



South Derbyshire District Council

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Applicant:
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Weston-On-Trent
Derby
DE72 2BT

Ref. No. 9/2018/0560

Local Government Act 1972
Town and Country Planning Act 1990

APPROVAL OF RESERVED MATTERS

With respect to your application made valid on 11 June 2018, seeking **APPROVAL OF RESERVED MATTERS (ACCESS, LAYOUT, SCALE, APPEARANCE & LANDSCAPING) OF OUTLINE PERMISSION REF. 9/20170451 FOR THE ERECTION OF 4 DETACHED DWELLINGS AT 30 HALL LANE WILLINGTON DERBY**; in exercise of its powers as the Local Planning Authority under the above Acts and related subordinate legislation, the Council hereby gives notice that its decision is as follows:

Permission is **GRANTED** subject to the following conditions:

1. The development hereby permitted shall be carried out in accordance with drawing no's 18009.02A and 18009.12 received on 27 July 2018; 18009.03B, 18009.06B, 18009.07B, 18009.10B and 18009.11A received on 2 August 2018; and 18009.04, 18009.05, 18009.08 and 18009.09 received on 11 June 2018; unless as otherwise required by condition attached to this permission or allowed by way of an approval of a non-material minor amendment made on application under Section 96A of the Town and Country Planning Act 1990 (as amended).

Reason: For the avoidance of doubt and in the interests of sustainable development.

2. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, or any statutory instrument amending, revoking and/or replacing that Order; no buildings and no gates, walls, fences or other means of enclosure (other than as shown on the plans hereby approved) shall be erected on the site without the prior written approval of the Local Planning Authority pursuant to an application made in that regard.

Reason: To ensure that any such structures do not bring about unacceptable harm to protected trees and so they are appropriate to the character and appearance of the buildings.

3. Notwithstanding any details submitted or the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) prior to the erection of boundary treatments plans indicating the positions, design, materials and type of boundary treatment to be erected shall be submitted to and approved in writing by the Local Planning Authority. The boundary treatments shall

be completed in accordance with the approved details before each respective plot is first occupied or in accordance with a timetable which shall first have been submitted to and approved in writing by the Local Planning Authority. Thereafter, all boundary treatments fronting Hall Lane shall be retained and maintained as approved.

Reason: In the interests of the appearance of the area and the residential amenity of existing and future occupiers.

4. The dwellings shall be constructed using a mix of Weinberger Terca Old Woodford, Kassandra, Trentino, Kansas and Renaissance facing bricks and Hawkins plain clay 'Fired Sienna' roof tiles, unless alternative details are first submitted to and approved in writing by the Local Planning Authority.

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

5. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of five years (ten years for trees) from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

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

6. Gutters and downpipes shall have a black finish and fascia boards shall be on the gable sections only and shall be painted to RAL7032 colour.

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

7. Before any other operations are commenced (excluding demolition/site clearance), space shall be provided within the site curtilage for storage of plant and materials, site accommodation, loading and unloading of goods vehicles, parking and manoeuvring of site operatives and visitors vehicles, and facilities to prevent the deposition of extraneous material on the public highway; laid out and constructed in accordance with detailed designs to be first submitted and approved in writing by the Local Planning Authority and thereafter maintained throughout the construction phase in accordance with the approved designs free from any impediment to its designated use as such.

Reason: In the interests of highway safety, noting that initial construction works could otherwise have an unacceptable impact.

8. Before any other operations are commenced, the existing access to the western end of the frontage onto Hall Lane shall be modified in accordance with the approved layout drawing, laid out, constructed and provided with 2.4m x 43m visibility splays in both directions, the area in advance of the sightlines being maintained clear of any object greater than 1m in height (0.6m in the case of vegetation) relative to the adjoining nearside carriageway channel level.

Reason: In the interests of highway safety, noting that initial construction works could otherwise have an unacceptable impact.

9. Before any other operations are commenced (excluding creation of the new access, the subject of condition 8 above), the existing vehicular access to the eastern end of the site frontage to Hall Lane shall be permanently closed with a physical barrier and the existing vehicle crossover reinstated as verge in a manner to be first submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety, noting that use of this access during initial construction works could have an unacceptable impact.

10. The dwellings hereby approved shall not be first occupied until space has been provided within the site in accordance with the approved layout plan for the parking and manoeuvring of residents and service and delivery vehicles, laid out, surfaced and maintained throughout the life of the development free from any impediment to their designated use as such.

Reason: To ensure adequate parking and turning provision on site, in the interests of highway safety.

11. There shall be no gates or other barriers within 5m of the nearside highway boundary and any gates shall open inwards only.

Reason: In the interests of highway safety.

12. Each dwelling shall be constructed and fitted out so that the estimated consumption of wholesome water by persons occupying the dwelling will not exceed 110 litres per person per day, consistent with the Optional Standard as set out in G2 of Part G of the Building Regulations (2015). The developer must inform the building control body that this optional requirement applies.

Reason: To ensure that future water resource needs, wastewater treatment and drainage infrastructure are managed effectively, so to satisfy the requirements of policy SD3 of the Local Plan.

Informatives/you are advised:

1. Pursuant to Section 184 of the Highways Act 1980 and Section 86(4) of the New Roads and Streetworks Act 1991 prior notification shall be given to the Department of Economy, Transport and Communities at County Hall, Matlock regarding access works within the highway. Information and relevant application forms, regarding the undertaking of access works within highway limits, are available via the County Council's website www.derbyshire.gov.uk, email Highways.Hub@derbyshire.gov.uk or telephone 01629 533190.
2. The Highway Authority recommends that the first 5m of the proposed access driveway should not be surfaced with a loose material (i.e. unbound chippings or gravel etc.). In the event that loose material is transferred to the highway and is regarded as a hazard or nuisance to highway users the Authority reserves the right to take any necessary action against the landowner.
3. Pursuant to Sections 149 and 151 of the Highways Act 1980, the applicant must take all necessary steps to ensure that mud or other extraneous material is not carried out of the site and deposited on the public highway. Should such deposits occur, it is the applicant's responsibility to ensure that all reasonable steps (eg; street sweeping) are taken to maintain the roads in the vicinity of the site to a satisfactory level of cleanliness.
4. The eventual occupier of plot 1 should be aware that the land presently appearing as highway verge to the north of the dwelling falls beyond the scope of this permission, the site extent having been defined by the accompanying outline permission. This approval, nor the outline permission, does not convey consent to use this land as domestic garden and/or erect structures and boundary treatments upon it.
5. The applicant and/or developer is reminded of the Council's responsibility to issue official addresses for all residential and business premises within South Derbyshire. All new addresses are allocated in line with our street naming and numbering guidance (search for 'Street naming and numbering' at www.south-derbys.gov.uk) and you are advised to engage with the Council as soon as possible to enable the issuing of street and property names/numbers created by this development. Any number and/or property name that is

associated with identifying individual properties must be displayed in a clear, prominent position that can be read from the roadside. It is the developers' responsibility to erect the appropriate signage once the build(s) is/are ready for occupation. There are two types of the name plate the Council uses: Type A carries the Council's crest, whilst Type B does not. You are advised that the Types are usually expected in the following locations:

- Type A: on classified (A, B and C) roads, at junctions with classified roads, and at the commencement of local distributor roads (roads acting as through routes within developments);
- Type B: intermediate name plates along local distributor roads, on collector roads (roads which run within a development providing access and linking small access roads and access ways), on access roads (roads serving a small number of houses which may also have a surface shared by pedestrians and vehicles), and access ways which have a different name from their access road; all unless at a junction with a classified road (where Type A will be expected instead).

Further advice can be found online at www.south-derbys.gov.uk or by calling (01283) 228706.

6. The developer is strongly encouraged, as part of the delivery of properties on the site, to provide full fibre broadband connections (i.e. from streetside cabinet to the property). Further details of initiatives to support the provision of full fibre connections as part of broadband installation at the site can be obtained from Digital Derbyshire on broadband@derbyshire.gov.uk or 01629 538243.
7. The applicant is advised to seriously consider the installation of a sprinkler system to reduce the risk of danger from fire to future occupants and property.

In dealing with the application, and following on from pre-application advice where that has been sought in advance; the Council has positively sought to determine the application in a timely fashion in order to promote the delivery of sustainable development in the District. Where practicable, feasible and necessary, and irrespective of the outcome of the application, officers have made proactive attempts to find solutions to identified issues or to improve the quality of the development through negotiation with applicants and/or their nominated representatives, in order to foster the delivery of sustainable development and objectives of the Development Plan.

Authorised Officer of the Council

Date: 6 August 2018

YOUR ATTENTION IS DRAWN TO THE ATTACHED NOTES



NOTES

WARNING: This is a planning decision notice. It conveys no approval under any other legislation and does not override or supersede or negate that legislation or the need to comply with restrictive covenants under the Civil Law. In particular the necessary approval under the Building Regulations and the Public Health Acts must be obtained before the carrying out of building works. Where the highway, including pavement crossing, is to be altered, the Local Highway Authority (01629 580000) should be consulted for its requirements.

APPEALS TO THE SECRETARY OF STATE: If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990:

- If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice. However, if this is a decision to refuse planning permission for a householder development or a minor commercial application (as defined by Part 1 Article 2 of the Town and Country Planning (Development Management Procedure) Order 2015), then you must make your appeal within 12 weeks of the date of this notice.
- If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, and you want to appeal against your local planning authority's decision on your application; then you must do so within 28 days of the date of this notice.
- If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of service of the enforcement notice.
- Appeals must be made using a form which you can get from The Planning Inspectorate, Room 3/13, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN or online at www.gov.uk/appeal-planning-decision.
- The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

PURCHASE NOTICES: If as owner of the land you believe that the refusal of permission or approval subject to an unacceptable condition causes the land to become incapable of beneficial use in its existing state and it cannot be made capable of beneficial use by carrying out any development which has, or would be permitted, you may serve on the Council a purchase notice requiring that the Council purchases your interest in the land (Part VI of the Town and Country Planning Act 1990).

BREACH OF CONDITIONS: Once the permission has been implemented, carrying on the development in breach of any of the conditions imposed on it becomes a prosecutable offence. Therefore you are advised to take careful note of each condition with a view to compliance, including obtaining prior approval where required.

INACCURATE PLANS: If the submitted plans or other information contained in the application referred to in this Notice prove to be inaccurate, the development could be rendered impracticable and any permission granted be made invalid. A further application will be required.

CHANGES IN INTENTION: Any intended variation from the approved plans should be notified to the Council well in advance: a further permission, approval or consent may be necessary. Unauthorised variations may result in enforcement proceedings.

FURTHER INFORMATION: If you have any questions about this notice, please contact Support Services Planning Administration, direct dial (01283) 228706 of the Planning Services Department, South Derbyshire District Council, Civic Offices, Civic Way, Swadlincote, Derbyshire, DE11 0AH.