

05/02/2008

Item 1.3

Reg. No. 9/2007/1464/F

Applicant:

Mr Matthew Lacey
James William Limited
Haresfield
Moor Lane
Derby
DE72 2AG

Agent:

Mr Daniel Clulow
Woore Watkins Ltd
61
Derby
DE1 1DJ

Proposal: The erection of two dwellings at
Haresfield Moor Lane Aston-on-Trent Derby

Ward: Aston

Valid Date: 20/12/2007

Reason for committee determination

The matter is referred to Committee because there is an objection from the Head of Finance and Property relating to a Council asset, the adjacent cemetery.

Site Description

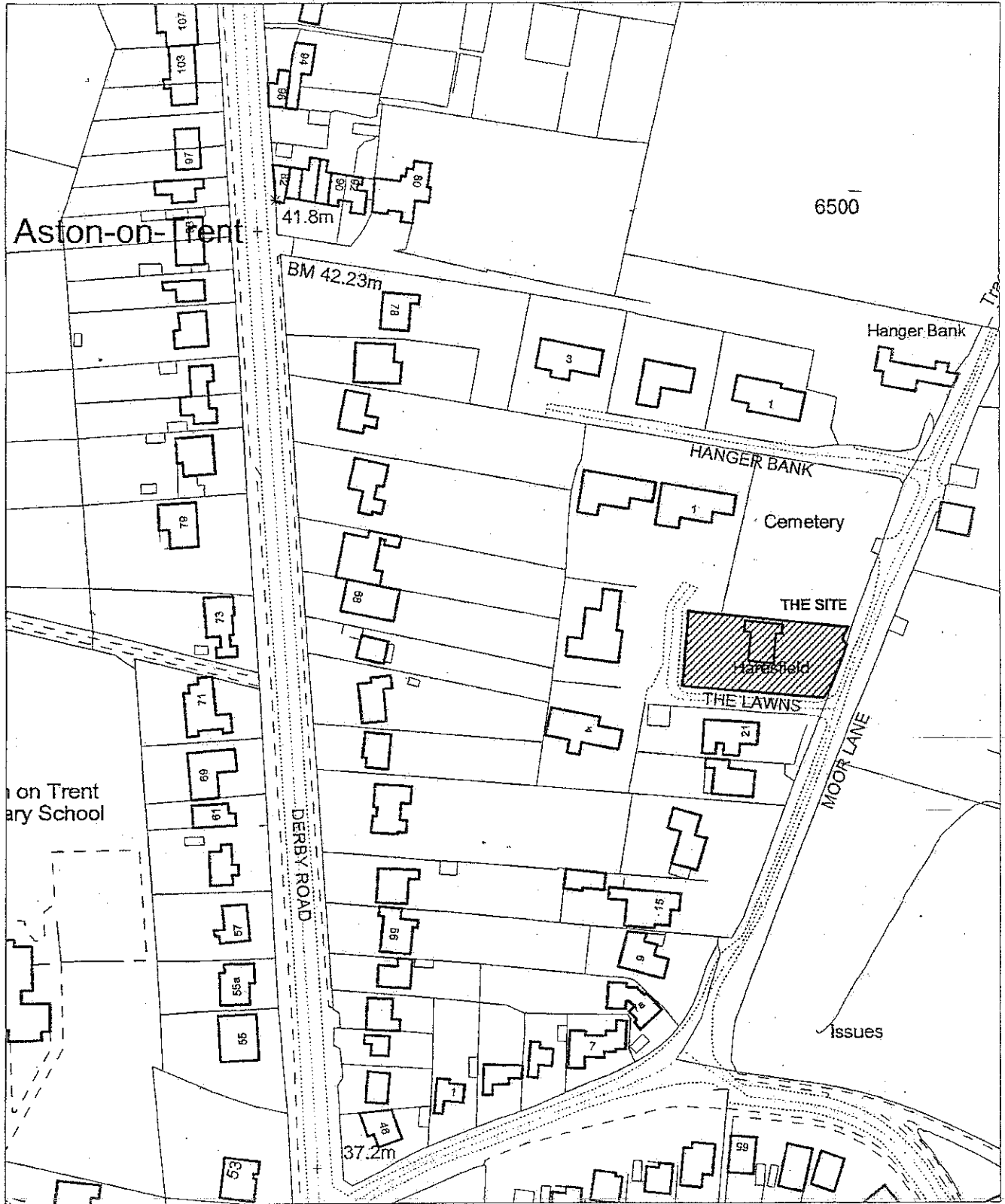
The site lies immediately to the south of the village cemetery and immediately to the north of the private drive serving Nos 1-4 The Lawns. The site is presently occupied by a single detached dwelling, dating from the early 1960s and located centrally. The gardens are laid mainly to lawn, with no significant trees. Boundaries are a mix of low walls, fences and hedges. A public sewer runs through the site connecting properties in The Lawns to the sewer in Moor Lane.


Proposal

It is proposed to demolish the existing house and to replace with two detached dwellings. This would involve developing adjacent to the side boundaries. The dwellings would contain two storeys to eaves level and the roofs would also be utilised to provide second floor accommodation. Following discussion with the applicant the layout has been amended to keep the building clear of the cemetery boundary.

Applicants' supporting information

The garage has been moved away from the boundary relative to the house. This gives extra distance of about 450 mm to the boundary. The graves are also about 450 mm from the boundary so 900 mm should provide sufficient safe distance so as to not disturb the graves. It is also recommended that the garage wall parallel to the cemetery boundary be hand dug in small sections and filled with concrete before the next section is dug.



 South Derbyshire District Council Civic Offices Civic Way Swadlincote DE11 0AH	9/2007/1464/F Haresfield Moor Lane Aston-on Trent	Date Plotted 25/1/2008	NORTH ↑
	Crown Copyright. All rights reserved. South Derbyshire District Council OS Licence No. LA 100019461. 2006	Plot centred at 435306 323874	Scale 1:1500

Responses to Consultations

The Parish Council objects on the following grounds:

- a) The development would be out of character with this area of the village.
- b) The dwellings would be too close together and present a case of over development.
- c) The boundary is extremely close to at least one grave in the cemetery, which is causing great distress to the relatives.
- d) The ownership of the boundary should be established.

The Head of Finance and Property objects because the close proximity of the development could affect the structural stability of the closest graves, which would cause great distress to the family and loved ones of those buried. In addition graves continue to be dug and utilised close to the wall and the Council would not wish this to affect the stability of any proposed building nearby. If development is to be permitted it should be a reasonable distance from the boundary.

Severn Trent Water Ltd has no objection principle but points out that it would be necessary to divert the public sewer in accordance with the Water Industry Act 1991.

The County Highway Authority prefers the access to the southern plot to be moved as far away as possible from the access to The Lawns. It is content for this matter to be dealt with by condition.

Responses to Publicity

Mark Todd MP comments that he has been contacted by a constituent concerned about potential disturbance to a family grave and considers the others are likely to share the constituent's concerns.

Five neighbours object as follows:

- a) The development could disturb the adjacent grave, which is causing great distress.
- b) There would be over dominance, loss of light and privacy to neighbouring dwellings.
- c) The development would encroach onto neighbouring land, including the access to The Lawns, which would be dangerous.
- d) If permitted the dwellings should be 3-5 metres away from the boundaries.
- e) Moor Lane is inadequate for more development.
- f) The site would be overdeveloped.
- g) The development would out of keeping with the bungalows in the locality.
- h) Parking provision would be inadequate leading to parking in Moor Lane.

Development Plan Policies

The relevant policies are:

RSS8: Policy 3

Local Plan: Housing Policies 5 & 11

Planning Considerations

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

- The principle
- Visual impact.
- Residential amenity.
- Drainage and sewerage.
- Highway safety.
- Other matters raised.

Planning Assessment

The site lies within the village confine and development would therefore be in accord with the locational principles of sustainable development.

Whilst there is a predominance of bungalows in the immediate locality there are two-storey buildings in the wider local area. The existing dwelling is two storey albeit with a shallow pitched roof, which makes it less tall than the proposed dwellings. However the design of the new dwellings would be superior to the existing dwelling, utilising some of the principles set out in Historic South Derbyshire. As such the development would be in keeping with the scale and character of the village.

The distances set out in supplementary planning guidance would be met by the development, thus protecting the amenities of neighbours to a reasonable degree.

The integrity of the public sewer is safeguarded by other legislation. However a condition could be applied to preclude development of the affected plot before the relevant diversion procedures have been followed.

On the advice of the County Highway Authority there would be no harm to highway safety interests.

The revised drawing shows the dwelling clear of the cemetery boundary. The residual issue of potential disturbance as a result of building operation is fundamentally a civil matter and not a material planning consideration. Nevertheless the applicant's architect has provided advice that building can be undertaken without any such disturbance.

None of the other matters raised through the publicity and consultation process amount to material considerations outweighing the assessment of the main issues set out above.

Recommendation

GRANT permission subject to the following conditions:

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

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

2. Notwithstanding the originally submitted details, this permission shall relate to the amended drawing received 25 January 2007 under cover of the agent's e-mail dated 24 January 2007 showing revised roof and layout details.

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

3. No part of the development shall be carried out until precise details, specifications and, where necessary, samples of the facing materials to be used in the construction of the external walls and roof of the building(s) have been submitted to and approved in writing by the Local Planning Authority.

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

4. Large scale drawings to a minimum Scale of 1:10 of eaves and verges, external joinery, including horizontal and vertical sections, precise construction method of opening and cill and lintel details shall be submitted to and approved in writing by the Local Planning Authority before building work starts. The eaves and verges and external joinery shall be constructed in accordance with the approved drawings.

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

5. 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, position and finish of heating and ventilation flue 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(s) and the character of the area.

6. Gutters and downpipes shall have a black finish.

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

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

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

8. Unless as may otherwise be agreed in writing with the Local Planning Authority, there shall be no development within 2.5 m of the line of the public foul sewer passing through the site until such time it has been diverted in accordance with Section 185 of the Water Industry Act 1991.

Reason: To ensure maintenance of essential access to the sewer.

9. 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.

10. Notwithstanding any details submitted or the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended), 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.

11. 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.

12. 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.

13. Prior to the first use of the development hereby permitted, parking facilities shall be provided so as to accommodate three cars within the curtilage of each dwelling, or in any alternative location acceptable to the Local Planning Authority or as may otherwise be agreed by the Local Planning Authority in accordance with its published standards. Thereafter, (notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995), three parking spaces, measuring a minimum of 2.4m x 4.8m, shall be retained for that purpose within the curtilage of each dwelling unless as may otherwise be approved in writing by the Local Planning Authority.

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

14. Notwithstanding the particulars of the application, revised details of the access arrangements for Plot 2 shall be submitted for approval in writing by the Local Planning Authority prior to commencement of building operations. The access shall be constructed in accordance with the revised details.

Reason: The submitted details are considered unsatisfactory.

05/02/2008

Item 1.1

Reg. No. 9/2007/0804/F

Applicant:
Mr S Calladine
6, Park Road Rickmans Corner
Overseal
Derbyshire

Agent:
Phillip Brown Associates
74 Park Road
Rugby
CV21 2QX

Proposal: Extension of existing gypsy caravan site to accommodate 3 families with a total of 6 caravans including erection of 3 amenity blocks at Land at Park Road Overseal Swadlincote

Ward: Seales

Valid Date: 09/07/2007

Reason for committee determination

This report is brought to the committee at the request of Cllr Grant because local concern has been expressed about a particular issue.

Site Description

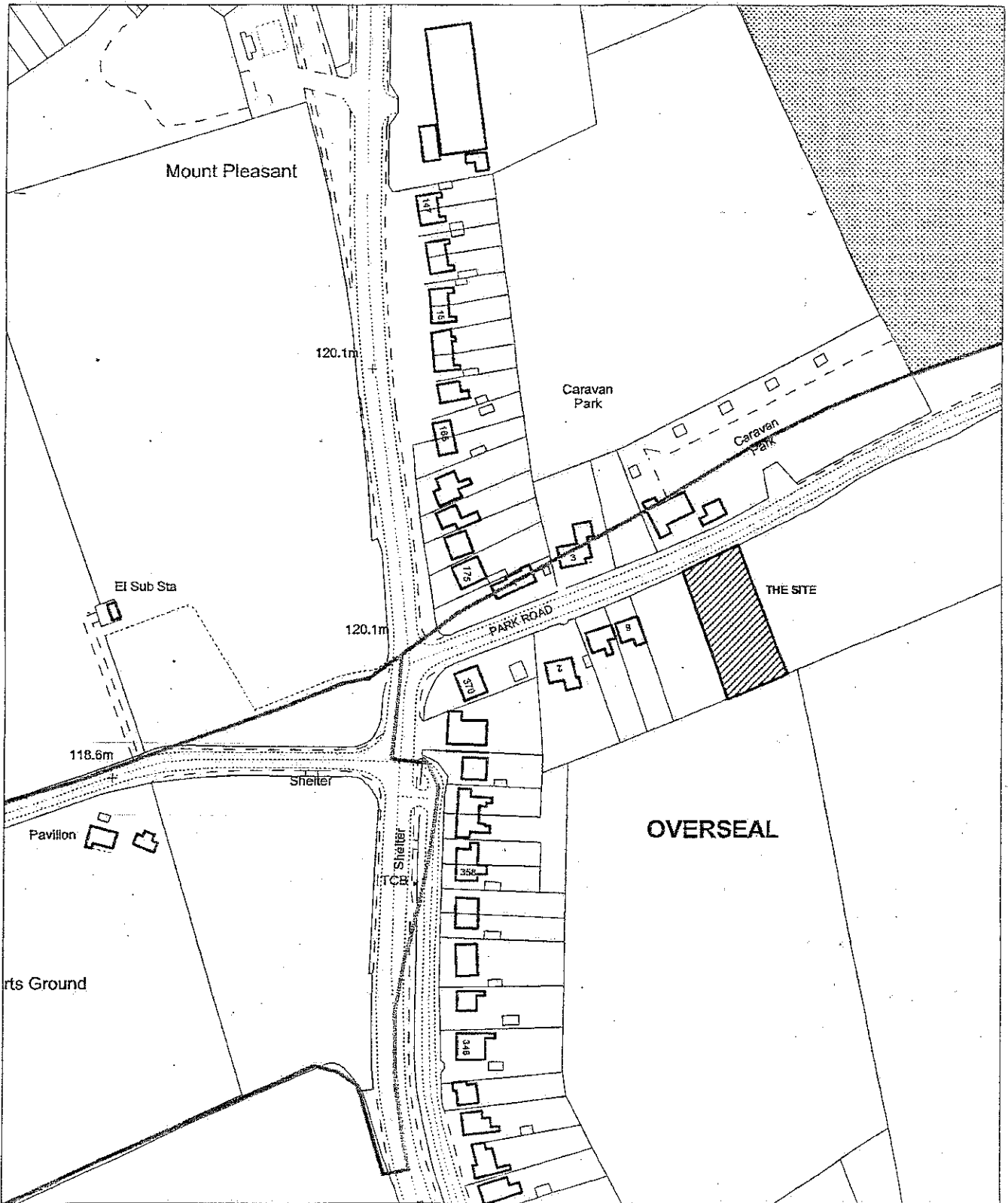
The application site comprises part of a larger field that is vacant and adjoins open countryside on two sides. The field has National Forest Planting to the South that has yet to reach maturity. To the Park Road frontage there is a thin hedge. Within the field there is no physical boundary defining the application site from the remainder.


To the north and west, adjacent land comprises the edges of ribbon development between Overseal and Linton Heath. The last plot in the stretch of ribbon development to the west is occupied as a gypsy site that was granted permission in 2004 and is separated from the application site by a wooden fence approximately a metre high. To the north (on the opposite side of Park Road) is a long established mobile home park that at one time was a gypsy site but is not restricted to occupation by travellers and it is understood that non-travellers now occupy some or all of the caravans.

Topographically, the field slopes down gently to the east towards the small pocket of industrial uses at Swains Park.

Proposal

The application relates to part of a larger area of land within the applicant's ownership. The application site is 20m across its frontage to Park Road and is almost 50m deep. It is generally flat and is clear of vegetation of any merit. It is proposed to use the land as three



 South Derbyshire District Council Civic Offices Civic Way Swadlincote DE11 0AH		Date Plotted 25/1/2008	NORTH ↑
	9/2007/0804/F Land at Park Road Overseal Swadlincote	Plot centred at 435306 323874	Scale 1:2000
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gypsy pitches that gain access via the existing driveway on adjacent land. Each pitch would provide standing for up to two caravans. In addition each pitch would be provided with an amenity block 6.75m wide x 4m deep comprising kitchen, utility, bathroom and store.

Applicants' supporting information

In support of the application the applicant's agent has submitted additional information that is summarised as follows:

The applicant's current permission does not allow other family members or friends to stay on the land and locally there is very little transit accommodation available (only two pitches at Lullington Crossroads). Unlike the previous application there is no need to break through the roadside hedge and there would be only a marginal effect on the character and appearance of the surrounding area. The site is within walking and cycling distance of both Overseal and Linton and is in a very sustainable location particularly when compared with the two public sites in the District that have recently been extended.

The proposal is compliant with Policy H15 in the Council's adopted Local Plan and with Government advice in Circular 01/2006. It lies in an area visited by gypsies and would help to meet the need for pitches in the locality.

Planning History

There is no planning history relating to the application site itself. However on the adjoining land that is owned by the applicant, planning permission was granted in 2004 for use of land adjacent to number 6 Park Road (now known as the Conifers) as a caravan site for one gypsy family with up to two caravans. In 2006 planning permission was granted for an amenity block at The Conifers.

There has been complaints about The Conifers, specifically that conditions on the permission have not been complied with, namely that drainage details have not been agreed and the site has been occupied by more than two caravans that are visitors (Conditions 7 and 8 respectively). The investigation into these issues is ongoing.

Responses to Consultations

Overseal Parish Council objects on the following grounds:

- There is no foul sewer.
- Neighbours' gardens are flooded because of the lack of proper drainage.
- The previous application was based on the medical needs of a child requiring regular hospital treatment, this does not appear to have occurred and there is no similar justification for expanding the site.
- The previous application was for two caravans; there are normally 5 or 6 caravans on the site.
- The application states that there are only two caravans at Lullington Crossroads whereas it is understood that there are 14.
- There are already two official travellers' sites in South Derbyshire and many other Districts have none. Provision is therefore already met.

- Occupants would be dependent on the car for access to daily facilities and an application in a nearby part of the village was refused for this reason.
- The development would increase traffic on a busy road used by HGV's serving the landfill site.

Severn Trent Water and the Environment Agency have no objection subject to conditions.

The Pollution Control Manager has no objections in principle to the proposal.

Responses to Publicity

Six letters has been received. The following objections have been raised:

- There was no suggestion that the previous application that was put forward on medical need of one family member would result in an ever increasing gypsy site to meet the needs of visiting family
- There has been up to five caravans on the existing site on numerous occasions over the last three years that appeared to be living rather than visiting caravans. Since this application has been submitted the majority of these caravans have disappeared.
- Landscaping conditions on the previous application have not been met and the current site is bounded by fencing/wall/iron gated and security lighting. The current application contains similar proposals to assimilate the development into the surrounding countryside but this may not take place with the resulting increase in impact on visual amenity of the area
- There is no main sewer in the locality to take foul drainage. Further septic tanks draining into the ditches and wetlands cannot be good for the environment
- Development of the existing site resulted in the removal of underground land drainage pipes and their replacement with an impermeable slab resulting in persistent flooding of nearby gardens. Expansion of the site can only exacerbate this problem and result in loss of amenity for occupants of existing houses nearby whose gardens have become less usable.
- Increase in use of the access would cause issues of highway safety on a road heavily trafficked by HGV's
- Given the land ownership plan, how many more applications will come forward?
- The site layout with amenity blocks appears to be for permanent occupation rather than or visitors.
- Can the Planning Department give any assurances that the current application would not deviate from the submitted plans?
- Plans do not show the orientation of the amenity blocks
- Litter is thrown onto the agricultural land to the rear to the detriment of animal and safety.
- Staff are not available to speak to about the proposal

RSS/Structure/Local Plan policies

The relevant policies are:

RSS8: N/A

Adopted Local Plan: Environment Policy 1, Housing Policy 15, Transport Policy 6.

National Guidance/Policy

Circular 01/06 - Planning for Gypsy and Traveller Sites – states that the Government's key objective for housing is to ensure that everyone has the opportunity of living in a decent home and it promotes the encouragement of Gypsies to provide their own sites. In summary, its intentions are: -

- To create and support sustainable, respectful and inclusive communities where gypsies and travellers have fair access to suitable accommodation, education, health and welfare provision, and where there is mutual respect between all communities for the rights and responsibilities of each community and individual;
- To reduce the number of unauthorised encampments and developments and the conflict and controversy they cause and to make enforcement more effective where local authorities have complied with the guidance in this Circular;
- To increase significantly the number of Gypsy and Traveller sites in appropriate locations with planning permission in order to address under-provision;
- To recognise, protect and facilitate the traditional lifestyle of Gypsies and Travellers whilst respecting the interests of the settled community;
- To underline the importance of assessing needs at regional and sub-regional level and for local authorities to develop strategies to ensure that needs are dealt with fairly and effectively;
- To develop strategies to ensure that needs are dealt with fairly and to make provision for the resultant land and accommodation requirements;
- To ensure that DPD's include fair, realistic and inclusive policies to ensure identified need is dealt with fairly and effectively;
- To promote more private Gypsy and Traveller site provision in appropriate locations through the planning system, while recognising that there will always be those who cannot provide their own sites; and
- To help or avoid Gypsies and Travellers becoming unintentionally homeless.

In addition to Circular 01/06 referred to above, there is a raft of Government advice in Legislation and good practice guidance with regard to Gypsies and Travellers including unauthorised encampments, homelessness and the provision of housing by way of the Housing Act 2004. The general thrust of which is that Local Authorities should assess the needs of all parts of the community and make appropriate provision.

Planning Considerations

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

- Government advice for the provision of gypsy sites including:
 - The need for additional gypsy caravan pitches in the area
- Conformity with the Development Plan including:
 - The impact of the development on the character and appearance of the area
 - Access and highway safety

Planning Assessment

Government Policy

The application site lies in the countryside within which Planning Policy Statement 7 and Development Plan policies seek to strictly control new building away from settlements.

However, Circular 01/06 specifically seeks to increase the supply in the provision of sites for Gypsies and Travellers to address a national shortfall - including in rural areas.

Under the revised guidance, local authorities are required to rigorously assess the accommodation needs of Gypsies and Travellers and make site specific allocations for new public and private sites in development plans (South Derbyshire was included in those authorities that had no needs survey.) The current position is that Derbyshire County Council has been co-ordinating a county-wide survey. The survey is in the final stages of completion and is likely to be released in the near future, possibly later this month (February). In dealing with planning applications in the meantime, local planning authorities will necessarily have to rely upon existing criteria-based policies and estimate "need" on the basis of existing data that the Circular sets out as a checklist of information necessary to draw a conclusion.

The list includes incidents of unauthorised encampments, the status of existing authorised private sites, the number and outcomes of planning applications, the levels of occupancy on private and public sites and the twice yearly caravan counts undertaken on behalf of ODPM (now DCLG). The Circular states that local planning authorities will be expected to demonstrate that they have considered this information, where relevant, before any decision to refuse a planning application for a gypsy and traveller site and to provide it as part of any appeal documentation.

To summarise, therefore, the development or extension of gypsy sites in the countryside such as the current application is inappropriate unless, firstly, available data demonstrates that a need (i) for such accommodation exists which cannot be met on any existing sites, and secondly the proposal is acceptable in other planning respects (ii).

(i) Need

Whilst waiting for the publication of the Needs Survey, reliance is based on this Council's records for much of the information specified in the Circular.

In terms of planning applications over the past five years, this Council has granted permission for small private sites at Walton-on-Trent and the adjoining site to this application at Overseal. In addition extensions were granted at both existing public sites at Church Broughton and Lullington. There have also been two permissions granted on appeal at Linton and Linton Heath, one for two caravans (amended by application to one) and the other for three caravans.

Existing public sites at Church Broughton and Lullington continue to be generally fully occupied with turnover of plots being relatively rare. Both sites have recently undergone some refurbishment work and on 21 January the two transit pitches at Lullington were vacant and there were four permanent pitches available at Church Broughton that it is understood are likely to be let shortly.

There is a further private caravan site at Park Road, Overseal that was originally allowed as a gypsy caravan site (more than 25 years ago) but was unrestricted in terms of occupants and over the years it has become occupied by non-travellers. In planning terms there appears to be no reason that gypsies would be restricted from occupying the site if they wished to do so but it is currently the owner's choice to restrict gypsy occupation.

Caravan counts undertaken by this Council on behalf of the Government show that unauthorised encampments in South Derbyshire are skewed towards two areas in the District, namely the Hilton/Hatton areas in the north and Linton in the south. This could possibly be attributed to the fact that there are two public sites in the vicinity of these areas which might attract hopeful travellers. At the time of writing the available data for unauthorised encampments for the period June 2007 - October 07 is that there were 12 incidents involving in excess of 74 caravans (40 in one unauthorised encampment at Etwall). Some of the incidents were the same group of travellers moving from one unauthorised site to another.

In addition to the above, a report was commissioned from KGS in 2004 that sought to establish the welfare needs of Gypsies and Travellers who are already based in South Derbyshire. It identified that the travelling community was generally satisfied with the sites where interviews took place but it also established that the site at Park Road, Overseal is not available to the travelling community because the site owner had chosen to no longer let pitches to travellers. It also showed that the turnover at the well-established sites was very small because, once based in the area, its attractiveness, low crime rates and other factors make staying in South Derbyshire a priority. The respondents generally had no conflict with the resident community and the majority had been in their existing site in excess of one year, 35% having been in residence for over 5 years.

In conclusion on the issue of need, whilst there is no overwhelming pressure for the southern part of the District, there appears to be some degree of unmet demand in this part of the District evidenced by the same group moving between two sites in the locality of the application site.

(ii) Conformity with the Development Plan

Adopted Local Plan Housing Policy H15 forms the main basis for assessing the application. It contains six criteria that require:

- I. New gypsy sites be in an area already frequented by gypsies
- II. A satisfactory location in relation to other development
- III. That the site is acceptable in environmental terms
- IV. That the site is reasonably accessible to community services and facilities
- V. Sympathetic assimilation into the landscape
- VI. An acceptable vehicular and pedestrian access can be provided

In assessing the above criteria, it is clear that this is an area already frequented by gypsies evidenced by the number of public, private sites and unauthorised encampments.

As to neighbouring land uses, the site is bounded by an existing caravan site to the east and there is a caravan park opposite. It is therefore considered that the site is satisfactory in terms of its location in relation to other development and there are no environmental issues that would preclude development.

In terms of sustainability, the site lies around 1km from the closest shop. The closest village amenities lie in both Overseal and Linton, both also around a km away from the application site. A Post Office and primary school are in each of Overseal and Linton whilst medical and secondary school provision are yet further afield in Swadlincote. The Circular advises that rural settings for gypsy sites are acceptable in principle where they are not subject to special planning constraints. It goes on to advise local authorities to be realistic about the availability of alternatives to the car in accessing local services in rural

areas and that in some cases of untidy or derelict sites a well-planned traveller site can be seen as positively enhancing the environment. Given the overall scale of the proposal and the presence of some local facilities within cycling distance, it is considered that it would be difficult to sustain a refusal on the basis of accessibility to services.

In landscape terms, whilst the site lies within an area where countryside policies apply and it is open to the countryside on two sides, there is a significant amount of woodland planting to the rear of the site that would mitigate the impact of the development from the countryside. The ownership of additional land and the topography is such that appropriate landscaping to the western site boundary together with appropriate boundary treatment to the south could mitigate any remaining visual intrusion. It is difficult to determine how much of the existing hedgerow to Park Road would be lost in order to provide the visibility splay required it is possibly in the region of 15m. This would be required to be replanted along the back of the splay.

With regard to highway safety, since the previous application for The Conifers was approved, traffic speeds have altered and visibility required is reduced to 120m in an easterly direction as opposed to 215m originally requested. Given this is achievable, the County Highways Authority raises no objections subject to conditions.

With regard to drainage, there is no main available for this proposal and, at the request of the Environment Agency, the applicant has suggested a package treatment plant. This is acceptable in principle but the submitted details are currently inadequate to satisfy the Environment Agency and therefore the usual condition requiring agreement of the means of disposal of both surface water and foul water would be necessary. This would have the effect of preventing occupation of the new site prior to details being agreed and implemented.

Conclusion

The previous application for The Conifers confers acceptance that the Calladine family are gypsies and as such an exception to the normal policies for the protection of the countryside may apply. Support for this application is found in Circular 01/06 which, amongst other things, seeks to increase significantly the number of gypsy and traveller sites and to promote more private gypsy and traveller site provision in appropriate locations. As set out above, the proposed development accords with the criteria for gypsy sites in Housing Policy H15 of the adopted Local Plan. There is some unmet need in the locality, the visual impact of this site can be reduced by landscaping and access to the site is acceptable. Therefore the issues central to the consideration of this application that are set out in the planning considerations section of this report are all satisfied and subject to conditions the proposal is considered acceptable.

None of the other matters raised through the publicity and consultation process amount to material considerations outweighing the assessment of the main issues set out above.

Recommendation

GRANT permission subject to the following conditions:

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

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

2. This permission does not authorise use of the land as a caravan site by any persons other than gypsies as defined in paragraph 15 of Government Circular 01/2006 (Planning for Gypsy and Traveller Caravan Sites).

Reason: To safeguard the site for occupation by gypsies.

3. No more than two caravans shall be stationed on each pitch at any time.

Reason: For the avoidance of doubt.

4. No caravan shall be stationed that is not capable of being legally towed on a public road.

Reason: To safeguard the visual amenity of the countryside in accordance with Environment Policy 1 of the adopted Local Plan.

5. No commercial activity or outside storage related to any trade or business shall take place on the site.

Reason: To protect the visual amenity of the locality.

6. No vehicle shall be parked or stored on the site which exceeds 3.5 tonnes unladen weight.

Reason: To protect the visual amenity of the locality.

7. Notwithstanding the submitted information no development approved by this permission shall take place on the site until details of a scheme for the conveyance of foul drainage to a private treatment plant has been submitted to and approved by the Local Planning Authority. No part of the development shall be brought into use until such treatment plant has been constructed.

Reason to prevent the pollution of the water environment.

8. The roof shall be covered in plain blue clay tiles and the walls constructed in red brick to match the colour and texture of those of the existing building.

Reason: In the interests of the appearance of the building(s).

9. Prior to the first use of the development hereby permitted, the land in advance of the sight lines shown on the submitted drawing number 2261 and received by the Local Planning Authority on 7 December 2007 shall be cleared and thereafter retained free of all obstructions to visibility over a height of 1 metre above the adjoining carriageway level.

Reason: In the interests of highway safety.

10. In the first planting season following the laying out of the sightline in an easterly direction, a new hedgerow including appropriate hedgerow trees shall be planted behind the visibility sight line required under Condition 9 above in accordance with a planting and maintenance schedule which shall have received the prior written approval of the Local Planning Authority. The hedgerow shall be maintained in accordance with the approved maintenance schedule. Any minor repositioning of the amenity block closest to the northern site boundary as a result of the realignment of the hedgerow shall be first agreed in writing with the Local Planning Authority.

Reason: In the interest of the amenity and rural character of the area.

11. Prior to first occupation of the development hereby permitted access shall be provided with a minimum width of 3.2m and be constructed with 2m x 2m x 45° vehicular crossover and surfaced in a solid bound material for the first 5m into the site from the highway boundary.

Reason: In the interests of highway safety.

12. Any gates shall be set back a minimum of 10m from the highway boundary and designed so as to open inwards only.

Reason: In the interests of highway safety.

13. 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.

14. 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.

15. Notwithstanding any details submitted or the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended), 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.

16. Prior to the first use of the development hereby permitted, parking and manoeuvring facilities shall be provided so as to accommodate six vehicles within the curtilage of the site, or in any alternative location acceptable to the Local Planning Authority or as may otherwise be agreed in writing by the Local Planning Authority in accordance with its published standards. Thereafter six parking spaces, measuring a minimum of 2.4m x 4.8m, shall be retained for that purpose within the curtilage of the site unless as may otherwise be approved in writing by the Local Planning Authority.

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

Informatives:

A discharge consent will be required from the Environment Agency and will not necessarily be granted. The applicant is advised to contact the Environment Agency National Water Quality Permitting Team for further information.

Information to satisfy condition 7:

The applicant will need to provide proposed details on how the plant will be maintained and where the effluent will be discharged to. If it is proposed to discharge the treated effluent from the package plant to a soakaway system, porosity tests must be carried out to the satisfaction of the local authority that suitable sub soil and adequate land area is available.

No part of the soakaway system should be connected to, or located within 10m of any land drain, surface water sewer, ditch, watercourse or other controlled waters, the formal consent of the Environment Agency will be required.

If it is proposed to discharge the treated effluent from the package plant to any land drain, surface water sewer, ditch, watercourse, or other controlled waters either directly or indirectly, the formal consent of the Environment Agency will be required.

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

