

16/04/2002

Item 1.9

Reg. No. 9 2002 0136

Applicant:
Mr & Mrs Corbin
11 Risborrow Close
Etwall
Derbyshire
DE656HY

Agent:
Hazel Rounding
Shed KM Architects
61A Bold Street
Liverpool
L1 4EZ

Proposal: The demolition of the dwelling, workshops and outbuildings and the erection of a new dwelling and associated landscaping at The Hollies Hilton Road Egginton Derby

Ward: Hilton

Valid Date: 08/02/2002

Site Description

The site is located on the Hilton Road north of Egginton village. It lies outside of any settlement confines and, as such, is located within open countryside.

It is part of the former grounds to Park Hill a Grade II Listed building. The land was separated off from the main listed building in the 1980's when a group of structures was demolished and replaced with the dwelling that now occupies the site. A further dwelling is located to the north of the site itself.

The land is divided from Park Hill by a post and rail fence that has had a considerable amount of new planting placed alongside it.

The access to the site would be from the Hilton Road. A post and rail fence and a metal post and metal rail fence that used to be the boundary of Park Hill enclose the rest of the frontage. The west boundary is another post and rail fence.

Proposal

The proposals are as described in the applicant's supporting statement set out below. In short it involves the erection of a single dwelling unit and the demolition of a number of buildings including an existing dwelling house. A new access is proposed along with significant landscaping on the site.

In addition, some elements of planning gain are offered by the applicants and, most notably, this includes the restoration of an existing glasshouse. This significant building was once a part of the Park Hill site and clearly played an important role in the life of the house. This is to be retained and refurbished as a part of the proposal.

Applicants' supporting information

Set out below is the applicant's original statement in support of the application. Since its submission, there have been further discussions concerning the application and amendments made to it including the design for the dwelling. There has been a further submission dealing with these alterations and this too is set out below.

Site - design statement:

- the proposed redevelopment of the existing 'Hollies' site is addressed by assessing the history and development of the former Park Hill estate.
- the 'Hollies' site previously formed part of the Dower House grounds and incorporated the glass house, ice house, orchard and laundry buildings to the rear of the now Grade II Listed Park Hill property.
- planning permission was granted in 1988 for the replacement of the laundry buildings with private dwellings and the estate was divided into two sites.
- the two sites have since developed independently - the original Park Hill building received planning/listed building consent for change of use in the 1990's from a residential use to office accommodation, with an extension and regeneration of the stable block adjacent to the 'Hollies' boundary.
- the 'Hollies' dwellings have been accompanied by a number of outbuildings, largely housing motor repair workshops, and the site has accommodated a variety of caravans/motor vehicles. The original glass house and ice house remain in a state of disrepair and the vacant landscape shows little regard for the original 'country house' site; only a few orchard trees survive between additional built structures/driveways.
- the proposals for the 'Hollies' aim to regenerate the Hollies site by the integration of a family dwelling and coherent landscape strategy. The intention is to simultaneously improve the setting of the Grade II listed Park Hill by respecting the history and pattern of development of the original house. This can be achieved by accepting that the estate has previously been established as two separate sites but by drawing inspiration from the original family country house philosophy/natural pattern of development and by creating a neighbouring 'country house of today' - distinct from Park Hill and not a mock extension of the present office building.
- an attitude of discerning conservation is adopted by respecting historic structures and achieving clarity between existing/new buildings. The proposals also aim to provide an improved relationship between the original house and preserved glass house structure.
- the proposals have taken into account the defining characteristics of the local history and materials and aim to regenerate a site which creates enormous benefits for the setting of the listed Park Hill property and, under Planning Policy Guideline (PPG) 7, paragraph 3.21, adds a dwelling type (appropriate to the life of a large family of this century) 'to the tradition of the Country House which has done so much to enhance the English countryside'.

Building - design statement:

- the proposed building is a 21st century country house for a local family (who have generated a successful business in the area), achieved by the development of a single dwelling and demolition of scattered poor quality outbuildings on the site
- the proposal creates an improved integration of the site with the building by the re-location of the dwelling and creation of different landscape areas
- the proposals define an improved relationship between the refurbished Park Hill glass house and both the new country house of today/former Grade II Listed Dower House
- the proposals acknowledge the permission for change of use of Park Hill into offices and redefine a setting for the residential 'Hollies' site, whilst also improving the setting of the Grade II Listed Park Hill property
- the country house of today re-addresses the spatial requirements of today's client and defines a structural strategy which allows large clear span spaces rather than traditional cellular rooms
- two structural 'walls' are created which house ancillary spaces and are situated to provide an indigenous road frontage to the dwelling - they are to be constructed from local sandstone, Peakmoor (Stanton Moor) or similar approved from a Derbyshire quarry
- two further structural walls bisect the dwelling to form residential wings, inspired by the former pattern of development of the neighbouring Park Hill property - materially these also address the adjacent Park Hill stable block with an application of white render
- resulting family spaces are created by the construction of roof slabs at varying heights these receive 'green' roof coverings such as sedum blankets and are envisaged as horizontal landscape planes lifted above the relatively flat site
- spaces are enclosed with floor to ceiling glazing (powder coated composite frame system) which allow the dwelling and landscape to merge
- private spaces to bedroom areas are enclosed with timber clad elevations (western red cedar), continuing the use of natural materials and the strategy for integration of dwelling and landscape
- the entrance area is defined by a raised ground slab hovering over the site and the apparent continuation of the water channel introduced into the landscape, which creates an awareness of the site's length from the main entrance hall
- constant references and extensions are made between built form and site with the location of pool, construction of terraces, continuation of walls/gabions and desire to plant against and over the building

'An isolated new house in the countryside may be justified if it is clearly of the highest quality, is truly outstanding in terms of its landscape design, and would significantly enhance its immediate and wider surroundings'

(Planning Policy Guideline (PPG) 7, paragraph 3.21)

'... each generation would have the opportunity to add to the tradition of the Country House which has done so much to enhance the English countryside'

(Planning Policy Guideline (PPG) 7, paragraph 3.21)

Landscape - design statement

The proposal builds on the existing assets of the site, bringing new value and life to a dilapidated and fractured landscape setting:

1. the layout is sympathetic to the original house's geometry: it mirrors the original property's bowling lawn and relationship to neighbouring fields
2. the existing orchard has been rejuvenated and re-enclosed
3. the context for the glass house has been re-instated
4. the historic ice house has been re-interpreted as a garden folly
5. the woodland tree edge groups have been supplemented, strengthening the landscape structure and increasing wildlife value
6. the positioning of the house enables the creation of a new balanced set of gardens that reinterpret the lost features of the old estate. In particular, it takes advantage of the views between breaks in the peripheral tree groups
7. devices used in 19th and 18th century country homes have been re-invented in order to make the historic reference: the lawn terrace enables views to be 'borrowed' from the countryside, water is used in the middle distance as a reference to the original (lost) pond, follies have been created, and the meadow placed on the site of the original horse paddock
8. the context is enhanced: the impact is reduced by use of screening, whilst important vistas are framed
9. materials are in keeping with the listed house and the image of a country house gravel drives, yew hedging, lawns, fruit trees, stone, trees and other shrubs to match those already on site.

Addendum Text. Housing Policy 8 Statement:

The proposal is unique to this particular site by attempting to develop an appropriate dwelling whilst simultaneously improving the setting of the adjacent Grade II Listed Park Hill property and glasshouse structure.

(i) the design addresses the form and bulk of the new dwelling by breaking down the volume into smaller parts and following the natural pattern of development of Park Hill. The creation of wings of accommodation enables the form to be read as a series of smaller volumes rather than a uniform mass. The introduction of flat roof construction is instrumental in reducing the impact of the new house, with 'green' roof coverings allowing roof slabs to be read as planted planes elevated out of the site. These, together with the extension of walls into the site, soften the boundary between landscape and built form.

(ii) the design of the house is in keeping with the natural pattern of development of Park Hill. The materials are to be of local/historical reference with the introduction of sandstone and brick cladding to solid elevations. Fully glazed elevations to the west facing elevations take advantage of views to the more private boundary.

(iii) the decision to re-locate the dwelling on the site is a reaction to the change of use of the original Park Hill property. The Grade II Listed country house was granted change of use to offices through planning consents in 1990/1997, following the extension/conversion of the 'Hollies' structures in 1988. The later change of use decisions have changed the overall site conditions and caused the close proximity of the dwelling and offices to be questioned and found to be inappropriate. The proposed new dwelling eliminates constraints of over-looking and improves the relationship of the existing glasshouse both with Park Hill and the new dwelling. The re-location allows improved solar orientation/privacy through its areas of glazed/solid elevation.

(iv) the single structure creates a coherent and integrated dwelling, replaces the existing pair of residential buildings (single residence) and re-addresses the continued development of associated out-buildings.

Changes to the proposed materials of construction

Since submission, the applicants have agreed to change the white walls to ones that would be constructed using brick panels affixed to concrete walls. Precise details would need to be submitted.

Planning History

Permission to convert the former laundry to a dwelling was approved in 1988 with a garage and games room approved in 1989. A proposal to link the two buildings to form a single dwelling was refused in 1991. Various workshop buildings have also been approved in the 1990's. In 1993 an application for a mobile home was refused but granted at appeal.

Responses to Consultations

Egginton Parish Council has no objection.

The County Highways Authority has no comments

The County Planning Authority views were not available at the time the report was prepared. It is understood that the application will be considered by the County Council on 12 April 2002. The comments of the County Council will be reported verbally at the Committee meeting.

The Commission for Architecture and the Built Environment (CABE) comments that the scheme has been discussed with the Chair of the Design Review Committee. The conclusion is that CABE feels able to support the design which has clearly been carefully planned and thought through along with its landscaping. CABE believes that the Architects have produced a striking yet restrained example of contemporary design.

Severn Trent Water has no objection

The Environment Agency has no objection subject to conditions. In addition comments have been received concerning the proposed pond.

Responses to Publicity

One letter has been received that comments that the design is not to the writers taste but that the proposal to demolish the existing dwelling and associated buildings is welcomed and there is no objection to the proposals. There is concern to ensure that the existing drains that cross the site are maintained.

Structure/Local Plan Policies

The relevant policies are:

Joint Structure Plan: General Development Strategy Policies 1 & 4; Housing Policy 6;

Environment Policy 10

Local Plan: Environment Policy 1 & 13, Housing Policy 8.

Planning Considerations

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

- The provisions of the Development Plan and national planning advice
- The benefits of planning gain in this case
- Design
- Highway Safety

Planning Assessment

The applicant seeks to gain consent for the erection of a new dwelling in the countryside. Generally such proposals are unacceptable as they are contrary to long established planning policy to restrict new development in the countryside.

However, the policy of the Council is to allow one for one replacements of dwelling houses within the countryside subject to a number of criteria. In this case the replacement proposed would not satisfy all four of the criteria as the proposed unit is larger than that it would replace and it would not be on the same footprint.

Notwithstanding this there are a number of factors that have to be balanced in this matter. These are set out below:

(i) In the originally submitted scheme, the applicants have sought to demonstrate that the proposed design would be a new country house in the English tradition albeit of an uncompromisingly modern design. There is no support for this view from CABE and this view is also that of officers. However, the design is appropriate for the site despite its modern perspective.

(ii) The site is located adjacent to a Grade II Listed Building and the impact of the development on that building is a major consideration in determining the application. In addition, the presence of the former greenhouse to Park Hill as an historic feature within the site should be noted. The existing dwelling and the more recently erected outbuildings do currently detract from the

character and setting of Park Hill. The buildings are in close proximity to the former Dower House and have an unsympathetic appearance. Environment Policy 13 in the Local Plan seeks to ensure that the setting of Listed Buildings is preserved when development is proposed on adjoining land. The new dwelling, and the demolition of the existing structures, would have a positive effect on the setting of the listed building.

(iii) CABE has described the proposed dwelling as 'carefully planned and thought through along with its landscaping. CABE believes that the architects have produced a striking yet restrained example of contemporary design.' Officers agree with that view and consider the following points of relevance when considering the application:

- a) The building has been designed to minimise its height with a basement, flat roofs and a 'green living roof material'.
- b) Strong structures running through the building from east west to north south reduce the apparent mass of the building. Behind these elements, the main living accommodation is located which ensure that from most viewpoints the scale of the dwelling is reduced.
- c) The proposed landscaping as amended would complement that on the adjacent Park Hill site and help to merge the building into its setting. The use of new railings on the roadside frontage would help to relate the site as a whole back into its original setting as part of the Park Hill estate.
- d) The opportunity to restore the setting of Park Hill is a major consideration and this together with the offer to restore the original green house in accordance with an approved schedule of works counts towards the possibility of a favourable recommendation.

The proposal would result in the formation of a new access and parking areas. However, the new access is acceptable in terms of highway safety.

Conclusion

The judgement here is whether the points set out above outweigh the locational criteria for housing in the countryside. There are clear benefits as outlined above to the granting for the approval of this proposal. The policy considerations are noted, however, the improvements to the setting of the listed house and the opportunity to restore the greenhouse are significant factors in favour of the proposal as is the quality of the design. Should consent be granted a condition is recommended that would tie the permission to the design as submitted.

A condition restricting permitted development rights for the extension of the dwelling and erection of garden buildings could also be imposed and a unilateral undertaking to restore the green house would ensure that the glass house is restored during the building operations for the house and completed prior to the occupation of the dwelling.

Therefore subject to the development being carried out in accordance with the amended plans, the completion of the unilateral undertaking and appropriate conditions the proposal is, on balance, acceptable

Recommendation

GRANT permission subject to the completion of a unilateral undertaking and 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 following drawing nos. PB1.a, PB2, PO21, PO22.a, PO23.a, PO31, PO32.a, PO12, PO13, PO11, PL1.A & PO41.a as originally submitted and as amended under cover of your letter dated 28 March 2002.

Reason: For the avoidance of doubt.

3. The permission hereby permitted shall be carried out in accordance with the following drawing numbers: PB1.a, PB2, PO21, PO22.a, PO23.a, PO31, PO32.a, PO12, PO13, PO11, PL1.A & PO41.a as originally submitted and as amended under cover of your letter dated 28 March 2002.

Reason: This permission is granted on the basis of the special circumstances put to the Local Planning Authority an itegral part of which is the specific design of the dwelling along with the improvement to the setting of the adjacent Grade II Listed Building and the restoration of the Park Hill Glasshouse. The Local Planning Authority seeks to ensure that the building that is erected on the site reflects these special circumstances by the imposition of this condition.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, the dwelling hereby permitted shall not be altered, enlarged or extended, no satellite dishes shall be affixed to the dwelling and no buildings, gates, walls or other means of enclosure (except as authorised by this permission or required by any condition attached thereto) shall be erected on the application site (shown edged red on the submitted plan) without the prior grant of planning permission on an application made in that regard to the Local Planning Authority.

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. Notwithstanding the submitted landscape master plan no development shall take place until there has been submitted to and approved by the Local Planning Authority full details of the landscaping of the site, which shall be based on the submitted landscape plan. The scheme shall also include provision for the adequate protection of existing trees during the construction of the new dwelling. Landscaping shall be undertaken in accordance with the approved details.

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 building 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. 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. A sample of all the materials of construction shall be made available on site for approval by the Local Planning Authority and shall be approved in writing before work commences. The building shall then be erected in accordance with the approved samples.

Reason: To ensure the specific materials of construction are in keeping with its location adjacent to a Grade II Listed Building

9. All plumbing and service pipework, soil and vent pipes, electricity and gas meter cupboards and heating flues shall be located inside the building unless specifically agreed in writing by the Local Planning Authority. The type, number and position of heating and ventilation flues outlets shall be agreed in writing with the Local Planning Authority before development is commenced.

Reason: In the interests of the appearance of the building and to ensure that such facilities are located in none prominent locations on the building.

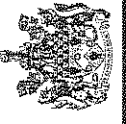
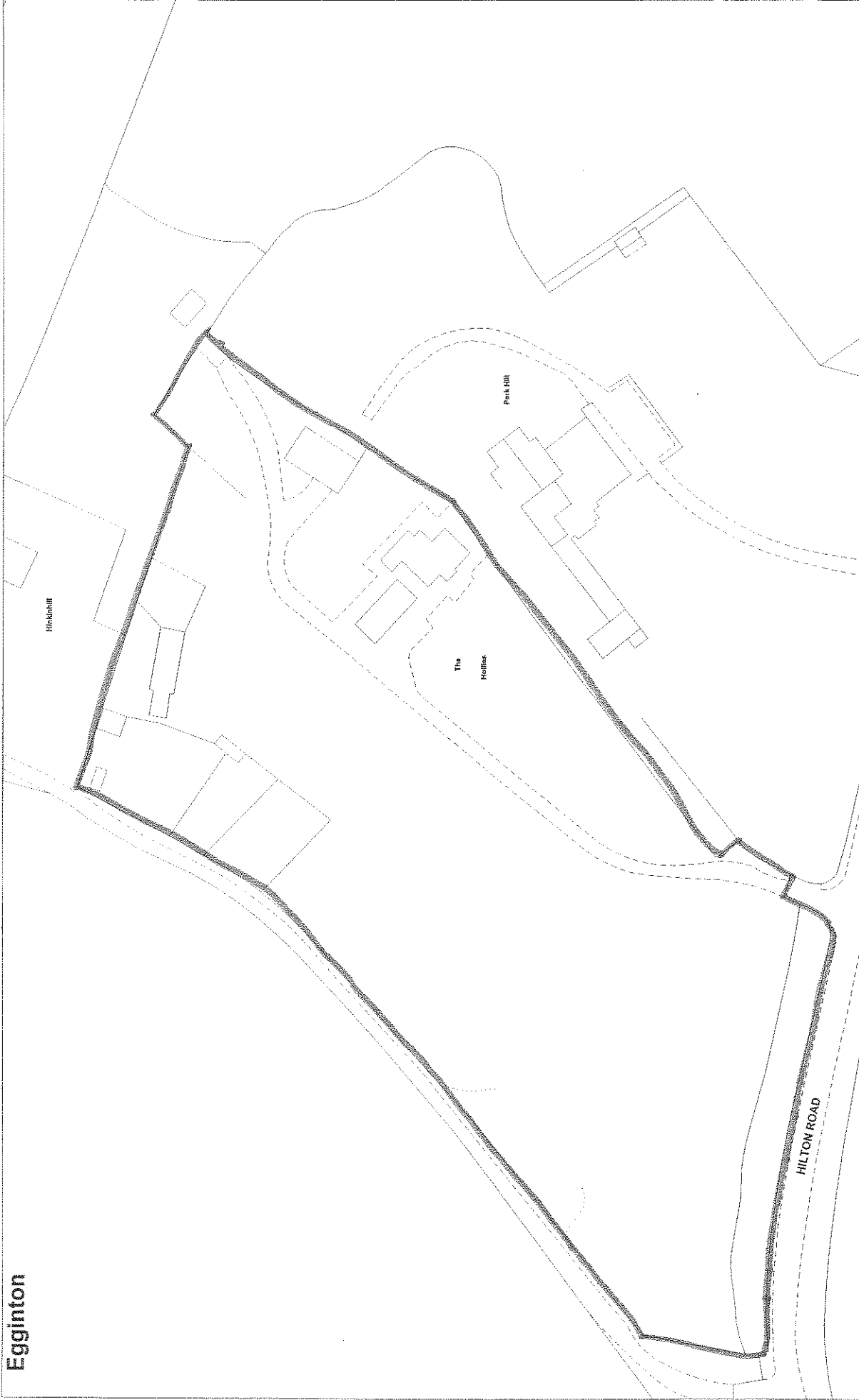
10. Before the development is commenced detailed drawings to a minimum scale of 1:50 of the coping to the feature walls on the dwelling shall be submitted to and approved in writing by the Local Planning Authority. The walls and coping shall then be completed in accord with the agreed details.

Reason: To ensure that the detail is appropriate to the setting of the adjacent Grade II Listed Building.

11. 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.

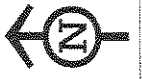
The Hollies
Hilton Road
Eggington



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

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Date Plotted 26/4/2002
Scale 1:1250
The Hollies
Hilthorpe Hill LA 079375
Eggingtonjm



16/04/2002

Item 1.3**Reg. No.** 9 2001 0905

Applicant:
Walbrook Housing Association C/O
William Davis Ltd
Forest Field
Forest Road
Loughborough
LE113NS

Agent:
Peter Drew
Stephen George & partners
4 Derby Terrace
Derby Road
Nottingham
NG71ND

Proposal: The erection of eighteen dwellings on Land To The North Of
Thorn Street Woodville Swadlincote

Ward: Woodville

Valid Date: 11/09/2001

Site Description

This site is located within the built up area of Woodville. It comprises an irregular shaped piece of land that has an open frontage on the north east side of Thorn Street and is bounded on its west side by the rear boundaries of properties on Thorn Street Mews, on its north side by the rear boundary of property fronting High Street and on its south east side by Little Thorn Industrial Estate and a residential property on The City.

There is a former railway tunnel, which runs under the length of the site from Thorn Street to High Street.

Proposal

The applicants, a Housing Association, seek consent to erect eighteen two storey semi-detached dwellings served off a proposed access road from Thorn Street.

Following discussions a revised layout has been submitted. In addition, the physical constraints of the site have resulted in two surplus areas at either end of the site. These will be used as public amenity area and maintained by the Housing Association.

Planning History

Outline permission for residential development on the land was granted in December 1994. A condition of that permission was that no dwelling shall be constructed within 20m of the industrial buildings to the east of the site.

Responses to Consultations

The final comments of the Highway Authority on the amended plans are awaited.

The Environment Agency requires the satisfactory disposal of surface water.

The final comments of the Environmental Health Officer on the revised layout are awaited. However, the amended layout does show no dwellings proposed within 20m distance from the factory units.

The Chief Education Officer advises that Woodville Infant and Junior Schools should have sufficient accommodation to accept any primary aged pupils generated.

Severn Trent Water require the satisfactory disposal of surface water and foul sewage.

Woodville Parish Council is concerned that the number of dwellings would increase the number of vehicles using Thorn Street exiting either via Sun Street or South Street onto High Street. It says that as South Street is an un-adopted road, consideration should be directed towards this situation.

Responses to Publicity

Nine letters of objection have been received which make the following points:

- The local road network is not designed to accommodate levels of traffic being generated.
- Proposed parking spaces are too close to rear gardens of existing properties and root systems of any proposed trees could cause damage to neighbouring property.
- Housing association developments are concentrated in the area and should be more evenly distributed to safeguard the image of the area.
- Adequate fencing should be provided and maintained.
- Articulated lorries from a local company are causing severe highway problems and the development would make matters worse.
- Proposed open spaces and parking areas will attract drug users and gangs of unruly teenagers and will make existing back gardens vulnerable to intrusion. Existing fences will also be open to damage and vandalism.
- It would result in the loss of an informal wildlife area.

Structure/Local Plan Policies

The relevant policies are:

Joint Structure Plan: General Development Strategy Policy 1: Sustainable Development; General Development Strategy Policy 3: Location and Density of Development; Housing Policy 3: Housing Development Within Urban Areas
Local Plan: Housing Development Swadlincote

Planning Considerations

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

- The principle of the development
- Impact of the development on the amenities of existing residents
- Stability of the land due to the railway tunnel
- The exposure of some of the dwellings to noise from the neighbouring industrial units
- Highway Safety

Planning Assessment

The site is within the Swadlincote Development Boundary and therefore the development is acceptable in principle.

In general the proposal accords with the Council's standards concerning space between dwellings. However, at one point this is not the case and would result in the distance between the dwelling proposed for plot 7 and the existing neighbouring dwelling on The City being below the current guidance of the Council. To address this issue it would be appropriate to require the window that causes the problem to be obscure glazed and for rights to extend the property at the rear to be removed. This combined with the large conifer hedge that currently exists would adequately protect amenity.

In addition some rear garden areas are below the normal standards. However, in view of the nature of the housing and the fact that two areas of open space are to be provided nearby, this is not sufficient, in this case, to refuse the application.

Other neighbours have expressed their concern about the proximity of the open space and parking area next to their rear boundaries. The general condition of perimeter fencing is poor and left as it is there is a high likelihood that amenity would be adversely affected by the proposal in terms of noise and disturbance and reduction in security. The applicant is concerned that the cost of new boundary treatment including walling would be prohibitively expensive and could jeopardise the viability of the scheme. However, the issues raised are important material planning considerations and without adequate boundary treatment the proposal would not be acceptable. In this instance the provision of appropriate fencing and walling should be a condition of planning permission, but it would be appropriate to require the provision of a strong, long lasting boundary treatment that offers a high level of security particularly next to public areas. In addition, the open spaces should be landscaped to dissuade them being used for ball games or places to congregate. Conditions to address these issues are recommended.

The applicant is fully aware of the potential instability of the land caused by the railway tunnel and has provided a method statement from a specialist to stabilise it prior to it being developed for residential purposes. The ultimate responsibility for stability lies with the developer and the advice of the specialist is accepted.

With regard to noise exposure from the industrial units, the dwellings would not encroach within the 20m-protection zone in accordance with the requirements of the Environmental Health Officer. However, the final comments of the officer are awaited and will be reported verbally to the Committee meeting.

The revised plans address the concerns of the highway authority. The final comments of that body will also be reported verbally to the meeting.

Recommendation

Subject to no objections being received from the Highway Authority and Environmental Health Officer then **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. This permission shall relate to the amended drawings, nos 6957 100 Rev E, 6957 B12.01 Rev A, 6957 B11/12.01 Rev B, 6957 C11.01 Rev C, 6957 C11.02 Rev B, 6957 C12.01 Rev C received on 15 March 2002.

Reason: For the avoidance of doubt.

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

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

4. No development shall commence on site until a sample of both an acceptable roof tile and brick have been submitted to and approved in writing by the Local Planning Authority and the dwellings shall be constructed using the approved materials.

Reason: To ensure the dwellings are in keeping with their surroundings in the interest of the appearance of the area.

5. 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 strong, longlasting and shall offer a high level of security next to areas accessible to the general public. 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.

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 and to ensure that the amenities of residents are safeguarded.

7. Further to condition 6 above, soft landscape details shall include planting plans; written specifications including cultivation and other operations associated with plant and grass establishment; schedules of plants (noting species, plant sizes and proposed numbers/densities where appropriate) and the implementation programme.

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

8. 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.

9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, or any Order revoking and re-enacting that Order, no development within the curtilage of the dwelling house on plot 7 under Schedule 2, Part 1, Class A, Class D and Class E of the Order shall be undertaken without the prior planning permission of the Local Planning Authority.

Reason: To safeguard the amenities of the neighbouring resident.

10. The first floor bedroom window on the rear elevation of the dwelling on plot 7 shall be obscure glazed before the dwelling is first occupied and it shall remain as such in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard the privacy of the neighbouring dwelling.

11. Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas and hardstandings shall be passed through trapped gullies with an overall capacity compatible with the site being drained.

Reason: As recommended by the Environment Agency to prevent pollution of the water environment.

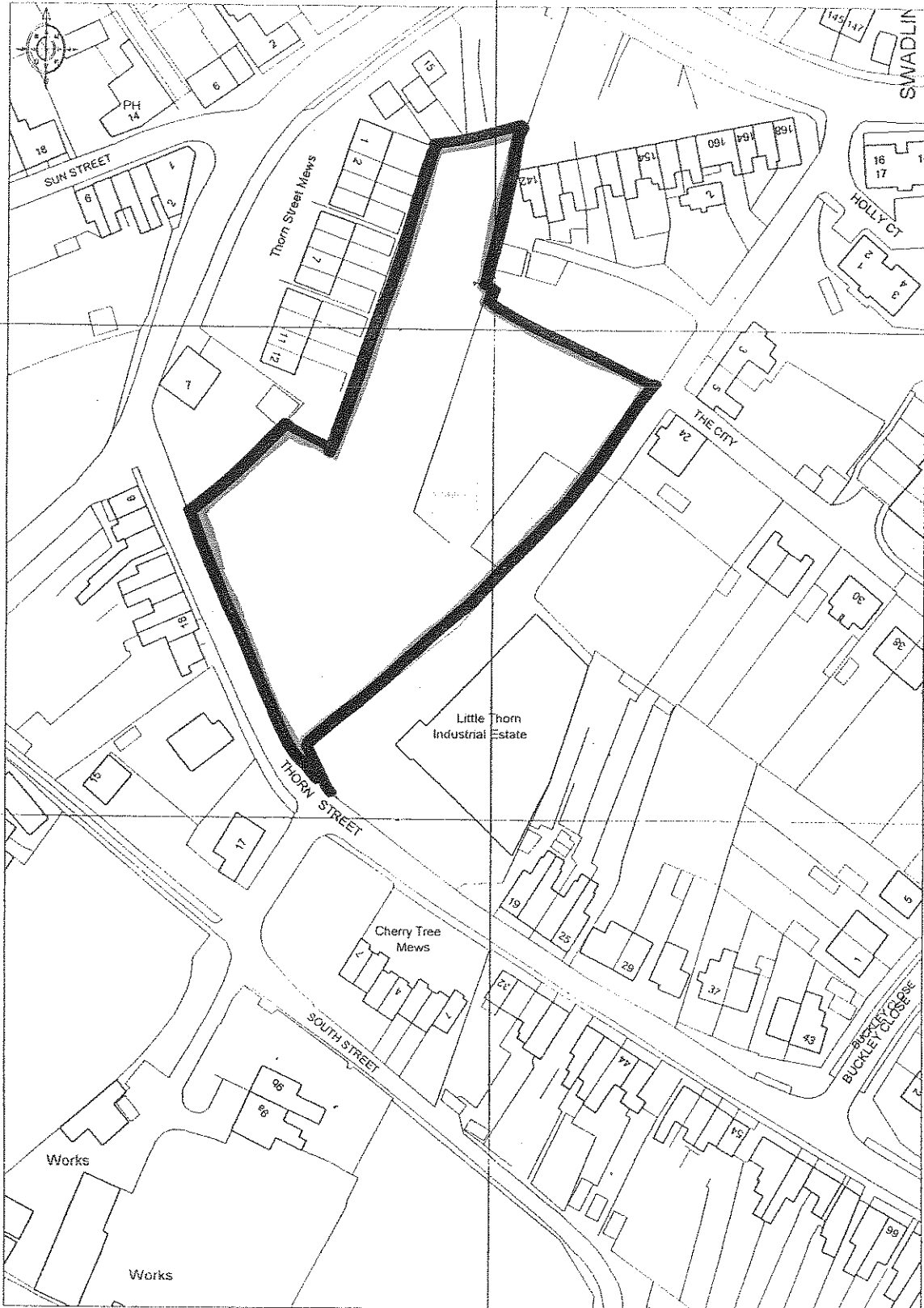
Informatives:

(i) In view of the concerns raised by existing residents the public amenity areas should be landscaped to prevent them being used for ball games or as places to congregate.

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

11 SEP 2001

THORN STREET, WOODVILLE, SOUTH DERBY.



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16/04/2002

Item 1.1**Reg. No.** 9 2002 0055**Applicant:**

Morris Homes (East Midlands)
9 Glaisdale Drive
Bilborough
Nottingham
NG8 4GU

Agent:

Dean Fisher
Morris Homes Ltd
Morland House
18 The Parks
Newton Le Willows
WA12 9JT

Proposal: The erection of 100 dwellings, vehicular access off Burton Road and Hartshorne Road, extended parking area for doctors surgery and open space (amended site layout and house types) at Qualitas Bathrooms Hartshorne Road Woodville Swadlincote

Ward: Woodville

Valid Date: 18/01/2002

Joint Report with 9/2001/0730**Site Description**

This irregular shaped 3 hectare former industrial site is north of the Clock Island junction and has accesses off both Hartshorne Road and Burton Road. It is bounded to the north east by housing, to the northwest by housing and the cricket ground, to the south west by Burton Road and to the south east by general industrial units occupied by Greenbank Terotech and Scomark Engineering.

Along the Burton Road boundary is an area of trees and other vegetation which is subject of a Tree Preservation Order.

Proposal

This report relates to two applications for the site, the first is an outline application for residential development with all matters reserved for subsequent approval (9/2002/0055 refers). The second is a full planning application for residential development (9/2001/0730 refers). The content of this report relates mainly to the latter application, however, it also addresses the issues of principle pertinent to the outline submission.

The full application is for the erection of 100 dwelling units with two accesses, one off Burton Road and other off Hartshorne Road. There would be no vehicular link within the site between the two accesses in order to remove the opportunity for "rat-running". The mix of housing would

consist of two and three storey properties in terraced, courtyard and detached form and would comprise of 14 two bed flats, 6 one bed flats, 59 three bed dwellings and 21 four bed dwellings.

It is proposed to create a 26m deep area of open space along the factory site boundary to act as a buffer between the factory and the proposed housing. The open space would accommodate a child's play area and the remainder would be planted with trees in accord with the aims of the National Forest.

It is also proposed to provide a car park extension for the doctors' surgery on Burton Road.

The outline submission seeks consent in principle for residential development of the site.

Applicants' supporting information

Marketing the site for commercial use

Maxwells Commercial Property Consultants have submitted a marketing report, which illustrates that there is no demand for the site in its present commercial use. It makes the following conclusions:

"We believe the marketing campaign to have been extensive and exhaustive. A widespread section of people involved in property including agents, developers, industrialists, landlords, investors and speculators have been informed of the property's availability. The advert in the Estates Gazette targets a significant number of people involved in property and therefore it is difficult to see how a wider audience could have been informed."

"The outcome of negotiations culminating in the deal which has been agreed with Morris Homes is far from ideal from the company's perspective, in that the site will be the subject of a planning application. As stated earlier during our initial deliberations prior to marketing, we had a suspicion the residential route may ultimately have to be explored and therefore every reasonable attempt to effect a sale to an industrial occupier/employment facilitator has been pursued, it would after all be the easiest exit route for client"

"By also covering the letting option within the marketing literature and on the estate boards, we believe this market has been explored and found wanting. The available sites from within and around Woodville, Swadlincote, and Burton on Trent is significant with developers who control the sites keen to attract new tenants/occupiers, specifically on a design and build basis."

"In summary I trust the above gives a clear picture of how we and client have approached the disposal of this property. Our experiences show that there is no obvious demand from commercial/industrial sectors due, in our opinion to the configuration, age, design and location of the buildings and site and compared to the competition. I submit that market forces dictate a residential use confirmed through widespread marketing."

Noise assessment

A noise assessment has been submitted with regard to the factory buildings on the southern boundary. It provides the following statement:

"As discussed the proposed layout of the site has been amended to include a buffer zone between the existing industrial units and the proposed development, together with the orientation of the dwellings such that they are shown gable end on to the factory."

"The (noise) calculations include the erection of a 2.5m high barrier along the boundary with the factory, which was previously requested by South Derbyshire DC (SDCC) Environmental Health Department."

". ...The revised layout surpasses the required width of buffer zone between the existing noise sources and the proposed dwellings by 10m at position 1 and 20m at position 2. Therefore, we consider that the revised sketch layout for the site is sufficient to attenuate the noise levels at the nearest proposed dwellings to a level where complaints would be unlikely in accordance with BS4142."

Ground contamination

The applicant's ground contamination report provides the following conclusions:

"The concentrations and nature of chemicals identified at the subject site are indicative of past and present processes at the subject site."

"The findings of the Phase II ESA indicate that made ground comprising refractory brick rubble, ceramics, earthenware, clay, ash and clinker is widespread at the subject site. The main contaminants encountered are generally restricted to the spoil embankment and the car park on the western sector where the greatest thickness of made ground was encountered and the made ground materials have been identified as comprising ash and rubble. The contaminants encountered comprise a range of metals and metalloids in soils at the subject site, principally arsenic, chromium, copper, lead, zinc and nickel."

"The arsenic encountered over the site is likely to be associated with the ash that has been identified as widespread."

"It is likely that the elevated zinc and lead concentrations identified within the made ground materials across the site are to be associated with the glazes used in finishing processes."

"No phytotoxic contaminants were identified in soils from PH5 on the northern perimeter of the subject site where vegetation die-back was noted. The laboratory analysis of the surficial sample taken from PH5 at 0-0.3m demonstrated slightly acidic conditions of 6.63. However, it should be noted that the sample taken is directly beneath this (PH5 0.3-0.5m) exhibited an alkaline pH of 9.0. It is likely therefore that since this area is situated under a process vent, that heat combined with acidity is the primary cause of the limited die-back."

"From the result of the groundwater investigation, it can be concluded that the contaminants identified in the soils are relatively immobile. The elevated boron encountered within the ground water sampled from BHI is likely to be derived from the made ground of the embankment."

"There does not appear to be significant hazardous ground generation at the subject site, however, it must be noted that several factors influence the release of hazardous gases from the ground, including rainfall, frost and falling atmosphere pressure events. There is little indication of significant volumes of putrescible material within the waste likely to generate methane, carbon dioxide and depleted oxygen conditions."

"In assessing risk, the subject risk has been categorised in accordance with "Prioritisation and Categorisation Procedure for Sites which may be Contaminated CLR Report No.6" published by the Department of the Environment in 1995."

Responses to Consultations

The Economic Development Officer agrees that the marketing statement submitted with the application is generally accurate. Additionally the following comments are made:

- (i) Swadlincote does not have the same 'product' as Burton in respect of Centrum 100 and Stretton Business Park which are fully serviced sites fully accessible to the national trunk road network.
- (ii) The buildings that occupy the site are not modern functional buildings and significant investment in them would be needed to enable them to be brought back into use.
- (iii) Local demand is primarily for businesses to construct their own units.
- (iv) Only minimal interest has been expressed to the Council concerning the site.

The final comments on the application are awaited from the Environmental Health Officer with respect to the revised layout, noise and land contamination reports.

Based on the original submission for 97 houses the Chief Education Officer envisages that the number of properties would generate 20 primary aged pupils for admission to the two local schools and on the basis of the current DfES building multiplier (£5,410 per place) would request a contribution of £108,200 towards building improvements.

The Housing Manager has identified a particular need for 1 and 2 bedroomed flats for non elderly people.

The Environment Agency has no comments with respect to potential effects on ground water. It has recommended that its standard conditions relating to surface water drainage, the use of trapped gullies and the appropriate storage of oils, fuels or chemicals are used. It also recommends that a further condition be included requiring further remediation should unexpected contaminants be detected during development.

The final comments from the highway authority are awaited. However, in principle there are no highway objections to the scheme.

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

The National Forest Company considers that the site should be planted with trees in accordance with the Company's planting guidelines.

The Parish Council to makes the following comments:

1. This should remain an industrial site.
2. Against proposed pharmacy, although next to the doctors, this will detract from the centre of the village. **(Comment no longer applicable due to revised layout)**

3. Woodville is swamped with housing and we do not have facilities to have these houses in the village.
4. Seems to be a great number of houses for such a small piece of land. The road will also provide a cut through road (**comment no longer applicable due to revised layout**). Concern also about traffic coming and going which is very congested at the moment.
5. Land contamination should be seriously looked at. Likelihood of remedial work.
6. Trees in the area also need to be protected, the road is going through the middle of the trees.

The Police Architectural Liaison Officer comments that the hedging adjacent to Burton Road should be kept low to allow natural surveillance as should the buffer landscaping next to the factory to eliminate hiding places. If the cycle path is to stay then it should be kept clear of hiding places and be well lit and if possible barriers should be installed at each end to prevent vehicular traffic.

The Derbyshire Dales and South Derbyshire Primary Care Group is concerned that development of the whole site would effectively eliminate the scope for any extension of the surgery premises. It says that the four GPs based at Woodville already have one of the highest numbers of patients per GP within the Primary Care Trust, which itself is identified as an area with too few doctors. It requests that the Council require the developer to identify an area of land that would enable the practice at Woodville to have an option to extend their premises some time in the future, without reducing car parking below a safe level for essential travel by private vehicles. It says that this would offer flexibility to increase accommodation and base more health professionals in this area of high housing growth.

Responses to Publicity

Letters of objection have been received from the occupiers of the two neighbouring industrial premises. The objections relate primarily to the concern that the noise generated by their industrial operations could result in complaints from the residents of the new houses, which in turn could jeopardise their businesses. They consider that the application should be refused to safeguard the interests of locally based companies which employ over 100 people.

Five letters of objection have been received on the grounds of additional traffic generation in an already congested area, the loss of protected trees and the retention of boundary hedges.

The Doctor's surgery welcomes the additional car parking.

Structure/Local Plan Policies

The relevant policies are:

Joint Structure Plan: General Development Strategy Policy 1: Sustainable Development; General Development Strategy Policy 2: Scale and Nature of Development; General Development Strategy Policy 3: Location and Density of Development; Housing Policy 3: Housing Development Within Urban Areas.

Local Plan: Housing Policy 4: Housing Development Swadlincote.

Also material to this proposal is PPG3: Housing and PPG24: Planning and Noise.

Planning Considerations

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

- The principle of the development and the loss of an existing employment site.
- The redevelopment of a brownfield urban site for residential purposes.
- The design and layout of the scheme.
- The impact of the scheme on the protected trees and hedgerows in the area.
- The impact of industrial noise on future residents and the implications this might have on the prospects of neighbouring industry due to the likelihood of noise complaints.
- Highway safety

Planning Assessment

This site is within the Swadlincote Development Boundary and therefore residential development of the site both in outline and in detail is acceptable in principle.

PPG 3 encourages the reuse of brown field sites for residential development, but also seeks to maintain a mix of uses in the interests of sustainability. It would be desirable to allow local people the opportunity to live in close proximity to their workplace by maintaining a balance of employment and residential development in Woodville. The evidence strongly suggests, however, that there is little to no market demand to utilise the existing premises for commercial purposes and in all likelihood the site will continue to lie idle for the foreseeable future should a viable use not be found for it. The premises appear to be unsuitable for modern businesses and with alternative employment sites relatively nearby there is no incentive to refurbish or redevelop the site for commercial purposes.

The proposal is in general accordance with national and local urban development policies for windfall brownfield sites and would result in a relatively high density, well designed development that would benefit the local environment and improve choice in the local housing market.

The development is designed in accordance with the Council's Supplementary Planning Guidance for Housing Design and Layout and the Provision of Outdoor Playing Space in New Developments. In addition the planting proposed for the site is in accord with the aims and objectives of the National Forest.

The proposed access onto Burton Road would result in the loss of six trees from the roadside TPO. The trees are not of great importance individually but do contribute to the amenity value of the group. This relatively small initial loss of tree cover, however, would be more than compensated by improvements and extension of the group of which they currently form a part and by the high level of tree planting proposed throughout the site.

The final comments of the highway authority on the amended drawings is awaited. However, the layout of the road system is in principle acceptable and it would not adversely impact on highway safety in the area.

The Environmental Health Manager is in discussion with the applicant's noise specialists and his comments will be reported at the Committee verbally.

Recommendation

Subject to the applicant entering into an agreement under Section 106 of the Town and Country Planning Act to secure financial contributions towards the provision of local education facilities and for the future maintenance of the open space and subject to no objections being raised by either the highways authority or the Environmental Health Manager 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. No development shall take place until details of all earthworks to be undertaken on the site have been submitted to and approved in writing by the Local Planning Authority. These details shall include the proposed grading and mounding of land areas including the existing and proposed levels and contours to be formed, showing the relationship of the proposed mounding to existing vegetation and surrounding landform. The earthworks shall then be completed as agreed in accordance with a timetable that shall have first been submitted to and agreed in writing by the Local Planning Authority.

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

3. No development shall take place until details of a scheme for the disposal of surface and foul water have been submitted to and agreed in writing by the Local Planning Authority. The scheme shall be carried out in conformity with the details which have been agreed before the development is first brought into use.

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

4. No part of the development shall be carried out until precise details, specifications and, where necessary, samples of appropriate 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. The development shall be constructed using the agreed materials

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

5. 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.

6. This permission shall relate to the amended drawings, no(s) 1889.01 RevA, received on 28 March 2002, layout plan PL1C received on 27 March 2002, 2APP/A-B/P, 2APP/C-E/P received on 27 March 2002, 4H 1054/35 received on 8 March 2002 showing in particular: (a) revised layout, (b) amended house types, (c) amended elevational details, and (d) landscaping scheme

Reason: For the avoidance of doubt and to safeguard the amenities of future occupiers

7. No development shall commence on site until details of all boundary hedgerows to be retained, and measures to protect them during development, have been submitted to and approved in writing by the Local Planning Authority. The method of protection shall then be in place until all works of development have been completed.

Reason: To safeguard the amenities of the area.

8. All retained hedgerows and trees on the site shall be protected during the full construction period in accordance with BS5837: 1991 - "Trees in relation to construction" unless specifically otherwise agreed in writing with the local planning authority.

Reason: To protect the trees and hedgerows in the interests of safeguarding the amenities of the area.

9. 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.

10. 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 levels.

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

11. The extended parking area for the doctor's surgery shall be provided as shown on the submitted drawings before the dwellings on plots 85 and 86 are occupied unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the occupants amenities are not adversely affected.

12. If any unexpected, visibly contaminated, or odorous material encountered during redevelopment (given any previous desk study, site investigation and/or remediation work) remediation proposals for the material shall be agreed with the Local Planning Authority and carried out in accordance with the agreed details.

Reason: As recommended by the Environment Agency to protect the environment and ensure that the redeveloped site is reclaimed to an appropriate standard.

13. No development approved by this permission shall be commenced until a scheme for the provision of surface water drainage works has been submitted to and approved in writing by the Local Planning Authority. The scheme shall incorporate the use Sustainable Drainage systems and shall not result in an increase in the rate of surface water discharge to the local land drainage system. The drainage works shall be completed in accordance with the details and timetable agreed.

Reason: As recommended by the Environment Agency to prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal.

14. During the period of construction, any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound shall be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound shall be at least equivalent to the capacity of the largest tank, vessel or the combined capacity of interconnected tanks or vessels plus 10%. All filling points, associated pipework, vents, gauges and sight glasses must be located within the bund or have separate secondary containment. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework shall be located above ground and protected from accidental damage. All filling points and tank/vessels overflow pipe outlets shall be detailed to discharge downwards into the bund.

Reason: As recommended by the Environment Agency to prevent pollution of the water environment.

15. Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas and hardstandings shall be passed through trapped gullies with an overall capacity compatible with the site being drained.

Reason: As recommended by the Environment Agency to prevent pollution of the water environment.

Informatives:

(i) Any culverting of a watercourse requires the prior written approval of the Agency under the terms of the Land Drainage Act 1991 or Water Resources Act 1991. The Agency resists culverting on conservation and other grounds, and consent for such works will not normally be granted except for access crossings.

(ii) Applicants or developers should be aware of their responsibilities to ensure that the operations do not interfere with riparian owners' common law rights to receive water undiminished in quantity or quality. If any watercourses crossing the site are interrupted or diverted then, notwithstanding the need for any statutory consents or licences, it is the applicant's responsibility to take appropriate steps to protect the rights of the riparian owners, for which he has a liability.

(iii) As part of the Environment Agency's objective to further the sustainable use of our water resources it is promoting the adoption of water conservation measures in new developments. Such measures can make a major contribution to conserving existing water supplies.

(iv) The Environment Agency recommends the installation of fittings that will minimise water usage such as low, or dual flush WC's, spray taps and economical shower-heads in the bathroom. Power showers are not recommended as they can consume more water than an average bath. Water efficient versions of appliances such as washing machines and dishwashers are also recommended. For outdoors consider installing a water butt, or even a rainwater harvesting system, to provide a natural supply of water for gardens. Simple treatment systems exist that allow rainwater to be used to supply WC's within the home. Following the above recommendations will significantly reduce water consumption and associated costs when compared to traditional installations. Rainwater harvesting utilises a free supply of fresh water and reduces the cost to the environment and the householder.

(v) Severn Trent Water Ltd advises that the proposal involves the redevelopment of an existing site draining to a public sewerage system which has no available capacity and additional flows would create or exacerbate a flooding problem. It requests further information to demonstrate that the discharge from the development would not exceed current flow rates from the site

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

16/04/2002

Item 1.2

Reg. No. 9 2001 0730

Applicant:
Morris Homes (East Midlands)
9 Glaisdale Drive
Bilborough
Nottingham
NG8 4GU

Agent:
Dean Fisher
Morris Homes Ltd
Morland House
18 The Parks
Newton Le Willows
WA12 9JT

Proposal: Proposed residential development and additional parking to adjacent doctor's surgery at Qualitas Bathrooms Hartshorne Road Woodville Swadlincote

Ward: Woodville

Valid Date: 26/07/2001

Joint Report with 9/2002/0055

Recommendation

GRANT permission subject to the completion of a section 106 agreement for education contributions and open space provision and no adverse comments being received from either the highway authority or the Environmental Health Manager and 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 buildings the means of access thereto and the landscaping and means of enclosure of the site shall be obtained from the Local Planning Authority in writing before any development is commenced.

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

3. No development shall take place until details of all earthworks proposed for the site have been submitted to and approved in writing by the Local Planning Authority. These details shall include the proposed grading and mounding of land areas including the existing and proposed levels and contours to be formed, showing the relationship of the proposed mounding to existing

vegetation and surrounding landform. The earthworks shall be completed in accordance with a timetable that has been submitted to and agreed in writing by the Local Planning Authority.

Reason: To safeguard the amenities of the area.

4. 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: To ensure that adequate provision is made for foul and surface water drainage.

5. No part of the development shall be carried out until precise details, specifications and, where necessary, samples of appropriate 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. The development shall be constructed using the agreed materials

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

6. 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: To safeguard the amenities of the area.

7. No development shall commence on site until details of all boundary hedgerows to be retained, and measures to protect them during development, have been submitted to and approved in writing by the Local Planning Authority. The method of protection shall then be in place until all works of development have been completed.

Reason: To safeguard the amenities of the area.

8. All retained hedgerows and trees shall be protected during the construction period in accordance with BS5837: 1991 - "Trees in relation to construction" unless otherwise agreed in writing with the local planning authority.

Reason: To safeguard the amenities of the area.

9. 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: To safeguard the amenities of the area.

10. 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 levels.

Reason: To safeguard the amenities of the area.

11. If any unexpected, visibly contaminated, or odorous material encountered during redevelopment (given any previous desk study, site investigation and/or remediation work) remediation proposals for the material shall be agreed with the Local Planning Authority and carried out in accordance with the agreed details.

Reason: As recommended by the Environment Agency to protect the environment and ensure that the redeveloped site is reclaimed to an appropriate standard.

12. No development approved by this permission shall be commenced until a scheme for the provision of surface water drainage works has been submitted to and approved in writing by the Local Planning Authority. The scheme shall incorporate the use Sustainable Drainage systems and shall not result in an increase in the rate of surface water discharge to the local land drainage system. The drainage works shall be completed in accordance with the details and timetable agreed.

Reason: As recommended by the Environment Agency to prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal

13. During the period of construction, any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound shall be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound shall be at least equivalent to the capacity of the largest tank, vessel or the combined capacity of interconnected tanks or vessels plus 10%. All filling points, associated pipework, vents, gauges and sight glasses must be located within the bund or have separate secondary containment. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework shall be located above ground and protected from accidental damage. All filling points and tank/vessels overflow pipe outlets shall be detailed to discharge downwards into the bund.

Reason: As recommended by the Environment Agency to prevent pollution of the water environment.

14. Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas and hardstandings shall be passed through trapped gullies with an overall capacity compatible with the site being drained.

Reason: As recommended by the Environment Agency to prevent the pollution of the water environment.

Informatives:

- (i) Any culverting of a watercourse requires the prior written approval of the Agency under the terms of the Land Drainage Act 1991 or Water Resources Act 1991. The Agency

resists culverting on conservation and other grounds, and consent for such works will not normally be granted except for access crossings.


(ii) Applicants or developers should be aware of their responsibilities to ensure that the operations do not interfere with riparian owners' common law rights to receive water undiminished in quantity or quality. If any watercourses crossing the site are interrupted or diverted then, notwithstanding the need for any statutory consents or licences, it is the applicant's responsibility to take appropriate steps to protect the rights of the riparian owners, for which he has a liability.

(iii) As part of the Environment Agency's objective to further the sustainable use of our water resources it is promoting the adoption of water conservation measures in new developments. Such measures can make a major contribution to conserving existing water supplies.

(iv) The Environment Agency recommends the installation of fittings that will minimise water usage such as low, or dual flush WC's, spray taps and economical shower-heads in the bathroom. Power showers are not recommended as they can consume more water than an average bath. Water efficient versions of appliances such as washing machines and dishwashers are also recommended. For outdoors consider installing a water butt, or even a rainwater harvesting system, to provide a natural supply of water for gardens. Simple treatment systems exist that allow rainwater to be used to supply WC's within the home. Following the above recommendations will significantly reduce water consumption and associated costs when compared to traditional installations. Rainwater harvesting utilises a free supply of fresh water and reduces the cost to the environment and the householder.

(v) Severn Trent Water Ltd advises that the proposal involves the redevelopment of an existing site draining to a public sewerage system which has no available capacity and additional flows would create or exacerbate a flooding problem. It requests further information to demonstrate that the discharge from the development would not exceed current flow rates from the site.



 <p>South Derbyshire District Council Civic Offices Civic Way Swadlincote DE11 0AH</p>	<p>Former Qualitas Site Hartshorne Road Woodville</p>	<p>Date Plotted 26/4/2002</p>	<p>NORTH ↑</p>
	<p>Plot centred at 431509 319500</p>	<p>Scale 1:1250</p>	<p>License No LA 079375</p>

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