

Case Officer: Sarah Kay
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Ctte Date: 3rd April 2018

File No: CHE/18/00024/FUL
Plot No: 2/5586

ITEM 2

PROPOSAL - FIVE DETACHED DWELLINGS AND GARAGES - REVISED PLANS, HABITAT SURVEY AND ECOLOGICAL ASSESSMENT REC'D 01/03/2018 AT LAND AT BRECKLAND ROAD, WALTON, CHESTERFIELD, DERBYSHIRE FOR PEPPERMINT GROVE

Local Plan: New / Extended Local Centre
Ward: Walton

1.0 CONSULTATIONS

DCC Highways	Comments received 13/02/2018 – see report
Environmental Services	Comments received 05/02/2018 – see report
Design Services	Comments received 09/02/2018 – see report
Yorkshire Water Services	Comments received 15/02/2018 – see report
Coal Authority	Standing advice applies
Urban Design Officer	Comments received 12/02/2018 and 02/03/2018 – see report
Derbyshire Wildlife Trust	Comments received 19/02/2018 and 12/03/2018 – see report
Strategic Planning Team	Comments received 16/02/2018 – see report
Ward Members	No comments received
Site Notice / Neighbours	Six representations received

2.0 THE SITE

2.1 The application site is a vacant parcel of land 0.15ha in area located north of Breckland Road and east of Foxbrook Drive and Foxbrook Court in Walton. The site has recently been cleared of all vegetation, none of which was protected by any statutory designation.

2.2 There is a public footpath which runs from Breckland Road along the eastern boundary of the application site to Somersall Park Playing Fields. The public footpath passes between the site and the shops / car park of the local centre of Walton and these are situated at a lower level beyond a grassed embankment.

2.3 The land slopes gently in a northerly direction from Breckland Road to edge of the neighbouring property immediately to the north, which is No. 5 Foxbrook Drive.



3.0 **RELEVANT SITE HISTORY**

3.1 CHE/0998/0504 - Erection of 29 detached houses on land at the junction with Foxbrook Drive, Breckland Road. Approved 26/02/1999.

3.2 CHE/0996/0508 - Residential development of 49 dwellings on land north of Breckland Road. Approved 25/02/1997.

3.3 CHE/0885/0525 - Proposed primary school on land off Breckland Road. Approved on 07/10/1985 (not implemented).

4.0 **THE PROPOSAL**

4.1 The application submitted seeks full planning permission for the proposed erection of five detached dwellings; two served by driveway access off Breckland Road and three served by driveway access off Foxbrook Drive.

4.2 The application details five individual houses types as per the following schedule:

House Type A – 4 bedroom two storey dwelling with integral garage and driveway taken from Breckland Road with parking for 2 no. vehicles.

GF – Garage, Hallway, W.C, Open Plan Kitchen, Diner and Living Area.

FF – 1 no. master bedroom (en-suite), 2 no. double bedrooms, 1 no. single bedroom and bathroom.

House Type B - 4 bedroom two storey dwelling with integral garage and driveway taken from Breckland Road with parking for 2 no. vehicles.

GF – Garage, Hallway, W.C, Open Plan Kitchen, Diner and Living Area, Lounge.

FF – 1 no. master bedroom (en-suite), 2 no. double bedrooms (1 no. en-suite), 1 no. single bedroom and bathroom.

House Type C – 5 bedroom 2.5 storey dwelling with detached garage and driveway taken from Foxbrook Drive with parking for 2 no. vehicles.

GF – Hallway, W.C, Lounge, Open Plan Kitchen, Diner, Living Area and Utility. Detached Garage (single).

FF – 1 no. Master bedroom (en-suite), 1 no. double bedroom and 1 no. single bedroom and bathroom.

SF – 2 no. double bedrooms.

House Type D – 5 bedroom 2 storey dwelling with integral garage and driveway taken from Foxbrook Drive with parking for 2 no. vehicles.

GF – Garage, Hallway, W.C, Lounge, Open Plan Kitchen, Diner, Living Area and Utility.

FF – 1 no. Master bedroom (en-suite), 2 no. double bedrooms (1 no. en-suite), 2 no. single bedrooms and bathroom.

House Type E - 5 bedroom 2 storey dwelling with detached garage and driveway taken from Foxbrook Drive with parking for 2 no. vehicles.

GF – Hallway, W.C, Lounge, Family Room, Open Plan Kitchen, Diner, Living Area and Utility. Detached Garage (single).

FF - 1 no. Master bedroom (en-suite), 2 no. double bedrooms (1 no. en-suite), 2 no. single bedrooms and bathroom.

4.3 The application submission is supported by the following plans / documents:

- PG.223817.101 REV D – PLANNING LAYOUT
- PG.223817.102 REV C – SITE SECTIONS
- PG.223817.103 REV C – LANDSCAPE MASTERPLAN
- PG.223817.104 – DESIGN PARAMETERS
- PG.233817.105 – AMENDMENTS OVERLAY
- PG.223817.110 – TYPE A ELEVATIONS
- PG.223817.111 – TYPE A PLANS
- PG.223817.112 – TYPE B ELEVATIONS
- PG.223817.113 – TYPE B PLANS
- PG.233817.114 – TYPE C ELEVATIONS
- PG.233817.115 – TYPE C PLANS
- PG.233817.116 REV A – TYPE D ELEVATIONS
- PG.233817.117 REV A – TYPE D PLANS
- PG.233817.118 REV A – TYPE E ELEVATIONS
- PG.233817.119 REV A – TYPE E PLANS
- PG.223817.120 REV A – SINGLE GARAGE
- PG.223817.121 – GARAGE PLOT 5

- DESIGN AND ACCESS STATEMENT BY OASIS URBAN DESIGN
- PLANNING STATEMENT BY JOHN CHURCH PLANNING CONSULTANCY LTD
- ECOLOGICAL ASSESSMENT SEP 2017 BY WEDDLE LANDSCAPE DESIGN
- FCC 01 - PHASE 1 HABITAT SURVEY BY WEDDLE LANDSCAPE DESIGN

4.4 Revised plans (incorporated into the list above) were submitted by the Agent on 01 March 2018 and 16 March 2018.

5.0 **CONSIDERATIONS**

5.1 **Planning Policy Background**

5.1.1 The site is situated within the built settlement of the Walton ward in an area predominantly residential in nature, located adjacent to the enclave of shops that make up the Walton Local Centre. Having regard to the nature of the application policies CS1, CS2, CS3, CS4, CS7, CS8, CS9, CS10, CS15, CS18 and CS20 of the Core Strategy and the wider National Planning Policy Framework (NPPF) apply. In addition the Councils Supplementary Planning Document on Housing Layout and Design 'Successful Places' is also a material consideration.

5.2 **Principle of Development**

5.2.1 The application site is allocated in the adopted Local Plan (Local Plan Core Strategy 2013 and Reg 22 Submission policies map) as an extension to the existing Local Centre.



Regulation 22 Submission Policies Map 2013

5.2.2 The site is also undeveloped and would be considered a greenfield site, policy CS10 therefore applies.

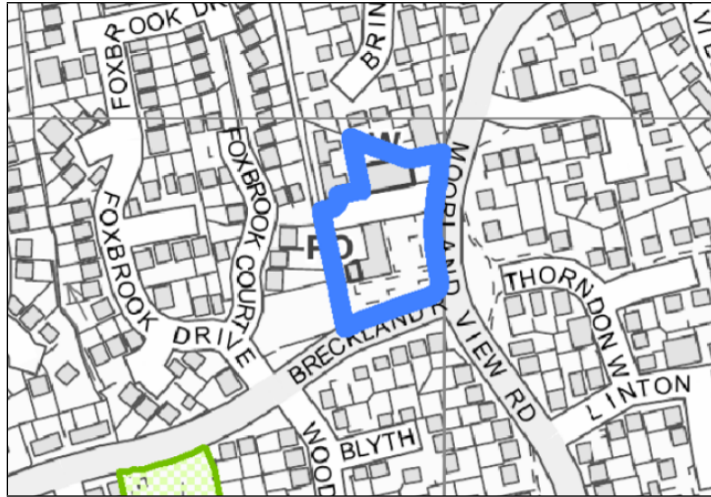
5.2.3 In other respects, the principle of development would accord with the council's overall spatial strategy as set out in policies CS1 and CS2.

Policy CS10 – Housing in Greenfield Land.

- 5.2.4 Policy CS10 ('Flexibility in delivery of Housing) restricts the granting of planning permission for new housing led development on greenfield sites where the council can demonstrate a five year supply of suitable housing sites (which is currently the case).
- 5.2.5 However in this case it should be noted that the site is allocated for development in the adopted local plan (albeit as part of the local centre). There is therefore a clear presumption that the site is considered suitable for development. The site is also clearly of a small scale and within the urban area. The loss of openness of the site is unlikely to cause any significant harm and the site is not related to any other open areas or open countryside.
- 5.2.6 It would be unreasonable to refuse development of the site for housing on this basis when there is clearly already a presumption that it will be developed in the Local Plan.

Policy CS15 – Loss of extension to Local Centre

- 5.2.7 The allocation as part of the Local Centre was 'saved' from the 2006 Replacement Chesterfield Borough local Plan. It was also identified in the 1996 Chesterfield Local Plan, prior to the development of housing on Foxbrook Drive. During that time (over 20 years), no proposals for retail or community use of the site have come forward. The NPPF encourages Local Planning Authorities to keep land allocations under review and avoid the long term protection of sites where there is no reasonable prospect of a site being used for the allocated purpose.
- 5.2.8 At this time, there is no indication that the CCG has any intentions to provide new healthcare facilities in the area (concentrating instead on existing provision) and the site is neither needed nor large enough to provide a school.
- 5.2.9 The draft Local Plan (published for consultation in January 2017), proposes a revised boundary for the Local Centre that excludes the application site.



Draft Chesterfield Borough Local Plan Proposals Map January 2017

- 5.2.10 Although only limited weight can be given to the emerging Local Plan at this stage I should be noted that there have been no objections received to this proposed change at this stage. The application site is below the size threshold for consideration as a potential housing allocation in the emerging local plan (at 0.15ha compared to a threshold of 0.25ha).
- 5.2.11 In the light of the length of time that the site has remained undeveloped and the emerging policy position, it would be unreasonable to refuse planning permission for development of the site for housing on the basis of the existing Local Plan allocation.

5.3 **Design and Appearance Considerations (inc. Neighbouring Impact / Amenity)**

Amount

- 5.3.1 The site area measures 0.15 hectares in area and a development of 5 dwellings would equate to 33 dwellings per hectare which represents a fairly standard suburban density. This is consistent with the general pattern of development in the vicinity.

Layout

- 5.3.2 The layout addresses both frontages with two houses facing south onto Breckland Road and three houses facing west onto Foxbrook Drive. This arrangement relates well to the street frontages and provides a positive streetscene. Driveways are accessed direct from the adjacent roads and comprise a mix of frontage parking

(Plots 1, 2 and 4) and side parking adjacent to Plots 3 and 5, which reflects the characteristics of the local area.

House Types

- 5.3.3 The scheme proposes 5 individual house types, each of a subtly different appearance. Throughout the application process the developer has responded to comments and feedback made by the Council's **Urban Design Officer** (UDO) in respect of the siting, layout, scale and design of the house types and the relationship they create with the neighbouring area and adjoining properties. Alternations have been made to Plots 1, 4 and 5 in respect of scale and layout to ensure the properties reflect an appropriate relationship to the streetscene and with neighbouring properties (particularly No 5 Foxbrook Court). Obscure glazing is proposed to all FF side elevation windows to protect / preserve neighbouring amenity and this detail can be appropriately controlled by planning condition. Furthermore alterations to the detached garage to Plot 5 have been further amended to ensure the roofline of this structure (which is positioned closest to No 5 Foxbrook Court) has an acceptable relationship with the neighbouring property.

Rear garden sizes

- 5.3.4 The proposed dwellings comprise four and five bedroom houses. These would normally require private rear amenity spaces with a minimum garden size of 90sqm. Plot 3 appears to be slightly below this threshold (approximately 84sqm), although the shortfall is modest and a slight under-provision of one garden area is not by itself, considered to be sufficient justification to withhold permission.

Landscaping

- 5.3.5 Illustrative landscape details are currently shown, although the principles as shown on the plan are appropriate within this context. In the event the application recommended for approval, full details of landscaping could be managed by a suitably worded condition.

Appearance

- 5.3.6 The scheme proposes the use of buff brick, with some feature render panels under dark tiled roofs. The area includes a mix of both red and buff brick properties and the palette of materials and proposed colours is appropriate within the context of this site. This approach will help assimilate the development into its setting.

- 5.3.7 The architectural style of the houses adopts a more contemporary appearance than the character of the surrounding estate. However, the design would complement rather than jar with its surroundings and represents a sensitive contemporary interpretation of suburban development. As such, it is considered that the appearance would respect and enhance the quality of place rather than detract from it.
- 5.3.8 Having regard to the above and in the context of the provisions of Policies CS2 and CS18 of the Core Strategy and the material planning considerations in relation to neighbour impact, it is concluded the proposals will not impact upon the privacy and/or outlook of the adjoining and/or adjacent neighbours and are acceptable in terms of these policies.
- 5.3.9 Notwithstanding the above the case officer is mindful of the fact that future domestic development on each plot through permitted development opportunities might adversely impact upon the success of the developments integration in the surrounding area and the relationship with neighbours. Therefore given the overall acceptance of the development design it would be appropriate if permission is granted to withdraw the permitted development rights of each dwelling to enable future control of other ad hoc domestic extensions.

5.4 **Highways Issues**

- 5.4.1 The application submission has been reviewed by the **Local Highways Authority** (LHA) who provided comments on the application submission which were fed back to the developer to consider alongside alterations to the scheme. Initially the LHA commented as follows:

'Whilst there are no objections in principle to residential development each access should be provided with adequate exit visibility.

Plots 1 & 2 – visibility will be within highway

Plot 3 – visibility should be provided to the junction of Foxbrook Drive with Breckland Road and Foxbrook Drive with Foxbrook Court

Plot 4 – to the tangent of the junction radius of Foxbrook Drive with Breckland Road and the junction of Foxbrook Drive with Foxbrook Court

Plot 5 – 2.4m x 25m in both directions

The above visibility splays should be suitably demonstrated on a scale drawing with the area in front of sightlines clear of obstructions greater than 1.0m in height (600mm in the case of vegetation) relative to the nearside carriageway channel level.

Off street parking provisions should be provided on the basis of three spaces per dwelling with single garage having internal dimensions of 3m x 6m, spaces in front of garage doors having a minimum dimensions 2.4m x 6.5m and other spaces having minimum dimensions of 2.4m x 5.5m.

It is recommended that the applicant is given the opportunity to submit a revised drawing demonstrating measures to address the above issues.

If however you are minded to approve the application it is recommended the following conditions be included on any consent:

- 1. Prior to any works commencing, the applicant shall submit and have approved in writing, by the LPA (in consultation with the LHA) a revised layout drawing demonstrating the following:
Plots 1 & 2 – visibility will be within highway
Plot 3 – visibility should be provided to the junction of Foxbrook Drive with Breckland Road and Foxbrook Drive with Foxbrook Court
Plot 4 – to the tangent of the junction radius of Foxbrook Drive with Breckland Road and the junction of Foxbrook Drive with Foxbrook Court
Plot 5 – 2.4m x 25m in both directions*
- 2. The area in front of the sightlines shall be maintained clear of obstructions greater than 1.0m in height (600mm in the case of vegetation) relative to the nearside carriageway channel level.*
- 3. Off street parking provision should be provided on the basis of three spaces per dwelling (given that the properties are indicated as 4/5 bedroom) with single garages having internal dimensions of 3m x 6m, spaces in front of garage doors having a minimum dimension of 2.4m x 6.5m and other spaces having a minimum dimension of 2.4m x 5.5m.*

4. *Before any other operations are commenced, space shall be provided within the site curtilage, for site accommodation, storage of plant and materials, parking and manoeuvring of site operative's and visitor's vehicles together with the loading/unloading and manoeuvring of goods vehicles. The space shall be constructed and laid out to enable vehicles to enter and leave the site in a forward gear, in surface materials suitable for use in inclement weather and maintained free from impediment throughout the duration of construction works.*
5. *Before any other operations are commenced new vehicular and pedestrian accesses shall be formed to Breckland Road, Foxbrook Drive and Foxbrook Court in accordance with the drawing approved under condition 1 above.*
6. *No dwelling shall be occupied until space has been laid out within the site in accordance with the drawing approved under condition 1 above for cars to be parked and the spaces thereafter shall be maintained free from any impediment to their designated use.*
7. *The garages hereby permitted shall be kept available for the parking of motor vehicles at all times. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) order 1995 (or any Order revoking and / or re-enacting that Order) the garages hereby permitted shall be retained as such and shall not be used for any purpose other than the garaging of private motor vehicles associated with the residential occupation of the property without the grant of further specific planning permission from the LPA.*
8. *There shall be no gates or other barriers on the accesses / driveways.*
9. *The proposed accesses / driveways to Breckland Road / Foxbrook Drive and Foxbrook Court shall be no steeper than 1 in 14 over their entire length.'*

5.4.2 Following receipt of the revised details these were forwarded to the LHA for further comments, however no further comments have been received (despite the passage of several weeks).

5.4.3 Notwithstanding the absence of the any further comments from the LHA, it was clear from their initial response that they were satisfied the scheme was acceptable in principle subject to the application meeting the requirements of the suggested conditions. On this basis the revised details have been considered in the context of those conditions as follows:

Visibility Splays – These details have not been included on the latest revised drawings and it is suggested that some of the concept landscape proposals concerning plots 3, 4 and 5 may have the potential to hinder exit visibility from the driveways once established (3 no. trees and hedge / shrub planting).

Notwithstanding this it is considered that only very minor alterations to the landscaping scheme (or further details of species etc) would satisfy the requirements of the condition sought by the LHA above; and therefore it is considered that the driveway locations and available visibility are acceptable in principle subject to further details of how boundary treatments / sightlines are to be maintained.

Parking Provision – On the basis the scheme is for 4/5 bedroom properties parking provision to meet with the adopted Core Strategy / Housing SPD and policy CS20 requires the provision of up to 3 no. spaces; alongside the provision of electric vehicle charging points. In this context the site layout and housing layout details have been reviewed, with the following dimensions being proposed:

- Plot 1 – Driveway 5m wide x 5m / 6m deep with Integral Garage 5.75m x 2.85m
- Plot 2 – Driveway 5.0m wide x 5.5m / 9.0m deep with Integral Garage 6.0m x 2.95m
- Plot 3 – Driveway 3.5m wide x 16.5m deep with Detached Garage 6.15m x 3.0m
- Plot 4 – Driveway 5.0m wide x 6.5m / 7.5m deep with Integral Garage 6.1m x 3.0m
- Plot 5 – Driveway 3.0m wide x 14.0m deep with Detached Single Garage 6.15m x 3.0m

Despite the LHA adopting a recommendation that car parking spaces should measure 2.4m x 5.5m, a standard car parking space measures 2.4m x 4.8m (as detailed in the Housing SPD). On this basis each of the 5 no. dwellings include driveway parking

on each plot with sufficient space to count as at least 2 no. parking spaces. The third space is reliant upon the garage provision which is not unusual – see approvals for Millers, Newbold Road, William Davis, Dunston Lane and Strata, Cammac site - as recent examples of this same approach being accepted; and all garages proposed are of dimensions which can be accepted as a third parking space.

Removal of PD Rights to Garages / Parking Retention – It is accepted that it will be necessary to require the garages to each plot to be retained for use as parking (removal of pd rights for conversion to habitable accommodation) however the LPA cannot extend any conditional planning control to insist any future occupants park a car in their garage. This is unreasonable as people have free choice to park their car wherever they wish (subject to adhering to traffic regulations etc). Similarly the driveways can be conditioned to be retained for parking however the LPA cannot extend any conditional planning control to insist any future occupants park a car on their drive.

Others – Policy CS20 seeks to make provision for charging electric vehicles as part of new development and this should be secured through condition (at its most basic, this can be met by ensuring availability of a standard domestic socket in garages and suitable external socket for other off street provision).

5.4.4 Overall it is considered that the development proposals are to be served by an appropriate driveway accesses and parking is provided at an acceptable ratio. In respect of highway safety and the provisions of policies CS2, CS18 and CS20 of the Core Strategy the proposals are considered to be acceptable.

5.5 **Flood Risk & Drainage**

5.5.1 Having regard to the provisions of policy CS7 (Managing the Water Cycle) of the Core Strategy the application submission was referred to **Yorkshire Water Services** (YWS) and the Council's **Design Services** (DS) team for comments in respect of drainage and flood risk.

5.5.2 The DS team commented, *'the site is not shown to be at risk of flooding according to the Environment Agency flood maps. The applicant indicates that surface water will be disposed of using*

soakaways. We would like to see percolation tests prior to approval to ensure soakaways are a suitable means of drainage for this site. These should be designed in accordance with BRE Digest 365 to ensure no flooding occurs during a 30 year design storm and no flooding to properties occurs during a 100 year + climate change design storm. The applicant will need to contact Yorkshire Water for their approval, should they wish to connect to the public sewerage system.'

- 5.5.3 YWS also confirmed that they had no observations to make on the application submission and therefore it is considered that appropriate planning conditions can be imposed which requires the submission of further detailed drainage designs to satisfy the queries outstanding in accordance with policy CS7 of the Core Strategy.

5.6 Land Condition / Contamination / Noise

- 5.6.1 Having regard to land condition and the requirements of the NPPF and policy CS8 of the Core Strategy the application site lies in an area covered by the Coal Authority's Standing Advice. It was not necessary to refer the application submission to the **Coal Authority** (CA) for comment as the CA have provided the LPA with relevant advisory notes they wish to be imposed on any planning permissions granted in such areas.
- 5.6.2 In respect of potential land contamination (and noise) the Council's **Environment Health Officer** (EHO) has also reviewed the application submission and provided the following comments:
*'I have no objections to this application in principle.
Should planning consent be granted, I recommend that hours of construction are limited so that existing residents are not disturbed by noise.
As the government has set an aspirational target for all new vehicles in the UK to be zero emission at source by 2040 (as contained in The UK Plan for Tackling Roadside Nitrogen Dioxide Concentrations: Detailed Plan, published July 2017), I ask that infrastructure for electric charging points be installed as part of the build phase.
As the site is in an area that could have historical land contamination, should planning consent be granted, I recommend that the applicant submits for approval in writing prior to*

commencement of development a desk study, and if necessary a site investigation.'

5.6.3 On the basis of the comments received above the conditions as suggested by the EHO are considered to be reasonable and necessary.

5.7 **Ecology & Landscaping**

5.7.1 The proposal involves the loss of a greenfield site that contained well developed landscaping. The NPPF seeks to ensure 'no net loss' of biodiversity and policy CS9 requires that where there is the loss of a green infrastructure asset there should be a net gain wherever possible. A scheme to enhance the biodiversity of the development should be secured by condition, including making provision for bird/bat roosting and nesting opportunities, suitable landscaping and boundary treatments.

5.7.2 The ethos above is reflected in the comments which were made on the application by **Derbyshire Wildlife Trust** (DWT) as follows:

Thank you for referring the Ecological Assessment (Weddle Landscape design, 2017) that was undertaken prior to the site being cleared. This was informed by a site visit and a desk study. The site previously comprised dense scrub and pioneer trees. The report confirms that no buildings were present and that no protected species constraints were identified, with the exception nesting birds during the breeding season.

Whilst the site is limited in size, it would have provided a stepping stone for urban wildlife within a residential area. In order to compensate for the loss of habitat, we advise that the following condition is attached to any planning permission:

Biodiversity Enhancement Strategy

Prior to the commencement of development, a biodiversity enhancement strategy shall be submitted to and approved in writing by the Council to ensure no net loss for biodiversity (NPPF 2012). Such approved measures should be implemented in full and maintained thereafter. Measures may include:

- details of bird and bat boxes (positions/specification/numbers). A bird box (either swift or sparrow terrace) should be attached to every house, with bat boxes attached to two houses.
- measures to maintain connectivity throughout the site for wildlife such as hedgehogs will be clearly shown on a plan, such as garden fencing raised above ground level or the inclusion of small gaps (130 mm x 130 mm), railings or hedgerows.
- ecologically beneficial landscaping, with native shrubs and trees.'

5.7.3 On the basis of the comments and considerations above it is considered that appropriate conditions can be imposed on any subsequent decision to secure biodiversity enhancements in accordance with policy CS9 of the Core Strategy.

5.8 Community Infrastructure Levy (CIL)

5.8.1 Having regard to the nature of the application proposals the development comprises the creation of 5 no. new dwellings and the development is therefore CIL Liable.

5.8.2 The site the subject of the application lies within the high CIL zone and therefore the CIL Liability has been calculated (using calculations of gross internal floor space [GIF]) as follows:

		A	B	C	D	E
Proposed Floorspace (GIA in Sq.m)	Less Existing (Demolition or change of use) (GIA in Sq.m)	Net Area (GIA in Sq.m)	CIL Rate	Index (permission)	Index (charging schedule)	CIL Charge
796	0	796	£80 (High Zone)	317	288	£70,092

Net Area (A) x CIL Rate (B) x BCIS Tender Price Index (at date of permission) (C) / BCIS Tender Price Index (at date of Charging Schedule) (D) = CIL Charge (E).

6.0 **REPRESENTATIONS**

6.1 The application has been publicised by site notice posted on 01/02/2018; by advertisement placed in the local press on 08/02/2018 (advertised as a departure from the local plan); and by neighbour notification letters sent on 29/01/2018 (who were re-consulted on 01/03/2018 for 14 days).

6.2 As a result of the applications publicity comments have been received from six residents as follows:

6.2.1 **2 Foxbrook Court**

Stance: Customer objects to the Planning Application

Comment Reasons:

- Visual

Comment: External appearance not in keeping with surrounding area. All windows should be white not anthracite

Comment: External appearance not in keeping-Flat-roofed grey porch ugly and very different to Foxbrook houses

Comment: Anthracite doors + drainpipes not in keeping with surrounding area.

Comment: Large panel of grey render on house C not in keeping with surrounding area.

Comment Reasons:

- Traffic or Highways

Comment: Single driveway insufficient parking for 4/5 bedroom house. Road parking unacceptable for safety.

Comment Reasons:

- Traffic or Highways

- Visual

Comment: Houses too close to road so insufficient driveway to park. Maximum of 4 houses on site would resolve

Comment Reasons:

- Noise

Comment: Prefer construction work to only take place between 8.00 - 5.00 pm weekdays only to minimise noise

The application form states there are no trees or hedges on the site, however this was untrue. Prior to the application submission the applicant cleared the site of all hedges, trees and shrubs –

which were homes to foxes, bats etc. This appeared underhanded and was done in a way local residents could not object. The boundary hedges should be reinstated as a condition of planning; I note the comments of the urban design officer and although he approves of the modern design I am sure he does not have to live opposite these houses. A modern design could be built, but it does not mean it must - I vehemently feel that the design is ugly and should be more in keeping with the houses on Foxbrook Drive and Foxbrook Court. The fenestration and the porch in particular are not in keeping and should match the surrounding houses; All the 5 houses have single driveways as the plots are too small for double width drives – there is an overall lack of parking and the resultant on street parking this will create is a danger; I suggest a design of 4 houses with a single driveway and cul-de-sac formation would be more appropriate; 5 houses on this plot is overdevelopment in comparison with the surrounding area; and I refer to the conditional approval for the Foxbrook estate and condition 7 which states “before any dwelling..... is occupied, a parking area for 2 vehicles per 2 or 3 bedroom dwelling or 3 **vehicles for 4 or more bedroom dwellings (no more than 2 of which shall be in line)** shall be laid out....” The same condition should be imposed if permission is granted for this development, but the revised plans do not allow sufficient parking to comply with this – house type C and E. Residents are still very concerned about insufficient parking and this causing cars to be parked on the street of Foxbrook Court, Foxbrook Drive and Breckland Road causing congestion, danger and inconvenience.

Comment Reasons:

- Traffic or Highways

Comment: See email 22/218 new design still has insufficient parking houses C and E, needs double width drive

Having looked at the revised plans I refer once again to the conditional approval for the Foxbrook estate and the condition about parking requirements (see above)

Comment Reasons:

- Visual

Comment: New design exterior STILL out of keeping with Foxbrook D and C - MUST match in with current houses.

Comment Reasons:

- Traffic or Highways
- Visual

Comment: House E design unsuitable for Foxbrook Court, - also - INSUFFICIENT PARKING and restricted access

Comment Reasons:

- Policy

Comment: House E garage still overbearing to N 5 Foxbrook Court - needs to be removed from plan.

Comment: Recommended Hipped room of plot E not adopted, overbearing to no 5 Foxbrook Court.

Comment Reasons:

- Policy
- Visual

Comment: Council owned hawthorn hedge along house A / path boundary ripped up by developer needs replacing

I refer to the SHLAA Document published on your website which suggested the site has potential to be redeveloped for 4 houses, not 5 as the developer now seeks.

6.2.2

5 Foxbrook Court

Stance: Customer objects to the Planning Application

Comment Reasons:

- Visual

Comment: 1st flr N windows on Type E will have direct sight into my property. Privacy concern

Comment Reasons:

- Traffic or Highways

Comment: Single width drives will lead to more on street parking which is already overused at peak times

Comment: 1.8m high boundary at the side of the drive for type E dangerous for pedestrians and motorists

I have provided some feedback on the planning portal but have struggled with the 100 character limit so have written this separately;

My property is the only one to share a border with the proposed development so I am obviously interested and most of this

feedback was provided to the developer before the planning submission;

On the whole I am supportive but have concerns on the grounds of highways and safety as follows:

Parking - The houses may have the required amount of parking but they are all single width driveways, this will result in cars being parked on the road particularly near the junction which will lead to safety concerns where there are pedestrians and visitors to the local centre;

I would suggest side by side driveways would be better;

The plan shows a 1.8M border (existing) running the full length of my boundary but this will need to change at the junction with Foxbrook Drive to allow safe exit from the drive of the property next to my mine; and

On Visual effects the house next to mine has windows facing my property and the potential to view directly into my house. I would request the plans a reviewed and as a minimum obscure glass specified.

Comment Reasons:

- Policy

Comment: The report refers to the wrong address, the boundary is with 5 foxbrook court not drive

Comment: Recommendations relating to plot 5 have not been adopted specifically position of the garage

Comment: Based on planning feedback the site is overcrowded & would be more suited to fewer or smaller houses

Comment Reasons:

- Traffic or Highways

Comment: Insufficient parking allocated will lead to cars parked on busy junction

Comment: Car access to plot 5 is restricted by current boundary, no detail on how this will be addressed

Comment Reasons:

- Visual

Comment: Introduction of render in new proposal is out of keeping and obvious cost saving exercise

Comment Reasons:

- Policy

- Traffic or Highways

- Visual

Comment: Plot 5 should be a type D, this would be more in keeping and provide better off road parking

6.2.3

2 Woodbridge Rise

As a long-term resident of Walton I have seen many changes to the Estate and was aware the site (opposite my house) was to be used for community purposes;

I was surprised when a digger arrived and started clearing the site, but a few days later I received a letter from the developer informing me of their proposals which I thought were ambitious;

The speed the site was cleared also concerned me with no sign of consultation with conservationists etc and I assumed the planning office had been informed of their intentions;

I am not opposed to the land being developed but would prefer something that would benefit the community (chemist, coffee house, doctors, dentist?);

The letter of the Agent states it is problematic to connect the site to the adjoining shops, but this is not necessary the site could be served by its own car parking area etc and a community use still considered – which is more in keeping with council policy;

The area around and inc. Breckland Road is busy with traffic, buses and people parking to use the local centre facilities – there is a bus stop adjacent to the site and in winter residents of Foxbrook often park their cars on Breckland Road when it snows;

I have reviewed a copy of the plans and in my view the scheme is overdeveloped and not in keeping with the 3 / 4 bedroom houses in the local area, the gardens are small and parking is limited;

It appears the roof spaces of some of the houses are to be used for bedrooms and this presents a fire risk;

The parking proposed for unit is not sufficient and the driveways are likely to result in dangerous manoeuvres where there are often families and children walking;

I would strongly recommend a site visit to see the size of the site;

I believe the scheme will need a wall building along the footpath and along Breckland Road, with all traffic to the site directed to Foxbrook Drive; and

Had this piece of land been developed at the same time as Foxbrook it would have probably been for three houses with bigger gardens, they would have been less compact, more affordable and more in keeping with the rest of the development. I feel the application should be refused.

In addition to my letter of the 11th February 2018 I would like to comment on your reply to Jo Evington regarding her concern over parking.

You confirmed, to her, that each of the 5 Houses would have 2 parking spaces plus a garage and this met with parking standards. The Highways letter, however, states that the garages should be available for motor vehicles at all times, which I believe will be difficult to control, especially with integral garages. They also say that any changes would have to have planning consent. I was under the impression that integral garages if proposed changes were applied for would only have to comply with building regulations? correct me if I am wrong. If this is correct I can see 3 spaces reduced to 2 in a very short time leading to the parking problems that myself and the lady are concerned about. The highways has suggested that a revised plan be submitted for visibility splays etc. I would also like to see the plan changed from integral garages to either single or double garages and separate from any proposed dwelling.

The highways have not commented on accesses leading onto Breckland Road, in terms of road safety, as they would be near to a bus stop, which could add to drivers restricted visibility if people were waiting for a bus, or even that the footpath at this point is a busy route to the shops and the public footpath nearby or the fact that Breckland road is a busy road which is not only the areas main route to Walton Road but is the main through route from Matlock Road to Walton Road. The proposed accesses are where parking is used at present by people mentioned in my letter. It will not be easy to prevent parking at this site and could cause problems with people blocking drives or creating parking problems elsewhere. I feel that it would be wiser to prevent a potential parking problem now rather than to solve what would be a difficult problem at a later date.

Stance: Customer objects to the Planning Application

Comment Reasons:

- Traffic or Highways

Comment: Sarah, my unanswered e.mail sent on the 21 Feb - I would like to have this entered as a document.

Comment: No integral garages - easily changed to living space-only B.Reggs required? - then 1 less off rd pkg area

Comment Reasons:

- Residential Amenity

Comment: 5 houses too many - max 3 - no access off Breckland Rd. Pkg - 3 cars plus single or double garages
Comment: Continuous wall along Breckland Rd & public footpath would protect houses from storm surface water.

Comment Reasons:

- Visual

Comment: A sizeable area be provided to replant trees and shrubs to replace part of 20 year wildlife habitat.

Comment: Less houses could provide this 'area' which could form part of gardens. Would enhance site landscape

Comment: This 'area' could enhance biodiversity within the site and take up excess moisture if soakaways used

Comment: Bird and bat boxes are fine but the 'area' suggested will be longer lasting and create site interest

Comment Reasons:

- Policy

Comment: It seems that Weddle L/scapes had not consulted with DWT- 'disappointed that site had been cleared'.

Comment Reasons:

- Policy

- Traffic or Highways

- Visual

Comment: 3 bed houses or bungalows would be more suited to this site-more affordable and require less parking

Comment: Bungalows with small gardens or 3 bed houses may suit people wishing to downsize and stay in Walton.

Comment: 3 Bed houses or bungalows would not be as imposing and would not need the parking spaces of a 5 bed.

Thank you for informing me of the amended plans, however the planners / owners only seem to have taken notice of highway – not any of the comments made by neighbours;

There are still too many houses so the site is overdeveloped and the properties are overbearing and overlooking;

Landscaping is minimal, there is no scope for the properties to be extended in the future (other than garage conversions), there have been no changes to the colours, no habitat compensation, soakaways might not work (as was evident when it snows last and

water stood for days afterwards), none of the properties are affordable for first time buyers;
Despite the community allocation the developer has not considered proposals which benefit the community – bungalows or smaller houses;
The extra driveways onto Breckland Road should not be considered;
I consider the proposed development would have a negative impact on the community; and
The Council owned hawthorn hedge referred to in other representations was probably part of the site – if correct – I believe for the purposes of transparency the details of the sale should be made available, as should any advice the developer has been given about appropriate development for this site.

6.2.4 **7 Foxbrook Court**

I would like to express my concern regarding the application to build 5 houses at the top of Foxbrook Court / Foxbrook Drive in Walton;

You have already confirmed to me that each of the 5 houses will have parking spaces for 2 vehicles plus a garage, which meets parking standards for 4+ bedroom properties;

You also explained to me that you were waiting for further advice from the Local Highways Authority regarding the application; and
My concern relate to the houses being situated close to, and indeed on the junctions of Foxbrook Court, Foxbrook Drive and Breckland Road. It is highly likely the residents of these houses will have visitors to their properties and wish to park on the street, causing congestion around these junctions, or possibly blocking driveways if opting to park elsewhere.

6.2.5 **18 Foxbrook Drive**

Stance: Customer made comments neither objecting to nor supporting the Planning Application

Comment Reasons:

- Traffic or Highways

Comment: Access to Foxbrook Drive / Court at all times during construction

Comment: Single width drives may cause issue with unsafe street parking at top of Foxbrook Drive.

- Visual

Comment: Ensure houses are in keeping with existing properties on Foxbrook Drive and surrounding area.

6.2.6

A Local Resident (email - no address given)

I would like to object to the proposals based on the current plans, and would make the following comments:

- As a resident of Foxbrook Drive, who will be affected by this development, I was surprised that we were not notified of these plans sooner. I note in your letter you refer to a previous consultation letter – we never received this. We noticed that the land was cleared some time before Christmas, but we only found out the reason for this (although we had our suspicions) when my husband visited the micro pub at Walton Shops; who had full plans on the bar area. We later found that a notice had been attached to a lamppost by the proposed development area, which is also a bus stop. This was after the land had already been cleared (in my view having a detrimental impact on the wildlife in the area). I realise this may seem like a minor point, however I do feel that we were not consulted properly in this regard.
- Access to properties C, D, and E give rise to safety concerns given proximity to the junction with Foxbrook Court and Foxbrook Drive. Access to properties A and B is adjacent/opposite a bus stop on either side of Breckland Road, and also may cause issues given the proximity to Woodbridge Rise on what can also be a difficult, congested junction.
- The proposed dwellings are all 4/5 bedrooms - there is insufficient driveway space for vehicles, which would cause parking issues and further congestion on the estate. I would also be concerned about safety of pedestrians in the vicinity (including the elderly, less mobile, young children and dog walkers, on their way to Somersall Park, Walton Dam and the local shops) with cars being parked on the roadside.
- The design of the proposed properties is not in keeping with the so-called "Foxbrook Drive Estate" or other properties off Moorland View Road/Breckland Road.
- I agree with other comments that the proposal is ambitious with inadequate parking provision – I understand the desire to maximise return on the plot from a business perspective however I would suggest three good size properties, with sufficient drive space and more in keeping with the area would be more suitable.
- Our property is situated on the first cul de sac on the left as you enter Foxbrook Drive, therefore should a development go ahead I would like to request that disruption is kept to a minimum and that we can access our property at all times - particularly given we have

two small children. There are also a number of small children on the estate, safety must be paramount.

6.3

Officer Response:

Refer to section 5.2, 5.3, 5.4, 5.5, 5.6 and 5.7 of the report.

A site notice and advertisement in the local press advertised the application proposals alongside original neighbour notification letters, which were sent to immediate boundary sharing neighbours. This representative would not have received one of these neighbour notification letters as they live further down Foxbrook Drive. The reason their property received notification of the revised drawings was because another occupant of the same address had made representations on the planning application during the application process and therefore their address had (since the original publicity) been registered an interested party. The LPA have met all the statutory public consultation requirements of the TCPA - DM Procedure Order.

It is also understood that the developer chose to undertake their own publicity of the application (by sending letters and hosting the plans at the adjacent micro pub).

7.0

HUMAN RIGHTS ACT 1998

7.1

Under the Human Rights Act 1998, which came into force on 2nd October 2000, an authority must be in a position to show:

- Its action is in accordance with clearly established law
- The objective is sufficiently important to justify the action taken
- The decisions taken are objective and not irrational or arbitrary
- The methods used are no more than are necessary to accomplish the legitimate objective
- The interference impairs as little as possible the right or freedom

7.2

It is considered that the recommendation is objective and in accordance with clearly established law.

7.3

The recommended conditions are considered to be no more than necessary to control details of the development in the interests of amenity and public safety and which interfere as little as possible with the rights of the applicant.

7.4 Whilst, in the opinion of the objector, the development affects their amenities, it is not considered that this is harmful in planning terms, such that any additional control to satisfy those concerns would go beyond that necessary to accomplish satisfactory planning control.

8.0 **STATEMENT OF POSITIVE AND PROACTIVE WORKING WITH APPLICANT**

8.1 The following is a statement on how the Local Planning Authority (LPA) has adhered to the requirements of the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012 in respect of decision making in line with paragraphs 186 and 187 of the National Planning Policy Framework (NPPF).

8.2 Given that the proposed development does not conflict with the NPPF or with 'up-to-date' Development Plan policies, it is considered to be 'sustainable development' and there is a presumption on the LPA to seek to approve the application. The LPA has used conditions to deal with outstanding issues with the development and has been sufficiently proactive and positive in proportion to the nature and scale of the development applied for.

8.3 The applicant / agent and any objector will be provided with copy of this report informing them of the application considerations and recommendation / conclusion.

9.0 **CONCLUSION**

9.1 The application site is allocated as a potential site for the extension to the adjacent Local Centre in the current Local Plan and therefore residential development on the site is a departure from the Local Plan.

9.2 Notwithstanding the above the site is located in the existing built settlement of Walton ward and under the provisions of Policies CS1, CS2, CS3 and CS4 the site is an appropriate location for infill residential development.

9.3 It is considered that the proposed development is able to demonstrate its compliance with policies CS1, CS2, CS3 and CS4 of the Core Strategy in so far as its ability to provide connection

(and where necessary improvement) to social, economic and environmental infrastructure such that the development meets the definitions of sustainable development. The application submission is supported by the preparation of assessment and reports which illustrates the proposed developments ability to comply with the provisions of policies CS7, CS8, CS9, CS18 and CS20 of the Core Strategy and where necessary it is considered that any outstanding issues can be mitigated and addressed in any subsequent reserved matters submission or any appropriate planning conditions being imposed.

10.0 **RECOMMENDATION**

10.1 It is therefore recommended that the application be **GRANTED** subject to a CIL Liability Notice being issued (as per section 5.8 above) and the following conditions / notes:

Conditions

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

Reason - The condition is imposed in accordance with section 51 of the Planning and Compensation Act 2004.

02. All external dimensions and elevational treatments shall be as shown on the approved plans (listed below) with the exception of any approved non material amendment.

- PG.223817.101 REV D – PLANNING LAYOUT
- PG.223817.102 REV C – SITE SECTIONS
- PG.223817.103 REV C – LANDSCAPE MASTERPLAN
- PG.223817.104 – DESIGN PARAMETERS
- PG.233817.105 – AMENDMENTS OVERLAY
- PG.223817.110 – TYPE A ELEVATIONS
- PG.223817.111 – TYPE A PLANS
- PG.223817.112 – TYPE B ELEVATIONS
- PG.223817.113 – TYPE B PLANS
- PG.233817.114 – TYPE C ELEVATIONS
- PG.233817.115 – TYPE C PLANS
- PG.233817.116 REV A – TYPE D ELEVATIONS
- PG.233817.117 REV A – TYPE D PLANS
- PG.233817.118 REV A – TYPE E ELEVATIONS
- PG.233817.119 REV A – TYPE E PLANS

- PG.223817.120 REV A – SINGLE GARAGE
- PG.223817.121 – GARAGE PLOT 5
- DESIGN AND ACCESS STATEMENT BY OASIS URBAN DESIGN
- PLANNING STATEMENT BY JOHN CHURCH PLANNING CONSULTANCY LTD
- ECOLOGICAL ASSESSMENT SEP 2017 BY WEDDLE LANDSCAPE DESIGN
- FCC 01 - PHASE 1 HABITAT SURVEY BY WEDDLE LANDSCAPE DESIGN

Reason - In order to clarify the extent of the planning permission in the light of guidance set out in "Greater Flexibility for planning permissions" by CLG November 2009.

03. The site shall be developed with separate systems of drainage for foul and surface water on and off site.

Reason - In the interest of satisfactory and sustainable drainage.

04. No development shall take place until details of the proposed means of disposal of surface water drainage, including details of any balancing works and off-site works, have been submitted to and approved by the local planning authority. Furthermore, unless otherwise approved in writing by the local planning authority, there shall be no piped discharge of surface water from the development prior to the completion of the approved surface water drainage works.

Reason - To ensure that the development is appropriately drained and no surface water discharges take place until proper provision has been made for its disposal.

05. A. Development shall not commence until details as specified in this condition have been submitted to the Local Planning Authority for consideration and those details, or any amendments to those details as may be required, have received the written approval of the Local Planning Authority.
- I. A desktop study/Phase 1 report documenting the previous land use history of the site.

- II. A site investigation/Phase 2 report where the previous use of the site indicates contaminative use(s). The site investigation/Phase 2 report shall document the ground conditions of the site. The site investigation shall establish the full extent, depth and cross-section, nature and composition of the contamination. Ground gas, groundwater and chemical analysis, identified as being appropriate by the desktop study, shall be carried out in accordance with current guidance using UKAS accredited methods. All technical data must be submitted to the Local Planning Authority.
 - III. A detailed scheme of remedial works should the investigation reveal the presence of ground gas or other contamination. The scheme shall include a Remediation Method Statement and Risk Assessment Strategy to avoid any risk arising when the site is developed or occupied.
- B. If, during remediation works any contamination is identified that has not been considered in the Remediation Method Statement, then additional remediation proposals for this material shall be submitted to the Local Planning Authority for written approval. Any approved proposals shall thereafter form part of the Remediation Method Statement.
- C. The development hereby approved shall not be occupied until a written Validation Report (pursuant to A II and A III only) has been submitted to and approved in writing by the Local Planning Authority. A Validation Report is required to confirm that all remedial works have been completed and validated in accordance with the agreed Remediation Method Statement.

Reason - To protect the environment and ensure that the redeveloped site is reclaimed to an appropriate standard.

06. Prior to the commencement of development, a biodiversity enhancement strategy shall be submitted to and approved in writing by the Council to ensure no net loss for biodiversity (NPPF 2012). Such approved measures should be implemented in full and maintained thereafter. Measures may include:

- details of bird and bat boxes (positions/specification/numbers). A bird box (either swift or sparrow terrace) should be attached to every house, with bat boxes attached to two houses.
- measures to maintain connectivity throughout the site for wildlife such as hedgehogs will be clearly shown on a plan, such as garden fencing raised above ground level or the inclusion of small gaps (130 mm x 130 mm), railings or hedgerows.
- ecologically beneficial landscaping, with native shrubs and trees.

Reason - To ensure that any loss of biodiversity and can be mitigated against, prior to any development taking place, in accordance with policy CS9 and the wider NPPF.

07. Construction work shall only be carried out on site between 8:00am and 6:00pm Monday to Friday, 9:00am to 5:00pm on a Saturday and no work on a Sunday or Public Holiday. The term "work" will also apply to the operation of plant, machinery and equipment.

Reason - In the interests of residential amenities.

08. Before construction works commence or ordering of external materials takes place, precise specifications or samples of the walling and roofing materials to be used shall be submitted to the Local Planning Authority for consideration. Only those materials approved in writing by the Local Planning Authority shall be used as part of the development unless otherwise agreed by the Local Planning Authority in writing.

Reason - The condition is imposed in order to ensure that the proposed materials of construction are appropriate for use on the particular development and in the particular locality.

09. Notwithstanding the provision of the Town and Country Planning (General Permitted) Development Order 1995 (as amended) there shall be no extensions outbuildings or garages constructed (other than garden sheds or greenhouses of a volume less than 10 cubic metre) or additional windows erected or installed at or in the dwelling

hereby approved without the prior written agreement of the Local Planning Authority.

Reason - In the interests of the amenities of occupants of adjoining dwellings.

10. Any first floor windows located in the side elevations of the new dwellings (which are annotated on the approved plans as OG) shall be obscurely glazed and any means of opening shall be located above 1.7m internal floor level. The level of obscure glazing shall be level 4 or above and only windows meeting this specification shall be installed and retained as such thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason - In the interests of the amenities of occupants of adjoining dwellings.

11. The garage/car parking spaces to be provided shall be kept available for the parking of motor vehicles at all times. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and/or re-enacting that Order) the garage/car parking spaces hereby permitted shall be retained as such and shall not be used for any purpose other than the garaging of private motor vehicles associated with the residential occupation of the property without the grant of further specific planning permission from the Local Planning Authority.

Reason – In the interests of highway safety.

12. Prior to any works commencing, the applicant shall submit and have approved in writing, by the LPA (in consultation with the LHA) a revised layout drawing demonstrating the following:
Plots 1 & 2 – visibility will be within highway
Plot 3 – visibility should be provided to the junction of Foxbrook Drive with Breckland Road and Foxbrook Drive with Foxbrook Court
Plot 4 – to the tangent of the junction radius of Foxbrook Drive with Breckland Road and the junction of Foxbrook Drive with Foxbrook Court

Plot 5 – 2.4m x 25m in both directions

Reason – In the interests of highway safety.

13. The area in front of the sightlines shall be maintained clear of obstructions greater than 1.0m in height (600mm in the case of vegetation) relative to the nearside carriageway channel level.

Reason – In the interests of highway safety.

14. Before any other operations are commenced, space shall be provided within the site curtilage, for site accommodation, storage of plant and materials, parking and manoeuvring of site operative's and visitor's vehicles together with the loading/unloading and manoeuvring of goods vehicles. The space shall be constructed and laid out to enable vehicles to enter and leave the site in a forward gear, in surface materials suitable for use in inclement weather and maintained free from impediment throughout the duration of construction works.

Reason – In the interests of highway safety.

15. Before any other operations are commenced new vehicular and pedestrian accesses shall be formed to Breckland Road, Foxbrook Drive and Foxbrook Court in accordance with the drawing approved under condition 1 above.

Reason – In the interests of highway safety.

16. No dwelling shall be occupied until space has been laid out within the site in accordance with the drawing approved under condition 1 above for cars to be parked and the spaces thereafter shall be maintained free from any impediment to their designated use.

Reason – In the interests of highway safety.

17. There shall be no gates or other barriers on the accesses / driveways.

Reason – In the interests of highway safety.

18. The proposed accesses / driveways to Breckland Road / Foxbrook Drive and Foxbrook Court shall be no steeper than 1 in 14 over their entire length.

Reason – In the interests of highway safety.

19. Within 2 months of commencement of development, unless otherwise agreed in writing by the Local Planning Authority, details of a soft landscaping scheme for the approved development shall be submitted to the Local Planning Authority for consideration.

The required soft landscape scheme 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, an implementation programme and a schedule of landscape maintenance for a minimum period of five years. Those details, or any approved amendments to those details shall be carried out in accordance with the implementation programme.

Reason - The condition is imposed in order to enhance the appearance of the development and in the interests of the area as a whole.

20. Within 2 months of commencement of development, unless otherwise agreed in writing by the Local Planning Authority, full details of hard landscape works for the approved development shall be submitted to the Local Planning Authority for consideration.

Hard landscaping includes proposed finished land levels or contours; means of enclosure; minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting etc.) retained historic landscape features and proposals for restoration, where relevant. These works shall be carried out as approved prior to the occupation of the building.

Reason - The condition is imposed in order to enhance the appearance of the development and in the interests of the area as a whole.

21. An Electric Vehicle Charging Point shall be installed as part of the build phase and which shall be retained available for use for the life of the development.

Reason - In the interests of reducing emissions in line with policies CS20 and CS8 of the Core Strategy.

Notes

01. If work is carried out other than in complete accordance with the approved plans, the whole development may be rendered unauthorised, as it will not have the benefit of the original planning permission. Any proposed amendments to that which is approved will require the submission of a further application.
02. This approval contains condition/s which make requirements prior to development commencing. Failure to comply with such conditions will render the development unauthorised in its entirety, liable to enforcement action and will require the submission of a further application for planning permission in full.
03. You are notified that you will be liable to pay the Community Infrastructure Levy (CIL) to Chesterfield Borough Council as CIL collecting authority on commencement of development. This charge will be levied under the Chesterfield Borough Council CIL charging schedule and s211 of the Planning Act 2008.
04. The proposed development lies within a coal mining area which may contain unrecorded mining related hazards. If any coal mining feature is encountered during development, this should be reported to The Coal Authority.
Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires the prior written permission of The Coal Authority.
Property specific summary information on coal mining can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com

05. The applicant should be advised that the requirement to use a solid bound material for driveways and parking spaces is for highway safety reasons. The introduction of loose material onto the highway, for example through vehicles leaving the driveway or through materials being washed onto the highway/footway in wet weather can cause danger to users of the highway. This may result in the owners of individual dwellings being liable to prosecution under Section 151 of the Highways Act 1980. The use of a solid bound material would avoid these problems.
06. Pursuant to Sections 149 and 151 of the Highways Act 1980, the applicant must take all necessary steps to ensure that mud or other extraneous material is not carried out of the site and deposited on the public highway. Should such deposits occur, it is the applicant's responsibility to ensure that all reasonable steps (e.g. street sweeping) are taken to maintain the roads in the vicinity of the site to a satisfactory level of cleanliness.
07. Pursuant to Section 278 of the Highways Act 1980, no works may commence within the limits of the public highway without the formal written Agreement of the County Council as Highway Authority. Advice regarding the technical, legal, administrative and financial processes involved in Section 278 Agreements may be obtained from the Strategic Director of Economy Transport and Community at County Hall, Matlock (tel: 01629 538658). The applicant is advised to allow approximately 12 weeks in any programme of works to obtain a Section 278 Agreement.