

07/03/2006

**Item** 1.5**Reg. No.** 9/2005/1312/F**Applicant:**

Kieran Mullin Developments Limited  
58 Babbington Lane  
Derby  
DE1 1SX

**Agent:**

Concept Planning Design Limited  
15 Godfrey Street  
Heanor  
Derbyshire  
DE75 7GD

**Proposal:** The demolition of the existing dwelling and the erection of a residential development at 3, South View Cottage Common End Etwall Derby.

**Ward:** Etwall

**Valid Date:** 08/11/2005

**Site Description**

The site comprises a house with gardens to both sides and the rear. Access is from an unmade track off the old route of Egginton Road (now separated from the new road that was constructed as part of the works to build the A50). The track leads to allotment gardens that serve the village. Two recently constructed dwellings lie opposite part of the site and there is a 1990's dwelling at the entrance to Common End.

**Proposal**

The proposal is as described above but please also see the planning history section below.

**Applicants' supporting information**

None

**Planning History**

Outline planning permission for the erection of two dwellings to each side of the original house was granted in 2002. The following year reserved matters approval was given for the erection of the two houses. Planning permission to extend the existing cottage was refused on two occasions in 2003 and again in 2005.

**Responses to Consultations**

Etwall Parish Council objects to the loss of the existing house, as it appears to be in good order and is distinctive. The Parish Council is also of the opinion that the site is simply not large enough to take 3 dwellings and that plot 3 has insufficient land and is too close to the land and houses on Springfield Road. In response to an amendment to the scheme the Parish Council

maintains its objection as above and notes that the application plot includes land that appears to be in the ownership of the adjacent dwelling.

The County Highway Authority has no objection subject to conditions to ensure that adequate visibility sight lines and parking provided. A plan was submitted and the County Highway Authority has confirmed that the layout shown would meet its requirements for visibility sight lines.

Severn Trent Water and the Environmental Protection Manager have no objection or comments on the application.

### **Responses to Publicity**

Two letters from one household have been received objecting to the development for the following reasons:

- a) The plot is too small to take the development – the erection of 2 houses would be better as each dwelling would then have a reasonable garden.
- b) The access is via a narrow lane that is unable to cope with the traffic that uses it already.
- c) The application site extends into land owned by the neighbouring dwelling.

### **Development Plan Policies**

The relevant policies are:

RSS8: Policies 2 & 3

Joint Structure Plan: Housing Policy 5

Local Plan: Housing Policy 5 & 11

### **Planning Considerations**

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

- The Development Plan
- The loss of the original dwelling
- Access
- Compliance with Development Control Standards
- Land ownership

### **Planning Assessment**

The site lies in the built confines of Etwall that is a serviced settlement and the development is therefore acceptable in principle.

The loss of the house as raised by the Parish Council is not a material consideration as it is not listed and is not any particular local historic or architectural merit. The site is bounded on three sides by modern development and whilst there would be a marginal change of character arising from the loss of the dwelling this is not considered to be sufficient reason to refuse planning permission.

The proposal boils down to the replacement of an existing cottage with a new dwelling within the confines of Etwall that is a serviced village for the purposes of PPG 3 and Structure and Local Plan purposes. The houses in the side gardens already have full planning permission. The difference with this application is that the applicants have been requested that the dwelling on Plot 1 be handed to move some of the mass of the dwelling away from the plot boundary. The secondary bedroom would need to be obscure glazed so that there is no overlooking of the side windows of the neighbours extended dwelling.

There is also an issue regarding the relationship of the dwelling on Plot 2 to the dwelling at 77a Etwall Road. The application as now amended proposes that the front elevation of the dwelling on this plot be set on the line of the existing dwelling. Notwithstanding this amendment, the front of the proposed dwelling would be some 14.5 metres from the rear of the adjacent dwelling where there is a bedroom window. The upper floor window would also look towards the ground floor windows at a distance of 18 metres. This is less than the standard required in the adopted SPG – Housing Layout and Design. In normal circumstances, this would result in a recommendation of refusal but in this case the degree of overlooking would be no greater than exists from the present house on the plot. In these circumstances, it would be difficult to justify a refusal based solely on the lack of appropriate separation of the new dwelling when the existing dwelling has a similar effect.

On the land ownership issue the plans have been amended to take account of the actual property boundaries at the site.

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 three years from the date of this permission.

Reason: To conform with Section 91(1) of the Town and Country Planning Act, 1990 (as amended by section 51 of the Planning and Compulsory Purchase Act 2004).

2. Notwithstanding the originally submitted details, this permission shall relate to the amended drawing no. 4037/001 Rev D, /003/Rev A and the amended garage details received on 23 November 2005. \* \* Any further amended plans that are received. \* \*

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

3. The window in the upper part of the west wall of the dwelling on Plot 01 on amended drawing 4037/1 Rev C shall be permanently glazed in obscure glass and have no opening lights facing No 1 Common End. The south flank windows in the dwelling on Plot 03 shall be permanently glazed with obscure glass.

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

4. No part of the development shall be carried out until precise details and samples of the facing materials to be used in the construction of the external walls and roof of the buildings have been submitted to and approved in writing by the Local Planning Authority.

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

5. 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.

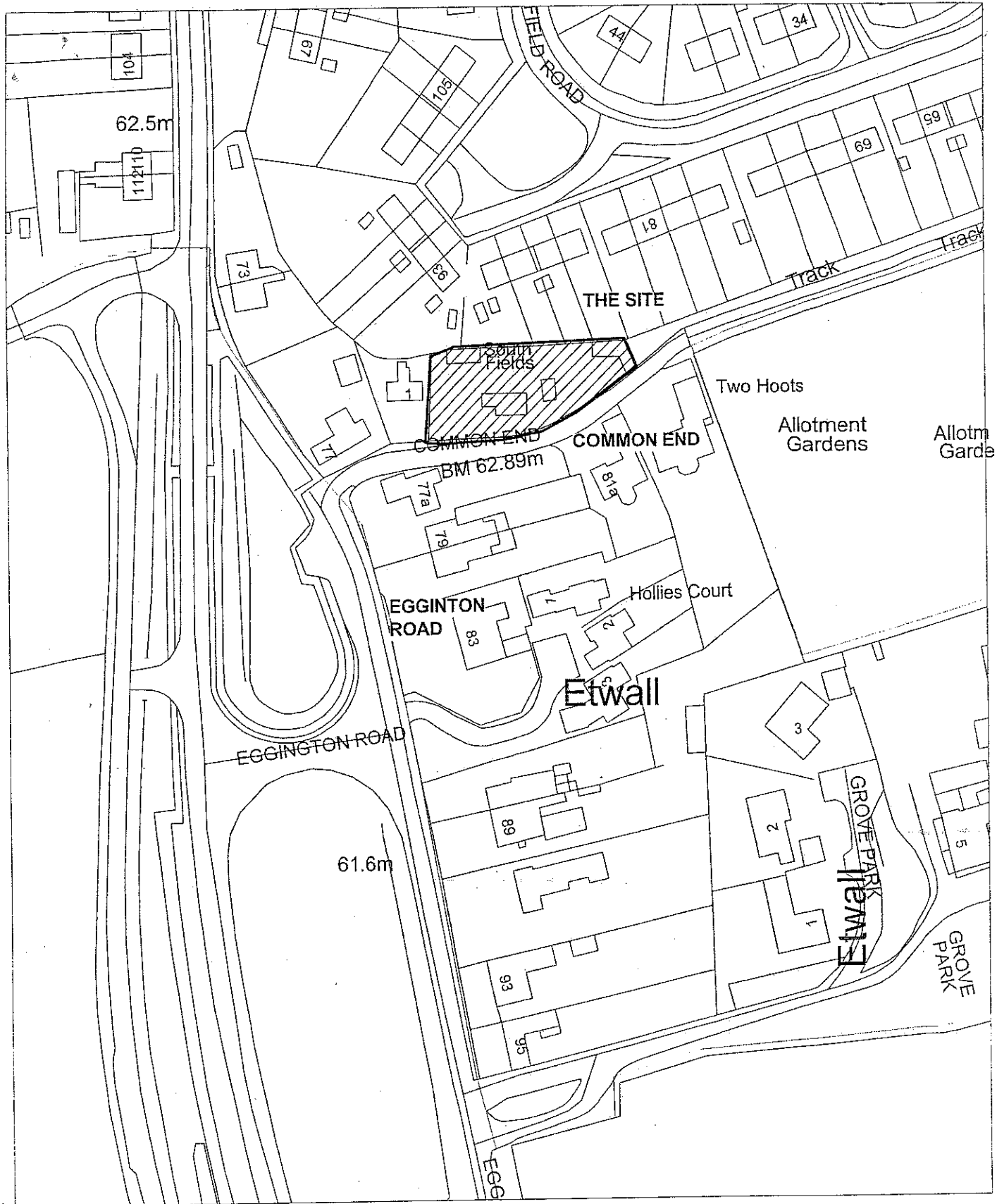
Reason: In the interests of flood protecting and pollution control.

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 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.

7. Prior to the first use of the development hereby permitted, the land in advance of the sight lines shown on Drawing 4037/001/Rev C shall be cleared and thereafter retained free of all obstructions to visibility over a height of 1 metre above the adjoining carriageway level.

Reason: In the interests of highway safety.



South Derbyshire  
District Council  
Civic Offices  
Civic Way  
Swadlincote  
DE11 0AH

9/2005/1312/F 3 South View Cottage  
Common End  
Etwell

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Date Plotted 24/2/2006

NORTH ↑

Plot centred at 426900 331038

Scale 1:1250

07/03/2006

**Item** 1.8**Reg. No.** 9/2006/0173/MR**Applicant:**

Aspects Developments Ltd  
 12 Arches Business Centre  
 Mill Road  
 Rugby  
 Warwickshire  
 CV21 1QW

**Agent:**

Fellows Burt Dalton & Associates Ltd  
 The Old Telephone Exchange  
 Gipsy Lane  
 Balsall Common  
 Coventry  
 CV7 7FW

**Proposal:** The demolition of the existing dwelling and the erection of eleven terraced houses and twelve apartments together with parking and ancillary site works at 132 Moira Road Woodville Swadlincote

**Ward:** Woodville

**Valid Date:** 13/02/2006

The application is brought to the Committee at the request of Councillor Taylor.

**Site Description**

This kite shaped site at the junction of Moira Road and Occupation Lane is currently occupied by the house and garden of 132 Moira Road. The Phase 1 development of Woodville Woodlands is in an elevated position on the opposite side of Moira Road and residential development continues beyond the site boundary on Moira Road and Occupation Lane, beyond which will be Phase 3 of Woodville Woodlands, as recently approved.

**Proposal**

Although as originally proposed the scheme showed a four storey apartment building and two rows of terraces of four units each, it is now amended to show a three-storey apartment building on the corner of Moira Road and Occupation Lane with four apartments on each floor. The building, some 9m high, would be of a contemporary design set within the acute angle of the junction.

The proposed terraced housing would now be in two rows, one of five units facing Moira Road and the other of six units facing Occupation Lane. The houses would be 8m to their ridgelines and would be of traditional design, incorporating plain brick eaves and verges and brick arch lintels.

To the rear of the apartment block would be an area of public open space, which would also serve to provide a visual break between the apartment building and the terraced housing.

Access to the site would be off Occupation Lane between the apartment building and row of terraces and would serve a rear parking court of 35 parking spaces. A cycle store and bin store would also be provided.

The applicant has entered into a Section 106 Unilateral Undertaking to pay £10,656 towards local medical facilities, £8,870 towards local education facilities and £15,000 as a youth and adult play space contribution. An Open Space maintenance contribution is also to be agreed.

### **Planning History**

The proposal follows a recently withdrawn application showing a four-storey apartment building with two rows of terraces of four units each.

### **Responses to Consultations**

Woodville Parish Council objected to the withdrawn proposal on the grounds that four storey apartments would be out of character with the area and unsightly in this prominent location. It added that it wished to maintain the village identity and for it not to become a town of high rise buildings.

The County Highway Authority raised no objection to the scheme submitted subject to additional parking and various highway safety conditions. However, no comment has yet been received to the amended scheme (this will be reported at the committee).

The PCT response to the current proposal was not available at the time this report was prepared (but it has been assumed that the sum required per unit will remain unchanged).

Severn Trent Water and the Environment Agency raise no objection subject to satisfactory foul and surface water drainage.

The Pollution Control Officer recommends that the site be surveyed for any contaminated material and remediation undertaken accordingly.

### **Responses to Publicity**

A local resident has raised concerns about additional traffic generated on Moira Road and further congestion at the Tollgate roundabout.

A Woodville resident raised similar concerns on the withdrawn application.

### **Development Plan Policies**

The relevant policies are:

RSS8: Policy 2, 3 and 4

Joint Structure Plan: Housing Policy 3

Local Plan: Housing Policy 4 and 11.

### **Planning Considerations**

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

- The principle of residential development in this location
- The appropriateness of three storey development in this location
- The impact on neighbouring residents
- On-site parking provision/highway safety

### **Planning Assessment**

The site is outside the Housing Development Boundary for Swadlincote as defined in the Local Plan. However, following the Inspector's report on the now abandoned draft Local Plan, the Council resolved to extend the boundary to include the Woodville Woodlands development, which would also include this site. The principle of developing this brown field site is therefore acceptable.

Following concerns raised by the Parish Council, the apartment building has been reduced to three as opposed to four storeys. The architect has combined genuinely contemporary design, in the form of the apartment building with the more traditional terrace and intends to unite them visually with a facing brick that is suitable to both and the area. The dynamic elevations of the apartment building respond well to this prominent corner setting and the overall perimeter block layout with rear parking and open space follows good urban design principles. In terms of scale, the apartment block would only be 1 metre higher than the houses and would be further reduced to 0.5m due to the apartment being sited in the dip in Moira Road. Further mitigation to its impact would arise due to the site being about 1m lower than Moira Road and it being below the elevated houses on Phase 1 of Woodville Woodlands.

There are a number of windows on the side elevation of the detached property known as The Elms, one of which is the only window to a living room. Part of the outlook from this window would be affected by the end elevation of the proposed terraces facing Occupation Lane being 7m away. The Council's guidance for housing layouts states that side windows will be dealt with on their merits but generally will not be protected. The normal required distance between a lounge and two-storey blank elevation is 12m. However, in view of it being a side window that is only partially affected by the development 7m away and the fact that there are two other living rooms at ground floor in the house suggests that to refuse the application on these grounds would be unreasonable.

The Highway Authority has recommended that 40 parking spaces be provided. The abandoned draft Local plan would have required 23 spaces and national policy (PPG3) requires 35 spaces. The proposed 35 spaces are therefore considered acceptable.

In view of the above and the financial contributions that have now been secured, the proposal should be supported.

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. That the committee delegate authority to the Head of Planning to deal with any further comments received in the consultation period;
- B. Subject to A, **GRANT** permission subject to the following conditions:



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

Reason: To conform with Section 91(1) of the Town and Country Planning Act, 1990 (as amended by section 51 of the Planning and Compulsory Purchase Act 2004).

2. This permission shall relate to the amended drawings, nos 308/40, 308/42, 308/43, 308/44 received on 21st February 2006 and 308/41 and 308/45 received on 23rd February 2006.

Reason: To safeguard the appearance of the area.

3. No development shall commence on site in connection with this approval until samples of materials for the external elevations of the development, which shall include small plain tiles or similar for the terraces, 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 materials.

Reason: To ensure the materials are appropriate for the development and the locality

4. No development shall take place until there has been submitted to and approved by the Local Planning Authority a scheme of landscaping.

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).

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.

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

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.

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.

9. Plain brick eaves and verges shall be used on the terraced houses with no soffits, fascias or bargeboards.

Reason: To contribute to the local distinctiveness of the area.

10. Gutters and downpipes shall have a black finish and be fixed direct to the brickwork on brackets.

Reason: To contribute to the local distinctiveness of the area.

11. No development shall commence on site in connection with this approval until details of foul and surface water drainage for the development has been submitted to and approved in writing by the Local Planning Authority and the development shall not be occupied until the approved drainage has been provided in full.

Reason: To prevent pollution of the water environment.

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

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

13. No development shall take place until a site investigation to determine whether the land is contaminated and any associated remedial works have been carried out to the satisfaction of the Local Planning Authority. This will include:

- A. A desktop study of the area of the proposed development.
- B. An intrusive site investigation, its scope to be confirmed with the Local Planning Authority, prior to its commencement. The report should contain recommendations for any remedial or further works at the site.
- C. A remediation method statement, to be agreed with the Local Planning Authority, prior to its commencement at site.
- D. A remediation validation report along with a signed copy of the attached certificate. This should be supplied prior to the occupation of any buildings at site.

Reason: To protect the health of the public and the environment from hazards arising from previous contamination of the site which might be brought to light by development of it.

14. The cycle and bin stores as shown on the approved plans shall be available prior to the first occupation of the development hereby permitted and retained as such for the users of the development.

Reason: To ensure that sufficient such facilities are available.

15. Any other reasonable conditions as recommended by the County Highway Authority.

## Informatives:

The applicant is advised of the attached information form from the Environment Agency.

This permission is the subject of a unilateral undertaking under Section 106 of the Town and Country Planning Act 1990.

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

For the discharge of the site investigation, as a minimum, the report should include:

- a) Details of an overview of the initial walkover survey to including the identification of contaminants from other sources e.g. gases emitted from natural organic deposits such as coal, or structures such as disused drains.
- b) Detailed on site sampling to identify any contamination.
- c) The locations of any contaminated zones within the site including details of more extensive and geographically wider investigation of these zones. This will provide a more reliable picture of the distribution of contamination on the site and reduce the risk of failing to discover a hot spot of contamination.
- d) An assessment of any off site impacts such as the effect on watercourses etc.
- e) A thorough explanation of the chosen remedial measures including depth, breadth of excavation and details of soil replacement.
- f) Plan of action if further contamination is identified during remediation.
- g) Details of the measures to verify that the contaminant has been removed to an acceptable level.
- h) The identification as to whether a long-term monitoring and maintenance programme is required, if so, details of the plans.
- i) Details of the long and short term risk to human health including the construction phase and post-development.
- j) Details of the British Standards or other guidelines used in both the assessment and remediation measures proposed.

Further guidance can be obtained from the following:

- I. Model Procedures for the Management of Land Contamination CLR 11
- II. CLR Guidance notes on Soil Guideline Values, DEFRA and EA
- III. Sampling Strategies for Contaminated Land, CLR4 1994, DoE.
- IV. Investigation of Potentially Contaminated Land Sites - Code of Practice, BSI 10175 2001.
- V. Secondary Model Procedure for the Development of Appropriate Soil Sampling Strategies for Land Contamination, R & D Technical Report P5 - 066/TR 2001, Environment Agency.
- VI. Guidance for the Safe Development of Housing on Land Affected by Contamination' Environment Agency. ISBN 0113101775.

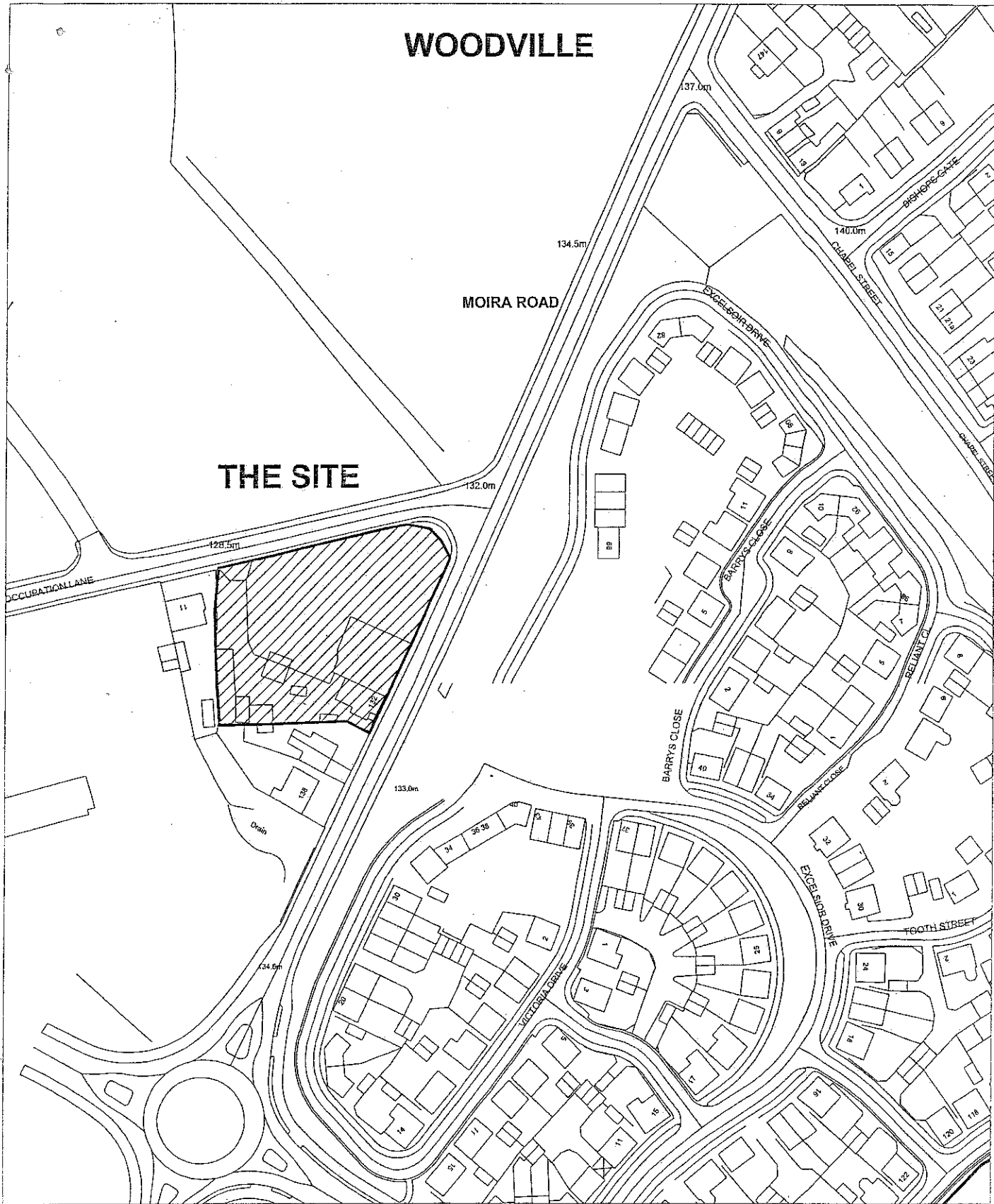
Soil contamination or the potential for it is a material planning consideration and must be taken into account by a local planning authority in the determination of a planning application. This site is suspected to be contaminated with chemicals associated with farming. The responsibilities for providing information on whether and how a site is contaminated rests with the developer, as does the subsequent safe development and secure occupancy of the site. Under these circumstances, you should undertake a site investigation and submit the results and remediation proposals as part of the planning application.

If a reclamation strategy is submitted and agreed by the planning authority compliance with it will be condition of any subsequent approval.

The developer will also be required to sign a completion certificate confirming that the works of reclamation have been carried out in accordance with the agreed strategy.

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

# WOODVILLE



South Derbyshire  
District Council  
Civic Offices  
Civic Way  
Swadlincote  
DE11 0AH

9/2006/0173/MR 132 Moira Road  
Woodville

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Date Plotted 24/2/2006

NORTH



Plot centred at 431353 318521

Scale 1:1500

07/03/2006

**Item** 1.3  
**Reg. No.** 9/2005/1223/F

**Applicant:**  
Mr P Edwards  
173 Mount Pleasant Road  
Overseal  
Swadlincote  
Derbyshire

**Agent:**  
M Winfield  
60 Wilmot Road  
Swadlincote  
Derbyshire  
DE119BY

**Proposal:** The erection of a terrace of three dwellings on Land Adjacent To 29 Coronation Street Overseal Swadlincote

**Ward:** Seales

**Valid Date:** 18/10/2005

**Site Description**

Number 29 Coronation Street is a detached single storey dwelling within an area of two storey properties. It has an extensive garden to the north eastern side and to the rear. There are no outbuildings in the garden and the land is generally flat across the frontage but slopes gently to the rear of the site.

**Proposal**

This application, together with application 9/2005/1224, is for the development of the garden to number 29 Coronation Street with four dwellings. It is proposed that one dwelling will be sited on the frontage of the site alongside the existing property number 31 Coronation Street (9/2005/1224 refers) and a terrace of three dwellings will be sited in the rear garden (9/2005/1223 refers). A new access alongside the existing property, No. 29 Coronation Street, would provide a private driveway to the four new dwellings and number 29. Both this and application 9/2005/1224 (see next item) have been amended during the course of consideration. This application has been amended to reduce the number of dwellings from four to three for a variety of reasons including meeting minimum distances of separation, meeting the building regulations and improvements to the design. The other application has also been amended in terms of design.

**Planning History**

A previous single application for the erection of five dwellings on the whole site (9/2005/0506) was withdrawn last year after extensive negotiations broke down.

## **Responses to Consultations**

The County Highway Authority, Severn Trent Water and the Pollution Control Manager have no objections subject to conditions.

Overseal Parish Council considers that development of the whole site is too dense and would exacerbate traffic problems. If the principle is acceptable then the number of dwellings should be reduced and be more in keeping with surrounding properties. The Parish Council has no objections to the amended design.

## **Responses to Publicity**

Five letters has been received objection to the development on the following grounds:

- a) There is no objection to one dwelling but together with the terrace is over development of the site;
- b) The road is too narrow to support access;
- c) Lack of parking;
- d) Visibility from the new access would be poor and further restricted by parked cars;
- e) Noise nuisance;
- f) Out of keeping with existing dwellings on Coronation Street;
- g) Overshadowing/loss of light;
- h) Loss of privacy;
- i) Problems would be exacerbated by the difference in levels;
- j) Contrary to the Council's adopted guidelines for space about dwellings
- k) Incorrect plans
- l) Questions whether connection can be made to the sewer
- m) Suggestions have been made for development which the neighbour considers would be acceptable

Five further letters have been received following notification of amended plans. They raise no new issues

## **Development Plan Policies**

The relevant policies are:

RSS8: Policy 3

Joint Structure Plan: Strategy Policies 1, 2 and 3; Housing Policy 3; Transport Policy 1 and 4

Local Plan: Housing Policies 5 and 11; Transport Policy 6.

## **Planning Considerations**

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

- The principle of development
- The design and character of the scheme
- Residential amenity,

## **Planning Assessment**

Given that the site lies within the confines of a serviced village, the principle of development is acceptable.

The area is wholly residential and is characterised by two storey dwellings save for the single storey dwelling a number 29 which is the 'odd one out'. Whilst the rear gardens of existing dwellings have only single storey outbuildings within them, it is considered that a two storey building is acceptable given that the development would not make a material impact on the street scene and is similar to other developments in the locality.

As mentioned above, design has been amended and is now acceptable in broad terms; the window and eaves and verge details can be dealt with by condition. The style of the houses is consistent with the context of the site in the wider area.

As to minimum distances of separation, this is either met or exceeded in respect of the relationship of the terrace with the dwellings on Woodlands Crescent, Nos. 23, 29 and 31 Coronation Street provided the slab level for the proposed dwellings is not significantly greater than the slab level for existing dwellings on Woodlands Crescent.

With regard to the concerns of occupants of adjoining properties about inaccuracies on the originally submitted plans, a full survey drawing has been submitted indicating the positions of all existing buildings on and adjoining the site. It indicates distances of separation, spot heights and finished floor levels.

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 three years from the date of this permission.

Reason: To conform with Section 91(1) of the Town and Country Planning Act, 1990 (as amended by section 51 of the Planning and Compulsory Purchase Act 2004).

2. Notwithstanding the originally submitted details, this permission shall relate to the amended house type drawings DOS/05-6 and DOS/05-7 received by the Local Planning Authority on 16 November 2005 and the amended layout shown on the site survey drawing number 080106 received by the Local Planning Authority on 23 January 2006.

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

3. Notwithstanding the submitted plans, 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 have been submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved details.

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

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, the dwelling hereby permitted shall not be altered (including no new windows), 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.

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.

5. The bathroom windows in the north western elevation of Plot B3 shall be permanently glazed in obscure glass.

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

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

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

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. The finished ground floor levels of the dwellings hereby approved shall not be greater than 108.50 (as referred to as the dpc level of 10 and 12 Woodlands Crescent) unless otherwise approved in writing by the Local Planning Authority.

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

9. Prior to any other works commencing, two replacement parking spaces shall be provided for the existing dwelling, No 29 Coronation Street. The spaces shall measure at least 2.5m x 5m, be surfaced in a solid, bound material, provided with a splayed vehicular crossover and 2m x 2m x 45° pedestrian intervisibility splays. The area forward of which shall be maintained in perpetuity clear of any obstruction exceeding 1m in height (600mm for vegetation) relative to the nearside carriageway edge. The spaces shall thereafter be maintained free of any impediment to their designated use.

Reason: To ensure that adequate off street parking is available for use in conjunction with the existing dwelling in the interests of highway safety

10. Prior to any other works commencing, except those detailed in Condition 9 above, the new access road/private drive shall be formed with Coronation Street. The access shall have a minimum width of 4.1m, be surfaced in a solid bound material (ie not loose chippings) for the first 5m into the site from the highway boundary, be provided with a splayed vehicular crossover and 2m x 2m x 45° pedestrian intervisibility splays, the area forward of which shall be maintained in perpetuity clear of any obstruction exceeding 1m in height (600mm for vegetation) relative to the nearside carriageway edge.

Reason: In the interests of highway safety

11. Prior to the occupation of the first dwelling, the driveway, parking and manoeuvring space shall be laid out in accordance with the application drawing and be maintained in perpetuity free of any impediment to their designated use.

Reason: In the interest of highway safety.

12. 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.

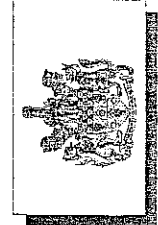
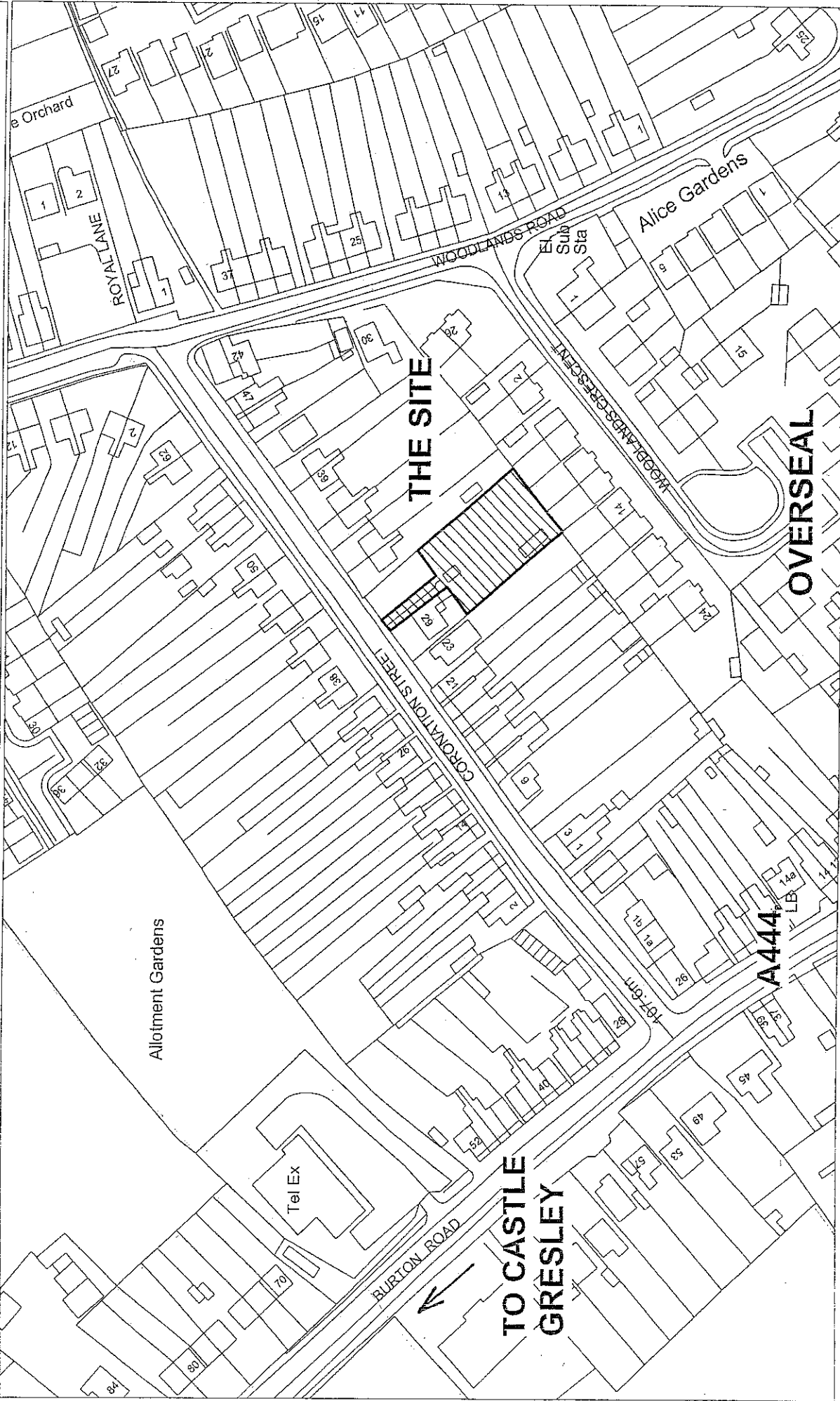
**Informatives:**

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

There is a difference in the information provided on your survey drawing and the Council's records for the sewer depth in Coronation Street. Prior to commencement of work you are advised to ensure that there will be adequate fall to make a connection to the sewer. 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 on the highway crossing.

The applicant must ensure that measures are taken to prevent surface water from private driveways and parking spaces from being allowed to flow onto the footway. You are advised to contact the Area Planning Officer prior to the submission of details for the purposes of Condition 6 as the detail shown on the submitted drawing is not in accordance with the local distinctiveness for the area.

9/2005/1223/F Land Adjacent to 29 Coronation Street  
Overseal



SOUTH DERBYSHIRE  
DISTRICT COUNCIL  
CIVIC OFFICES  
CIVIC WAY  
SWADLINCOTE DE11 0AH

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