
REPORT TO:	DEVELOPMENT CONTROL COMMITTEE	AGENDA ITEM: 4
DATE OF MEETING:	31ST OCTOBER 2006	CATEGORY: DELEGATED
REPORT FROM:	CHIEF EXECUTIVE	OPEN
MEMBERS' CONTACT POINT:	DEBRA TOWNSEND (5848)	PARAGRAPH NO: N/A
SUBJECT:	SITE VISITS	DOC:
WARDS AFFECTED:	ETWALL AND SWADLINCOTE	REF: DT/RL
		TERMS OF REFERENCE: DC01

1.0 Recommendations

1.1 See copy of the report.

2.0 Purpose of Report

2.1 To receive the reports of the Development Control Committee Site Visits in respect of the following:-

- (a) The demolition of the existing dwellings and the erection of seven new dwellings with associated garages and access on the site of Broadlands and Pandora, Sutton Lane, Etwall (9/2006/0908/F). (Copy of the report to the last Meeting attached at Annexe 'A').
- (b) The demolition of the existing garage and buildings and the erection of 14 new apartments at Hedgefield Motors, Wilmot Road, Swadlincote (9/2006/0511/MD). (Copy of the report to the last Meeting attached at Annexe 'B').

3.0 Detail

3.1 See copy of the report.

4.0 Financial Implications

4.1 None.

5.0 Corporate Implications

5.1 None.

6.0 Community Implications

6.1 See copy of the report.

7.0 Background Papers

7.1 None.

ANNEXE 'A'

10/10/2006

Item 1.7

Page 1 of 14

Reg. No. 9/2006/0908/F

Applicant:

Gateway Developments Etwall Ltd
70 Friar Gate
Derby
DE1 1FP

Agent:

MMA Design Ltd
70 Friar Gate
Derby
DE1 1FP

Proposal:

The demolition of the existing dwellings and the erection of seven new dwellings with associated garages and access on the site of Broadlands and Pandora Sutton Lane Etwall Derby

Ward:

Etwall

Valid Date:

27/07/2006

Reason for committee determination

Councillor Lemmon considers that there are issues of local concern and that the development is out of character with other properties on Sutton Lane

Site Description

The site lies on the edge of the Etwall Conservation Area. It slopes away from the Conservation Area and contains two substantial dwellings set in large gardens. The dwellings are served from a drive from Sutton Lane. On the land to the west of the site is a line of trees protected by a Tree Preservation Order. There are other trees on the northeast boundary of the site. Some fruit trees have been felled. The gardens between the two houses are at different levels at about 0.75 metres.

Proposal

The proposal involves the erection of 7 dwellings to replace the two that exist. The access to the site would be the existing drive but this would need to be widened to serve the increased number of dwellings. The layout has been designed to retain the trees that front onto Derby Road, albeit that some of these trees are in poor condition the majority are in good condition. A line of Conifer trees between Hop Croft and Hinton Grange would be removed as part of the proposals.

Applicants' supporting information

In response to objections to the proximity of the dwelling on Plot 6 to the protected trees in the adjacent garden, the application for that plot has been amended to move the structure a minimum of 9.0 metres from the trunk of the tree and the internal arrangements have been changed to remove main habitable room windows from the

vicinity of the tree. The majority of the dwelling is now sited 10 metres from the protected tree.

The applicants have revised the site boundary to take account of the actual position on the ground rather than the positions shown on the O.S. map. A letter, from the County Highway Authority, setting out its requirements in the event that an application was submitted is enclosed with the application

There is no relevant planning history for this site.

Responses to Consultations

Etwall Parish Council has objected for the following reasons:

- a) The Parish Council argued for the retention of the dwelling on Common End but his argument has added weight now because these houses are more than serviceable and have a long life in front of them.
- b) The dwelling on plot 6 is far too close to the protected trees, and should be removed/deleted.
- c) The proposed dwellings adjacent to Primrose Bank and The Walnuts are oppressively close to the houses; the problem is exacerbated by the difference in levels between the site and Primrose Bank
- d) The conifer trees between Hop Croft and Hinton Grange should be retained as they contribute significantly to the street scene. If they were not removed then the proposed dwelling would impact directly on the living accommodation of Hop Croft.
- e) There is insufficient ground around the houses to allow for off street parking, as the garages will be used for storage or other purposes rather than parking cars. Visitor will therefore park on Sutton Lane
- f) The number of houses should be limited to 5 as was the case when Primrose Bank was developed. The dwellings should be sited more centrally to provide more space around the dwellings. Each should have an area of hardstanding as well as garage spaces. Using the garages as garages should be a condition of the planning permission.
- g) The gating of the community would send the wrong message about the life in the village; on Sutton Lane the only purpose of gates is to keep animals in rather than overstating security as an issue.

The County Highway Authority has no objection subject to conditions controlling the construction of the development.

Severn Trent Water has no objection subject to the submission of details of foul and surface water drainage details.

The Design and Conservation Officer notes that the site abuts the Conservation Area and requests that the trees on the north east and north west boundaries of The Walnuts be retained as well as those fronting onto Main Street. Details of the materials of construction should be submitted and external joinery should be painted timber. Subject to this there are no objections.

The Education Authority requests the payment for primary and secondary education in the locality amounting to £23,336.

The Derbyshire Dales and South Derbyshire PCT requests the standard payment of £444 per dwelling for NHS provision in the area.

In line with recent housing applications in the village, a payment of £950 per dwelling has been requested for open space/recreation provision in the village.

Responses to Publicity

6 letters have been received objecting to the development on the following grounds:

- a) The development is out of character with the surroundings and a disproportionate increase in housing density. This would engulf the adjacent dwelling and spoil a quiet characterful lane. The lane is distinctive because housing design has evolved since the early 1800's. the character and appearance of the Conservation Area would not be preserved or enhanced by the development.
- b) A gated community would not be in keeping with the surroundings.
- c) Noise from traffic and family households would be increased. Parking on Sutton Lane is already a problem. The cars pulling in and out of the drive would generate intolerable loss of amenity to Wychwood that has all its main windows looking towards the access to the site.
- d) The access would not be safe, as cars would queue on Sutton Lane to gain access to the site. Cars would also park on the adjacent roads, as there is not enough space in the site for residents and visitors cars. Lorries bringing plant and equipment to the site to construct the dwellings would not be able to get in without causing damage to adjacent property.
- e) Sutton Lane is a narrow rural road leading to a dead end with inadequate turning facilities. Horse riders and pedestrians, many of them children, on a regular basis, use the road.
- f) There would be an invasion of privacy for The Walnuts, as a large bedroom window would overlook the rear elevation and garden. Other dwellings, Hopcroft and Hinton Grange and dwellings on Primrose Bank would have their privacy severely affected as windows are proposed that would overlook these dwellings. The houses on Primrose Bank are at a lower level. The rear garden to dwellings on Primrose Bank would also be overlooked. The new houses are in such close proximity to the boundaries that it is inevitable that the dwellings will adversely impact on the numerous trees in the site.
- g) Electricity, and sewer capacity is limited and are not adequate to service an extra 5 dwellings.
- h) There is concern that the trees that adjoin The Walnuts should be properly maintained if the development were permitted. The proposed dwellings are sited too close to the trees and the excavation of the foundations could weaken the trees. Similarly there is concern that the dwelling on plot 6 would adversely impact on the protected tree root system. A neighbour who recently constructed Hinton Grange was required to site the dwelling 11 metres away from the trees with a 9 metre protected area around the tree. The proposed Plot 6 would be sited within 8 metres of the tree and no realistic tree protection could be afforded to the tree.
- i) Surface water drainage may be a problem as the soil is heavy clay and soakaways may not work
- j) The Committee members should visit the site to examine the impact of the proposals for themselves.

Development Plan Policies

The relevant policies are

Joint Structure Plan: Housing Policy 5, Environment Policy 9 & 16;

Local Plan: Housing Policy 5 & 11, Environment Policy 9 & 12.

Planning Considerations

The main issues central to the determination of this application are:

- The Development Plan
- Impact on the Etwall Conservation Area
- Impact on neighbours
- Access to the site
- Trees
- Section 106 Issues

Planning Assessment

The Development Plan makes provision for housing development in villages where there is a full range of services. Etwall is such a village and these houses and gardens lie within the defined village confine. Making better use of previously developed land is an objective of the Government in PPG3. However, this is not at any cost and the impact on neighbouring dwellings and the character of the area are also material planning considerations.

The boundary of the Etwall Conservation Area runs along Sutton Lane and around the boundary of The Walnuts before crossing Main Street. The application site lies wholly outside the Conservation Area. The Design and Conservation Officer has considered the application and subject to the retention of boundary trees and the use of appropriate

colours for the materials of construction then the impact on the Conservation Area will be minimal.

Although there is an increase in the number of dwellings, the existing site is surrounded by dwellings on similarly sized plots, particularly on Primrose Bank. It would therefore be difficult to argue that this proposal represented a material change to the character of the area.

The siting of plot 6 has been amended to take account of the protected tree and the Council's tree consultant has examined the trees on the Main Street frontage establishing that some are not in a healthy condition. Those that are healthy, are shown to be retained as part of the scheme.

The positions of the proposed dwellings have been assessed with regard to the amenity of existing adjacent properties and found to meet the space about dwellings standards set out in adopted Supplementary Planning Guidance thus complying with the requirements of Housing Policies 5 and 11 of the adopted South Derbyshire Local Plan.

The County Highway Authority is satisfied that the access to the site is satisfactory subject to the imposition of conditions. Objections have been made to the erection of gates at the entrance to the site. Whilst unusual, the siting of gates in the position shown would not in themselves require planning permission provided they are less than 2.0 metres high. Accordingly the proposed gates are no justification for refusing permission.

The applicants have been made aware of the contributions required from a development of this type towards health, education and open space/recreation provision. It is expected that a unilateral undertaking would be available at the time the Committee consider this application to confirm the applicants intention to comply with the payments.

None of the other matters raised through the publicity and consultation process amount to material considerations outweighing the assessment of the main issues set out above.

Recommendation

Subject to receipt of a satisfactory unilateral undertaking **GRANT** permission subject to the following conditions:

1. The development permitted shall be begun before the expiration of three years from the date of this permission.
Reason: To conform with Section 91(1) of the Town and Country Planning Act, 1990 (as amended by section 51 of the Planning and Compulsory Purchase Act 2004).
2. Notwithstanding the originally submitted details, this permission shall relate to the amended drawing no. 420-S1 Rev A and 420/06 Rev A received under cover of your letter dated 15 September 2006 and 420-SL Rev A received under cover of your letter dated 25 August 2006.

Reason: For the avoidance of doubt, the original submission being considered unacceptable.

3. Notwithstanding the submitted details, prior to the commencement of building operations on adjoining areas, the boundary with the area of the protected trees and the trees adjoining Main Street and Walnut Cottage shall be fenced with chestnut pale fencing to a minimum height of one metre staked at 3 metre centres. The extent of the fencing shall be established in accordance with an Arboriculture Method Statement and Tree Protection Plan that shall have been submitted to and approved in writing by the Local Planning Authority. The AMS and TPP shall be produced in accordance with the guidance attached to this planning permission. The fencing shall be retained in position until all building works on adjoining areas have been completed unless otherwise agreed in writing with the Local Planning Authority.

Reason: To protect the trees from undue disturbance

4. No plant, machinery, building materials or buildings shall be sited, stored or work within the area of the canopy of any tree within the site. The position of the builders compound shall be agreed in writing with the Local Planning Authority before any works are commenced.

Reason: To protect the trees from undue disturbance

5. Prior to the development hereby approved commencing, details of the finished floor levels of the buildings hereby approved and of the ground levels of the site relative to adjoining land levels, shall be submitted to, and approved in writing by, the Local Planning Authority. Thereafter, the development shall be constructed in accordance with the agreed level(s).

Reason: To protect the amenities of adjoining properties and the locality generally.

6. No part of the development shall be carried out until precise details, specifications and, where necessary, samples of the facing materials to be used in the construction of the external walls and roof of the buildings have been submitted to and approved in writing by the Local Planning Authority.
Reason: To safeguard the appearance of the Etwall Conservation Area.
7. Notwithstanding any details submitted or the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended), no development shall take place until there has been submitted to and approved in writing by the Local Planning Authority plans indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed in accordance with the approved details before the development is occupied or in accordance with a timetable which shall first have been agreed in writing with the Local Planning Authority. The areas of approved fencing for Plots 4, 5 and 7 shall be maintained in place in perpetuity.
Reason: In the interests of the appearance of the area and to prevent overlooking of the adjacent dwellings.
8. No gates shall be erected within 5m. of the highway boundary and any gates elsewhere shall open inwards only.
Reason: In the interests of highway safety.
9. Before any other operations are commenced, space shall be provided within the site curtilage for site accommodation, storage of plant and materials, parking and manoeuvring for site operatives and visitor's vehicles, loading and unloading of goods vehicles, all in accordance with a scheme first submitted to and approved in writing by the Local Planning Authority. The compound shall be sited to accord with Condition 4 above.
Reason: In order to ensure that the construction works do not impinge on the highway in the interests of highway safety.
10. The access shall be widened to a minimum width of 5.5 metres and shall be constructed at the same level as the rear of the footway it shall also be provided with visibility sight lines measuring 2.4m x maximum achievable in each direction over controlled land and shall be surfaced in a solid bound material for a minimum of 5 metres into the site from the highway boundary.
Reason: In the interests of highway safety.
11. No dwelling shall be occupied until space has been laid out within the site in accordance with the application plan and be thereafter maintained free from any impediment to its designated use.
Reason: In the interests of highway safety.
12. No development shall take place until details of a scheme for the disposal of surface and foul water have been submitted to and agreed in writing by the Local Planning Authority. The scheme shall be carried out in conformity with the details which have been agreed before the development is first brought into use.
Reason: In the interests of flood protecting and pollution control.
13. Gutters and downpipes shall have a black finish and be fixed direct to the brickwork on metal brackets. No fascia boards shall be used.
Reason: In the interests of the appearance of the building(s), and the character of the area.
14. The dwelling on Plot 6 shall be constructed using a raft foundation.
Reason: In order to protect the main root system of the adjacent protected tree.

15. No development shall take place until there has been submitted to and approved by the Local Planning Authority a scheme of landscaping, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of development.

Reason: In the interests of the appearance of the area.

16. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of five years from the completion of the development die, are removed or 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.

Reason: In the interests of the appearance of the area.

Informatives:

Pursuant to Section 184 of the Highways Act 1980 and Section 86(4) of the New Roads and Streetworks Act 1991, at least 6 weeks prior notification should be given to the Director of Environmental Services at County Hall, Matlock (telephone 01629 580000 and ask for the District Highway Care Manager on extension 7595) before any works commence on the vehicular access within highway limits.

The County Highway Authority advises that you should be aware that the site is affected by a Building Line prescribed under the Road Improvements Act 1925. You will need to establish whether the line affects the works. If affected, the line will need to be rescinded for which a fee of £100 is payable. For further information contact the Derbyshire County Council's Director of Environmental Services (01629 580000 Extn. 7650

ANNEXE 'B'

10/10/2006

Item 1.2

Reg. No. 9/2006/0511/MD

Applicant:

Bell Developments
8 Mollington Grange
Parkgate Road
Chester
CH1 6NP

Agent:

CB3 Design
2 The Square
Lymm
Cheshire
WS13 0HX

Proposal: The demolition of the existing garage and buildings and the erection of 14 new apartments at Hedgefield Motors Wilmot Road Swadlowcote

Ward: Swadlincote

Valid Date: 02/05/2006

Reason for committee determination

This is a major application that has a recommendation for permission and there have been more than two objections.

Site Description

The area is generally characterised as residential development interspersed with isolated long established commercial uses. The site lies in a prominent position on Hedgefield Road at a high point where roads converge and there are residential properties adjoining all boundaries. The application site was formerly operated as a commercial garage. It is now vacant but the workshops and offices connected with its former use remain on site.

The site is generally flat but adjoining land drops significantly to the south east and south west. The road frontage is open but to the side boundaries there are fences, hedges and trees. Trees within the neighbouring garden are protected and overhang the north-western boundary.

Proposal

It is proposed to demolish all existing structures and to construct 14 apartments each with two bedrooms and with rear car parking comprising 24 spaces. The proposed building is made up of three sections comprising two and three floors. The two storey section is located to the southern side of the site where adjacent houses lie at a significantly lower level. Cycle and bin storage is to be provided in a separate building.

Applicants' supporting information

The applicant has submitted a supporting statement. In summary it says that the piecemeal development of the existing site and various alterations over the years has left the site with structures that are entirely unsympathetic to the neighbourhood which is predominantly residential.

The proposed building would comprise linear infill and form a more urban street frontage as opposed to the current isolated buildings that are set a long way back from the street. The position of the building reflects the notional building line suggested by surrounding buildings. The height of the building has been minimised at the critical point adjacent to the lower level semi detached houses by using a combination of lowered hipped and pitched roof. The three storey part of the proposal will have a ridge line comparable to the existing housing on the corner of Hastings Road.

In order to further reduce the impact of the building it is proposed that it will be set 300mm lower than the pavement and a low wall will act as a buffer to the change in levels.

Cycle and bin stores are to be provided using a lightweight construction to take account of the mature trees and the site is provided with 150% car parking space. The statement concludes with details of materials that it says would detract from the height of the building and be sympathetic to materials used on Wilmot Road.

Planning History

Outline planning permission for residential development was granted under reference 9/2004/1624 and all earlier planning history relating to this site was connected with the garage use.

Responses to Consultations

Severn Trent Water has no objection in principle but would wish to approve details for the disposal of both surface water and foul sewage and Pollution Control require a site investigation due to the past use of the land and the possibility that there will be contaminants. Both of these matters are already dealt with by condition on the outline permission.

The County Highways Authority say that the proposal is essentially acceptable from a highway point of view and the County is satisfied subject to condition.

A unilateral undertaking accompanied the outline application regarding contributions of £444 per dwelling to the Primary Care Trust to meet health provision.

Responses to Publicity

Four letters of objection have been received in relation to the original plans raising the following concerns:

- Loss of privacy and the vast difference in levels would exacerbate overlooking
- The building is out of character with two storey dwellings in the locality and it will dominate the skyline
- The building is too high and will result in overshadowing
- Surface water run-off should be dealt with within the site
- A 5m difference in levels requires a barrier and the application shows inadequate boundary protection from cars
- Inadequate support for the site which is at a higher level than neighbouring land
- Noise nuisance - Acoustic screening necessary to car parking area
- Discrepancies in the drawings

Responses to the amended plans are awaited, any that are received prior to committee will be reported verbally.

Development Plan Policies

The relevant policies are:

RSS8: Policies 2 and 20

Joint Structure Plan: Housing Policy 3 and Transport Policy 4

Local Plan: Housing Policy 4 and Transport Policy 6

Planning Considerations

The main issues central to the determination of this application are:

- The character of the locality
- Design and the character of the proposal
- Amenity of occupants of nearby dwellings
- The impact on protected trees
- Highway safety

Planning Assessment

Design and the character of the locality

This is a brownfield site within a predominantly residential locality that benefits from outline permission for residential development. There is therefore no objection to the principle of development. The character of the area comprises mostly two storey dwellings. Some that lie opposite and to the north of the site are older properties with a higher ridgeline than the more modern dwellings that lie to the rear of the site. The design of the building addresses the fact that there is this difference in heights of buildings adjoining the site and the lowest part of the proposed building is to be closest to the more modern dwellings that are on lower land to the south. The new building would also be separated from these existing houses by the vehicular access.

The position of the proposed building respects the pattern of development along the road frontage. It would comprise three distinct sections and would have a maximum height of some 12m to the ridge. This would be some 4m higher than the present highest structure on the site, however, given land levels this arrangement would result in the building being some 2m higher than the ridge of the adjacent dwelling, Weston House and the dwellings opposite the site. In terms of the streetscape it is considered that the relationship is acceptable.

The height of the building has been the subject of objection from occupants of nearby properties. Amended plans have been received and the current proposal of 12m high is a reduction from 14.4m as originally submitted. The amended plans also result in a reduction in the number of apartments proposed from 17 to 14. Comments on the amended plans are awaited and will be reported verbally.

Amenity of occupants of proposed and nearby dwellings

Main windows in Weston House overlook its rear garden but there are side windows facing the application site that would be approximately 15m away from the new building. Secondary windows in existing dwellings are not automatically protected but are treated on their merits. In this particular case there is a row of mature trees along the boundary separating the two sites that are protected by tree preservation orders. It is therefore considered that the proposal would not be significantly detrimental to the amenities enjoyed by occupants of that property.

To the rear the dwellings on Clamp Drive are some 45m from the proposed building and therefore it is considered that taking into account the change in level the distance of separation between these dwellings is acceptable.

As to those dwellings on Dalefield Drive, there are a number of windows that would fall within the 45° angle of protection. The majority of windows meet the guidelines and those that do not are ground floor where the view is screened by existing fencing. In terms of separation the proposal is therefore acceptable.

The Council's guidelines no longer specify distances within new developments. However, within this particular proposal all but one window complies with those set for adjacent properties. It is a small shortfall on a south westerly facing elevation and is therefore considered acceptable.

The impact on protected trees

A row of mature trees including Lime and Horse Chestnut grow within neighbouring land along the north western boundary. The canopies of the trees overhang the application site. The principal building would be at the minimum distance recommended in the British Standards for buildings in proximity to trees. Additionally there would be bin and cycle

stores under the canopies but these would be lightweight structures not requiring conventional foundations. The Arboricultural Officer advises that the proposal is acceptable provided a method statement is agreed for all works in the proximity of the trees.

Highway safety

The County Highways Authority is generally satisfied with the proposal in terms of the access and the level of car parking the details for which can be dealt with by condition.

None of the other matters raised through the publicity and consultation process amount to material considerations outweighing the assessment of the main issues set out above.

Recommendation

Grant delegated powers to the Head of Planning Services to deal with any further representations made in the notification period ending on 13th October and **GRANT** permission subject to the following conditions:

1. Notwithstanding the originally submitted details, this permission shall relate to the amended drawings received on 28 September 2006.

Reason: For the avoidance of doubt, the original submission being considered unacceptable.

2. Notwithstanding the submitted details, no part of the development shall be carried out until precise details, specifications and, where necessary, samples of the facing materials to be used in the construction of the external walls and roof of the building(s) have been submitted to and approved in writing by the Local Planning Authority.

Reason: To safeguard the appearance of the existing building and the locality generally.

3. Notwithstanding the submitted plans large scale drawings to a minimum Scale of 1:10 of eaves and verges and cill and lintel details shall be submitted to and approved in writing by the Local Planning Authority before building work starts. The eaves and verges and cills and lintels shall be constructed in accordance with the approved drawings.

Reason: In the interests of the appearance of the building(s), and the character of the area.

4. The building hereby approved shall be constructed in accordance with the finished floor levels shown on drawing number NAV/02/108 received by the local planning authority on 25 September 2006.

Reason: To protect the amenities of adjoining properties and the locality generally.

5. Before any other operations are commenced (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. The space shall be laid out and constructed in accordance with detailed designs first submitted to and approved in writing by the Local Planning Authority, and it shall be maintained throughout the period in accordance with the approved designs free from any impediment to its designated use.

Reason: In the interests of highway safety.

6. Prior to any other works commencing (excluding Condition 5 above) the access to Wilmot Street shall be formed in accordance with the amended drawing received by the local planning authority on 9 August 2006, having a minimum width of 4.1m, be surfaced in a solid bound material for the first 5m into the site from the highway boundary, be constructed as a splayed vehicular crossover and provided with 2m x 2m x 45° pedestrian intervisibility splays, the area forward of which shall be maintained in perpetuity clear of any obstruction.

Reason: In the interests of highway safety.

7. Any gates shall be set back at least 5m into the site from the highway boundary and open inwards only.

Reason: In the interests of highway safety.

8. Prior to the occupation of the first dwelling, the car parking and manoeuvring space shall be laid out in accordance with the amended application drawing received on xxx and maintained thereafter free of any impediment to its designated use.

Reason: To ensure that adequate parking provision is available.

9. Prior to the occupation of the first dwelling, the footway fronting the site shall be reinstated in accordance with a scheme first submitted to and approved by the Local Planning Authority.

Reason: In the interests of pedestrian safety.

10. No development shall take place until there has been submitted to and approved by the Local Planning Authority a scheme of landscaping, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of development.

Reason: In the interests of the appearance of the area.

11. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of five years from the completion of the development die, are removed or 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.

Reason: In the interests of the appearance of the area.

12. Notwithstanding any details submitted or the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended), no development shall take place until there has been submitted to and approved in writing by the Local Planning Authority plans indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed in accordance with the approved details before the development is occupied or in accordance with a timetable which shall first have been agreed in writing with the Local Planning Authority.

Reason: In the interests of the appearance of the area.

13. The windows in the south east facing wall of the building serving the staircase shall be permanently glazed in obscure glass.

Reason: To avoid overlooking of adjoining property in the interest of protecting privacy.

12. Prior to the commencement of any work on site, including demolition and site clearance, a method statement shall be submitted to and agreed in writing for all works under the canopies of the protected trees. The demolition, site clearance

and the construction of the building hereby approved shall be carried out in accordance with the agreed details.

Reason: To safeguard the health of the trees.

15. Prior to the first occupation of the development hereby permitted, measures to minimise the risk of crime to meet the specific security needs of the application site and the development shall be implemented in accordance with a scheme previously submitted to and approved in writing by the Local Planning Authority.

Reason: In pursuance of the Council's duty under section 17 of the Crime and Disorder Act 1998 to consider crime and disorder implications in exercising its planning functions; to promote the well-being of the area pursuant to the Council's powers under Section 2 of the Local Government Act 2000 and to reflect government guidance set out in PPS1.

Informatives:

The proposed development lies within a coal mining area. In the circumstances Applicants should take account of any coal mining related hazards to stability in their proposals. Developers must also seek permission from the Authority before undertaking any operations that involves entry into any coal or mines of coal, including coal mine shafts and adits and the implementation of site investigations or other works. Property specific summary information on any past, current and proposed surface and underground coal mining activity to affect the development can be obtained from the Coal Authority. The Coal Authority Mining Reports Service can be contacted on 0845 762 6848 or at www.coal.gov.uk.

Pursuant to Section 184 of the Highways Act 1980 and Section 86(4) of the New Roads and Streetworks Act 1991, at least 6 weeks prior notification should be given to the Director of Environmental Services at County Hall, Matlock (telephone 01629 580000 and ask for the District Highway Care Manager on extension 7595) before any works commence on the vehicular access within highway limits.

This permission is the subject of a unilateral undertaking or agreement under Section 106 of the Town and Country Planning Act 1990 that accompanies the outline permission for this site.

The proposal will necessitate the relocation of a street lamp at the developer's expense and you are advised to contact Derbyshire County Council's street lighting section regarding the relocation of the column prior to commencing any works.

Any security measures implemented in compliance with the approved scheme should seek to achieve the 'Secured By Design' accreditation awarded by Derbyshire Constabulary. Written confirmation of those measures should then be provided to the Local Planning Authority.