusive site investigations shall be carried out on site to establish the risks posed to the development by past coal mining activity (shallow coal workings / mine entry / opencast workings);

*Reason - To protect the environment and ensure the stability of the site in accordance with CLP14.*

5. The reserved matters application shall include:
  - The submission of a report of findings arising from the intrusive site investigations;
  - The submission of a layout plan which identifies the location of the mine entry, if found present within the site, together with the calculated zones of influence of the mine entry to define a suitable 'no-build' exclusion zone;
  - The submission of a scheme of remedial works / mitigation measures for the shallow coal workings and mine entry if found present within the site for approval

*Reason - To protect the environment and ensure the stability of the site in accordance with CLP14.*

6. Prior to the commencement of development the scheme of remedial works / mitigation measures outlined in condition 5 shall be undertaken in full.

*Reason - To protect the environment and ensure the stability of the site in accordance with CLP14.*

Land contamination

7. Concurrent with the submission of a reserved matters application, evidence that the site is suitable for use shall be

submitted to the Local Planning Authority for consideration and written approval. The evidence shall include the completion of

- a. *Phase 1/desk study* report documenting the previous land use history of the site.
- b. a *Phase 2/intrusive site investigation* where the previous use of the site indicates contaminative use(s). The site investigation/phase 2 report shall document the ground conditions of the site. The site investigation shall establish the full extent, depth and cross-section, nature and composition of contamination. Ground gas, ground water and chemical analysis, identified as being appropriate desktop study, shall be carried out in accordance with current guidance using UKAS accredited methods. All technical data must be submitted to the Local Planning Authority.
- c. a *Remediation Strategy (if necessary) and*
- d. a *Validation report*

All the reports a to c shall be submitted to the Council and approved in writing by the Local Planning Authority prior to the development commencing. Part d. shall be submitted to the Council and approved in writing by the Local Planning Authority prior to the occupation of the development.

*Reason - To protect the environment and ensure that the redeveloped site is reclaimed to an appropriate standard in accordance with CLP14.*

8. If any part of the site is to be raised or filled using materials brought from outside the application site, the developer must provide documentary evidence that all such materials are free from levels of contamination that would be in excess of appropriate standards. In the event that no such evidence is available, the materials must be subjected to adequate chemical testing to demonstrate that the materials are suitable for their intended final use. All documentary evidence and/or sampling methodology and testing results shall be submitted to and agreed in writing by the Local Planning Authority prior to any material being brought onto site. No such materials shall be imported without prior approval.

*Reason - In the interests of safeguarding the proposed development and adjacent properties from the possible harmful effects of development affecting contaminated land, in*

*accordance with the advice contained in the National Planning Policy Framework and in accordance with policy*

Hours of construction

9. Construction work shall only be carried out between the hours of 8:00 am to 6:00 pm Monday to Friday and 9:00 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 residential amenities.*

Highways – details of site storage/compound

10. Prior to the commencement of operations on site (excluding demolition/ site clearance), space shall be provided within the site curtilage for storage of plant and materials, site accommodation, loading and unloading of goods vehicles, parking and manoeuvring of site operatives and visitors vehicles and maintained throughout the contract period in accordance with the approved designs free from any impediment to its designated use.

*Reason - In the interests of highway safety and CLP22*

Highways – submission of visibility splays

11. The reserved matters submission shall include detail showing the new vehicular access to Cordwell Avenue provided with 2.4m x 47m visibility splays in either direction, all as agreed in writing with the Local Planning Authority, the area in advance of the sightlines being maintained throughout the life of the development clear of any object greater than 1m in height (0.6m in the case of vegetation) relative to adjoining nearside carriageway channel level.

*Reason - In the interests of highway safety and CLP22*

Highways – no gates or barriers

12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or in any Statutory Instrument revoking or re-enacting that Order with or without modification) there shall be no gates or other barriers on the existing or new

access.

*Reason - In the interests of highway safety in accordance with policy CLP22 of the Adopted Local Plan*

Highways – gradient of access

13. The reserved matters submission shall provide a drawing which demonstrates an access driveway to Cordwell Avenue that shall be no steeper than 1:20 for the first 5m from the nearside highway boundary and 1:12 thereafter. This drawing shall show the levels in comparison to the surrounding gardens and what materials are proposed. The proposed works for the light column to the front of the access shall also be included in these drawings.

*Reason - In the interests of highway safety in accordance with policy CLP22 and visual amenity in accordance with CLP20 of the Adopted Local Plan*

Highways – parking provision provided prior to occupation

14. The reserved matters submission shall include parking provision for the existing dwelling (2 spaces). The premises, the subject of the application shall not be taken into use until space has been provided, laid out and constructed in accordance with the application drawings for the parking (and turning) of residents and visitors vehicles and thereafter maintained throughout the life of the development free from any impediment to its designated use

*Reason - In the interests of highway safety in accordance with policy CLP22 of the Adopted Local Plan*

Electric charging provision

15. A residential charging point shall be provided for the proposed 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 CLP14.*

Biodiversity enhancement

16. Concurrent with the submission of landscaping details as part of a reserved matters application plans/drawings shall be submitted to the Local Planning Authority for written approval demonstrating a detailed biodiversity net gain plan for the development (or any phase of that development) and the creation of suitable habitat which enhances the ecological interest of the site with a maintenance plan, in line with guidance within Paragraph 175d of the NPPF. This shall include a comparison to the existing baseline situation on site and potential removal of mature hedgerows and trees. (This shall include the planting of native shrubs and trees such as rowan, bird cherry, birch, guelder rose, dogwood, hazel, goat willow, alder buckthorn or fruit trees such as apple and pear (all of these are beneficial for wildlife).

*Reason - In the interests of ecology and policy CLP6.*

Drainage

17. The site shall be developed with separate systems of drainage for foul and surface water on and off site.

*Reason - In the interest of satisfactory and sustainable drainage and inline with CLP13.*

Drainage

18. There shall be no piped discharge of surface water from the development prior to the completion of surface water drainage works, details of which will have been submitted to and approved by the Local Planning Authority. If discharge to public sewer is proposed, the information shall include, but not be exclusive to:
- i) evidence that other means of surface water drainage have been properly considered and why they have been discounted; and
  - ii) the means of discharging to the public sewer network at a maximum rate of 3.5 litres per second.

*Reason - To ensure that no surface water discharges take place until proper provision has been made for its disposal.*

Drainage

19. The reserved matters submission shall provide a drawing should show the 'site surveyed position' of the public surface water sewer. The drawing should show the required stand-off distance of 3.5 (three point five) metres is required at each side of the sewer centre-lines - or agreed diversion route. A developer may, where it is reasonable to do so, require a sewerage undertaker to alter or remove a pipe where it is necessary to enable that person to carry out a proposed improvement of land. This provision is contained in section 185 of the Water Industry Act 1991 that also requires the developer to pay the full cost of carrying out the necessary works.

*Reason - In the interest of satisfactory and sustainable drainage and inline with CLP13.*

Drainage

20. No individual dwelling approved as part of the reserved matters of the development shall be occupied until the requirement for water consumption (110 litres use per person per day) in Part G of the Building Regulations has been complied with for that dwelling.

*Reason: To protect the water environment in accordance with policy CLP13 of the of the adopted Chesterfield Borough Local Plan and to accord with paragraph 149 of the National Planning Policy Framework.*

Lighting

21. All lighting used on site shall be designed so as to control glare and overspill onto nearby residential properties.

*Reason – To ensure the development doesn't impact the residential amenity of surrounding residents in line with policy CLP14.*

#### Informatives

1. On the Statutory Sewer Map, there is a 525 mm diameter public surface water sewer and a 375 mm diameter public combined sewer recorded to cross the site. It is essential that the presence of this infrastructure is taken into account in the design of the scheme. In this instance, a stand-off distance of 3.5 (three point five) metres is required at each side of the sewer centre-lines and it may not be acceptable to raise or lower ground levels over the sewer, nor to restrict access to the manholes on the sewer.

A proposal by the developer to alter/divert a public sewer will be subject to Yorkshire Water's requirements and formal procedure in accordance with Section 185 Water Industry Act 1991.

2. The developer is proposing to discharge surface water to public sewer however, sustainable development requires appropriate surface water disposal. Yorkshire Water promote the surface water disposal hierarchy and the developer must provide evidence to demonstrate that surface water disposal via infiltration or watercourse are not reasonably practical before considering disposal to public sewer.

As a last resort and subject to providing satisfactory evidence as to why the other methods of surface water disposal have been discounted, curtilage surface water may discharge to the 525 mm diameter public surface water sewer recorded crossing the site. The surface water discharge from the site to be restricted to not greater than 3.5 (three point five) litres/second.

3. Pursuant to Section 184 of the Highways Act 1980 and Section 86(4) of the New Roads and Street Works Act 1990 before any works are commenced to construct a dropped

crossover of a footway or verge a licence will be required from Derbyshire County Council. Details can be obtained from the Council's website or Highways Hub ([highways.hub@derbyshire.gov.uk](mailto:highways.hub@derbyshire.gov.uk)) and the applicant is advised to allow at least 6 weeks in any programme of works to obtain the necessary permission to undertake the works.

4. Pursuant to Sections 149 and 151 of the Highways Act 1980 it is an offence to allow mud or other extraneous material to be carried from a development site and deposited on the highway. Measures shall be put in place to ensure that this does not occur or if it does that appropriate measures are taken to cleanse the highway. The Highway Authority reserves the right to undertake street cleansing where the developer fails to do so and to recover the costs from them.