

Amended recommendation for item 1.2 – DMPA/2022/0174

Recommendation

Approve subject to the following conditions:-

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

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

2. The development hereby permitted shall be carried out in accordance with the approved plans Driveway (plans (dwg 21/030/04), Existing and Proposed Elevations (dwg 21/030/03) received 11th February 2022, Topographical Survey (dwg 21/030/08), Section (dwg 21/030/07) received 17th October 2022, Highway Plan revised (dwg 21/030/02 rev C) received 1st December 2022; unless as otherwise required by condition attached to this permission or following approval of an application made pursuant to Section 96A of the Town and Country Planning Act 1990.

Reason: For the avoidance of doubt.

3. Prior to the implementation of the highway entrance a scheme of soft landscaping shall be submitted to and approved in writing by the Local Planning Authority. All planting, seeding or turfing comprised in the approved scheme shall be carried out in the first planting and seeding seasons following the completion of the development, whichever is the sooner; and any plants which within a period of five years (ten years in the case of 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 and thereafter retained for at least the same period, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interest of the visual setting of the development and the surrounding area.

4. Prior to the construction a sample of the lime mortar shall be provided on site for inspection and agreed in writing by the Local Planning Authority. Mortar for the purposes of re-pointing shall be carried out using lime binder with sharp sand. The sand mix, colour, texture shall match as closely as possible the historic pointing found elsewhere on the wall. The development shall be carried out only in accordance with the agreed sample details.

Reason: To preserve the special architectural and historic interest of the boundary wall.

5. During the construction of the driveway the section to be removed is limited to the section of rubble stone as detailed on the approved plans. The dressed stone or

coursing bricks should not be touched or removed at any stage as these are the fabric of the wall.

Reason: To preserve the special architectural and historic interest of the boundary wall.

6. Within six months of the felling of any trees pursuant to this permission an application for Listed Building Consent shall be submitted to the District Council for the following works in relation to the listed barns at 125 Penn Lane:

Roofing repairs and replacement, focussing on areas of vegetation growth
Rainwater goods to be replaced, focussing on areas of water ingress
Window repair and/or replacement
Door repairs and/or replacement
Repointing to masonry and stone/brick repairs and replacements
Repairs to the boundary wall.

Following submission of this Listed Building Consent application, the applicant shall undertake the necessary reasonable steps to secure approval. Following the approval, the work will be completed within two years of the decision date.

Reason: To secure the necessary repairs in order to preserve the architectural and historic interest of the listed building.

7. The parking spaces shown on the submitted plans and the means of access thereto shall be maintained as shown on the approved plans and be reserved for the benefit of the development hereby permitted.

Reason: To ensure that the proposed development does not prejudice the free flow of traffic or the conditions of general safety along the neighbouring highway and to ensure that the facilities provided are reserved for the benefit of the development for which they are specifically required.

8. The development hereby permitted shall not be occupied until such time as the access drive (and any turning space) has been surfaced with tarmacadam, or similar hard bound material (not loose aggregate) for a distance of at least 5 metres behind the highway boundary and, once provided, shall be so maintained in perpetuity.

Reason: To reduce the possibility of deleterious material being deposited in the highway (loose stones etc.) in the interests of highway safety and in accordance with the National Planning Policy Framework.

9. The entrance gates shall be set back a minimum of 5m from the highway boundary and maintained at that distance for the life of the development unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure parked vehicles do not overhang the adjoining public highway, thereby adversely affecting highway users.

Informatives:-

a) Under provisions within Sections 149 and 151 of the Highways Act 1980, the developer must take all necessary action 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 developer's responsibility to ensure that all reasonable steps (e.g. street sweeping) are taken to maintain the roads in the vicinity of the site to a satisfactory level of cleanliness.

b) Planning permission does not give you approval to work on the public highway. To carry works associated with this planning permission, separate approval must first be obtained from Derbyshire County Council as Highway Authority - this will take the form of a section 184 licence (Highways Act 1980). It is strongly recommended that you make contact with the County Council at the earliest opportunity to allow time for the process to be completed. 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.