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File No: CHE/17/00891/REM  
Plot No: 2/2686

## **ITEM 5**

**Reserved matters application for access; appearance; landscaping; layout and scale of CHE/17/00456/OUT - Outline planning application for the demolition of the existing dwelling and proposed construction of 2 four bedroom detached dwellings with garages - Amended elevations received 29.01.18, amended site layout received 23.02.18 at 20A Avondale Road, Chesterfield, Derbyshire, S40 4TF for Saint Developments**

Local Plan: Unallocated  
Ward: Brockwell

### 1.0 **CONSULTATIONS**

Ward Members	email from Cllr Steve Brunt requesting opportunity to address planning committee.
Environmental Services	No objections
Design Services	No objections
Yorkshire Water	No comments
DCC Highways	Comments received – see report
Neighbours/Site Notice	Representations from 4 local residents and letter from MP received – see report

### 2.0 **THE SITE**

2.1 This application concerns the site of 20A Avondale Road, in the Brockwell area of Chesterfield. The site comprises a detached bungalow, set roughly in a central position within a sizeable garden. The bungalow is predominantly brick-built, with a pitched tile roof and timber windows and doors. An

extensive front garden and driveway lead up to the property, to the West of the site. An attractive brick wall with stone coping forms the boundary to the West of the site, with foliage and trees situated behind, and pillars situated either side of the driveway entrance. Brick walls and areas of foliage form the other boundaries to the site, and a car port is situated at the end of the driveway. Aside from an area of hardstanding that forms the driveway, the site is covered by grass and areas of foliage. 22 Avondale Road is situated to the North of the site, the rear gardens of 26 and 28 Gladstone Road are situated to the East of the site, 20 Avondale Road is situated to the South of the site, and the roadway of Avondale Road is situated to the West of the site.







### 3.0 **RELEVANT SITE HISTORY**

- 3.1 CHE/17/00456/OUT - An application was approved at committee for outline permission for the demolition of the existing dwelling and proposed construction of 2 four bedroom detached dwellings with integral garages - description and proposals amended from previously intended alterations to the existing dwelling 10.08.2017.

### 4.0 **THE PROPOSAL**

- 4.1 A reserved matters application has been made for access; appearance; landscaping; layout and scale of CHE/17/00456/OUT - Outline planning application for the demolition of the existing dwelling and proposed construction of 2 four bedroom detached dwellings with garages. Amended elevations have been received 29.01.18 and amended site layout received on 23.02.18. The application also seeks to discharge conditions 5 (external materials), 8-10 (vehicular access, parking and gradients), 11 (drainage) and 12 (site investigation works). The application initially proposed dwellings of a slightly different design with a more significant section of the boundary wall to the front of the site removed. It was considered that these plans would have resulted in an unacceptable design and layout that would have had an adverse impact on the character of the site and the surrounding area. As such, consultation took place with the agent handling this application in an attempt to overcome these concerns and amended plans were provided.
- 4.2 Clearance of the site and the demolition of the existing bungalow would be required to cater for this proposed development. The proposed layout indicates that the existing entrance and pillars to the North West corner of the site would be retained, providing access to one of the proposed new dwellings. A new access point is proposed to be created to the South West corner of the site, providing access to the second of the proposed dwellings. Piers are proposed to either side of this access, and these would measure a maximum of 1M in height. Aside from the new access point, the rest of the wall to the front of the site would remain. The plans indicate that landscaping would be provided behind the front wall and in between the proposed new properties. This

would comprise two Field Maple trees and two Wild Cherry trees. Parking would be provided to the West of the site, and the plans indicate that sufficient space would be provided for three parking spaces and manoeuvring space for each dwelling. The level of provision meets the requirements of the 'Successful Places' SPD in terms of quantity and dimensions.

- 4.3 The plans indicate that two detached four bedroom houses would be erected on the site. These are proposed to be largely L-shaped in footprint and would be positioned side by side. One of the proposed properties would make use of the existing access and would be positioned close to the boundary with 22 Avondale Road to the North of the site. This would follow the front building line of 22 Avondale Road, would run parallel with the road, and is identified as Plot 1. The other property is proposed to make use of the new access to the south of the frontage and would be positioned close to the boundary with 20 Avondale Road to the South of the site. This would be positioned forward of the front building line to 20 Avondale Road, would be positioned at an angle with the road, and is identified as Plot 2. 1.8M close boarded timber fences are proposed to be erected between the two properties. Each property would appear as a mirror image of the other, thereby resulting in the creation of two new dwellings that appear almost identical. The properties are proposed to be constructed using red multi facing bricks, with pitched natural slate roofs. Gable ends are proposed to the front and rear elevations and to one of the side elevations to both of these properties. The properties are proposed to be constructed using white UPVC windows and doors, with cast stone heads and sills and stone effect string courses. Porches with areas of timber boarding are proposed to the front elevations of these properties, and French doors are proposed to the rear. It is considered that the design and materials of the proposed new dwellings are of a good quality and entirely appropriate to the locality.

- 4.4 The plans indicate that areas of garden would surround the new dwellings. These areas of garden would exceed 90 Square Metres, thereby meeting the requirements of the 'Successful places' SPD in terms of outdoor amenity space. Each of the properties would comprise sitting room, dining

room, kitchen, hall, utility room, study and cloakroom at ground floor level. At first floor level the properties would comprise four bedrooms, a bathroom, en-suite bathroom and landing. It is considered that the internal spaces are appropriate and fit for purpose, and the plans would not result in the overdevelopment of the site.

- 4.5 The plans indicate that the proposed dwelling on plot 1 would be situated approximately 1M away from the boundary with 22 Avondale Road to the Northern side of the site, between 13M and 14M away from the rear boundary to the East of the site, between 10.5M and 12M away from the side boundary with 20 Avondale Road to the South of the site, and 10M away from the front boundary to the West of the site. The plans indicate that the proposed dwelling on plot 2 would be situated approximately 11.5M away from the boundary with 22 Avondale Road to the Northern side of the site, between 10.5M and 11M away from the rear boundary to the East of the site, 1.5M away from the side boundary with 20 Avondale Road to the South of the site, and between 11M and 12.5M away from the front boundary to the West of the site.

## 5.0 **CONSIDERATIONS**

### 5.1 **Local Plan Issues**

- 5.2 The site is situated within the built settlement of Brockwell. This area is predominantly residential in nature, and is situated in close proximity to areas of green open space. Having regard to the nature of the application, policies CS2 and CS18 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.

- 5.3 Policy CS2 (Principles for Location of Development) states that when assessing planning applications for new development not allocated in a DPD, proposals must meet the following criteria / requirements:

- a) adhere to policy CS1
- b) are on previously developed land

- c) are not on agricultural land
- d) deliver wider regeneration and sustainability benefits
- e) utilise existing capacity in social infrastructure
- f) maximise walking / cycling and the use of public transport
- g) meet sequential test requirements of other national / local policies

All development will be required to have an acceptable impact on the amenity of users or adjoining occupiers taking into account noise, odour, air quality, traffic, appearance, overlooking, shading or other environmental, social or economic impacts.

- 5.4 Policy CS18 (Design) states that all development should identify, respond and integrate with the character of the site and its surroundings and development should respect the local character and the distinctiveness of its context. In addition it requires development to have an acceptable impact on the amenity of neighbours.

In addition to the above, the NPPF places emphasis on the importance of good design stating:

*'In determining applications, great weight should be given to outstanding or innovative designs which help raise the standard of design more generally in the area. Planning permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.'*

- 5.5 In addition to the above, in July 2013 the Council adopted 'Successful Places' which is a Supplementary Planning Document which guides Sustainable Housing Layout and Design. The development proposed should be assessed against the design principles set out in this supporting document.

- 5.6 The proposed development site is situated within walking and cycling distance from Chesterfield Town Centre and is located on land that has been partially previously developed. The site is located within a built-up area where new housing development would be considered appropriate in principle.

As such, this proposed development site is considered to be sufficiently sustainable for a development of this nature.

### **Strategy Planning Team**

- 5.7 The Strategy Planning Team were consulted on the original outline application and stated that the proposal is for a residential use in a location that is within walking distance of both Chatsworth Road District Centre and Chesterfield Town Centre and therefore, in principle, meets the requirements outlined by the Spatial Strategy (CS1). All development proposals are expected to meet the policy requirements regarding amenity as set out in CS2. There are no policy objections in principle to the replacement of the bungalow on the site with two dwellings.

### **Design and Appearance (Including Neighbour Effect)**

- 5.8 The plans indicate that the new dwellings would be detached houses of a fairly traditional style and character. It is not considered that red brick, detached houses would appear out of character within the locality, which comprises a mixture of styles. On Avondale Road there are examples of detached, semi-detached and terraced properties, including traditional houses, modern dwellings and bungalows. It is considered that the design and materials of the proposed new dwellings are of a good quality and entirely appropriate to the locality. The detail submitted under 5 indicates that the materials will be Forterra Butterley Old English Rose Rustic Brick walls, China Slate 687 roofs and white UPVC windows and doors, as detailed in the supporting documents. Such materials are considered to be appropriate. It is considered appropriate to impose a condition removing Permitted Developments, to ensure that any future additions would not result in any adverse impact on the character of the area and neighbours.
- 5.9 Having regard to the siting of the proposed dwellings, the development would impose the greatest degree of change to 20 Avondale Road and 22 Avondale Road. The new dwelling on plot 1 would follow the stepped back front building line of the extended part of 22 Avondale Road, thereby having little impact on the front of this neighbouring property. The new dwelling would project approximately 3.5M to the rear of this

neighbouring property, however it would be situated approximately 1M away from the common boundary and the extended part of 22 Avondale Road has no side windows. There are front and side facing windows at No 22 however the new dwelling is set back behind this section of the building and as a result of the relationship between properties, it is not considered that the proposed development would result in any significant adverse issues in terms of overlooking, overshadowing or an overbearing impact for 22 Avondale Road. The new dwelling on plot 2 would project forward of the front building line of 20 Avondale Road by approximately 6M. The new dwelling would be situated to the North of this neighbouring property, approximately 1.5M away from the common boundary, with obscure glazed first floor side windows. As a result of the orientation of the site and the relationship between properties, it is not considered that these plans would result in any significant adverse issues in terms of overlooking, overshadowing or an overbearing impact for 20 Avondale Road.

- 5.10 Neighbouring properties to the front and rear of the proposed new dwellings would be situated more than 21 Metres away. It is considered that the extent of separation would ensure that any issues in terms of overlooking, overshadowing or an overbearing impact for other neighbours would not be significant issues. The 'Successful Places' SPD indicates that a 21M separation distance between directly facing windows is required, and this is comfortably achieved.
- 5.11 Overall it is accepted that there would be impacts arising from the development on adjoining neighbouring properties however it is considered that such impacts will be minimal due to the level of separation, the relationship between properties and the orientation of the site.
- 5.12 On balance, it is considered that the impact of the development on neighbouring properties is capable of being sufficiently mitigated such that a refusal of planning permission could not be warranted.
- 5.13 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 that the plans would not impact upon the privacy and/or outlook of the adjoining and/or adjacent neighbours and are acceptable in terms of these policies.

- 5.14 Overall the principle of this scheme has been accepted and the scheme presented is considered to be of an appropriate siting and scale which appropriately responds to the local context and site parameter constraints to protect neighbouring amenity. Overall the proposed development is considered to be appropriately sited and scaled to respond to the provisions of policies CS2 and CS18 of the Core Strategy and the wider SPD.

### **Environmental Services**

- 5.15 Environmental Services was consulted on this application and they have raised no objections. A condition was imposed on the outline consent restricting the hours of building work due to the close proximity of neighbouring residential properties.

### **Design Services**

- 5.16 Design Services was consulted on the application and they raised no objections.

### **Highways Issues**

- 5.17 The Highway Authority was consulted on the amended plans and they have raised no objections. It was initially stated that from the highway point of view, a centrally located joint access would be preferable as this would provide an improvement over the existing situation and maximise visibility in both directions. If, however, the existing access was still to serve one dwelling then there would be no intensification in use and there would be no reason for the Highway Authority to raise an objection. The issue, therefore, comes down to the provision of a new access to the south of the site. In this situation, the Highway Authority would look for it to conform to current guidance with visibility splays of 2.4m x 43m in both directions or commensurate with 85th percentile vehicle speeds. It would be necessary for such

splays to be clear of obstructions greater than 1m in height (0.6m in the case of vegetation) which may require the set-back/lowering of the fronting wall/pillars. In the event that the above can be provided, then the Highway Authority confirm they would raise no objection to the proposal. Both dwellings will still require the provision of three off-street parking spaces of minimum measurements 2.4m x 5.5m.

5.18 It is considered that the proposed revised plans are appropriate in terms of highway safety. It is suggested that the existing access remains unchanged in so far as any vehicular use since it will still be used to serve a single property. The new access is consistent with the existing access and others on the street and on the basis that on site turning is provided, it is suggested that the visibility available within existing highway limits (1.88 metre wide pavement) is acceptable. It would certainly not be appropriate to conduct a speed survey to determine the 85<sup>th</sup> percentile speed. Having regard to the principles of policies CS2 and CS18 of the Local Plan in respect of highway safety it is not considered that the development proposals pose any adverse risk to highway safety. It is considered that sufficient space is available on site to provide an adequate level of off street parking.

6.0 **Community Infrastructure Levy (CIL)**

6.1 Having regard to the nature of the application proposals the development comprises the creation of 2 no. new dwellings and the development is therefore CIL Liable. The site the subject of the application lies within the medium CIL zone and therefore the full CIL Liability is determined on the basis of a cumulative charge of £50 per sqm (index linked) of gross internal floor area created.

	<b>A</b>	<b>B</b>	<b>C</b>	<b>D</b>	<b>E</b>
<b>Proposed Floor space (GIA in Sq.m)</b>	<b>Net Area (GIA in Sq.m)</b>	<b>CIL Rate</b>	<b>Index permission</b>	<b>Index charging schedule</b>	<b>CIL Charge</b>
274	244 with 30m2 to be	£50 Medium	317	288	£13,428

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

$$\frac{244 \times 50 \times 317}{288} = \text{£}13,428$$

## 7.0 REPRESENTATIONS

7.1 As a result of neighbour notification, letters of representation have been received from residents at 17 (x3), 20, 22 (x3), and 24 (x4) Avondale Road. The correspondence from 22 and 24 Avondale Road is supported by Toby Perkins MP.

7.2 In summary the letters of objection raise concerns with regards to scale, design, overdevelopment of the site, the angle of the house at plot 2, lack of details with regards to materials, lack of space between properties, a terracing effect, separation distances, overlooking, overshadowing, overbearing impact, loss of light and privacy, lack of details showing land levels and floor levels, lack of gateways, security, drainage issues, lack of tree planting, loss of trees, inadequate parking space, maintenance issues, a lack of measurements, noise from future occupants, and the potential addition of garaging at later stage.

### Comments

7.2.1 ***With reference to scale, design and overdevelopment issue, the plans indicate that the internal spaces would be appropriate and fit for purpose and that sufficient space would remain on site for the provision of gardens and parking in line with the 'Successful Places' SPD. The new dwellings would be detached houses of a fairly traditional style. It is not considered that red brick, detached houses would appear out of character within the locality, which comprises a mixture of styles. It is considered that the design of the proposed new***

***dwellings is of a good quality and entirely appropriate to the locality. It is not therefore considered that scale, design or overdevelopment are issues of concern.***

**7.2.2**  ***With reference to the angle of the house at plot 2, it is not considered that this would appear out of character within the street scene. Avondale Road is characterised by a wide range of building lines and styles, and it is not therefore considered that the angle of the house at plot 2 would have such an adverse visual impact within the locality that refusal of planning permission could be justified. In reference to a lack of details with regards to materials, this point is acknowledged. The application has sought to discharge condition 5 of approval CHE/17/00456/OUT with regards to materials as part of this application. Insufficient information was initially provided however this information has now been provided.***

**7.2.3**  ***With reference to a lack of space between properties, a terracing effect and separation distances, it is not considered that these are major issues. It is not considered that a 1M space between properties is unacceptable in this instance, either in terms of visual impact or amenity. The level of separation between the proposed new properties and existing dwellings would prevent any terracing affect, and it is not uncommon to see examples of properties that abut neighbouring boundaries.***

**7.2.4**  ***In terms of overlooking, overshadowing, an overbearing impact, and a loss of light and privacy, it is not considered that these would be significant issues. There would be no issues in terms of overlooking or a loss of privacy from the first floor side windows to the new dwellings, as these would be obscure glazed and the extended section of 22 Avondale Road has no side windows. Any issues in terms of overlooking and privacy from the ground floor side windows would be***

***minimal, and the front and rear windows to the new properties would be situated a significant distance away from any direct facing neighbouring windows. In terms of overshadowing and a loss of light, neighbouring properties to the South, East and West of the site would be unaffected by these plans due to the orientation of the site and the level of separation between properties. It is accepted that there would be some level of impact on 22 Avondale Road, however this would be minimal due to the modest projection to the rear of this property, the separation between properties and the orientation of the site. In terms of an overbearing impact, it is acknowledged that the properties would have some level of impact on 20 and 22 Avondale Road. It is considered that any impact would be minimal due to the modest projection to the front and rear of these properties and the level of separation between properties.***

**7.2.5** ***In terms of a lack of details showing land levels and floor levels, these were missing from the application initially but have now been provided. It is considered that the submitted details show an appropriate relationship between the new properties and neighbouring properties. In terms of a lack of gateways and security concerns, there is no requirement to provide gateways and it is considered that access points without gateways appear entirely appropriate within the street scene. There are other examples of access points without gateways within the street scene, and it is not considered that a lack of gateways would lead to any significant security concerns.***

**7.2.6** ***In terms of drainage issues, Design Services (Drainage) was consulted on this application and raised no objections. The application has sought to discharge a condition in relation to drainage, however a separate application is required as insufficient information has been submitted. In terms of a lack of tree planting and a***

***loss of trees, it is considered that the introduction of two Field Maple and two Wild Cherry trees is appropriate in terms of quantity and type. The trees that have been removed were not worthy of retention, as identified by the Tree Officer in the outline application, and there was no control over these being removed.***

**7.2.7** ***In terms of inadequate parking space, the plans indicate that the front gardens to each property would provide sufficient space for three parking spaces in line with guidelines and manoeuvring space. It is considered that this level of provision is ample. Any maintenance issues or noise from future occupants would be civil matters rather than planning considerations. In reference to the concerns raised with regards to a lack of measurements, the application has been provided with scale drawings and measurements can be taken from these. The latter point with regards to the potential addition of garaging at later stage is speculative. It is considered appropriate to impose a condition removing Permitted Developments in any case, to ensure that any future additions would not result in any adverse impact on the character of the area and neighbours.***

## **8.0** **HUMAN RIGHTS ACT 1998**

**8.1** Under the Human Rights Act 1998, which came into force on 2<sup>nd</sup> 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

- 8.2 It is considered that the recommendation is objective and in accordance with clearly established law.
- 8.3 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.
- 8.4 Whilst, in the opinion of the objectors, 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

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

- 9.1 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).
- 9.2 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. Pre application advice was provided in this case.

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

10.0 **CONCLUSION**

- 10.1 The proposals are considered to be appropriate in principle, would be in keeping with the character of the surrounding area and would not have a significant unacceptable impact

on the amenities of neighbouring residents or highway safety. The location of the proposed development site is sufficiently sustainable, is in a built up area and is adequately served by public transport and amenities. As such, the proposal accords with the requirements of policies CS2, CS10, CS18 and CS20 of the Core Strategy and the wider National Planning Policy Framework.

10.2 This application is suitable in terms of scale, form, layout and materials. The principle of this development has already been established as a result of a previous approval for outline consent. The proposed external spaces and parking provision meet guidelines, and the internal spaces are appropriate and fit for purpose. The proposed new dwellings would have no significant adverse impact on neighbouring properties, and it is not considered that these proposals would result in the overdevelopment of the site. The application has been modified in order to retain much of the attractive front boundary to the site, and access has been proposed in a manner that introduces a sense of symmetry. This application is appropriate, subject to conditions. As such, this application is in accordance with development plan policy and is recommended for approval. This development would be liable for payment of the Community Infrastructure Levy.

10.3 The application seeks to discharge conditions 5 (external materials), 8-10 (vehicular access, parking and gradients), 11 (drainage) and 12 (site investigation works). It is considered that conditions 5 and 8-10 can be discharged. Condition 11 cannot be discharged at this stage as insufficient drainage details have been provided, and condition 12 cannot be discharged at this stage as the Coal Authority have not yet provided a response.

#### 11.0 **RECOMMENDATION**

11.1 That a CIL Liability Notice be served in line with paragraph 6.0 above.

11.2 That the application be **GRANTED** subject to the following conditions:

## **Conditions**

1. All external dimensions and elevational treatments shall be as shown on the approved plans with the exception of any approved non material amendment.
2. Before occupation of plot 2 hereby approved the new vehicular access shall be formed to Avondale Road in accordance with the application drawing.
3. The proposed dwellings shall not be occupied until space has been laid out within the site in accordance with the application drawing for cars to be manoeuvred and parked. The areas shall be maintained thereafter free from any impediment to its designated use for the life of the development.
4. Notwithstanding the provision of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) there shall be no extensions outbuilding 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 dwellings hereby approved without the prior written agreement of the Local Planning Authority.
5. The materials to be used shall be Forterra Butterley Old English Rose Rustic Brick walls, China Slate 687 and white UPVC windows and doors, as detailed in the supporting documents unless alternative materials are submitted for consideration under condition 5 of the outline planning permission.

## **Reasons for Conditions**

1. 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.
2. In the interests of highway safety.
3. In the interests of highway safety.

4. In the interests of the amenities of occupants of adjoining dwellings.
5. In the interests of the appearance and amenity of the area.

### **Notes**

1. Pursuant to Section 184 of the Highways Act 1980 and Section 86(4) of the New Roads and Streetworks Act 1991 prior notification shall be given to the Department of Economy, Transport & Communities at County Hall, Matlock regarding access works within the highway. Information, and relevant application forms, regarding the undertaking of access works within highway limits is available via the County Council's website [http://www.derbyshire.gov.uk/transport\\_roads/roads\\_traffic/development\\_control/vehicular\\_access/default.asp](http://www.derbyshire.gov.uk/transport_roads/roads_traffic/development_control/vehicular_access/default.asp), email [ETENetmanadmin@derbyshire.gov.uk](mailto:ETENetmanadmin@derbyshire.gov.uk) or telephone Call Derbyshire on 01629 533190.
2. The Highway Authority recommends that the first 5m of the proposed access driveway should not be surfaced with a loose material (i.e. unbound chippings or gravel etc.). In the event that loose material is transferred to the highway and is regarded as a hazard or nuisance to highway users, the Authority reserves the right to take any necessary action against the householder.
3. Pursuant to Sections 149 and 151 of the Highways Act 1980, steps shall be taken 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.