

Planning History

The planning history for this site is long and complicated. Currently there is an appeal against a decision to refuse permission for a third dwelling at the site in the form of a mobile home. Previously there have been applications for farm buildings, chicken units and other education related projects at the site.

Responses to Consultations

Etwell Parish Council objects because there appears to be no justification for the building and that the Parish Council would like to see an overall plan for the future development of the site.

The County Highways Authority has no objection if the Local Planning Authority is satisfied that the proposal involves the relocation of existing facilities and that there would be no additional traffic movements.

Severn Trent Water has no objection

The Environment Agency has no objection subject to there being no obstruction of the flow of surface waters to what is described as an ordinary watercourse that lies in the vicinity. All foul and contaminated water should be discharged to the existing treatment plant, provided the operator is satisfied that there is sufficient capacity. The appropriate discharge consent would also be required from the Agency.

The Environmental Health Manager has no objection.

Structure/Local Plan Policies

The relevant policies are:

Joint Structure Plan: General Development Strategy Policy 4

Local Plan: Environment Policy 1

Emerging Local Plan: Policy ENV 7 & 21

Planning Considerations

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

- The need for the building to be located in the countryside
- Its impact on the countryside
- The temporary nature of the materials of construction

Planning Assessment

The diversification of the farm industry is an objective of the Government as expressed in its advice in Planning Policy Guidance Note 7. This farm has diversified in a manner that is different to others both in the district and nationally. The consolidation of that diversification is proposed in this application and now that the business is well established, it would be difficult to argue against the retention of this building on the site.

The structure is modest and unlikely to be visible from public vantage points particularly the footpath as it is behind a substantial hedge from that view. It is well related to other major

buildings on the site, particularly the other educational buildings. All of these have received permission in the relatively recent past. The additional building would not add materially to the mass of the buildings around the farmhouse complex and the impact on the countryside would be minimal.

The building does require some maintenance and the opportunity to agree a different colour for the building to help to further minimise any impact should be taken. A temporary planning permission for 5 years because of the materials of construction is also recommended to ensure that the Authority retains some control over the appearance of the building in the countryside.

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 permission subject to the following conditions:

1. This permission shall be for a limited period only, expiring on 31 December 2008 on or before which date the structure shall be removed and the site reinstated to the satisfaction of the Local Planning Authority unless, prior to that date, an application has been made and permission has been granted for an extended period.
1. Reason: Your need for additional accommodation is recognised by the Local Planning Authority and permission for this structure is granted to meet that need. Permission is granted on a temporary basis so that the Local Planning Authority can monitor the condition and appearance of the building in the interests of the appearance of the countryside hereabouts.
2. Before works of maintenance are commenced to secure the future of the building on the site, details of the finished colour of the building shall be submitted to and approved in writing by the Local Planning Authority. The approved colour shall then be used to paint the building before it is first occupied.
2. Reason: In the interests of the visual amenity of the area.
3. All foul and contaminated water shall be directed to the existing sewage treatment plant provided that adequate capacity for such additional flows is available.
3. Reason: To prevent pollution of the water environment.

16/12/2003

Item 1.8**Reg. No.** 9 2003 1231 O**Applicant:**

Richard Hotchkiss
 Foston Mill Farm,
 Church Broughton
 Derby
 DE65 5AX

Agent:

Anthony Short & Partners
 34 Church Street
 Ashbourne
 Derbyshire
 DE6 1AE

Proposal: Outline application (all matters to be reserved except for siting and means of access) for the erection of a single dwelling at Foston Mill Farm Church Broughton Derby

Ward: North West

Valid Date: 16/10/2003

Site Description

The site is located immediately adjacent to the access track to the farm. It is about 200 metres south of the farm complex on top of a small ridge. The drive then falls away towards the farm complex. There are hedges on two boundaries and the other two boundaries are open to the field.

Proposal

The application seeks acceptance of the principle of a farm worker's dwelling, all other matters are reserved for subsequent approval.

Applicants' supporting information

An agricultural appraisal and the last three years accounts support the application for the dwelling. The appraisal indicates a requirement for two workers to live within sight and sound of the holding and an overall labour requirement for up to 6 workers in terms of the hour's labour required to operate the farm. The workforce comprises the applicant, his wife and their son. Contractors undertake other work as and when required. Both sets of documents are available for inspection on the file.

In response to a request for further information about the need for a second dwelling, why the existing accommodation in Church Broughton was not acceptable and why the existing farm buildings could not be converted, the applicants have responded as follows: -

The audited accounts show that the farm is profitable, the hours of operation of the site require that early morning starts are the normal operation of the business. In addition there are the emergency situations that require immediate attention. In the week of 7 November there were three complicated births of calves where more than one person was required at one time.

The house at Church Broughton is small and incapable of enlargement being a barn conversion with little or no garden attached to it.

There is one building suitable for conversion on the farm. This is still in regular use for farming purposes and is not surplus to the requirements of the farm business.

The business is well established and has been in profit for the past three years, there is a clear need for a second worker to be available within the holding, that need cannot be met from the existing resources of the farm. Thus the requirements of Planning Policy Guidance Note 7 - Annex I are satisfied.

Planning History

None that is relevant to this part of the farm.

Responses to Consultations

Foston and Scropton Parish Council comments will be reported at the meeting.

The County Highways Authority has no objection if the proposal is justified on the basis of agricultural need.

The Environment Agency has no objection subject to conditions.

Structure/Local Plan Policies

The relevant policies are:

Joint Structure Plan: General Development Strategy Policy 4, Housing Policy 6

Local Plan: Environment Policy 1, Housing Policy 8

Emerging Local Plan: Policies ENV 7 & 21,

Planning Considerations

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

- The Development Plan
- The impact on the countryside

Planning Assessment

The Development Plan policies require that development in the countryside should be necessary for the operation an established rural business. If permitted then the development should be so designed located as to minimise its impact on the area.

The proposal is seeking to establish the principle of the acceptability of a second farm workers dwelling on the holding. The information accompanying the application and that submitted later confirms that there is a need for this dwelling and that the business is well established.

The location of the dwelling on the ridge is not the least prominent location for it but the lower ground is part of the floodplain and development should be resisted in that sort of area. The use

of appropriate materials, landscaping and design would help to minimise that additional impact on the character of the area.

Subject to the conditions, the proposal is considered acceptable and passes the relevant test of the guidance.

Recommendation

GRANT permission subject to the following conditions:

1. Application for approval of any reserved matters shall be made to the Local Planning Authority before the expiration of one year from the date of this permission and the development must be begun not later than whichever is the later of the following dates:
 - i) before the expiration of two years from the date of this permission; or
 - ii) before the expiration of one year from the date of approval of the last of the reserved matters to be approved.
1. Reason: To conform with Section 92(2) of the Town and Country Planning Act, 1990.
2. Approval of the details of the siting, design and external appearance of the building the means of access thereto 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.
2. Reason: The application is expressed to be in outline only and the Local Planning Authority has to ensure that the details are satisfactory.
3. 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.
3. 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.
4. No work shall take place on the site until details of a scheme for the disposal of 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.
4. Reason: In the interests of pollution control.
5. Prior to the development hereby approved commencing, details of the finished floor levels of the building 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).
5. Reason: To minimise the impact of flooding.

16/12/2003

Item 1.9**Reg. No.** 9 2003 1281 F

Applicant:
Mrs C Isham
15 Rouen Way
Ashby De La Zouch

Agent:
P. Diffey
Peter Diffey & Associates
Cotesbach Villa
54 Woods Lane
Stapenhill
Burton On Trent
DE15 9DB

Proposal: The erection of a dwelling 3 Hill Street Newhall Swadlincote

Ward: Newhall

Valid Date: 20/10/2003

Site Description

This grassed plot between existing dwellings is 12m wide by 13.5m deep and is on the north side of Hill Street, opposite the footpath which connects to High Street next to the Post Office.

It is a flat site bound to the east by the access driveway serving 22 Hill Street, to the north by brick outbuildings within the garden to 22 Hill Street, to the west by the gable to 26 Hill Street, and to the south by Hill Street itself.

Proposal

It is proposed to erect a two storey, two bedroom dwelling set against the rear boundary of the site with the garden area at the front and off street parking for one vehicle.

Applicant's Supporting Information

The applicant's design aims are as follows:

1. To provide a house design which relates well to adjacent dwellings at 22 and 26 Hill Street.
2. A layout allowing adequate natural lighting without any loss of privacy to 22 Hill Street
3. A layout providing the main natural light source from the south with no windows to the north and only secondary windows on all other elevations
4. A location ensuring the 45-degree splay from 22 Hill Street's ground and first floor windows is not compromised
5. A layout providing a reasonable double bedroom and a usable guest bedroom, and a bathroom.
6. A layout providing a living room, distinct kitchen area, some storage and complying with building regulation requirements relating to a ground floor w.c.

7. A single car parking space in compliance with PPG3
8. A private amenity area adequate for sitting in and drying of clothes
9. A set back to the private amenity area to provide a front garden to protect the character of the street and to provide adequate sight lines/turning facilities for the owner to enter and leave the site.

Responses to Consultations

Severn Trent Water has no objections.

The County Highway Authority considers that although the use of Hill Street for additional traffic is not ideal in view of the restricted frontage and narrow carriageway, it is doubtful that, bearing in mind a recent appeal decision allowing development on a nearby site on Hill Street and the general presumption in favour of development, that there are insufficient grounds to sustain a reason for refusal at a further appeal.

Responses to Publicity

Letters of objection have been submitted from both immediate neighbours on the following grounds:

- Affect outlook and overbearance and loss of privacy to rear garden
- The siting of the dwelling would prevent maintenance of the boundary wall and side of neighbour's house
- It will increase traffic to the detriment of highway safety
- There is no spare parking on Hill Street and depending on how the future occupiers park on the drive to the house, could affect the use of the neighbour's drive.

Structure/Local Plan Policies

Adopted Local Plan: Housing Policy 4, Housing Policy 11
Revised Deposit Draft Local Plan (2003): Policy H1, ENV 21.

Planning Considerations

- Impact on amenity of neighbouring residents
- Adequate parking
- Adequate private garden space.

Planning Assessment

This is an infill brown field site within the defined Swadlincote boundary and therefore residential development is acceptable in principle.

The siting of the dwelling accords with the Councils SPG for housing layouts and therefore the neighbour's amenity with respect to overbearance and privacy would be safeguarded.

One off-street parking space would be provided which accords with Appendix A: Parking Standards of the emerging Local Plan.

The private garden area would be below that recommended in the Council's SPG. The area however would be adequate for a dwelling of this very modest size and provide the necessary amenity for occupiers.

The proximity of the dwelling to neighbours walls is not a planning matter and would be governed by the Party Walls Etc. Act.

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 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.
1. Reason: To conform with Section 91(1) of the Town and Country Planning Act, 1990.
2. No development shall commence on site in connection with this approval until samples of materials of the external elevations of the building have been submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the approved samples.
2. Reason: To ensure the materials are acceptable to safeguard the character and appearance 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.
3. Reason: In the interests of the appearance of the area.
4. No development shall take place until there has been submitted to and approved by the Local Planning Authority a scheme of landscaping.
4. Reason: In the interests of the appearance of the area.
5. Further to condition 4 above, soft landscape details shall include planting plans; written specifications including cultivation and other operations associated with plant and grass establishment; schedules of plants (noting species, plant sizes and proposed numbers/densities where appropriate) and the implementation programme.
5. Reason: In the interests of the appearance of the area.
6. 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.
6. Reason: In the interests of the appearance of the area.

7. 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).
7. Reason: To protect the amenities of adjoining properties and the locality generally.
8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, there shall be no external alterations, including the insertion of new windows, to the buildings other than as approved under this permission.
8. Reason: In the interests of preserving the setting of the building and the character of the area.
9. The parking area shall be retained in perpetuity for the purpose of off-street car parking and the site frontage shall be maintained permanently free of all obstructions exceeding 1m in height relative to carriageway level for a distance of 2m from the carriageway edge.
9. Reason: In the interests of highway safety.

Informatives:

The application is considered to be in accord with the following policies of the Development Plan: Adopted Local Plan: Housing Policy 4, Housing Policy 11, Revised Deposit Draft Local Plan (2003) :H1, Env 2.

To contact the Area Engineer South, Trent Valley Area, Derbyshire County Council, Director of Environmental Services, County Hall, Matlock, Derbyshire (Tel. 01629 580000 ext 7595) at least six weeks before the commencement date of the proposed works in order to arrange the necessary supervision of works within highway limits.

16/12/2003

Item 1.10**Reg. No.** 9 2003 1299 O**Applicant:**

Mr S Batchelor
 Community And Leisure Dev't Manager
 South Derbyshire District Council
 Civic Offices
 Civic Way Swadlincote
 Derbyshire
 DE110AH

Agent:

J Pilkington
 Pilkington Mc Phee Partnership
 127A Derby Road
 Duffield
 Derby
 DE564FQ

Proposal: Outline application for the erection of four log cabins with associated amenity space and access (all matters except siting and means of access to be reserved) on Land To The South Of Rosliston Forestry Centre Burton Road Rosliston Swadlincote

Ward: Linton

Valid Date: 23/10/2003

Site Description

The site is an area of semi-mature woodland located between approximately 180 metres and 240 metres to the south of the visitors' centre at Rosliston Forestry Centre.

Proposal

The application is for outline consent for four holiday cabins. Siting of the cabins and means of access to the site are being considered at this stage and design, external appearance and landscaping have been reserved for future consideration.

Planning History

Planning permission was granted for the visitors centre and associated units and facilities in 1993.

Responses to Consultations

The County Highway Authority has no objections on the basis that the use is tourism associated with the Forestry Centre.

Severn Trent Water has no objections.

The Environment Agency has no objections subject to a condition requiring a scheme for the provision of foul drainage to be submitted and approved.

Environmental Health has no objections.

The National Forest Company has no objections and comments that the proposal fits in well with the Strategy for The National Forest and that log cabin accommodation would provide a good form of self catering accommodation for which there is a need in this area.

Responses to Publicity

One letter has been received raising concerns over the neighbour notification procedure and one letter of representation raising the following issues:-

- Concern over additional buildings on the site and the negative effect on the landscape and local wildlife.
- The area is supposed to be dedicated to woodland and that only a few years into the project afforested land is being converted to residential accommodation.
- The building is on greenfield land outside the planned area for building development, the granting of an exception would create a precedent.
- Four ten-berth log cabins are too many for the current on-site infrastructure to sustain. Lack of restaurant space, classroom space and inadequate drainage.
- The people who will stay in the cabins will be young people referred from statutory agencies, this is not referred to in the local plan. Rosliston is not a suitable location for groups of young people as there are no local activities to keep people occupied.
- Concerns over security of the neighbouring dwellings and the risk of fire within the forest from the proposed barbecue facilities.
- Intrusion into the countryside.

Structure/Local Plan Policies

The relevant policies are:

Joint Structure Plan: Leisure and Tourism Policies 2 and 5.

Local Plan: Recreation and Tourism Policy 1.

Emerging Local Plan: Policies LRT 3 and 7.

Planning Considerations

The main issues central to the determination of this application are the impact of the proposed cabins on sustainability and the openness and character of the countryside.

Planning Assessment

The Draft Local Plan policy on new permanent tourist accommodation refers to siting the accommodation within the towns and serviced villages in the interests of sustainability. In the countryside the conversion of existing buildings to tourist accommodation and the siting of static caravan parks within the national forest where they can be screened by existing and new forest planting and are close to existing tourist attractions is also acceptable under the provisions of the policy. Although the cabins are not static caravans they will provide a similar type of accommodation and are located within the national forest associated with a forestry centre.

The proposed cabins would be associated with the Forestry Visitors Centre with a shared point of access from the highway. The cabins would then be accessed via a stone track through the centre's overflow parking area and into the woodland to the south of the visitors' centre. Each

cabin would be located in a small clearing within the woodland. A depth of between 50 and 70 metres of woodland exists between the road and the nearest cabins, this woodland will therefore provide screening of the site from any public vantage point and the screening will become more effective as the trees mature. It is therefore considered that the proposed development would not have an adverse impact on the openness or character of the countryside.

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.
1. 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.
2. Reason: The application is expressed to be in outline only and the Local Planning Authority has to ensure that the details are satisfactory.
3. 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.
3. Reason: In the interests of flood protecting and pollution control.
4. Any tanks for the storage of oils, fuels or chemicals, hereby approved, shall be sited on impervious bases and surrounded by impervious 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 should be at least equivalent to the capacity of the largest tank, or the combined capacity of interconnected tanks plus 10%. All filling points, vents or gauges and site glasses must be located within the bund. 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 be protected from accidental damage. All filling points and tank overflow pipe outlets shall be designed to discharge downwards into the bund.
4. Reason: In the interests of pollution control.
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).
5. 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).

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

16/12/2003

Item 1.11**Reg. No.** 9 2003 1303 D

Applicant:
Radleigh Homes Ltd
Riverside Court
Pride Park
Derby
DE248JN

Agent:
M M A Design Ltd
70 Friar Gate
Derby
DE1 1FP

Proposal: Approval of reserved matters of application 9/2000/1109 for the erection of twenty five dwellings on land at Butt Farm High Street Woodville Swadlincote

Ward: Woodville

Valid Date: 24/10/2003

Site Description

This site consisting of a farm house and farm buildings is on the north side of High Street almost opposite Butt Lane and is set within a residential area of mainly Victorian properties. To the north of the site is open countryside.

Proposal

This is a reserved matters application following outline permission granted in January 2001 which had been renewed from 1998.

It is proposed to erect twenty-five dwellings served from a single access off High Street. This would consist of a mix of terrace, semi-detached and detached units.

Two, three storey rendered units would be sited either side of the junction to High Street to frame the entrance to the development and a row of five brick and tile terraces would face High Street on the west side of the site access. A brick wall would form the frontage on the east side of the site access. The route of a public footpath from High Street through the site would be safeguarded and integrated into the development. Two small areas of public open space would be provided, one at the front of the development, to the side and front of the row of proposed terraces, and one at the rear of the site alongside the public footpath.

Responses to Consultations

Minor amendments have been made to satisfy the Highway Authority and it has requested various conditions to be imposed in the interests of highway safety.

The Environment Agency has no objections subject to the satisfactory disposal of surface water.

Woodville Parish Council objects to the three storey buildings which front High Street, the position of the access road continuing close to the bend and the proposed link road from the development.

Severn Trent Water has no objections subject to satisfactory foul and surface water disposal.

Responses to Publicity

Two letters of objection have been submitted, summarised as follows:

- Loss of privacy
- Tree planting could affect neighbours visibility
- Further details of boundary treatment are required.
- It would exacerbate peak time traffic congestion.
- The adequacy of local medical and school facilities with other large developments coming on board
- It would affect the rural setting.

Structure/Local Plan Policies

Adopted Local Plan: Housing Policy 11 and Recreation and Tourism Policy 4

Emerging Local Plan: Policy ENV 21 and Policy LRT 4.

Planning Considerations

- Impact on neighbours amenity
- Impact on the appearance of the streetscene
- Sufficient public open space

Planning Assessment

The principle of developing the site for housing has already been established with the outline permission. The matters now to be considered are siting, design, external appearance, means of access and landscaping.

The site layout accords with the councils SPG for housing layouts and whilst neighbouring gardens will be more overlooked, privacy to principle aspects would be safeguarded. Material harm to privacy will not therefore result from the development.

The development will follow the design theme of High Street of mainly Victorian domestic architecture with properties fronting the highway providing a sense of enclosure and continuity. The three storey units will not dominate the composition but will provide an attractive frame to the site entrance and punctuate the streetscene with the change in roof height and materials.

The public open space provision would accord with the Council's open space requirements.

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 permission subject to the following conditions:

1. Before the commencement of any operations on site, a scheme for disposal of highway surface water via a positive gravity-fed system discharging to an outfall in public sewer or watercourse, shall be constructed in accordance with a scheme first submitted to and approved by the Local Planning Authority in writing.
1. Reason: In the interests of highway safety.
2. Before any other operations are commenced, a temporary access shall be formed onto High Street for construction purposes, with space provided within the site curtilage for site accommodation, storage of plant and materials, parking and manoeuvring for site operatives and visitors vehicles, and 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.
2. Reason: In the interests of highway safety.
3. Before any operations commence involving the movement of materials in bulk to or from the site, facilities must be provided and used to prevent the deposition of mud or extraneous material on the public highway, all in accordance with a scheme first submitted to and approved by the Local Planning Authority.
3. Reason: In the interests of highway safety.
4. Before the commencement of any construction works, the new estate street junction onto High Street, in accordance with the approved drawing, shall be laid out and constructed to base course level for a distance of at least 30 metres within the site.
4. Reason: In the interests of highway safety.
5. 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, including footways, drained and lit in accordance with the County Council's Specification for Housing Development Roads.
5. Reason: In the interests of highway safety.
6. Before the occupation of the dwelling to which it relates, private driveways serving dwellings must be laid out, constructed and surfaced with a solid bound material in order to avoid the transfer of loose material onto the highway.
6. Reason: In the interests of highway safety.
7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, all parking and garage spaces shall not be used for any purpose other than parking of vehicles except with the prior permission of the Local Planning Authority.
7. Reason: In the interests of highway safety.
8. No development shall commence on site in connection with this approval until samples of materials for the external elevations of the development including the external colour finish for the rendered buildings have been submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the agreed materials and colour finish.

8. Reason: To ensure that the materials are appropriate in the interests of safeguarding the character and appearance of the area.
9. 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 with the highway shall be a combination of railings and brick wall unless otherwise agreed in writing by the Local Planning Authority. 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.
9. Reason: In the interests of safeguarding the character and appearance of the area.
10. This permission shall relate to the amended drawing, no 251-01D dated 19th November 2003 showing amendments to the road layout.
10. Reason: In the interests of highway safety.
11. 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 trapped gullies with an overall capacity compatible with the site being drained.
11. Reason: To prevent pollution of the water environment.
12. 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).
12. Reason: To protect the amenities of adjoining properties and the locality generally.

Informatives:

The following notes are information for the developer.

- 1 Use by pedestrians of the public right of way footpath (Woodville No 1) crossing the site, must be safeguarded at all times during construction and thereafter.
- 2 The developer must ensure that surface water run-off from private driveways is not allowed to flow onto the highway. Suitable drainage channels with outfall taken to the private surface water drain must be provided to the satisfaction of the Highway Authority.
- 3 Pursuant to Section 184 of the Highways Act, at least 6 weeks prior notice must be given to the County Council's Area Engineer South before commencement of any works within highway limits for construction of the proposed vehicular access.
- 4 In respect of dwellings served by shared private drives, the developer is advised to ensure that the future maintenance responsibility for the shared 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.

The application is considered to be in accord with the following policies of the Development Plan: Adopted Local Plan: Housing Policy 11, Recreation and Tourism Policy 4, Emerging Local Plan: Policy Env 2, Policy LRT 4.

16/12/2003

Item 1.12**Reg. No.** 9 2003 1304 FH**Applicant:**

Mr A Sear
The Byre, Gunby Hill
Netherseal
Swadlincote
Derbyshire
DE128AB

Agent:

Mr. D. Granger
David Granger Architectural Design
The Old Dairy
Mill Street
Packington
Ashby De La Zouch Leics
LE651WN

Proposal: The erection of a lean to storage building at The Byre Gunby Hill Netherseal Swadlincote

Ward: Seales

Valid Date: 24/10/2003

Site Description

The proposed extension would be on the roadside elevation of a dwelling which was converted from a barn in 1998/1999. The property is of brick and tile construction and fences/ hedges are located on the boundaries of the curtilage of the dwelling.

Proposal

The proposal is a lean to extension to the dwelling to provide domestic storage. The extension would be constructed of bricks and tiles to match the existing building as closely as possible. The extension would measure 4.8 metres by 2.1 metres and would have a cat-slide roof connecting in to the existing eaves of the dwelling. Planning permission is required for the extension because a condition on the original approval for the conversions removed permitted development rights for extensions to the dwellings.

Planning History

Retrospective planning permission for a shed at the dwelling was refused in April this year and an Enforcement Notice has been served requiring its removal. This application is for an extension to the dwelling to provide storage and is submitted on the basis that the shed would be removed.

Responses to Consultations

None received.

Responses to Publicity

One letter of representation has been received from the occupier of a neighbouring dwelling raising the following issues:-

- The Applicant is in breach of the original planning consent due to the erection of a shed. This planning application is obviously to replace the shed which is to be removed as the result of an enforcement notice.
- The shed was erected directly in view of the neighbouring property's dining room window.
- The proposed lean-to extension is totally out of character with the adjoining properties.
- During the original application for the barn conversions the Applicant, Local Planning Authority and architect went to great lengths to ensure that the barns retained their character and were not extended. Nothing material has changed from then until now.
- The reason for the condition restricting future extensions to the building was that ' The Local Planning Authority considers that, having regard to the house type proposed, the space for building and the overall layout, the future extension or enlargement of the dwellings could cause difficulties in terms of the appearance, loss of amenity to neighbouring dwellings and over development of the plot or the loss of the special character of the area, with a consequent general increase in density and lowering of standards such that it is desirable for the Local Authority to retain control.'
- The Applicant bought the property knowing the storage space available, the garage is clearly adequate for the storage of any material or tools which may be required for the upkeep of the property and garden.
- The proposed lean-to is quite a bit larger than the garden shed, the design is elaborate for a lean-to and an extension would be a better description.
- The proposed position of the lean-to would mean that at some point in the future a door could be knocked through from the main property making it an extension.
- If the Planning Authority granted the application it would make a mockery of the original conditions for the conversion of these buildings and would leave the Council open to any further extension applications that may be submitted by owners of barn conversions in South Derbyshire.

Structure/Local Plan Policies

The relevant policies are:

Joint Structure Plan: Environment Policy 10

Local Plan: Environment Policy 13

Emerging Local Plan: ENV 19

Planning Considerations

The main issues central to the determination of this application are the impact of the proposed extension on the character and appearance of the historic building.

Planning Assessment

Permitted development rights for the dwellings were removed when consent was granted for the conversion of the historic farm buildings to enable the Local Planning Authority to retain control of development on the site and to ensure that additions would not be unsympathetic to the character of the buildings. The proposed extension to the building is of a small scale and has

been designed so that it has a traditional appearance and is sympathetic to the character of the historic buildings. The extension would be constructed of bricks and tiles to match the existing buildings.

The proposed extension is considered to be acceptable, as it will not have an adverse impact on the character or appearance of the buildings or on the amenity of the locality and therefore complies with the requirements of the relevant structure and local plan policies.

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.
1. 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.
2. Reason: To safeguard the appearance of the existing building and the locality generally.

Informatives:

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

16/12/2003

Item 1.13**Reg. No.** 9 2003 1309 O

Applicant:
 Mark & Susan Goodwin
 The Croft
 8 Main Street
 Hilton
 Derbyshire

Agent:
 Hawksmoor Property Services
 94 High Street
 Uttoxeter
 ST14 7DT

Proposal: Outline application (all matters to be reserved except for means of access) for the erection of two semi-detached dwellings on Land To The North Of Percy Wood Close Hilton Derby

Ward: Hilton

Valid Date: 27/10/2003

Councillor Mrs Walton requested that this application be brought to Committee.

Site Description

The site comprises isolated garden land without an apparent means of access. Immediately adjoining the north east boundary is a public footpath link between Dale End Road and Percy Wood Close. It then carries on to the fields beyond. There is a group of cottages at 90 degrees to the site to the south and bungalows lie east and west of the site. There is also a parking area and garage block to the east that is in the ownership of the District Council.

Proposal

This is an outline application with design, external appearance and landscaping reserved for subsequent approval. Access and siting were originally for consideration at this stage. Access is proposed over land in the control of the Council via Percy Wood Close. The layout seeks to demonstrate that the dwellings can be accommodated without infringing on the Council's adopted standards.

Applicants' supporting information

The applicant has stated that the proposal complies with supplementary planning guidance and that he has been in touch with the Council's Estates officer regarding getting access to the site. He states that there is a preparedness to enter an agreement but that the planning application should be considered first. Proper protection for the footpath would be afforded if the application were permitted.

The siting of the dwellings has been removed from the application on the basis that the sitings shown did not fully comply with adopted standards.

Planning History

None

Responses to Consultations

Hilton Parish Council has no objection.

The County Highways Authority has no objection subject to a proper access being provided from a public highway.

Severn Trent Water has no objection.

The Environmental Health Manager has no objection.

Housing Services has no objection but is revisiting the situation following observations from tenants.

Responses to Publicity

10 letters from 9 households have been received objecting to the development for the following reasons: -

- a) The development would cause havoc to users of the public footpath and the path would be in jeopardy. This is particularly so when people are approaching from the north and their view of traffic would be impeded by the garage. It would only be a matter of time before someone was injured.
- b) There would be additional traffic in the Close causing noise and disturbance and danger to the elderly residents.
- c) There is already a shortage of parking space and this would add to the problems.
- d) The site is untidy.
- e) The two-storey dwelling would overbear on adjacent bungalows causing loss of light from a southerly aspect, if it were an application for another bungalow, then this would not be a problem and that would be more in keeping with the area.
- f) The plan upon which the proposals are based is not accurate.

Structure/Local Plan Policies

The relevant policies are:

Joint Structure Plan: Housing Policy 5

Local Plan: Housing Policy 5

Emerging Local Plan: ENV 21, H1

Planning Considerations

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

- The Development Plan

- The impact on neighbours in terms of siting.
- The access to the site.

Planning Assessment

The site lies within the defined confine of a serviced village for the purposes of Policy H1 of the Local Plan. Thus the principle of the development is acceptable subject to complying with the other requirements of the above policy and Supplementary Planning Guidance.

It is alleged that the plan upon which the layout has been designed is inaccurate. The plan has been checked against the OS base information and the locations of the boundaries on the OS base tie in with those on the submitted plan. Short of carrying out a detailed survey of the site, the plan is to all intents and purposes sufficient to assess the proposal. However, the proposed siting of the dwelling does not fully comply with adopted standards but the site is clearly capable of taking two dwellings with an adaptation of the siting. This can be controlled through the reserved matters application.

The proposal has been assessed, in terms of siting and subject to the precise location of accommodation within the building, the semi-detached dwellings are capable of being accommodated on the site and complying with the adopted standards of the Council.

Objectors have raised concern about the proposed access for the site along Percy Wood Close and the through the garage court and across the public footpath. The County Highways Authority has raised no objection in principle but has concerns about the means of access to the public highway. The applicant has had initial talks about the access over Council owned land but has requested that permission be granted in the first instance. The question of whether to grant a right of access would then rest with the appropriate Committee. However, in planning terms there would be no justification for refusing permission when the County Highways Authority has no objection in principle.

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 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.
1. Reason: To conform with Section 92(2) of the Town and Country Planning Act 1990.
2. Approval of the details of the siting, design and external appearance of the buildings, the landscaping and means of enclosure of the site shall be obtained from the Local Planning Authority in writing before any development is commenced.
2. Reason: The application is expressed to be in outline only, save for access, and the Local Planning Authority has to ensure that the details are satisfactory.

3. 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).
3. Reason: To protect the amenities of adjoining properties and the locality generally.

16/12/2003

Item 1.14

Reg. No. 9 2003 1319 O

Applicant:
Mr Mrs Norman
2, Yew Tree Road
Hatton
Derby
DE655EX

Agent:
John Ireland
Hanbury Developments
9 Oakfields
Hanbury
Burton On Trent
Staffs
DE138TP

Proposal: Outline application (all matters to be reserved) for the erection of a three bedroomed bungalow at 2 Yew Tree Road Hatton Derby

Ward: Hatton

Valid Date: 29/10/2003

This application has been brought to Committee at the request of Councillor Whyman.

Site Description

The site occupies the corner of the junction of Yew Tree Road and Station Road Hatton. The site is open on three sides and has a close-boarded fence on its northern boundary to the adjacent dwelling.

Proposal

The proposal is in outline only with all matters reserved but the submitted plan indicates a potential location for the dwelling and the access. The access would be some 9.5 metres from the Station Road junction, have a width of 3.5 metres and lead to a parking area. The dwelling is shown for illustrative purposes adjacent to the north boundary fence beyond the parking area at about 1.2 metres from the back edge of the footway at its closest point. If permitted a close-boarded fence 1.8 metre high to give privacy to the rear of the house would enclose the rear garden. A 1.0 metre high fence would enclose the remainder of the site.

Applicants' supporting information

A feasibility sketch accompanies the application to show that a dwelling could be accommodated within the site without compromising the neighbouring dwelling or interfere with the highway junction splay criteria.

Planning History

A previous application for a dwelling on the site was refused because there was insufficient land available to accommodate a dwelling and access.

Responses to Consultations

The response of Hatton Parish Council will be reported at the meeting if available.

The County Highways Authority has no objection subject to the access being at least 20 metres from the carriageway edge of Station Road, be provided with pedestrian intervisibility splays and minimum parking space.

Severn Trent Water has no objection.

Responses to Publicity

Three letters of objection have been received objecting for the following reasons: -

- a) The building as shown is only 0.8 metres from the boundary of the adjacent dwelling and it intrudes on the amenities of the neighbour.
- b) The drawing does not accurately reflect the position of 125 Station Road, it actually lines in with the lamppost on the submitted drawing, there is a greater likelihood of the proposed parking area affecting the occupiers of that dwelling.
- c) No 125 Station Road has windows overlooking the site with no alternative locations available. The lights of cars entering the site will cause a nuisance, as would the noise of the vehicles because of the proximity of the parking area to that side of the dwelling.
- d) There is a window in the proposed dwelling would overlook the adjacent dwelling and there would be overlooking from the garden and the surrounding land. This is unacceptable.
- e) The proposal would be out of keeping with the amenities of the area and protrude into the street scene in terms of appearance and design.
- f) The access is far too close to the junction of Yew Tree Road with Station Road and this would be hazardous as was feared when the dwelling opposite was granted permission.

Structure/Local Plan Policies

The relevant policies are:

Joint Structure Plan: Housing Policy 5

Local Plan: Housing Policy 5

Emerging Local Plan: Policies H1 & ENV21

Planning Considerations

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

- The Development Plan
- The impact on the character of the area
- The impact on neighbours.
- Access

Planning Assessment

The site lies within the framework of a serviced village and as such the principle of residential development is acceptable subject to the assessment of material considerations

The entrance from Station Road onto Yew Tree Road used to be wide-open but was altered by the decision to grant permission on the opposite side of Yew Tree Road. A previous application on the current application site was refused, as the site was not considered large enough to accommodate a dwelling. However, the applicants have commissioned a survey and provided illustrative drawing as to how a small bungalow could be accommodated. The survey drawing has been checked and found accurate. The dwelling on the illustrative drawing could be accommodated.

The illustrative scheme has a window in the wall facing 125 Station Road. This is shown as a bathroom window that would be obscure glazed and for the purposes of Supplementary Planning Guidance would be treated as a blank wall. An existing fence at ground floor level would screen the views between the possible windows and those in the ground floor of 125 Station Road. The window at first floor level in the adjacent dwelling would lie outside the angle of overlooking from the new dwelling and is thus potentially unaffected by the proposal. These aspects would be controlled when the reserved matters application was submitted. A bungalow would not overbear on any adjacent dwelling.

The County Highways Authority requires a minimum distance of 20 metres from the junction of Station Road and Yew Tree Road. This is achievable but the illustrative layout shows very slightly less than this distance. However, the requirement can be achieved through a 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 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.
1. Reason: To conform with Section 92(2) of the Town and Country Planning Act 1990.
2. Approval of the details of the siting, design and external appearance of the building(s) the means of access thereto 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.
2. 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 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).
3. Reason: To protect the amenities of adjoining properties and the locality generally.
4. The access to the site shall be located a minimum of 20 metres from the Yew Tree Road/Station Road junction.
4. Reason: In the interests of highway safety.
5. The access shall be provided with 2m x 2m x 45 degrees pedestrian intervisibility splay; the area forward of the splay shall be maintained free of any obstruction exceeding 1.0 metre in height relative to road level.
5. 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 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.
6. Reason: To ensure that adequate parking/garaging provision is available.

16/12/2003

Item 1.15**Reg. No. 9 2003 1378 F****Applicant:**

Mrs Dorothy Hansen
24 Mill Green,
Shardlow
Derby
DE722NE

Agent:

Mrs Dorothy Hansen
24 Mill Green,
Shardlow
Derby
DE72 2NE

Proposal:

Variation of condition 6 of planning permission 9/2000/0602/U
to allow for permanent residential use at Workshop
Adjoining 24 Mill Green, The Wharf Shardlow Derby

Ward:**Aston****Valid Date:****20/11/2003****Site Description**

The site contains a small building, originally erected in about 1990 for a furniture manufacturer. More recently it has been in use as a holiday let.

Proposal

The application seeks to use the building for permanent residential accommodation.

Planning History

Permission to use the building as a holiday let was granted in 2000. Condition 6 was imposed because the applicant had applied for holiday accommodation only and the premises and curtilage would not be suitable for permanent residential uses.

Responses to Consultations

The Parish Council has no objection subject to Condition 4 being retained (*"Two car parking spaces at the front of the building shall be retained permanently available for the use of residents of the building"*).

Structure/Local Plan Policies

The relevant policies are:

Joint Structure Plan: General Development Strategy Policy 3, Housing Policy 5 and Environment Policy 9.

Local Plan: Housing Policy 5 & 11 and Environment Policy 12.

Deposit Local Plan: H1 and ENV20.

Planning Considerations

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

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

Planning Assessment

The site lies in the village confine. Whilst the rear garden is very small and does not meet current supplementary planning guidance, PPG3 advocates a more flexible approach to development plan standards with regard to densities, car parking and amenity space. The proposal would introduce a small housing unit into a serviced settlement. In the light of current government policy the proposal is therefore acceptable in principle.

There would be neutral impact on the character and appearance of the conservation area.

The proposal would meet supplementary planning guidance insofar as neighbours are concerned and there would thus be no harm.

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

- A. **Grant delegated powers to the Planning Services Manager** to deal with any comments arising from correspondence received during the period for response to the statutory notices (19 December);
- B. **Subject to A, 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.
 1. Reason: To conform with Section 91(1) of the Town and Country Planning Act, 1990.
 2. Two car parking spaces at the front of the building shall be retained permanently available for the use of residents of the building.
 2. Reason: To ensure that adequate parking/garaging provision is available.
 3. 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, no satellite dishes shall be affixed to the dwelling and no buildings, gates, walls or other means of enclosure (except as authorised by this permission or required by any condition attached thereto) 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.
 3. 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.

16/12/2003

Item 1.16**Reg. No.** 9 2003 1401 F**Applicant:**

Mr S Batchelor
Community And Leisure Dev't Manager
South Derbyshire District Council
Civic Offices
Civic Way Swadlincote
Derbyshire
DE110AH

Agent:

J Pilkington
Pilkington Mc Phee Partnership
127A Derby Road
Duffield
Derby
DE564FQ

Proposal: The erection of one log cabin with associated amenity space
and access at Land To The South Of Rosliston Forestry
Centre Burton Road Rosliston Swadlincote

Ward: Linton

Valid Date: 17/11/2003

Site Description

The site for the cabin is within an area of semi-mature woodland located approximately 200 metres to the south of the visitors' centre at Rosliston Forestry Centre.

Proposal

The application is a full planning application for the erection of one log cabin measuring 17 metres in length, between 7 and 9 metres in width and 4.25 metres in height to the ridge. The proposed cabin would be constructed of weather boarding and a profile steel roof and would provide 8 to 10 berths including a disabled twin room and disabled shower and toilet.

Planning History

Planning application reference 9/2003/1299/O has been submitted for outline consent for four cabins and is also being reported on this agenda. This full application for one of the cabins has been submitted concurrently due to the tight timetable involved in the proposed development.

Responses to Consultations

The County Highway Authority has no objections.

Environmental Health has no comments.

Responses to Publicity

None received.

Structure/Local Plan Policies

The relevant policies are:

Joint Structure Plan: Leisure and Tourism Policies 2 and 5.

Local Plan: Recreation and Tourism Policy 1.

Emerging Local Plan: Policies LRT 3 and 7.

Planning Considerations

The main issues central to the determination of this application are the impact of the proposed cabins on the openness and character of the countryside and sustainability.

Planning Assessment

The principle of siting the cabins in the location proposed is assessed in the report for application reference 9/2003/1299/O also on this agenda, as is the proposed means of access to the site.

In terms of the details of the scheme the proposed design and external appearance of the cabin are considered acceptable. Additional landscaping at the site is not considered necessary in view of the fact that the site is surrounded by existing woodland planting.

Recommendation

GRANT permission subject to the following conditions:

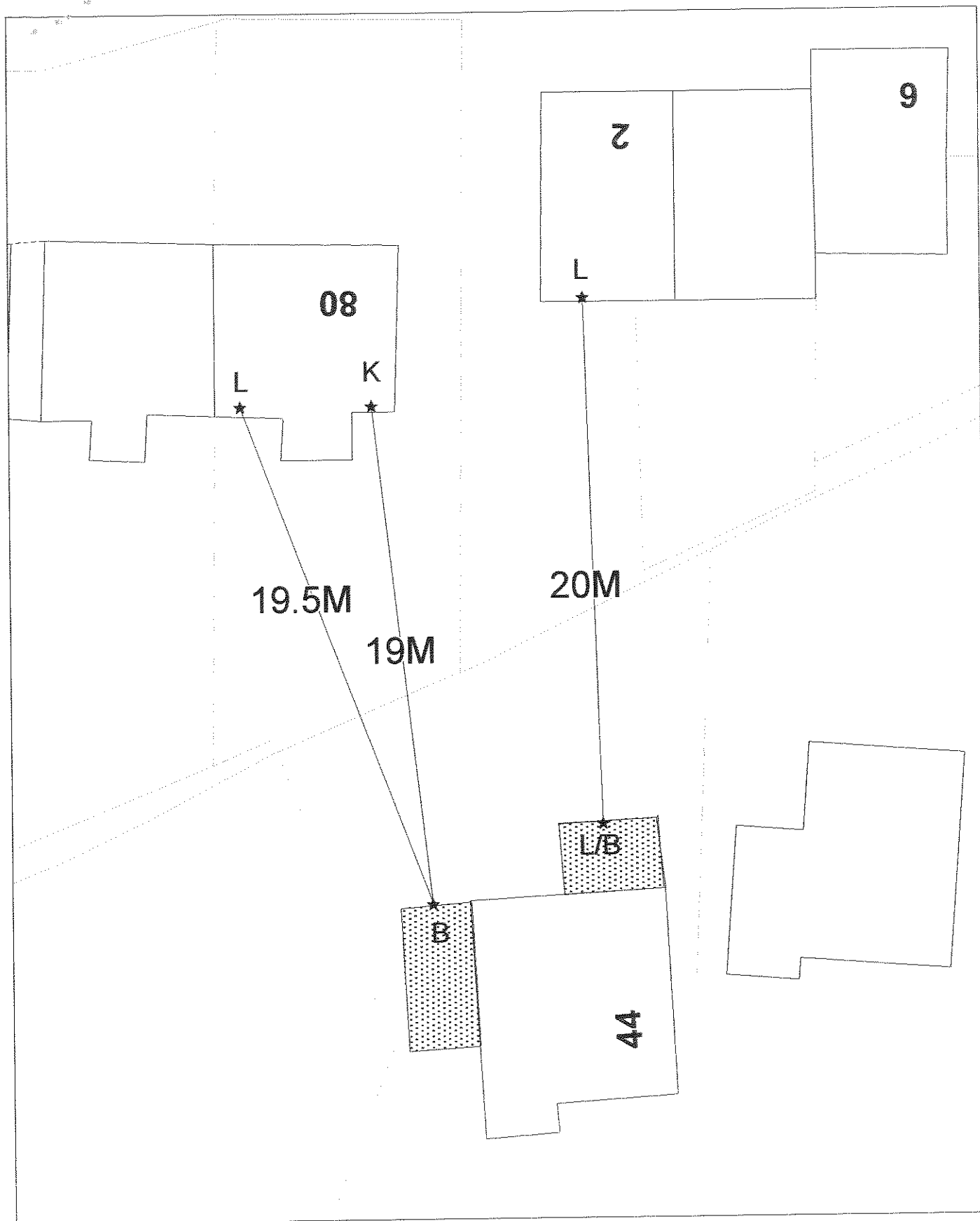
1. The development permitted shall be begun before the expiration of five years from the date of this permission.
1. Reason: To conform with Section 91(1) of the Town and Country Planning Act, 1990.
2. No part of the development shall be carried out until precise details, specifications and, where necessary, 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.
2. Reason: To safeguard the appearance of the existing building and the locality generally.
3. 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.
3. Reason: In the interests of flood protecting and pollution control.


4. Any tanks for the storage of oils, fuels or chemicals, hereby approved, shall be sited on impervious bases and surrounded by impervious 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 should be at least equivalent to the capacity of the largest tank, or the combined capacity of interconnected tanks plus 10%. All filling points, vents or gauges and site glasses must be located within the bund. 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 be protected from accidental damage. All filling points and tank overflow pipe outlets shall be designed to discharge downwards into the bund.
4. Reason: In the interests of pollution control.
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).
5. 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).

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



| | | | |
|--|---|-------------------------------|----------------------|
|  <p>South Derbyshire District Council Civic Offices Civic Way Swadlincote DE11 1AA</p> | NB All dimensions are approximate | Date Plotted 27 11 2003 | NORTH ↑ |
| | Description : 44 Sealey Close Willington L= Lounge window B= Bedroom K= Kitchen Window L/B= Lounge ground floor - Bedroom first floor | Plot centred at 430280 328378 | Scale 1:200 |
| | Based upon the Ordnance Survey mapping with the permission of the controller of Her Majesty's Stationary Office. (c) Crown Copyright. Unauthorised reproduction | | License No LA 079375 |

