

# PLANNING COMMITTEE – 1 October 2023

Reference Number: 24/00521/FL

Application expiry: 13/10/2024

Application Type: FULL

Proposal Description: Construction of two storey 5 bed detached dwelling

At: The Bungalow, Station Road Pilsley, Chesterfield

For: Mr Peter Hartill

Third Party Reps: 12

Parish: Pilsley

Ward: Pilsley and Morton

Report Author: Alice Lockett

Date of Report: 12/09/24

**MAIN RECOMMENDATION: Grant permission, subject to conditions & legal agreement**

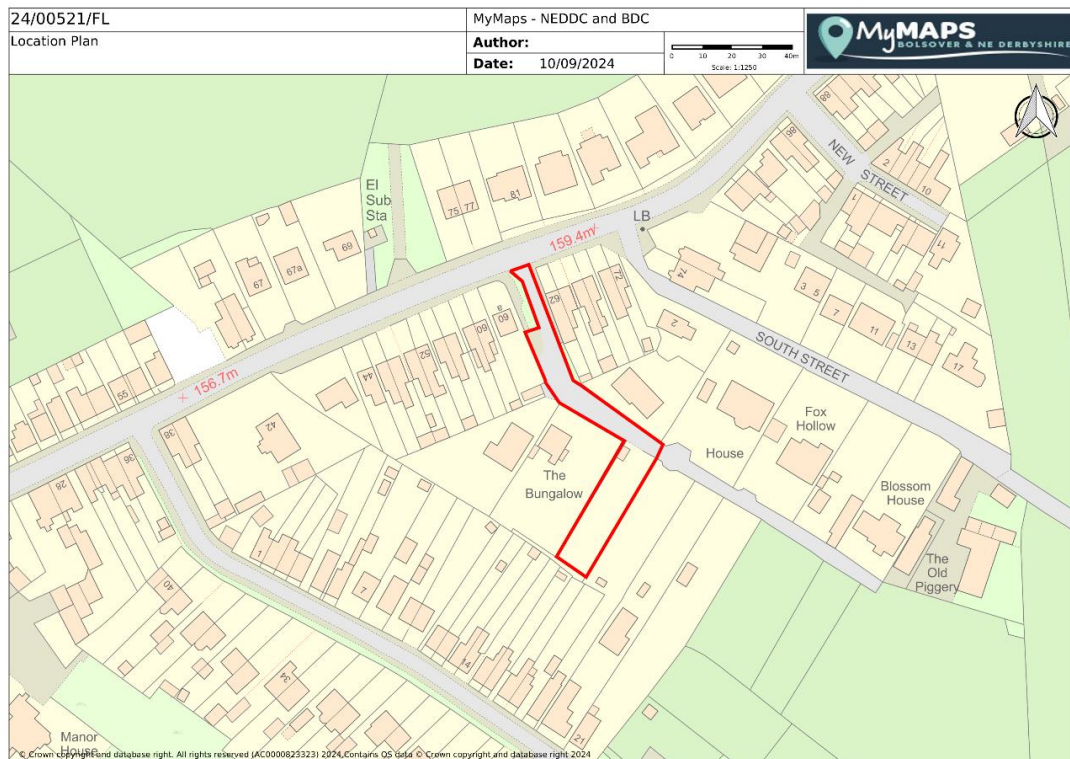


Figure 1 Location Plan

## 1.0 REASON FOR THE REPORT

1.1 The application was called in by councillor Cooper for the following reasons:

- Size and scale of the house
- The design of the proposed build is out of character with the area
- The apparent lack of parking on site for such a large dwelling is a major concern. This is likely to cause problems on the very narrow lane for other residents if people visiting park on the lane.
- If the house were to be positioned further back and more space could be provided for parking then this would help enormously.

## 2.0 PROPOSAL AND BACKGROUND

### Site Description

- 2.1 The application comprises a parcel of land located to the south of Station Road, Pilsley which is accessed via a private track between No 60 and 62. The track is roughly surfaced and serves a number of residential dwellings.
- 2.2 The application site is a plot of land which is overgrown in appearance. The site is situated within the defined settlement development limit for Pilsley.

### Proposal

- 2.3 This application seeks permission for the construction of a two storey, 5-bedroom dwelling. The proposed dwelling seeks consent for multi-generational living over two floors.
- 2.4 The application site has an extant outline permission (reference: 22/00543/OL) for one dwelling, but due to slight changes in the extent of the red line site area proposed, a new full application is required resulting in this application being considered by the Local Planning Authority.

### Amendments

- 2.5 None.

## 3.0 RELEVANT PLANNING HISTORY

Reference	Decision	Decision Date	Description
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17/00731/OL	CA	04.10.2017	Outline planning application (with all matters reserved) for 1no dwelling at land adjacent (Amended/Additional Information)
22/00543/OL	CA	22.07.2022	Outline application (all matters reserved) for one dwelling on land adjacent

#### 4.0 CONSULTATION RESPONSE

- 4.1 **The Coal Authority:** no objections to this planning application, subject to the imposition of the Conditions (7 & 8) as per the approved consent: 22/00543/OL.
- 4.2 **Environmental Health Officer:** I can confirm that my comments in regards outline application 22/00543/OL apply. The proposed development is within influencing distance of an area which, according to our records, has been used for opencast quarrying. I therefore recommend the following conditions (see recommendation below).
- 4.3 **Derbyshire Wildlife Trust:** We have checked our Biological Records Database and can confirm the following:
- No records of protected species are present on or adjacent to site
  - No notable habitats have been recorded to date on or adjacent to site
  - The site is not covered by a statutory or non-statutory nature conservation designation
- 4.4 Furthermore, the site is exempt from mandatory biodiversity net gain. Based on the proposals and the information submitted, we advise that the application is considered low impact and unlikely to have a substantive adverse effect on biodiversity. We consider the following conditions appropriate to secure biodiversity enhancements at this site: (see recommendation below)
- 4.5 **NEDDC Streetscene:** Don't recall any recent complaints about people presenting bins on Station Road. The access road is inaccessible to the Council's refuse vehicle so residents have to present their bins down to the junction with Station Road. Overall, no objection to the proposed development.
- 4.6 **Severn Trent Water:** No comments received.
- 4.7 **Yorkshire Water:** No comments received.

- 4.8 **Highways Authority (HA):** Derbyshire County Council, HA has no objection subject to conditions.
- 4.9 It is noted this site benefits from an outline application, which sought the construction of one dwelling (all matters reserved). This permission remains extant. It was previously demonstrated the applicant has a right of way over the private track leading from Station Road, along with acceptable emerging visibility from the existing access off Station Road.
- 4.10 The applicant is proposing four car parking spaces, on the proposed site plan, whilst constrained the HA is satisfied these are achievable, and vehicles can exit on to the public highway in a forward gear. In view of the above, the HA has **no objections** subject to conditions covering parking and turning details, and a bin collection strategy.

- 4.11 **Pilsley Parish Council:** Objection for the following reasons:

Impact on Local Character:

- 4.12 The proposed development is located on a narrow dead-end lane leading from Station Road, which is characterized by its semi-rural nature. The lane has a narrow, unpaved road surface and largely undeveloped land to the southern side, offering views over open countryside. This development, with five bedrooms and multiple windows and doors on each elevation, is out of scale and character with the surrounding detached dwellings. The introduction of such a large structure will significantly alter the semi-rural ambiance and aesthetic of the area. (*Officer comment: these are dealt with in section 7 below*)

Traffic and Safety Concerns:

- 4.13 The proposed development will increase the level of traffic on the narrow, unlit lane. Currently, the lane is quiet with little traffic, maintaining the area's tranquility. The application suggests that up to five unrelated couples could potentially reside in the property, leading to substantial parking demands, further exacerbated by visitors and deliveries. This level of vehicular activity is more akin to a commercial operation rather than a private residence, potentially posing safety hazards for pedestrians and existing residents. (*Officer comment: the application is for a 5 bedroomed dwelling, the applicant has clarified that his family will live in it- issues with regard to parking are dealt with in section 7 below*)

Infrastructure Strain

- 4.14 The lane's current infrastructure is insufficient to support the increased activity. It is in poor condition and not designed to accommodate the regular vehicular movements that the proposed development would generate. This would likely lead to further deterioration of the road surface and increased maintenance burdens on the local council and residents.

*(Officer comment: the lane is privately owned and it is a matter for the landowners as to whether they wish to improve or maintain the road surface. These private legal matters are not material planning concerns).*

Noise and Disturbance:

- 4.15 The proposed development will introduce a significant increase in noise and disturbance, contrasting starkly with the current quiet, semi-rural character of the lane. The increase in occupancy and associated activities will disrupt the peace and tranquility that residents currently enjoy. *(Officer comment, as outline in section 7 below the site already has outline planning permission for a dwelling, albeit on a slightly narrower site, it is considered that as the site is within the settlement development limits it is an appropriate and sustainable site for a new dwelling. Issues regarding the privacy and amenity of neighbours are also dealt with below)*

Incompatibility with Local Plans: *(Officer comment: these are dealt with in section 7 below)*

- 4.16 The scale and nature of the proposed development appear incompatible with the existing local planning guidelines aimed at preserving the character and quality of life in semi-rural areas like Pilsley. Approving this application could set a precedent for future developments that further erode the local character.
- 4.17 In conclusion, the proposed development is unsuitable for this location due to its adverse impact on the local character, infrastructure, and quality of life for existing residents. I urge the planning committee to reject this application to preserve the integrity and tranquility of our community.

## **5.0 REPRESENTATIONS**

- 5.1 A duplicated objection letter was received from 11 local residents with the following comments:

- Do not in principle object to people trying to build a house for multigenerational living and would welcome a new owner/occupier

Concerns regarding principle *(Officer comment: these are dealt with in section 7 below)*

- The application appears to be for a House of Multiple Occupation *(Officer comment- this is not the case- the house is for multigenerational living as outlined in the D&A statement and the clarification email uploaded 5<sup>th</sup> August 2024)*
- Issues/Inaccuracies with the D&A statement *(Officer comment: the applicant has submitted an email with clarity about the use of the house)*

Concerns regarding design/siting (*Officer comment: these are dealt with in section 7 below*)

- The size of the house is too large for the plot and would have an overbearing impact on neighbouring properties
- The house would impact privacy or neighbours
- The east elevation is particularly close to the boundary
- Garden facilities are inadequate for the size of the property
- Normal self builds have windows on front and back not sides.

Concerns regarding parking, access and use of the lane (*Officer comment: these are dealt with in section 7 below*)

- Insufficient parking
- The unmade lane is not sufficient for the number of dwellings down there
- The lane is privately owned and residents have to repair the damage
- Other development sites have not been built but should be taken into account.
- Drainage and service routes are not shown clearly on the application-easements and permissions need to be evident (*Officer comment: drainage, water and electricity are shown coming from Rouse Street to the rear of the property- private issues such as these are not planning considerations*)
- Adequate waste control does not seem to be planned for.
- More bins will create problems at the bottom of the lane on bin day (*Officer comment: NEDDC Street scene have been consulted, they have no complaints on record of issues with bins and are happy to collect from the end of the lane, a condition requiring a bin presentation area would be included if the application is approved*).

Other concerns

- The house could be turned into an HMO or supported living. (*Officer comment: this is not what is being applied for, nevertheless use of the house for supported living would require planning permission*)
- The design has unusual features such as a snail haven and bug hotel (*Officer comment: this is part of the biodiversity enhancement proposed*)
- The house will have an absent landlord/ The applicant has not committed to residing in the building (*Officer comment: this is not the case, any permission will be subject to a legal agreement that the building will meet the Self and Custom Build requirements*)
- One other objection was received with similar concerns to the above and also stating that the objector (a neighbour) would not grant access for sewerage etc. (*Officer comment: access rights for sewerage etc. are a private legal matter and is not a material planning consideration*)

## **6.0 RELEVANT POLICY AND STRATEGIC CONTEXT**

- 6.1 The Development Plan comprises the North East Derbyshire Local Plan. The most relevant policies in this case are as follows:

The North East Derbyshire District Local Plan (2014-2034)

SS1 Sustainable Development

SS2 Spatial Strategy and the Distribution of Development

SS7 Development on Unallocated Land within Settlement with defined Settlement Development Limits

LC4 Type and Mix of Housing

SDC4 Biodiversity and Geodiversity

SDC11 Flood Risk and Drainage

SDC12 High Quality Design and Place Making

### **National Planning Policy Framework (NPPF)**

- 6.2 The overarching aims of the National Planning Policy Framework (NPPF) have been considered in the assessment of this application.

### **Other Material Planning Considerations**

- 6.3 Successful Places Interim Planning Guidance, adopted December 2013

## **7.0 PLANNING ISSUES**

### Principle of Development

- 7.1 The application site is located within the settlement development limits for Pilsley here local plan policy SS7 supports development provided that it is appropriate in scale, design and location to the character and function of the settlement, does not result in the loss of a valued facility or service, is compatible with, and does not prejudice any intended use of adjacent sites and land uses; and accords with other policies of the Plan.
- 7.2 Policy SDC12 states that all new development should be of high-quality design and make a positive contribution to the quality of the local environment. Proposals for development will only be permitted provided that they: Respond positively to local character and context to preserve and, where possible, enhance the quality and local identity of existing communities and their surroundings; Create good design which is well-related to its site and surroundings in terms of its layout, form, height, massing, scale, plot size, elevational treatment, materials, streetscape, and rooflines which effectively integrate buildings into their local setting. Policy SDC12 also requires that developments protect the amenity of existing occupiers and create a good quality of amenity for future

occupants of land or buildings including in relation to privacy, overlooking, overshadowing and/or any overbearing impacts.

- 7.3 The site was granted outline permission in 2022 (22/00543/OL) for one dwelling and this permission remains extant, although a valid reserved matters application has not yet been submitted to and approved by the Local Planning Authority (Officer note: the applicant has until 22/7/2025 to do this). Following accurate surveys of the site it has been found that the red line of the outline application was not accurately plotted by the applicant. As a consequence, a new full application has been submitted with a new red line which makes the site approximately 1.5m wider than the outline site has been proposed.
- 7.4 Notwithstanding this, the applicant could submit a Reserved Matters application for a dwelling on the smaller site area, so it is considered by Officers that the site is sustainable and principle of a dwelling here is considered by Officers to be acceptable.

#### Proposal

- 7.5 This application is for a detached 5 bedroomed dwelling with parking to front and garden to rear. The proposed dwelling would provide accommodation across two levels.
- 7.6 The applicant confirmed that he intends to inhabit the property with family members, creating multigenerational living. This clarifies the statements made in the submitted Design and Access statement.
- 7.7 It is expected that up to 6 adult family members will occupy the house, but that there is also space for a carer to live in if necessary.
- 7.8 The application has been submitted as “self and custom build” housing and will be subject to a legal agreement securing this. “Self-build and custom housebuilding” is defined in the Self and Custom Housebuilding Act 2015 (as amended by the Housing and Planning Act 2016) as “*the building or completion by individuals... or persons working with or for individuals..., of houses to be occupied as homes by those individuals*”.

#### Design and impact on the street scene.

- 7.9 The application site is rectangular in shape and measures approximately 45m in length by 12m wide, with it connected to Station Road by an unmade track which also serves a number of other properties to the north. The land to the southeast of the site has been divided into similar rectangular plots, a number of which have or have had planning permission for dwellings. However, the site adjacent to the south east has no planning history. To the northeast is the garden of The Bungalow. The boundary of



the site is approximately 17m from the southeast elevation of The Bungalow.



*Figure 2: photos of streetscene and other dwellings on the lane.*

- 7.10 The existing dwellings served by the access track are a mixture of double and single storey dwellings with rooms in the roofspace. They are finished in brick or brick and render, with concrete or slate effect roofing materials. It is therefore considered that the character of the area in this location is mixed.
- 7.11 The proposed dwelling is a 2-storey house, with up to 5 bedrooms (two of these being on the ground floor).

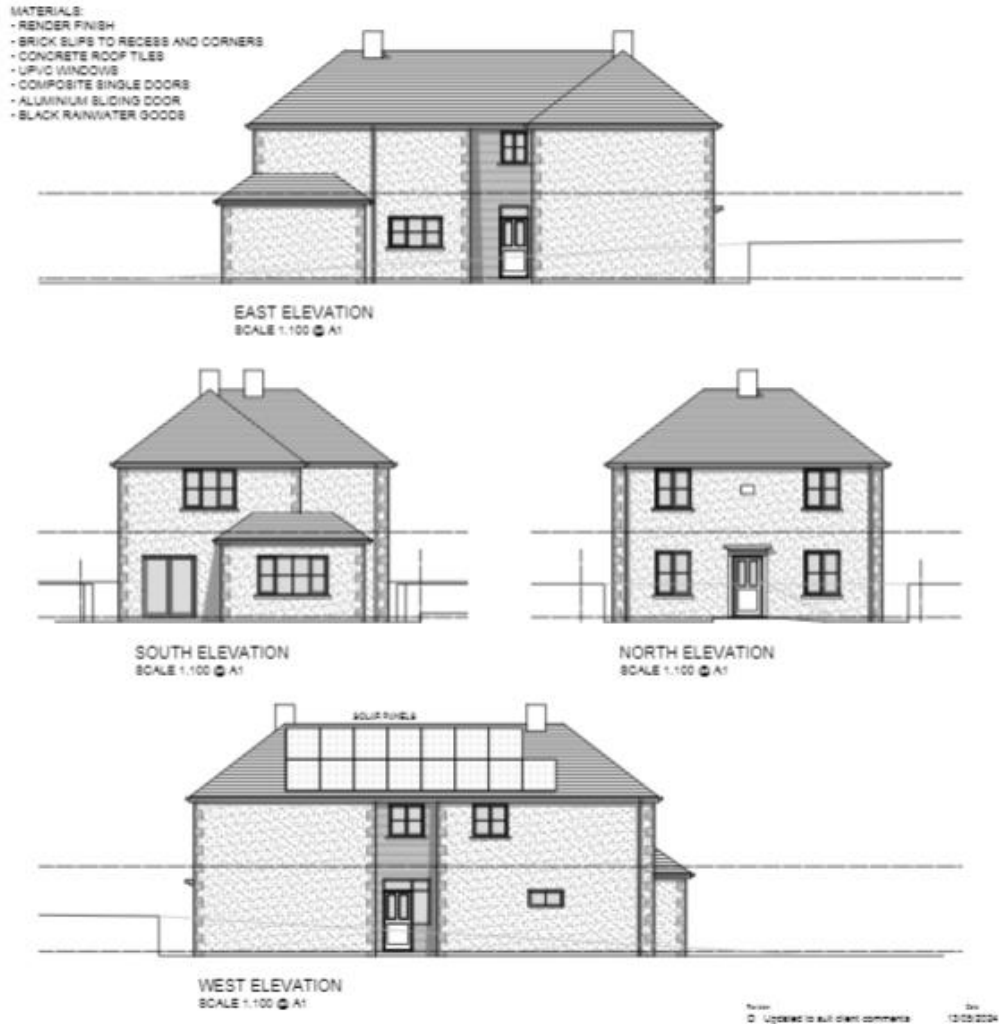


Figure 3: Proposed elevations

- 7.12 The front elevation (which will face north) is proposed to have the appearance of a double fronted hipped roof house. Behind the front block there would be a narrower hipped roof 2-two storey off-shot with a single-storey living room to the rear.

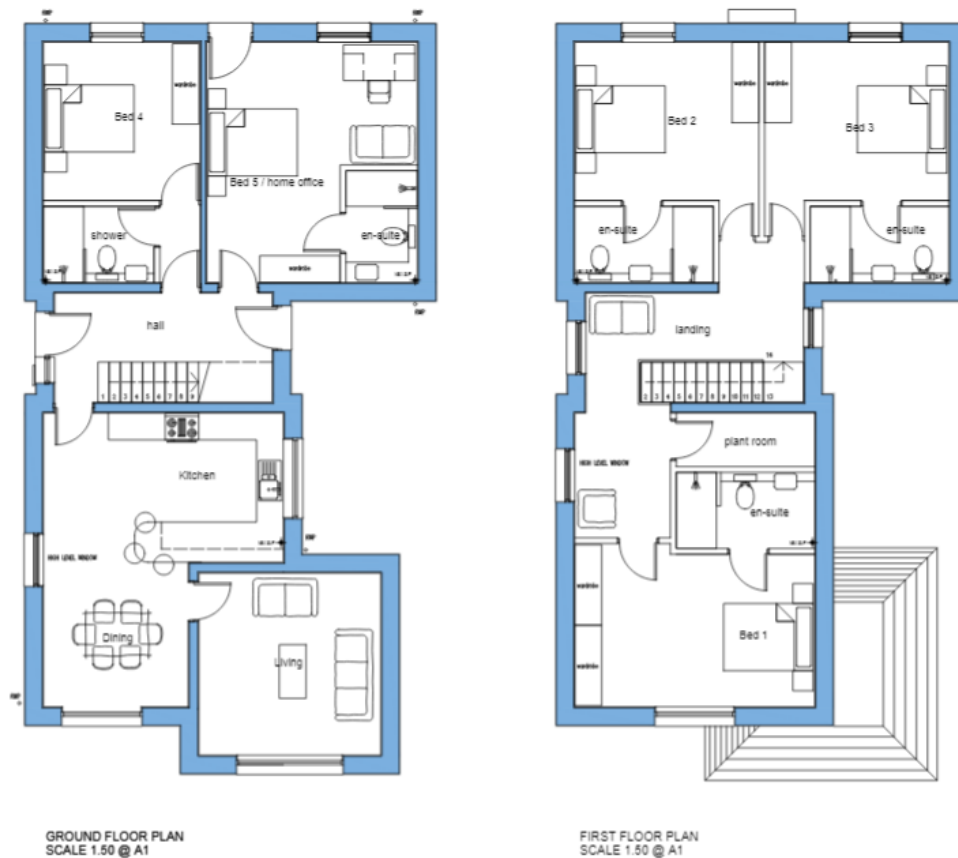


Figure 4 Proposed floor plan.

- 7.13 Proposed materials are render with brick slips to recesses and corners, concrete roof tiles are proposed with black rainwater goods, upvc windows, composite doors and aluminum sliding doors to the rear. These materials are similar to other constructed and approved, but not yet constructed, dwellings on the lane.
- 7.14 The proposed dwelling will be set approximately 14m back from the access track, with parking for at least 4 cars to the front of the property, one of these spaces being outside the gates to provide space for delivery vehicles etc.
- 7.15 To the rear a 161m<sup>2</sup> private garden is proposed, which more than adequately meets the minimum requirements set out in the Council's Successful Places Guidance, which for the size of the property would be 90m<sup>2</sup>.
- 7.16 The sufficient parking and large private garden suggests to Officers that the proposed dwelling fits within the plot and is not considered to be overdevelopment.

- 7.17 It is considered appropriate that a condition to secure the finished floor levels is included to ensure that the building is constructed as described in the drawings and is not taller than proposed.

#### Impact on Neighbours

- 7.18 The site to the southeast (land to rear of 19 Rouse Street) of the application site was granted permission for a dwelling in 2018, the house has not been built and there is no evidence that the permission is still extant. However, it is considered prudent to treat this as a permitted dwelling and will be referred to as such in the assessment below.
- 7.19 Due to the distance between the two sites, the proposed dwelling is sited so that it would not impact light to the ground floor rear windows of the permitted dwelling.
- 7.20 The proposed dwelling is a sufficient distance from The Bungalow to the north that it would not impact light to windows of that dwelling. Due to the orientation, the proposed dwelling may cause a modest amount of overshadowing of the Bungalow's garden, but this would not be the area most closely associated with the dwelling and the remaining garden is sufficiently large for the overshadowing not to harm the overall enjoyment of this space.
- 7.21 The first-floor side facing windows of the proposed dwelling serve a landing and as such could reasonably be conditioned to be obscurely glazed and non-opening. This means that there will be no direct overlooking of the gardens of The Bungalow or the permitted dwelling to each side. The rear first floor window proposed would not afford overlooking of the more private areas of garden to The Bungalow and the permitted dwellings on each side.
- 7.22 An objection comment has been received from the neighbour at 60A Station Road which is adjacent to the access track and, according to the certificates signed by the applicant is an owner of the access track. The grounds for objections are the damage to the access track and objections to providing services over his property, these are private legal matters between the objector and the applicant. These are not material planning considerations that should be afforded weight in the determination of this application.
- 7.23 The objector also discusses issues with refuse bins. Officers are not aware of any complaints having been reported to the Council's Street Scene department. A condition requiring identification of bin storage and collection points could be included in any decision issued by the Local Planning Authority, to mirror that of the outline permission. Officers note that if these collection areas are on shared land, this would be a private legal matter

between the relevant parties, and is not a material planning considerations that should be afforded weight in the determination of this application.

- 7.24 Overall, it is considered by Officers that the proposed dwelling meets the requirements of Council's Successful Places Guidance and is sited so as to minimise the impacts on neighbouring residents due to its siting and design, and as such the proposal meets the requirements of policies SS7 and SDC12 of the North East Derbyshire Local Plan with regard to design and the privacy and amenity of neighbours.

#### Highways Considerations

- 7.25 The application site is located on a private lane and as such it is set approximately 31m from the adopted public highway. Due to the cul-de-sac nature the lane it is trafficked at a low level and due to the poor surface conditions traffic travels at low speeds. The proposal illustrates that at least 4 cars can be accommodated within the site boundary, this meets the Highway Authority recommendations for a 5 bed roomed house.
- 7.26 The NPPF at paragraph 115 states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. It is considered by Officers that the impact on the highway from this proposal would not be severe. The Highway Authority have not objected. As such, it is considered that the proposal meets the requirements of policy SDC12 of the Local Plan and the NPPF.
- 7.27 The condition and maintenance of the lane is a private matter between its owners and as such is not a matter material to the determination of this application.

#### Land Contamination and Stability including Coal Risk Assessment

- 7.28 The site is located in an area which is at high risk from Coal Mining Legacy and in an area which has been used for open cast quarrying. As a consequence, the Coal Authority has requested a condition requiring intrusive investigations before work begins and the Council's Environmental Health Officer has requested contaminated land conditions. It is considered that there are no technical reasons why the development could not be delivered subject to conditions being included in any decision to cover the appropriate mitigation measures.

#### Flood Risk

- 7.29 The site is located within flood zone 1 and is not a risk from other sources of flooding. As such it is considered that the sequential test is not required and the proposal is not considered to be at risk from, or a risk to flooding.

### Biodiversity

- 7.30 The application has been submitted as a self and custom build development. As such it is exempt from the mandatory 10% biodiversity net gain conditions introduced under the Environment Act 2021. Any permission will be subject to a legal agreement securing the use as a self and custom build dwelling.
- 7.31 Notwithstanding this, some biodiversity enhancements have been proposed, such as the bug hotel and habitat pile on site for former pig pen.
- 7.32 Derbyshire Wildlife trust have been consulted and have no objections subject to securing species enhancements through an enhancement plan condition. As such it is considered that, subject to ecological enhancement conditions, the proposal meets the requirements of policy SDC4 of the Local Plan.

## **8.0 SUMMARY AND CONCLUSIONS**

- 8.1 Local and national planning policies aim to support development within settlements. In this case a 5 bedroomed dwelling is proposed. The building is designed and sited such that it fits well within its plot providing sufficient parking and amenity space.
- 8.2 The design fits into an already mixed street scene and due to siting and design the building would not harm the privacy and amenity of neighbours.
- 8.3 As such it is considered by Officers that the proposal meets the guidelines contained in the Council's Successful Places Guidance. Issues with regard to access to services etc. are private legal matters between landowners.
- 8.4 It is therefore considered that the proposal meets the requirements of the policies of the North East Derbyshire Local Plan and it is therefore recommended that the application be approved, subject to the conditions.

## **9.0 RECOMMENDATION**

- 9.1 That planning permission is **CONDITIONALLY APPROVED subject to the following conditions**, and the **prior agreement of a legal agreement** covering the self-build requirements, with the final wording delegated to the Planning Manager (Development Management):-

<b>Conditions:</b>			
<b>No</b>	<b>Condition</b>	<b>Reason</b>	<b>Pre-commencement agreement</b>
1.	The development hereby permitted shall be started within three years from the date of this permission.	To comply with the provision of Section 91 (as amended) of the Town and Country Planning Act 1990.	
2.	The development hereby approved shall be carried out in accordance with the details shown on drawing numbers: 2241-02D, 2241-3-D, 2241-500 uploaded 27/6/2024; unless otherwise subsequently agreed through a formal submission under the Non Material Amendment procedures.	For Clarity and avoidance of doubt	
3.	<p>Before the commencement of the development hereby approved:</p> <p>a. A Phase I contaminated land assessment (desk-study) shall be undertaken and approved in writing by the local planning authority.</p> <p>b. The contaminated land assessment shall include a desk-study with details of the history of the site use including:</p> <ul style="list-style-type: none"> <li>• the likely presence of potentially hazardous materials and substances,</li> <li>• their likely nature, extent and scale,</li> <li>• whether or not they originated from the site,</li> <li>• a conceptual model of pollutant-receptor linkages,</li> <li>• an assessment of the potential risks to human health, property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, ground waters and surface waters, ecological systems, archaeological sites and ancient monuments,</li> </ul>	To protect future occupiers of the development, buildings, structures/services, ecosystems and controlled waters, including deep and shallow ground water.	

	<ul style="list-style-type: none"> <li>• details of a site investigation strategy (if potential contamination is identified) to effectively characterise the site based on the relevant information discovered by the desk study and justification for the use or not of appropriate guidance. The site investigation strategy shall, where necessary, include relevant soil, ground gas, surface and groundwater sampling/monitoring as identified by the desk-study strategy The site investigation shall be carried out by a competent person in accordance with the current U.K. requirements for sampling and analysis. A report of the site investigation shall be submitted to the local planning authority for approval.</li> </ul>		
4.	<p>Before the commencement of the development hereby approved: Where the site investigation identifies unacceptable levels of contamination, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment shall be submitted to and approved in writing by the local planning authority. The submitted scheme shall have regard to relevant current guidance. The approved scheme shall include all works to be undertaken, proposed remediation objectives and remediation criteria and site management procedures. The scheme shall ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.</p>	To protect future occupiers of the development, buildings, structures/services, ecosystems and controlled waters, including deep and shallow ground water.	Agreed



	<p>The developer shall give at least 14 days notice to the Local Planning Authority (Environmental Health Division) prior to commencing works in connection with the remediation scheme.</p>		
5.	<p>The dwelling hereby approved shall not be occupied until:</p> <p>a. The approved remediation works required by 4 above have been carried out in full in compliance with the approved methodology and best practice.</p> <p>b. If during the construction and/or demolition works associated with the development hereby approved any suspected areas of contamination are discovered, which have not previously been identified, then all works shall be suspended until the nature and extent of the contamination is assessed and a report submitted and approved in writing by the local planning authority and the local planning authority shall be notified as soon as is reasonably practicable of the discovery of any suspected areas of contamination. The suspect material shall be re-evaluated through the process described in 3b to 4 above and satisfy 5a above.</p> <p>c. Upon completion of the remediation works required by 4 and 5a above a validation report prepared by a competent person shall be submitted to and approved in writing by the local planning authority. The validation report shall include details of the remediation works and Quality Assurance/Quality Control results to show that the works have been carried out in full and in accordance with the approved methodology. Details of any validation sampling and</p>	<p>To protect future occupiers of the development, buildings, structures/services, ecosystems and controlled waters, including deep and shallow ground water.</p>	<p>Agreed</p>

	analysis to show the site has achieved the approved remediation standard, together with the necessary waste management documentation shall be included.		
6.	<p>No development shall commence until;</p> <p>a) a scheme of intrusive site investigations has been carried out on site to establish the risks posed to the development by past coal mining activity, and;</p> <p>b) any remediation works and/or mitigation measures to address land instability arising from coal mining legacy, as may be necessary, have been implemented on site in full in order to ensure that the site is made safe and stable for the development proposed. The intrusive site investigations and remedial works shall be carried out in accordance with authoritative UK guidance.</p>	<p>The undertaking of intrusive site investigations, prior to the commencement of development, is considered to be necessary to ensure that adequate information pertaining to ground conditions and coal mining legacy is available to enable appropriate remedial and mitigatory measures to be identified and carried out before building works commence on site. This is in order to ensure the safety and stability of the development, in accordance with paragraphs 183 and 184 of the National Planning Policy Framework.</p>	Agreed
7.	<p>Prior to the occupation of the development, or it being taken into beneficial use, a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development shall be submitted to the Local Planning Authority for approval in writing. This document shall confirm the methods and findings of the</p>	<p>The undertaking of intrusive site investigations, prior to the commencement of development, is considered to be necessary to ensure that adequate information pertaining to ground conditions and coal mining</p>	N/A

	intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.	legacy is available to enable appropriate remedial and mitigatory measures to be identified and carried out before building works commence on site. This is in order to ensure the safety and stability of the development, in accordance with paragraphs 183 and 184 of the National Planning Policy Framework.	
8.	Before above ground work commences, precise specifications (including the manufacturer, range and colour details where applicable) or samples of the walling and roofing materials to be used, shall be made available on site for inspection, and subsequent written approval, by the Local Planning Authority. The development shall then be carried out in accordance with the approved details.	In the interests of the appearance of the area and in accordance with Policies SS7 SDC12 of the North East Derbyshire Local Plan.	
9.	<p>Prior to building works commencing, a Biodiversity Enhancement Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall indicate the locations and specifications of two or more of the following measures, which shall be implemented in full and maintained thereafter:</p> <ul style="list-style-type: none"> <li>• 1x external woodcrete / woodstone bat box</li> <li>• 1x integral bat brick</li> <li>• 1x external woodcrete / woodstone bird box</li> <li>• 1x integral universal nest brick</li> </ul>	To deliver species enhancements in accordance with policy SDC4 and the NPPF	Agreed

	<ul style="list-style-type: none"> <li>• 1x insect brick / house / tower</li> <li>• Hedgehog gaps in fencing (130 mm x 130 mm)</li> <li>• Native and wildlife-attracting planting i.e., trees, hedgerow, shrubs and / or herbaceous perennials to provides resources for pollinators, birds and other wildlife.</li> </ul> <p>A statement of good practice including photographs should be submitted to the local planning authority prior to the discharge of this condition, demonstrating that the enhancements have been selected and installed in accordance with the above.</p>		
10.	<p>Before above groundwork commences, the following shall be submitted to and approved in writing by the Local Planning Authority:</p> <ul style="list-style-type: none"> <li>a) a scheme of landscaping, which shall include indications of all existing trees and hedgerows on the land,</li> <li>b) the details of any trees and hedgerows to be retained, together with measures for their protection during development,</li> <li>c) a schedule of proposed plant species, size and density and planting locations and</li> <li>d) an implementation programme.</li> </ul>	In the interests of the appearance of the area and in accordance with policies SS7 and SDC12 of the North East Derbyshire Local Plan	Agreed
11.	<p>All planting, seeding or turfing in the approved scheme of landscaping shall be carried out in the first planting and seeding season following the occupation of the buildings or the completion of the development, whichever is the sooner. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or</p>	In the interests of the appearance of the area and in accordance with policies SS7 and SDC12 of the North East Derbyshire Local Plan.	

	become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.		
12.	Prior to the installation of any external lighting fixtures, a detailed lighting strategy shall be submitted to and approved in writing by the Local Planning Authority to safeguard bats and other nocturnal wildlife. This should provide details of the chosen luminaires, their locations and any mitigating features such as dimmers, PIR sensors and timers. Guidelines can be found in Guidance Note 08/23 - Bats and Artificial Lighting at Night (BCT and ILP, 2023). Such approved measures will be implemented in full.	To ensure the protection of habitat for bats and in accordance with policy SDC4 and the NPPF.	N/A
13.	No tree, scrub or hedgerow clearance shall take place between 1st March and 31st August inclusive, unless preceded by a nesting bird survey undertaken by a competent ecologist no more than 48 hours prior to clearance. If nesting birds are present, an appropriate exclusion zone will be implemented and monitored until the chicks have fledged. No works shall be undertaken within exclusion zones whilst nesting birds are present.	To ensure that nesting birds are not disturbed during development.	N/A
14.	The building and hard landscaping shall be carried out in accordance with levels details shown in drawing 2241-02 D Proposed site plan received 27 <sup>th</sup> June 2024 and the levels shall be retained as such thereafter.	In the interests of the appearance of the area and in accordance with Policies SS7 and SDC12 of the North East Derbyshire Local Plan.	N/A
15.	Before development commences, a scheme of the disposal of surface water and foul sewage shall be	In the interests of satisfactory and sustainable drainage	Agreed

	submitted to and be approved in writing by the Local Planning Authority. The approved surface and foul water schemes shall be implemented in full prior to the first occupation of the dwelling hereby approved and retained as approved thereafter.	in accordance with Policy CSU4 of the North East Derbyshire Local Plan.	
16.	Notwithstanding any submitted details, before above groundwork commences, a plan to show the positions, design, materials, height and type of boundary treatments to be erected and/or retained shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full prior to the first use of the dwelling and shall be retained as approved for the lifetime of the development.	In the interests of the appearance of the area and in accordance with Policies SS7 and SDC12 of the North East Derbyshire Local Plan.	Agreed
17.	The window(s) proposed in the east and west elevations at first floor level of the dwelling shall be fitted with obscure glazing and any part of the window(s) that is less than 1.7m above the floor of the room in which it is installed shall be non-opening prior to the dwelling hereby approved being brought into use. The obscure glazing shall be installed in order to provide of level of obscurity at least equivalent to level 3 on the Pilkington Glass scale and the glazing shall be retained as such thereafter.	To protect the amenity of existing and future neighbouring residential occupiers and in accordance with Policies SS7 and SDC12 of the North East Derbyshire Local Plan.	N/A
18.	Before above groundwork commences, a scheme showing where bins will be stored on the property and presented at the highway shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall	To ensure that waste bins are presented at the highway in a way which does not harm the amenity of surrounding neighbours and does	Agreed

	then be delivered as approved and retained as such thereafter.	not impact highway safety.	
19.	The Development hereby approved shall not be occupied until the access, parking and turning facilities have been provided as shown on drawing 2241-02 D.	To ensure conformity with submitted details.	N/A