

11. Unless as may otherwise be approved in writing by the Local Planning Authority the access shall be widened to 6 metres, laid out and surfaced with a solid bound material for a distance of 10 metres back from the highway boundary, and shall be provided with 2 m x 2 m x 45 degree splay either side at the entrance to the site in accordance with details that shall have previously been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety.

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

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

13. Notwithstanding the submitted drawing, large scale drawings to a minimum Scale of 1:20 of eaves and verges shall be submitted to and approved in writing by the Local Planning Authority before building development begins and shall be constructed in accordance with the approved drawings.

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

Informatives:

To contact the Area Engineer South, Trent Valley Area, Derbyshire County Council, Director of Environmental Services, County Hall, Matlock, Derbyshire (Tel. 01629 580000 xt 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.

Item **A5**

Reg. No. **9 2001 0537 F**

Applicant:
Honormead Schools Ltd
The Grange
Hospital Lane
Mickleover
Derby
DE3 5DR

Agent:
Barry Singleton
Gino Lombardo & Associates
45 Friar Gate
Derby
DE1 1DA

Proposal: **Temporary classroom accommodation at Bladon House
School Newton Road Newton Solney Burton-on-Trent**

Ward: **Repton**

Valid Date: **05/06/2001**

Site Description

The site is a former country house which has been used for some time as a private school for children with special needs. There are numerous temporary outbuildings in the site, ancillary to its current use. Access is gained from a junction that is substandard in terms of alignment and visibility.

The site is located in the open countryside.

Proposal

The proposed temporary classroom, measuring 27 m x 7.8 m would be sited at the edge of an existing hard surfaced playground and land that is elevated relative the nearest neighbour at 5 The Close. It would be some 30 metres from the front elevation of that dwelling. There is a belt of mature trees between the site and the neighbouring dwelling.

Applicants' supporting information

- a) The building would be located so that its entrance would face eastwards, away from the neighbouring dwelling.
- b) The proposal would not increase numbers visiting the school. In fact the figures are reducing.
- c) The school is registered for 132 residential and 15 day care pupils, a total of 142. There is provision at the school for 114 residential and 15 day care pupils, a total of 129. However the actual current numbers amount to 98 residential and 15 day care, a total of 113. The Head of the school is seeking to further reduce the overall numbers to 100 over time. Therefore traffic movements will not increase and may actually decrease.

- d) Th additional classroom accommodation is required because the numbers that make up each age category have changed and another classroom is needed to accommodate the changes to meet the curriculum and enhance the current provision for these pupils.

Planning History

The site has been subject to incremental growth, in terms of the number of structures, over the years. Permission has been granted for a number of additions to the school including the provision of temporary classrooms.

Responses to Consultations

The Parish Council has no objection.

The Highway Authority has no objection on the basis of the applicant's supporting information, subject to control over the overall number of children registered at the school.

The Environmental Health Officer has no comment.

Responses to Publicity

Two neighbours object in the following terms:

- a) The school has grown over the last 15 years.
- b) The proposal would result in more traffic to the site using a dangerous and inadequate access that is not suitable for current usage. There have been accidents at his spot. There would be increased danger for pedestrians and children at the school.
- c) There could be increased noise disturbance, particularly outside normal times of usage.
- d) There would be overlooking to the neighbouring dwelling, particularly when the leaves fall from the intervening trees.
- e) There would be more parking of vehicles close to the boundary with increased air pollution (vehicles are frequently left with their engines running).
- f) Further temporary development would be out of character with the existing main building both in design and construction.
- g) The drawings show some irrelevant information and there is insufficient information in respect of the impact of the development.
- h) The school is carrying out a vigorous recruitment drive.
- i) There are numerous referrals this September.
- j) Longdon Hall School (owned by the applicant) has had its approved school status withdrawn.
- k) The school recently held a workshop/roadshow to which trade representatives were the main invitees.
- l) It would be expected that reduced numbers would release classroom space rather than creating a need for more.
- m) Vehicle movements are not dependent only on the number of pupils. Staff and trade vehicles also need to be considered.
- n) Numbers could be increased to 147 without reference to the highway authorities.

Structure/Local Plan Policies

The relevant policies are:

Joint Structure Plan: General Development Strategy Policy 4
Local Plan: Environment Policy 1 and Community Facilities Policy 1

Planning Considerations

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

- The principle of development.
- Visual impact.
- Residential amenity.
- Highway safety.

Planning Assessment

In principle the development would be in accord with the relevant development plan policies being development associated with an existing community facility use providing it does not adversely affect the character of the area.

The site is well screened in the landscape and the proposal would, therefore, have little visual impact on the area. Therefore, it is in principle acceptable in this location. Notwithstanding this, the building is only temporary in nature and, therefore, should consent be granted it should be temporary in nature.

The building would be some 30m metres from the nearest dwelling. Due to this and the position of the entrance facing away from the nearest dwelling and the fact that trees lie in between, the impact on the living conditions of the occupants of the dwelling would not be materially affected. The matter of existing disturbance and inconvenience is a matter between the residents and the management regime of the school.

Given the current capacity of the school and the comments of the Highway Authority there is no evidence that the classroom would materially increase traffic levels. Accordingly there would be no demonstrable harm to interest of highway safety as a consequence of permitting this development. However, a condition limiting the number of children at the school is appropriate in the interests of highway safety.

Recommendation

GRANT permission subject to the following conditions:

1. The elevation containing the double entrance doors shall face eastwards into the existing playground.

Reason: For the avoidance of doubt and in the interests of the amenities of the occupiers of nearby dwellings.

2. The number of children registred at the school shall not exceed 147 in total.

Reason: To ensure that this development does not materially intensify the use of the premises, which are served by a substandard access, in the interests of highway safety.

3. This permission shall be for a limited period only, expiring on 30th September 2006 on or before which date the structure(s) 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.

Reason: The structure is a temporary structure and the Council would not normally grant consent for such a structure in this countryside location.

04/09/2001

Item **A6****Reg. No.** **9 2001 0588 L****Applicant:**

Mr Mrs A Searle
84, Red House, Main Street
Etwall
Derby
DE656LP

Agent:

Rickard Design Associates
The Studio
61 Mileash Lane
Dalrey Abbey
Derby
DE221DE

Proposal: **Alterations to the kitchen and the erection of a conservatory
at 84, Red House Main Street Etwall Derby**

Ward: **Etwall**

Valid Date: **04/07/2001**

Joint with 9/2001/0589/F

Site Description

The site comprises a dwelling, to which the alterations and extensions are proposed. The dwelling is a Grade II building that is located within the Etwall Conservation Area and within the confines of the village.

The site is enclosed by walls on all sides and is not visible from public vantagepoint.

Proposal

The proposal would involve the extension of the dwelling at the rear and the refurbishment of an earlier extension that has been constructed in unsympathetic materials.

The application has been amended in light of officer comments.

Planning History

The current occupiers have had permission for the creation of garage, wall and entrance gates at the front of the dwelling and the erection of new boundary fencing in the recent past.

Permission for the kitchen extension was granted in 1980.

Responses to Consultations

Etwall Parish Council has no objection to the principle of the conservatory and extension but is concerned about the use of stained woodwork, sliding doors, 21st century brick and UPVC gutters.

Structure/Local Plan Policies

The relevant policies are:

Joint Structure Plan: Environment Policy 9 &10

Local Plan: Environment Policy 12 & 13

Planning Considerations

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

The affect of the proposal on the character and appearance of the Listed Building

The effect of the proposal on the Etwall Conservation Area, and,

The impact of the extension on near neighbours.

Planning Assessment

The site is located within the confines of the village of Etwall. Therefore, in principle the erection of the extension is acceptable.

The proposed materials of construction of the current proposal differ from those used in the existing extension but offer a good match with the main part of the listed building. Additionally, whilst this would comprise a modern addition to the main building, it would enhance both the listed building and the conservation area and occupy a private location on the site. Also, the proposal would involve a material improvement to the appearance of the 1980 extension, the materials of which are not sympathetic to the main part of the house.

When taking all these matters into consideration, the proposal is acceptable, subject to the recommended conditions.

The proposal is single storey in design and it would not have any adverse impact on the neighbours to the site.

Recommendation

GRANT consent subject to the following conditions:

1. The works to which this consent relates shall be begun before the expiration of five years from the date of this consent.

Reason: To conform with Section 18(1) of the Planning and Listed Buildings and Conservation Area Act 1990.

2. Notwithstanding the originally submitted details, this permission shall relate to the amended drawing no. 167:3B received under cover of your letter dated 9 August 2001.

Reason: For the avoidance of doubt.

3. External joinery shall be in timber and stained as specified on drawing No 167:3B to a colour and specification which shall have been previously agreed in writing by the Local Planning Authority.

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

4. Gutters and downpipes shall have a black finish and be fixed direct to the brickwork on metal brackets. No fascia boards shall be used.

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

5. A sample of the brick shall be submitted for approval in writing by the Local Planning Authority before work commences.

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

04/09/2001

Item A7**Reg. No.** 9 2001 0589 F**Applicant:**

Mr Mrs A Searle
 84, Red House, Main Street
 Etwall
 Derby
 DE656LP

Agent:

Rickard Design Associates
 The Studio
 61 Mileash Lane
 Darley Abbey
 Derby
 DE221DE

Proposal: Alterations to the kitchen and the erection of a conservatory
 at 84, Red House Main Street Etwall Derby

Ward: Etwall

Valid Date: 04/07/2001

Joint with 9/2001/0588/L - please see that report for details of the development

GRANT permission subject to the following conditions:

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

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

2. Notwithstanding the originally submitted details, this permission shall relate to the amended drawing no. 167:3B received under cover of your letter dated 9 August 2001.

Reason: For the avoidance of doubt.

3. External joinery shall be in timber and stained as specified on drawing No 167:3B to a colour and specification which shall have been previously agreed in writing by the Local Planning Authority.

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

4. Gutters and downpipes shall have a black finish and be fixed direct to the brickwork on metal brackets. No fascia boards shall be used.

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

5. A sample of the brick shall be submitted for approval in writing by the Local Planning Authority before work commences.

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

04/09/2001

Item **A8****Reg. No.** **9 2001 0593 O****Applicant:**

Mr M S Tomlinson
 84, Victoria Street
 Melbourne
 Derby
 DE731FQ

Agent:

Mr M S Tomlinson
 84, Victoria Street
 Melbourne
 Derby
 DE731FQ

Proposal: **Outline application (all matters except means of access to be reserved) for the erection of a bungalow on land forming part of the garden at 84 Victoria Street Melbourne Derby**

Ward: **Melbourne**

Valid Date: **21/06/2001**

Site Description

The site is part of the rear and side garden to 84 Victoria Street, Melbourne. The site is located within the village framework for Melbourne.

There are mature hedges to the boundaries.

Proposal

The applicant seeks consent in outline, with all matters except means of access to be determined at a later date, to erect a single bungalow on the site. Access to it would be gained by breaching the hedge along the Victoria Street frontage.

No details of siting or design have been submitted.

Responses to Consultations

The Parish Council objects strongly for the following reasons:

- a) A precedent would be set for the building of other dwellings in the long back gardens of Victorian properties in the street, which would lead to two rows of houses either side of the road.
- b) A large well established tree would be lost.

Melbourne Civic Society objects as follows:

- a) Tandem development is opposed in principle.
- b) The proposal would seriously compromise the privacy presently enjoyed by neighbours.
- c) The application is incomplete.

Councillor Harrison raises strong objection on the following grounds:

- a) The development would be out of character with the other surrounding properties in Victoria Street. All have long gardens, with the exception of 92A, a traditional two storey stable block, which has been converted in to a domestic dwelling.
- b) An unacceptable precedent would be set.
- c) The development would be an intrusion into the privacy, and perhaps light, of the properties to the rear in Spinney Hill.
- d) It may be necessary to cut down a mature tree.

The Highway Authority and Severn Trent Water Ltd have no objection in principle.

Responses to Publicity

Two letters have been received from neighbours objecting as follows:

- a) The proposal would not be in keeping with its surroundings, as there is no other housing in the rear gardens of the dwellings in Victoria Street, apart from the converted stable at 92A.
- b) There would be severe overlooking to adjacent dwellings and gardens.
- c) A fine mature tree would be removed.
- d) The proposal would be over development of the site. Guidance on density is not meant to facilitate backland development.
- e) All the long gardens in Victoria Street could be developed for housing to the detriment of residents in Spinney Hill.
- f) A precedent would be set.
- g) If the debate is finely balance the application should be rejected and tested on appeal.
- h) There would be loss of light to adjacent dwellings.

Structure/Local Plan Policies

The relevant policies are:

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:

- a) The principle of development.
- b) The impact on the character of the area.
- c) Residential amenity.
- d) Trees.
- e) Highway safety.
- f) Prejudice to possible further desirable development on land in the vicinity.

Planning Assessment

The site lies in the confines of the village and residential development is supported in principle, subject to it being in keeping with the scale and character of the settlement.

Whilst previous editions of PPG3 (1992) offered guidance on backland development, and acknowledged that it would be sometimes acceptable to develop back gardens for new housing which would be in keeping with the character and quality of the local environment, the latest issue has no reference to backland development and emphasises the desirability of making the best use of land and seeking generally higher density of development, to relieve pressure on greenfield sites.

Victoria Street contains a substantial proportion of traditional Victorian villa and terraced housing. There are also enclaves of more modern development. The subject site and its neighbour at 82 are bungalows. 84 in particular has a wide plot (some 22 m). To the rear of properties on this side of Victoria Street the relatively new dwellings at the edge of the Spinney Hill development are partly visible. In this case a bungalow is proposed and this would be lower than the properties in Spinney Hill. Therefore in the context of the site, it being located in an area of mixed development, the character of this part of Victoria Street would not be adversely affected by the development.

The proposed access, which would not be shared, could potentially affect two dwellings, 82 and 84 Victoria Street. The applicant controls 84 and would be able to implement screening to protect the amenities of that property. There is a screen conifer hedge along the boundary of the site with 82, which has a non-habitable aspect facing the affected boundary. Subject to conditional control to ensure that screening is maintained the impact on the living conditions of the occupier of that property, who has not raised objection, would be adequately protected and not adversely affected by this proposal.

A single storey dwelling on the plot is unlikely to give rise to demonstrable loss of light to neighbouring properties. The supplementary planning guidance on new housing layout acknowledges that screening can be used to overcome overlooking problems. This is particularly the case with a bungalow which would have no first floor windows that could look over the top of normal height fencing and walling. Subject to conditions requiring a bungalow to be erected on the site and screen fencing to be provided and retained at the appropriate boundaries there would be no harmful overlooking to neighbouring dwellings.

There are a number of garden trees, including a weeping cedar planted some 27 years ago and at a height of about 8 metres, on the site. The tree is visible but not prominent from Victoria Street. It is visible from some of the neighbouring properties either side and in Spinney Hill. Its lack of prominence to the public at large is such that a Tree Preservation Order is not appropriate in this instance.

The Highway Authority has no objection and there is adequate room to park cars off the road. The existing parking and access arrangements for 84 Victoria Street would be unaffected.

The back gardens to properties in Victoria Street do not present a realistic opportunity to develop in a comprehensive manner because of insufficient space to incorporate the size of adoptable access road that would be necessary, both in terms of amenity and the constraints imposed by existing development. Therefore the proposal would not prejudice any desirable development in the vicinity. For similar reasons and because of a general lack of suitable access points in the street a precedent for significant amounts of backland development in Victoria Street is unlikely to be set.

Recommendation

GRANT permission subject to the following conditions:

1. (a) Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.
- (b) The development hereby permitted shall be begun either before the expiration of five years from the date of this permission or before the expiration of two years from the date of approval of the last of the reserved matters to be approved whichever is the later.

Reason: To conform with Section 92(2) of the Town and Country Planning Act 1990.

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

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

3. 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.

4. The means of enclosure required pursuant to condition 2 shall be completed in accordance with the approved details before the development is first occupied or in accordance with a timetable which shall first have been agreed in writing with the Local Planning Authority. It shall then be retained as such thereafter.

Reason: In the interests of the appearance of the area and to protect the amenities of the occupiers of adjoining dwellings.

5. The dwelling shall be single storey only.

Reason: To protect the amenities of the occupiers of neighbouring dwellings.

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.

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

7. The access shall be provided with 2 m x 50 m vehicular visibility splays and 2 m x 2 m pedestrian visibility splays, within which there shall be no obstruction to visibility exceeding 1 m above the level of the adjoining carriageway.

Reason: In the interests of highway safety.

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.

Item **A9**

Reg. No. **9 2001 0613 O**

Applicant:
Robert Astle
8 Furlong Close
Alrewas
Burton On Trent
DE13 7EF

Agent:
Robert Astle
8 Furlong Close
Alrewas
Burton On Trent
DE13 7EF

Proposal: **The erection of five detached houses (all matters except siting and means of access reserved) at Land To The Rear Of 23 Woodville Road Overseal Swadlincote**

Ward: **Overseal**

Valid Date: **25/06/2001**

Site Description

The site currently forms part of a large rear garden/orchard area which is bounded on all sides with existing residential development and separated on two of those sides by a two metre high (approximately) concrete wall. On the Woodlands Road frontage are a number of semi-mature trees and an existing vehicular access. The residential areas immediately to the north west and south west of the site are all bungalows. Dwellings on the other two sides are houses.

The site is located within the settlement boundaries of Overseal as set out in the South Derbyshire Local Plan.

Proposal

The applicant seeks consent in outline for the erection of five dwellings on the site. Matters concerning siting and access are to be considered at this stage.

The illustrative layout that accompanied the application shows five four-bedroom detached houses on the site served by a small cul-de-sac utilising the current vehicular access (with alterations to the footway etc.). The drawing shows the nearest dwelling at the rear 21 metres from the closest proposed house.

Planning History

The house at the front of the site (23 Woodville Road) recently had permission for the erection of an extension.

Responses to Consultations

Whilst the Parish Council states that it supports the application in principle, it also makes the following comments:

- (i) The access is off a narrow side road and the access requires careful design.
- (ii) It is essential that the footway on Woodlands Road is widened to accord with County Highway Authority standards.
- (iii) It is concerned that because the soil on the site is substantially clay, soakaways may not work.

The County Highway Authority has no objection to the proposals subject to the realignment of the boundary with the highway and the installation of the requisite width of footway.

Severn Trent Water has no objection.

Responses to Publicity

Five letters have been received stating the following:

- (i) Existing dwellings all around the site would be totally overlooked and therefore privacy would be lost and noise from the site would be intrusive.
- (ii) There would be an increase in traffic in Woodville Road which is already very narrow and dangerous to pedestrians, especially children. Traffic calming should be considered.
- (iii) A development of bungalows would be more in keeping as bungalows surround the site. Houses would be out of keeping
- (iv) The loss of trees in the area would very much affect the wildlife which would also be lost.
- (v) The wall on the boundary is in the ownership of the site owner and should be maintained by him. (This is a matter not material to this application)

Structure/Local Plan Policies

The relevant policies are:

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

Local Plan: Housing Policy 5.

Planning Policy Guidance Note 3 (PPG3).

Planning Considerations

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

- Whether the development accords with the provisions of the development plan
- The impact of the development with regard to residential amenity
- The impact on highway safety

Planning Assessment

Policies in the development plan require that residential development in villages is restricted to that which can be accommodated within village confines and that locations for residential development are sustainable (a more recent view reinforced in PPG3).

Members will recall that in a recent assessment of policy in the light of the provisions of PPG3, Overseal is considered to be a sustainable location and therefore previously developed land would normally be acceptable for residential development provided it is in keeping with the scale and character of the settlement. Therefore, in principle the development is acceptable.

With regard to residential amenity, the layout submitted clearly demonstrates that the site is of sufficient dimensions to accommodate five dwellings whilst remaining within the usual distances from existing dwellings around the site required by the space about dwellings standards (SPG).

The issue of visual amenity is a matter would be considered at the reserved matters stage as external appearance of the dwellings is not a consideration here. However, it is envisaged that the majority of the trees on the site frontage should be retained.

Notwithstanding neighbour's comments on site context, there is no definitive residential character to the area to the extent that one particular type or style of dwelling should be pursued in favour of any other. Houses would appear in keeping within the context of the site.

With regard to highway safety, subject to securing the requisite footway width on the Woodland Road frontage, the County Highway Authority has no objections.

Recommendation

GRANT permission subject to the following conditions:

1. (a) Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.
- (b) The development hereby permitted shall be begun either before the expiration of five years from the date of this permission or before the expiration of two years from the date of approval of the last of the reserved matters to be approved whichever is the later.

Reason: To conform with Section 92(2) of the Town and Country Planning Act 1990.

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

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

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

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

4. 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.

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

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

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

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

7. 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.

8. Notwithstanding the submitted details, prior to the commencement of the development hereby permitted, the footway along the Woodlands Road frontage shall be widened to 1.8 metres in accordance with drawing no. 215/99/03 B unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of highway safety.

9. Notwithstanding the originally submitted details, this permission shall relate to the amended drawing no. 215/99/03 B.

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

10. 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.

Informatives:

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

(ii) 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.

(iii) To contact the Area Engineer South, Trent Valley Area, Derbyshire County Council, Director of Environmental Services, County Hall, Matlock, Derbyshire (Tel. 01629 580000 xt 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.

(iv) You are advised to note and act upon as necessary the attached comments of East Midlands Electricity.