

Responses to Publicity

Three neighbours object in the following terms:

- a) The proposal would have a devastating effect on the neighbouring property.
- b) The two storey extension would be longer than the whole length of the neighbouring garden.
- c) It would be within 4-5 ft of the neighbouring boundary.
- d) There would be loss of sunlight.
- e) There would be overlooking and loss of privacy.
- f) The mass of the extension would be tantamount to an additional house.
- g) The neighbouring gardens would be totally enclosed and overshadowed.
- h) The site is in the conservation area.
- i) The window overlooking the garden to 11 Potter Street should be in opaque glass.

Structure/Local Plan Policies

The relevant policies are:

Joint Structure Plan: Environment Policy 9.

Local Plan: Environment Policy 12 and Housing Policy 13.

Planning Considerations

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

- The impact on the character and appearance of the conservation area.
- Residential amenity.

Planning Assessment

The amended design is acceptable and would preserve the character and appearance of the conservation area.

The impact on the living conditions of the occupiers of adjacent dwellings can be measured against the supplementary planning guidance on extensions. The nearest affected habitable room is the kitchen to No 7 Potter Street. As originally submitted the proposal would have introduced a full two storey height extension within 5 metres of the kitchen window of the neighbouring property. The revised scheme with the eaves at ground floor level would have a markedly reduced impact. There would be a distance of some 7.2 metres from the kitchen window of No 9 to the enlarged stable block. At this nearest point the stable block would measure some 3.7 metres to the eaves and about 4.9 metres to the ridge. If it were a full two storey building a minimum distance of 9 metres from the neighbouring kitchen window would be sought by the supplementary planning guidance. As this is a lower building the reduced distance of 7.2 metres is considered to be an acceptable balance. There would be no direct overlooking to neighbours' windows, although a window in the rear face of the stable block would have the potential to overlook the garden to No 11. However because this is a typical situation in residential environments there would therefore not be demonstrable harm.

Recommendation

GRANT permission subject to the following conditions:

1. The development permitted shall be begun before the expiration of five years from the date of this permission.

Reason: To conform with Section 91(1) of the Town and Country Planning Act, 1990

2. Notwithstanding the originally submitted details, this permission shall relate to the amended drawing

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

3. A sample of both the roof tile and the brick shall be submitted for approval in writing by the Local Planning Authority before work commences.

Reason: To ensure the building/extension is in keeping with its surrounding in the interest of the character and visual amenity of the area.

4. Pointing of the existing/ proposed building(s) shall be carried out using a lime mortar no stronger than 1:1:6 (cement:lime:yellow sand). The finished joint shall be slightly recessed with a brushed finish in accordance with Derbyshire County Council's advisory leaflet "Repainting of Brick and Stonework".

Reason: In the interests of the appearance of the building(s).

5. Large scale drawings to a minimum Scale of 1:20 of external joinery, including sections, precise construction method of opening and cill and lintel details shall be submitted to and approved in writing by the Local Planning Authority before building work starts. The external joinery shall be constructed in accordance with the approved drawings.

Reason: The details submitted are inadequate to determine whether the appearance of the building would be acceptable.

6. External joinery shall be in timber and painted to a colour and specification which shall have been previously agreed in writing by the Local Planning Authority.

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

7. All plumbing and service pipework, soil and vent pipes, electricity and gas meter cupboards and heating flues shall be located inside the building unless specifically agreed in writing by the Local Planning Authority. The type, number and position of heating and ventilation flues outlets shall be agreed in writing with the Local Planning Authority before development is commenced.

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

8. 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.

16/10/2001

Item **A6****Reg. No.** **9 2001 0693 R****Applicant:**

Foston Farm Produce
 Hay Lane
 Foston
 Derby
 DE655PJ

Agent:

Alan Taylor
 Talbot Associates
 Talbot House
 18 Grange Close
 Ticknall
 Derbyshire
 DE73 1LF

Proposal: **Variation to Condition 6 of planning permission
 9/2000/0094/F to seek to retain window openings at the
 premises of Foston Farm Produce Hay Lane Foston Derby**

Ward: **North West**

Valid Date: **17/07/2001**

Site Description

The application relates to one wall of a brick and tile building on the premises of the applicant company that forms the border between two land ownership's. The applicant's have requested that three windows be retained without complying with the approved method of ensuring that there is no overlooking on the adjacent courtyard from these windows. (See planning history below).

Proposal

The works to the windows have been carried out. There is a window of traditional appearance to the exterior behind which obscure glass blocks have been inserted. The intention is that the glass blocks obscure any opportunity to see out of the retained windows whilst still providing light to the office accommodation behind.

Planning History

There is a long and complicated planning history to this site. The relevant parts of which relate to an application submitted in 2000 for the conversion of the barn to office accommodation. Condition 6 of that permission required details to be submitted of the method by which windows to the courtyard would be treated to ensure there was no overlooking of the adjoining land. Details were submitted and approved that showed to window openings retained with a timber sheet, painted black, placed over the windows to ensure to achieve the above objective.

Later in 2000, a complaint was received that the windows were not in fact being treated in the approved manner. Investigation revealed this to be the case and the owners of the land were invited to either comply with the condition or submit an application to vary the condition. They have chosen the latter course of action.

Responses to Consultations

Foston and Scropton Parish Council objects on the basis that the windows would encroach on the privacy of the neighbours.

The Environmental Health Manager has no objection subject to the windows being of the non-opening type. This is to ensure that the adjacent dwelling is not affected by noise such as ringing phones.

Responses to Publicity

One letter has been received objecting to the development on the following grounds: -

- a) The agents to the owners contacted the adjacent property to ascertain what method of closure would suit the objectors. It was the objectors' wish that the windows be blocked in by brickwork. Subsequent detailed drawings showed windows retained for cosmetic purposes and internally the windows were blocked in. If the Council intends to change the position that was agreed between the objector and the applicants under the Party Walls etc. Act 1996, then there will be a need to pursue the matter under that Act and perhaps refer the whole matter to the Local Government Ombudsman. Afterall, the applicants proposed the method of closure on two occasions but chose to do something completely different although there was an agreed method of closure. The objectors' have a right to expect the agreed method to be implemented.
- b) The applicants have a total disregard for planning conditions in the past and the planning committee should enforce its reasonable conditions and require that the windows be blocked off in the manner agreed and that there should be no possibility of over looking from the windows.

Structure/Local Plan Policies

There are no relevant policies.

Planning Considerations

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

- The impact of the retained windows on the amenities of the occupiers of the adjacent dwelling.
- If permission is refused, are there grounds to authorise enforcement action to seek compliance with the condition.

Planning Assessment

The objective of Condition 6 of the planning permission 9/2000/0094 was to ensure that the private amenity areas of the dwelling adjoining the application site were not adversely affected. To this end the proposals submitted by the applicants achieved this and were approved by the

Local Planning Authority. Given the sensitivity of the site, the neighbours were invited to inspect the proposals prior to them being approved. In this respect, the objectors are correct in stating that the applicant company has disregarded the approved method of closing the windows to achieve the objective of Condition 6 of the planning permission.

The present application arose from a complaint about the lack of compliance with the approved window details. The company has submitted this application to seek to regularise the situation. The Local Planning Authority has a duty to consider the alternative scheme on its own individual merits. Officers have visited the application site and viewed the windows in question. There is no doubt that the windows cannot be opened at all. Since the glass blocks are cemented into the internal window openings, there is no access to any opening light.

The next question is whether there are views through the windows that would compromise the private amenity of the adjacent dwelling. Officers have looked at each of the window openings both close up and at a distance. It is not possible to see anything of the adjoining land through any of the windows. Thus, while it may be possible for occupiers of the adjacent dwelling to see moving shapes through the windows, especially when lights are on in the building, the objective of ensuring their privacy is achieved.

If the Committee were minded to approve this alternative arrangement, it would be necessary to ensure that the retained windows to cannot be altered without control of the Local Planning Authority.

For the reasons given above, the enforcement of the condition would be difficult to argue in the absence of the loss of privacy the now exists.

Recommendation

GRANT permission subject to the following conditions:

1. The windows shown on the attached drawing 623/BR/5D on the southern elevation and described as the rear elevation on the plan shall not be altered in any way without the prior grant of planning permission by the Local Planning Authority in response to an application made in that regard. No new window openings shall be created in that elevation or on the rear roof slope except by the grant of planning permission by the Local Planning Authority in response to an application made in that regard.

Reason: In the interests of maintaining the private amenity space of the occupiers of the adjacent dwelling.

16/10/2001

Item **A7****Reg. No.** **9 2001 0728 O****Applicant:**

Hamlet New Homes
 Hamlet New Homes
 Thorncliffe House
 278 Uttoxeter New Road
 Derby
 DE22 3LN

Agent:

Tom Wood
 Montague Architects Ltd
 9 Vernon Street
 Derby
 DE1 1FR

Proposal: **The erection of 5 (No.) four bedroomed detached houses
 (outline application with all matters other than siting and
 means of access reserved for further approval) at Land to the
 rear of 161 Woodville Road Overseal Swadlincote**

Ward: **Overseal**

Valid Date: **26/07/2001**

Site Description

This is a backland site, the main body of which lies about 55 metres from Woodville Road. The site is currently occupied partly by part of the garden to 161 and partly by mainly derelict greenhouses and open land. The site lies within the village framework (as defined in the Local Plan) and has residential gardens on two sides.

Proposal

The submitted plan shows a 5 metre wide access running between 161 and 155 Woodville Road which is the approximate position of the existing driveway.

Applicants' supporting information

The applicant's agent states that for the last 20 years, the site has been used as part garden, part commercial premises, where the occupier has run a landscape maintenance business use, maintaining his machinery on site.

Responses to Consultations

The Parish Council objects to the scheme for the following reasons:

- a. The access road is situated at a dangerous part of Woodville Road where cars are normally parked on the road, restricting both visibility and movement. Vehicles leaving the site would have considerable difficulty in joining Woodville Road safely, especially as there is already a problem with heavy goods vehicles using the road, notwithstanding the weight restrictions.

- b. The occupiers of the property to the west of the entrance park their car on the front garden and there is a hedge on the front boundary of no. 161. Both of these are outside the application site and therefore outside the applicant's control. They would further restrict visibility for vehicles leaving the site and the applicants would be unable to guarantee the necessary visibility splays.

The County Highway Authority acknowledges that although the visibility at the site access is not ideal, in view of the present use of the land, it has no objections to the proposals subject to conditions. Severn Trent Water has no objection subject to conditions.

Responses to Publicity

Three neighbours have written making the following comments:

- a. Four bedroom houses are out of keeping with surrounding properties. Woodville Road is a road of single houses on both sides.
- b. The traffic on Woodville Road is often very busy and very fast without adding more hazards and HGVs often have to mount the pavement to avoid oncoming traffic.
- c. Parking is currently extremely difficult and as such the proposed access would not be safe. One neighbour fears that on street space would be even more difficult which would disadvantage elderly relatives who have mobility difficulties.
- d. The proposed properties would be too much for the existing sewer to handle.
- e. Trees in the area should be preserved in the interests of the developing National Forest. Next to the application site is an orchard.
- f. The development of the site will set a precedent for everyone else to develop their gardens with a road appearing behind Woodville Road.

Structure/Local Plan Policies

The relevant policies are:

Joint Structure Plan: General Development Strategy Policy 3 and Housing Policy 5.

Local Plan: Housing Policies 5 and 11.

Planning Considerations

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

- Whether the application complies with the development plan and government policy
- The impact of the development on highway safety
- The impact of the development on visual and residential amenity.

Planning Assessment

Policy both in the development plan and in terms of PPG 3, seek to ensure that previously developed land in sustainable locations should be suitable for residential development subject to sites being properly accessed and development being in scale and character with the settlement. Although a backland site, it is clearly demonstrated that there is sufficient space for this brown field site to be more efficiently developed.

In this case, notwithstanding the comments of the Parish Council and neighbours, the site is made up of part garden and part business use and therefore qualifies as previously developed. Although all comments about the current highway safety are noted, the County Highway

Authority is clear that given the current or last use of the site, it could not substantiate refusing the application.

With regard to amenity, the design of the houses is yet to be submitted, however, there is a mix of housing in the area and the current proposal shows the footprint of individual dwellings that appear much the same as those recently built at Daisy Lane by the same company, which have fitted in well.

In all other respects the application is considered acceptable.

Recommendation

GRANT permission subject to the following conditions:

1. (a) Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.
- (b) 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: To conform with Section 92(2) of the Town and Country Planning Act 1990.

2. Approval of the details of the design and external appearance of the building(s) and the landscaping and means of enclosure of the site shall be obtained from the Local Planning Authority in writing before any development is commenced.

Reason: The application is expressed to be in outline only and the Local Planning Authority has to ensure that the details are satisfactory.

3. Prior to the first occupation of any dwelling hereby permitted, the access width of 5 metres shall be maintained along its length and the first 10 metres of the access shall be paved in a solid bound material (i.e. not loose chippings).

Reason: In the interests of highway safety.

4. No gates shall be erected within 10 m. of the highway boundary and shall open inwards only.

Reason: In the interests of highway safety.

5. No development shall take place until details (including precise dimensions and proposed surface materials) of a vehicular turning area within the site curtilage adequate to enable all vehicles to enter and leave the site in a forward direction have been submitted to the Local Planning Authority. The turning area as approved by the Local Planning Authority shall be laid out and hard surfaced accordingly prior to the first use of the development and be retained available for that purpose thereafter.

Reason: In the interests of highway safety.

6. Prior to the first use of the development hereby permitted, parking facilities shall be provided so as to accommodate, in the case of dwellings of four or more bedrooms three cars, in any other case two cars within the curtilage of each dwelling, or in any alternative location acceptable to the Local Planning Authority or as may otherwise be agreed in writing by the Local Planning Authority in accordance with its published standards. Thereafter three parking spaces (in the case of dwellings with four or more bedrooms) or two parking spaces (in any other case), measuring a minimum of 2.4m x 4.8m, shall be retained for that purpose within the curtilage of each dwelling unless as may otherwise be approved in writing by the Local Planning Authority.

Reason: To ensure that adequate parking/garaging provision is available.

7. 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.

8. 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.

Informatives:

To note and act upon as necessary the comments of the Coal Authority (see attached letter).

16/10/2001

Item **A8****Reg. No.** **9 2001 0739 D****Applicant:**

Cameron Homes Ltd
Cameron Homes Ltd
53 High Street
Chasetown
Staffs
WS7 8XE

Agent:

Mr J White
Mason Richards Partnership
2A Tettenhall Road
Wolverhampton
WV1 4SG

Proposal: **The erection of 30 (No) properties consisting of 25 (No) Houses and 5 (No) Flats at Land At The Rear Of Coronation Street And Adjoining Edward Street Overseal Swadlincote**

Ward: **Overseal**

Valid Date: **27/07/2001**

Site Description

The 1960 Ordnance Survey base shows that the site was previously in use as allotments although there is little evidence of this on site now. The site is approximately half of an area of land on the northern edge of the village which has been shown as land within the village confines for many years. Edward Street currently serves a number of existing dwellings but is unmade and unadopted. Between Edward Street and the site is the site of a number of free standing garage plots.

Proposal

The submitted scheme (recently amended) shows a total of 30 dwellings made up of a mix of 1, 2, and three bedroom units of 1½, 2 and 2½ storeys arranged around a new cul-de-sac from Edward Street. Edward Street itself would be made up to adoptable standard as a part of the scheme. The plans also show a public open space area complete with a children's play area. A public footpath, which runs along an adjacent site, is proposed to be diverted via the public space area. The layout includes plots with smaller private rear gardens than the usual standard set out in the Council's guidelines. The site layout has recently been amended to show a separation of one of the flat blocks from the proposed area of public open space.

Planning History

Outline permission for the residential development of the site was granted permission in April this year subject to an agreement under Section 106 to secure the provision of the public open space, play area (and commuted sum) and a financial contribution towards primary school provision.

Responses to Consultations

Overseal Parish Council Objects to the application on the following grounds:

- a. The houses with a third storey in the roof space are inappropriate to the rural setting and are not in keeping with the neighbouring properties and would give rise to a cramped form of development.
- b. The type N flat over garages is an odd design, aimed at providing garaging for the immediately adjoining houses.
- c. The block of flats near to the entrance to the estate is entirely inappropriate. It would be much better to provide good quality houses on this prominent site at the entrance to the estate.
- d. The layout on the north-west side of the development shows small roads leading to concealed garage blocks. These areas would lend themselves to crime and would become dumping grounds and sources of nuisance.
- e. In general, the design, layout and density would be more appropriate to a town or city centre rather than a rural village.

The County Highway Authority, the Environment Agency, and Severn Trent Water and the Environmental Health Manager have no objections subject to conditions.

Responses to Publicity

No neighbour letters have been received.

Structure/Local Plan Policies

The relevant policies are:

Local Plan: Housing Policy 11.

Supplementary Planning Guidance (SPG): Housing Design and Layout.

Planning Considerations

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

- The impact of the design and layout of the scheme with regard to SPG, Local Plan Policy and Government Advice (PPG 3).
- The impact of the scheme on highway safety

Planning Assessment

The most recent advice regarding the design and layout of housing site is contained in PPG 3. This seeks to achieve a minimum of 30 dwellings to the hectare. It encourages the efficient use of land in this way and also looks for a mix of types and sizes. However, the advice as well as that set out in the Local Plan and SPG also requires new schemes to be in keeping with the scale and character of the settlement.

The submitted scheme is relatively high in density (above the minimum sought by PPG 3) but set out in a traditional style. The density and style of the housing in the streets around the site are also characterised by the same, relatively dense, road frontages. It is true that some of the private rear gardens shown are not strictly in accord with the minimum sizes recommended by the SPG. However, the SPG is currently being reviewed in the light of the new PPG 3 which would effectively remove the requirement for minimum garden sizes provided that adequate

distances between windows are maintained. Therefore the scheme complies with the latest government guidance in this regard. A new element not previously seen in the immediate area is the use of 2½ storey houses. Although taller than modern 2 storey houses, the design mostly makes use of the roof and therefore would not look out of place in the area and not too dissimilar to some of the larger Victorian houses in the village. In addition, the 2½ storey units are sited within terraces and would therefore not appear as isolated features on the site.

In all other respects the application is acceptable.

Recommendation

GRANT permission subject to the following conditions:

1. 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.

2. Notwithstanding any details submitted, 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.

3. Notwithstanding the provision of the Town and Country Planning (General Permitted Development) Order 1995, the dwelling hereby permitted shall not be enlarged or extended without the prior grant of planning permission on an application made to the Local Planning Authority in that regard.

Reason: To maintain control in the interest of the character and amenity of the area, having regard to the setting and size of the development, especially given the limited size of the individual plot areas.

4. Notwithstanding the submitted details, 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. In particular, the area marked P.O.S. on drawing 32066-14 RevG shall be planted with a mixture of trees and shrubs and shall not be grassed as indicated on the drawing.

Reason: In the interests of the appearance of the area. The P.O.S. is too close to the location of windows on plots 27-30 to be used as an open space for ball games.

5. 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.

6. 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.

7. Notwithstanding the originally submitted details, this permission shall relate to the amended drawing nos. 32066 14revG, 19A, 20A, 21A, 22A, 23, 24, 25A, 26A, 27A.

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

8. Before occupation of dwellings, the works to bring Edward Street to a standard suitable for adoption shall be carried out at least to base course standard, drained and lit in accordance with a scheme previously submitted to and agreed in writing with the Local Planning Authority.

Reason: In the interests of highway safety.

9. Before any other operations are commenced, a temporary access shall be formed for construction purposes and space shall be provided within the site curtilage for site accommodation, storage of plant and materials, parking and manoeuvring for site operatives and visitors vehicles, loading and unloading of goods vehicles, all in accordance with a scheme first submitted to and approved by the Local Planning Authority. The facilities must be maintained available throughout the course of the construction works.

Reason: In the interests of highway safety.

10. Before any operations commence involving the movement of materials in bulk to or from the site, facilities shall be provided as may be agreed with the Local Planning Authority and used to prevent the deposition of mud or extraneous material on the public highway.

Reason: In the interests of highway safety.

11. Dwellings shall not be occupied until the proposed estate street has been laid out in accordance with the application drawings as amended, and constructed at least to base course level, drained and lit in accordance with the County Council's 'Specification for Housing Development Roads'.

Reason: In the interests of highway safety.

12. Before the occupation of the dwelling to which it relates, private driveways shall be laid out and constructed and surfaced with a solid bound material, in order to avoid the transfer of loose material onto the highway.

Reason: In the interests of highway safety.

13. Before the commencement of any operations on site, a scheme for disposal of highway surface water via a positive gravity-fed system, shall be submitted to and approved by the Local Planning Authority.

Reason: In the interests of highway safety.

14. Prior to the first use of the development hereby permitted, parking facilities shall be provided so as to accommodate two cars within the curtilage of each dwelling, or in any alternative location acceptable to the Local Planning Authority or as may otherwise be agreed by the Local Planning Authority in accordance with its published standards. Thereafter, (notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995), two parking spaces, measuring a minimum of 2.4m x 4.8m, shall be retained for that purpose within the curtilage of each dwelling unless as may otherwise be approved in writing by the Local Planning Authority.

Reason: To ensure that adequate parking/garaging provision is available.

Informatives:

The line of Public Right of Way Footpath No. 4 passes adjacent to the north-east boundary of the site, and the use by pedestrians of this route must be safeguarded at all times during construction and thereafter.

In respect of dwellings served by shared private drives, the developer is advised to ensure that the future maintenance responsibility for shared driveway areas is clearly defined on the individual property deeds.

To note and act upon as necessary the comments of the Coal Authority (see attached letter).

Further to the above Informative, the responsibility and subsequent liability for safe development and secure occupancy of the site rests with the developer and/or landowner. This grant of planning permission does not give a warranty of ground support or stability, neither does it necessarily imply that the requirements of any other controlling authority would be satisfied.

16/10/2001

Item **A9****Reg. No.** **9 2001 0768 F****Applicant:**

Mr Mrs D A & C J Redfern

Agent:Alan Taylor
Talbot Associates
Talbot House
18 Grange Close
Ticknall
Derbyshire
DE73 1LF**Proposal:** **The erection of an agricultural workers dwelling at Oaklands Farm Sutton Road Church Broughton Derby****Ward:** **North West****Valid Date:** **06/08/2001****Site Description**

The site is located to the rear of a range of modern farm buildings to the south of Sutton Road and to the east of the village of Church Broughton. The site itself is generally level with no significant boundaries although the farmyard itself, which is situated in close proximity to the site, is enclosed by post and rail fencing.

A mobile home is situated on the site. It is currently occupied by the applicant and his family. A previous mobile home was destroyed by fire.

Proposal

The applicant seeks consent in full to erect a dwelling on the site to serve his agricultural need to be located close to his farm holding. The property would be of a primarily two storey design and "L" shaped. One leg of the "L" would be single storey and house a garage and kitchen with the other being two storey in height.

The two storey element of the proposal would measure 11.7 metres by 7.2 metres. The single storey leg of the unit would measure 10 metres by 5.7 metres.

The accommodation that would be provided comprises:

- (i) at ground floor level: a double garage, a kitchen, a utility area, a porch, incorporating a toilet/shower area, an office, a dining room, a lounge and a hall, and,
- (ii) at first floor level: four bedrooms and a bathroom.

Applicants' supporting information

The applicant has supplied information in support of his application which has been prepared by ADAS. This concludes that there is a viable and growing agricultural business on the site. A copy of the full document is available on the file for inspection.

Planning History

9/1999/0651/O: Consent granted in outline for the erection of a single dwelling on the site.

9/2000/1010/F: Application to erect a dwelling on the site was refused due to a lack of justification for the erection of a dwelling on the site and that the size of the dwelling was larger than was warranted on the holding.

Responses to Consultations

Church Broughton Parish Council object to the application on the following grounds:

- (i) the likelihood of a similar application from an adjacent site of similar size in the future,
- (ii) the fact that the original farmhouse has been sold and buildings converted with no apparent restrictions on the future development,
- (iii) the applicant could purchase a home in the surrounding area. The original farmhouse is now up for sale again and there are other properties in the surrounding area. If these properties are too expensive the applicant could possibly purchase a home in Hatton,
- (iv) there are houses to rent in the surrounding area,
- (v) the farm is scarcely viable with the farm accounts showing the applicant is more in debt than last year,
- (vi) the applicant has no secure tenure of the land other than the site itself,
- (vii) given the relatively small acreage of the farm Councillors have concerns over the large amount of open countryside that is being encompassed in the proposed garden of the property,
- (viii) when this application came before the Council; in November 2000, local residents objected to this application and were very concerned over the size of the proposed dwelling in relation to the size of the farm,
- (ix) In conclusion Parish Councillors object to the application and if consent is granted they would like to know what measures would be taken to ensure the farm house would not be sold off again.

The Environment Agency have no objection subject to the imposition of a condition that requires details of the proposed foul drainage system to be submitted to and approved by the Local Planning Authority.

The Highway Authority has no objection.

Structure/Local Plan Policies

The relevant policies are:

Derby and Derbyshire Joint Structure Plan: General Development Strategy Policy 4 and Housing Policy 6

South Derbyshire Local Plan: Environment Policy 1 and Housing Policy 8

Planning Considerations

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

- (i) The principle of the proposed development,
- (ii) The impact of the proposal on the character of the area and the amenities of the nearby property owners (including the size of the unit), and,
- (iii) Drainage matters.

Planning Assessment

The site is located within the open countryside where new residential development is generally restricted unless it is required for an activity requiring a rural location. The applicant seeks consent for the erection of a dwelling in connection with the farming enterprise that he carries out.

Consent was originally granted for the erection of one dwelling on the site in January 2000. That permission has now expired. A further application for the erection of a single house was refused due to the lack of evidence put forward to justify the dwelling and the size of the unit.

In this case evidence has accompanied the submission showing that there is both a financial and functional need for a dwelling in the site. Some additional investigation is ongoing into these assertions, however, there appears to be sufficient justification for the erection of one unit on the site to serve the holding. Therefore, in principle the proposal is acceptable. If any further information is received it will be reported verbally to the Committee.

The previous application was refused due to the size of the dwelling proposed. The previously submitted scheme proposed a dwelling measuring 18.75 metres by 13.65 metres. The dwelling, currently under consideration, measures 17.1 metres by 11.7 metres. There has been a reduction in the proposed floorspace therefore. In addition one of the two legs of the dwelling has been reduced from two storey height to only single storey. This reduces the bulk and mass of the building. This reduction in the size of the unit is considered to be material and, therefore, whilst in open countryside, the dwelling would not be detrimental on the character and appearance of the area.

The unit proposed was also considered to be too large in relation to the holding and contrary to the advice in Planning Policy Guidance Note No.7 which advises that "agricultural dwellings should be of a size commensurate with the established functional requirement (of the holding). Dwellings which are unusually large in relation to the agricultural needs of the unit...should not normally be permitted." The unit has been reduced in scale and massing such that it no longer is excessive in terms of its size.

The comments of the Environment Agency are noted. However, as the existing caravan already has facilities to dispose of foul water, the provision of facilities to serve a dwelling would not have a greater impact. Therefore, subject to conditions this aspect of the proposal is considered to be acceptable.

The comments made by the Parish Council are noted. However, the possibility of other applications being submitted, the current use of the former farmhouse and the possibility of purchasing a house elsewhere are not material to this submission.

The comments regarding possible future use of the building is noted and a condition restricting it for the use of a farmer is recommended as is a condition restricting permitted development.

Recommendation

GRANT planning permission subject to the following conditions:

1. The development permitted shall be begun before the expiration of one year from the date of this permission.

Reason: To conform with Section 91(1) of the Town and Country Planning Act, 1990, and to ensure that, having regard to the changing needs of agriculture and the general policy of the approved Structure Plan to restrict development in the countryside, the number and life of planning permissions for agricultural workers' dwellings in being at any one time is limited.

2. A sample of both the roof tile and the brick to be used to erect the dwelling shall be submitted for approval in writing by the Local Planning Authority before work commences. The approved materials shall then be used to construct the dwelling hereby approved.

Reason: To ensure the building/extension is in keeping with its surrounding in the interest of the character and visual amenity of the area.

3. Notwithstanding any details submitted, 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.

4. 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.

5. The occupation of the dwelling shall be limited to the family and/or dependents of a person employed, or last employed, wholly or mainly, in agriculture, as defined in Section 336 of the Town and Country Planning Act 1990, or in forestry.

Reason: The site is within open countryside where the Development Plan provides that development shall be confined within the limits of an existing town or village, except where the needs of agriculture or other overriding reasons justify a departure from that policy. The Local Planning Authority is concerned to ensure that agricultural workers' dwellings are maintained available to meet the needs of the locality and to avoid proliferation of dwellings in the countryside.

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, the dwelling hereby permitted shall not be altered, enlarged or extended, and no buildings shall be erected on the application site (shown edged red on the submitted plan) without the prior grant of planning permission on an application made in that regard to the Local Planning Authority.

Reason: To maintain control in the interest of the character and amenity of the area, having regard to the setting and size of the development, the site area and effect upon neighbouring properties and/or the street scene. and to ensure the dwelling remains commensurate with the size of the dwelling unit.

7. 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 septic tank shall be installed in accordance with the approved details before the development is first brought into use.

Reason: In the interests of pollution control

16/10/2001

Item **A10****Reg. No.** **9 2001 0770 D****Applicant:**
Dove Valley Park Ltd C/O Agent**Agent:**
David Steele
T S Design Group (Trowbridge Steele Chapi)
58 Portswood Road
Southampton
Hampshire
S0172FW**Proposal:** **The erection of a commercial facility for B1, B2, and B8 use at
Plot 2500 Dove Valley Park Foston****Ward:** **North West****Valid Date:** **06/08/2001****Site Description**

This plot is located immediately to the rear of the Hays building towards the north eastern boundary of the site. There is a turkey farm on part of the northern boundary. The site is at a higher level than the Hays building and would be served by a road currently under construction.

Proposal

The building would have a total size of 11550sq.metres some 256sq.metres would be at first floor level above the ground floor offices that would be located on the north west corner of the proposed building. The finished colour and sheet profile of the building is reserved for subsequent approval. Recent negotiations are expected to result in additional landscaping areas on the northern and eastern boundaries.

Applicants Supporting Information

In response to a request for information, the applicants have confirmed that the finished floor level of the building would be 67.00 in relation to the site datum. This compares with a level of 64.14 for the Hays Building that was cut into the ground. The level at the Hays boundary is 65.84.

In response to Church Broughton Parish Council comments, the application has been amended to increase the the height of the bunds on the north and east boundaries.

Planning History

This is a reserved matters application submitted under outline planning permission
9/1995/0170/O.

Responses to Consultations

Church Broughton Parish Council comments as follows: -

- a) Noise - the existing and future residents of Heath House Farm are likely to suffer noise from vehicles - a one way system would help. 24 hour working would also add to noise levels in a quiet rural area.
- b) Appearance - there is concern that the materials of construction will be reflective and thus more reflective like other buildings on the site. site colours can be used on the frontage but the other sides of the building should be a more neutral non reflective colour.
- c) Lighting - there are no indications of the lighting arrangements. This should be controlled and the latest technology used to minimise light spread.
- d) Elevation and building height - there is concern that the building would be visible from the village as it is at a higher ground level than the Hays building.
- e) Landscaping - the space available for landscaping is minimal and more should be made available along the east boundary like that provided on the north boundary adjacent to Amelca site.

Unless the landscaping is increased in the form of bunds to screen and absorb sound, the Parish Council objects to the development. The Parish Council has been reconsulted on the amended scheme and any comments received before the meeting will be reported.

The County Highways Authority has no objection subject to conditions.

Severn Trent Water has no objection subject to conditions.

The Environment Agency has no objection subject to conditions.

The Environmental Health Manager is concerned about noise impact from any 24 hour operation and asks for an informative to be included in the decision

Responses to Publicity

One objection has been received relating to the potential level of the building and its impact on the surrounding area.

Structure/Local Plan Policies

The relevant policies are:

Joint Structure Plan: General Development Strategy Policies 1 - 4, Economy Policies 3 and 17
Local Plan: Employment Policy 2

Planning Considerations

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

- Conformity with the Development Plan
- Impact of the development on the surroundings

Planning Assessment

The site is allocated in the Local Plan for employment uses and has the benefit of planning permission. The principle of development is therefore established.

A modern day employment site has larger and larger buildings to meet the logistical needs of clients.. Potentially there is scope for providing a larger bund and landscaping area on the northern and eastern boundaries as requested by the by the Church Broughton Parish Council. This is currently being investigated by the designers and amendments are expected. These combined with the planting that would be required would help to reduce the impact of, but not screen, the proposed building entirely. Views of the proposed building will not be possible from the village itself.

Matters such as lighting and wall cladding can be controlled by condition and such conditions are recommended as are those required by consultees.

Recommendation

GRANT permission subject to the following conditions:

1. Notwithstanding the originally submitted details, this permission shall relate to the amended drawing nos. 01043/10 Rev A.

Reason: For the avoidance of doubt the submitted drawings being unacceptable.

2. Before any other works are commenced, the new accesses shall be formed. The accesses shall have a minimum width of 6m, be provided with a 12m radii and visibility splays of 4.5m x maximum achievable, the area forward of the splay lines being maintained in perpetuity free of any obstruction exceeding 1m in height relative to the nearside carriageway edge.

Reason: In the interests of highway safety.

3. Prior to the premises being taken into use, the accesses shall be surfaced in a solid bound material for a distance of at least 10m in to the site from the highway boundary and any gates shall be set back at least 10m from the highway boundary and open inwards only.

Reason: In the interests of highway safety.

4. Prior to the premises being taken into use, the parking, manoeuvring, loading and unloading areas shall be laid out in accordance with the application drawing and maintained thereafter free of any impediment to their designated use.

Reason: In the interests of highway safety.

5. The premises shall not be taken into use until the road is constructed to base-course level, drained and lit to the satisfaction of the Local Planning Authority.

Reason: In the interests of highway safety.

6. 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 protection and pollution control.

7. Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas and hardstandings shall be passed through an oil interceptor, designed and constructed to have a capacity and details compatible with the site being drained. Roof water shall not pass through the interceptor.

Reason: In the interests of pollution control.

8. During the period of construction and following completion of development, facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound shall be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound shall be at least equivalent to the capacity of the largest tank, vessel or the combined capacity of interconnected tanks or vessels plus 10%. All filling points, associated pipework, vents, gauges and sight glasses must be located within the bund or have separate secondary containment. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework shall be located above ground and protected from accidental damage. All filling points and tank/vessels overflow pipe outlets shall be detailed to discharge downwards into the bund.

Reason: To prevent pollution of the water environment

9. Before development is commenced, details of the illumination of the site shall be submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall be drawn up in accordance with the guidelines published by the Institute of Lighting Engineers.

Reason: In order to control the light emitted from the site in the interests of minimising such.

10. Prior to the development hereby approved commencing and notwithstanding the information levels provided, 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 levels.

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

11. 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 of the buildings 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.

12. 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.

13. 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:

The Environment Agency advises that it is promoting the use of sustainable drainage techniques, such as soakaways, swales etc. for the disposal of clean surface water to source allowing recharge of the underlying aquifer. We therefore, recommend that if ground conditions are suitable, then the applicant should consider these alternatives to the more traditional drainage methods.

According to Environment Agency records there is a landfill site within 250 metres of the application site.

Landfill site ref Derbyshire LF06 known as Foston Airfield, lies beneath and to the north, east, south and west of the application site. According to our records it was filled with construction industry waste, including solid asbestos waste.

Although the whole airfield was apparently licensed it is believed that landfilling operations were restricted to one of the runways only.

Only detailed site investigations will reveal if the site is being affected by any previous landfilling.

The information relating to landfill sites has been compiled from records and files from various sources and of varying degrees of reliability. The Agency is not able to offer any warranty as to the accuracy or completeness of the information provided, nor can it accept any liability in respect thereof.

To take account of the recommendations of the Environmental Health Manager (attached).

16/10/2001

Item **A11****Reg. No.** **9 2001 0773 F****Applicant:**

Mrs Deakin
 1, Church Croft
 Coton-in-the-Elms
 Swadlincote
 Derbyshire
 DE128HG

Agent:

G W Smith
 2 Chapel Street
 Coton In The Elms
 Swadlincote
 Derbyshire
 DE12 8EY

Proposal: **The erection of one bungalow at Land Adjacent To 1 Church
 Croft Coton-in-the-Elms Swadlincote**

Ward: **Netherseal**

Valid Date: **06/08/2001**

Site Description

The site currently comprises part of a garden to an adjoining bungalow within the village confines on the northern edge of the village. The garden is currently planted with elderly fruit trees and bounds the main road with a hedge.

Proposal

The submitted scheme shows a bungalow in the same style as those that make up the Church Croft development.

Applicant's Supporting Information

The applicant's agent states that the land lies within the existing residential area of Coton and has been used as a garden by the applicant since her present bungalow was built in the 1970s. He states that it is also the applicant's intention to sell a small area of the garden to a neighbour.

Planning History

The site previously had permission in 1973 for the erection of an agricultural dwelling but this has now lapsed. The other bungalows in the development received outline permission in 1972.

Responses to Consultations

The Parish Council has no objection to the proposal. The County Highway Authority has no objection subject to a condition to provide parking space.

Structure/Local Plan Policies

The relevant policies are:

Joint Structure Plan: General Development Strategy Policy 3 and Housing Policy 5.

Local Plan: Housing Policy 5.

Planning Considerations

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

- Whether the proposal accords with the provisions of the development plan and government guidance
- The impact of the development on residential amenity and highway safety.

Planning Assessment

Members will be aware that the Council's recent interpretation of PPG 3 in relation to residential development seeks to ensure that planning permission is only granted on previously developed sites in sustainable locations. As such a hierarchy of settlements has been drawn up which identifies which of the villages in the district are sustainable for the purposes of determining planning applications for housing development. Coton-in-the-Elms is not identified as a sustainable settlement. Prior to the current interpretation of PPG3 by the Committee, an informal arrangement was made that sought to allow for the redevelopment of previously developed land within the confines of existing villages provided it was for no more than two plots of a similar size to those within the remainder of the frontage.

It was during this interim period that officer advice was sought on behalf of the applicant as to how to proceed to develop the site. Accordingly, encouragement was given to the development of the site in accordance with the interim policy. Unbeknown to the applicant, during the time that the application has been running, the interpretation of policy has changed to the extent that this application would not be viewed favourably. Given that the Council's policies are still in the course of preparation and because, in this instance, the application was made in good faith in the belief that it complied, officers consider that permission should be granted on the basis of equity. This case can be distinguished from future cases by reason that encouragement is no longer being given.

In all other respects the application is acceptable.

Recommendation

GRANT permission subject to the following conditions:

1. The development permitted shall be begun before the expiration of five years from the date of this permission.

Reason: To conform with Section 91(1) of the Town and Country Planning Act, 1990

2. 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 details, the hedge on the boundary with the C181 (i.e. the western boundary) shall be retained.

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

4. Prior to the first use of the development hereby permitted, parking facilities shall be provided so as to accommodate two cars within the curtilage of the dwelling. Thereafter, (notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995), two parking spaces, measuring a minimum of 2.4m x 4.8m, shall be retained for that purpose within the curtilage of the site.

Reason: To ensure that adequate parking/garaging provision is available.

5. No vehicular access shall be formed to the C181(i.e. the main road to the west) directly from the site.

Reason: In the interests of highway safety.

6. 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.

7. Notwithstanding any details submitted, 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.

Informatives:

To note and act upon as necessary the comments of the Coal Authority (see attached letter).

16/10/2001

Item **A12****Reg. No.** **9 2001 0774 F****Applicant:**

Mr & Mrs Buckland
 Castle View
 Foston
 Derby
 DE65 5PX

Agent:

Mr & Mrs Buckland
 Castle View
 Foston
 Derby
 DE65 5PX

Proposal: **The erection of toilet/wash facility, retention of existing drive entrance and temporary siting of 3 caravans at Former Castle View Service Station Uttoxeter Road Foston Derby**

Ward: **North West**

Valid Date: **06/08/2001**

Site Description

The site is the former Castle View service station off Uttoxeter road Hatton. The site is enclosed on three sides by fences on the roadside by a low brick wall. Works to form a base for the mobile home permitted on the site have been undertaken as have works to create gardens in the site.

Proposal

Since permission was granted the occupiers have erected a toilet block, retained two entrances rather than shutting one as proposed in the original application. Three caravans have also been sited on the land without the benefit of planning permission. This application is to retain these elements on the site and the caravans for a temporary period of 6 months. During the site visit by your officer, the applicants advised that the permitted mobile home was on order and should be on site in December.

Planning History

Planning permission for the siting of a mobile home on the site was granted at appeal earlier this year.

Responses to Consultations

Hatton Parish Council objects to the retention on the basis that the views of others have been ignored, it is not what was originally planned and the toilet/wash block is already there.

Foston and Scropton Parish Council requests that conditions are imposed to prevent the land being used as a transit site.

The County Highways Authority has no comment.

The Environment Agency and Severn Trent Water have no objection

The Environmental Health Manager notes that in response to a previous application that he had no comments on that application. Further advice has been received that indicates that the land may be contaminated and a ground survey may be required. Attempts should be made to ascertain if the fuel tanks have been removed or filled with concrete. If not then further action may be necessary. The responsibility for making sure that the land is 'suitable for use' rests with the landowner.

Responses to Publicity

One response has been received stating that the application should be described as being for the retention of the structures and not their erection. The council should be clear as to how long is temporary bearing in mind that it has been stated that some if not all of the family of 11 could be staying at any one time.

Structure/Local Plan Policies

The relevant policies are:

Joint Structure Plan: Housing Policy 8

Local Plan: Housing Policy 15

Planning Considerations

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

- The effect of the retention of the permanent facilities
- The temporary retention of the caravans
- The retention of the access

Planning Assessment

The toilet/wash room is a building of modest proportions constructed in brick sited in the middle of the site adjacent to the rear boundary. It contains two toilets, two showers and two rooms with wash facilities. The appearance of the structure is acceptable and in the wider area there is no discernible impact.

The caravans are currently located on or adjoining the concrete hardstanding for the mobile home. The applicants have requested that they be retained on site for a period of 6 months. If the Committee is minded to grant permission, this aspect could be controlled by condition. The caravans are touring vans and have no impact on the wider area.

The County Highways Authority has no comment on the proposals.

The concern that the site will develop into a transit site for the gypsy population of South Derbyshire can be controlled by condition limiting use to the immediate family of the applicant.

Recommendation

GRANT permission subject to the following conditions:

1. This permission for the retention of the three caravans on the site shall be for a limited period only, expiring on 30 April 2002 on or before which date the caravans shall be removed from the land unless, prior to that date, an application has been made and permission has been granted for an extended period.

Reason: the permission is granted on the basis of your need for short term accommodation pending delivery and setting up of the mobile home on the site permitted under application no 9/2000/0119/F

2. The caravans referred to in condition 1 above shall only be occupied by members of the immediate family of Mr & Mrs Buckland, the applicants. Immediate family shall be taken to mean the children and the parents of the applicants.

Reason: For the avoidance of doubt.

Informatives:

Recent Government advice suggests that you may need to undertake a ground contamination survey. In particular attempts should be made determine whether the underground tanks were removed or filled with concrete. If they were not, then further action may be necessary. You have responsibility for ensuring that the site is 'suitable for use'. For further information, please contact the Environmental Health Manager at these offices on 01283 595856