

Case Officer: Chris Wright
Tel. No: (01246) 959700
Planning Committee 24th August 2020

File No: CHE/20/00361/REM
Plot No: 2/1002

Item 3

Reserved Matters of outline application CHE/17/00017/OUT for one residential unit at 1 Branton Close, Boythorpe, Chesterfield for Mr and Mrs M Kirby

1.0

CONSULTATIONS

Environmental Services	No objections.
Design Services	No comments
DCC Highways	No objection
Derbyshire Wildlife Trust	No objection
Strategic Planning	No comments
Coal Authority	Material Consideration, condition included in outline application.
Urban Design Officer	No comments
Ward Members	Objection from councillors Flood and Blakemore.
Neighbours/Site Notice	2 objections received.

2.0 **THE SITE**

- 2.1 The site the subject of the application comprises land to the side of 1 Branton Close, in the Rother ward of Chesterfield. 1 Branton Close is a semi-detached house, situated on a corner plot on a relatively flat gradient. The house is brick-built, with a pitched tile roof and UPVC windows and doors. The majority of other properties within the locality are of a similar style. To the North of the site, an open garden area leads to the front of the house. A lean-to porch is attached to the front of the house, and a driveway leads down the Western side of the house. A single, flat roofed garage is situated at the end of the driveway, within the rear garden.



- 2.2 The rear garden is situated to the South of the site and is rectangular in form. Timber fences and areas of foliage form the boundaries, and an outbuilding is attached to the rear of the garage. The roadway of Branton Close is situated to the

North of the site, 3 Branton Close is situated to the East of the site, 16 Grindlow Avenue is situated to the South of the site, and a large grass verge is situated to the West of the site. The area of land subject to this planning application is this grass verge and part of the existing garden. The proposed development site is largely rectangular in form, and measures approximately 200 square metres. The grass verge was previously owned by Chesterfield Borough Council.

- 2.2 To the north of the site is a large 3 storey extra care facility, this includes a step forwards in the building line onto Grindlow Avenue, but the application site includes an open landscaped corner when adjoining Branton Close. This building is an anomaly in comparison to the design of dwellings in the locality.





3.0 **RELEVANT SITE HISTORY**

3.1 CHE/05/00015/OUT - Outline application for 2 bed detached house – Refused – 28/02/05. Appeal Dismissed 12.12.05

3.2 CHE/17/00017/OUT – Outline application for one residential unit – Refused – 04/04/17. Appeal Successful 03/10/17

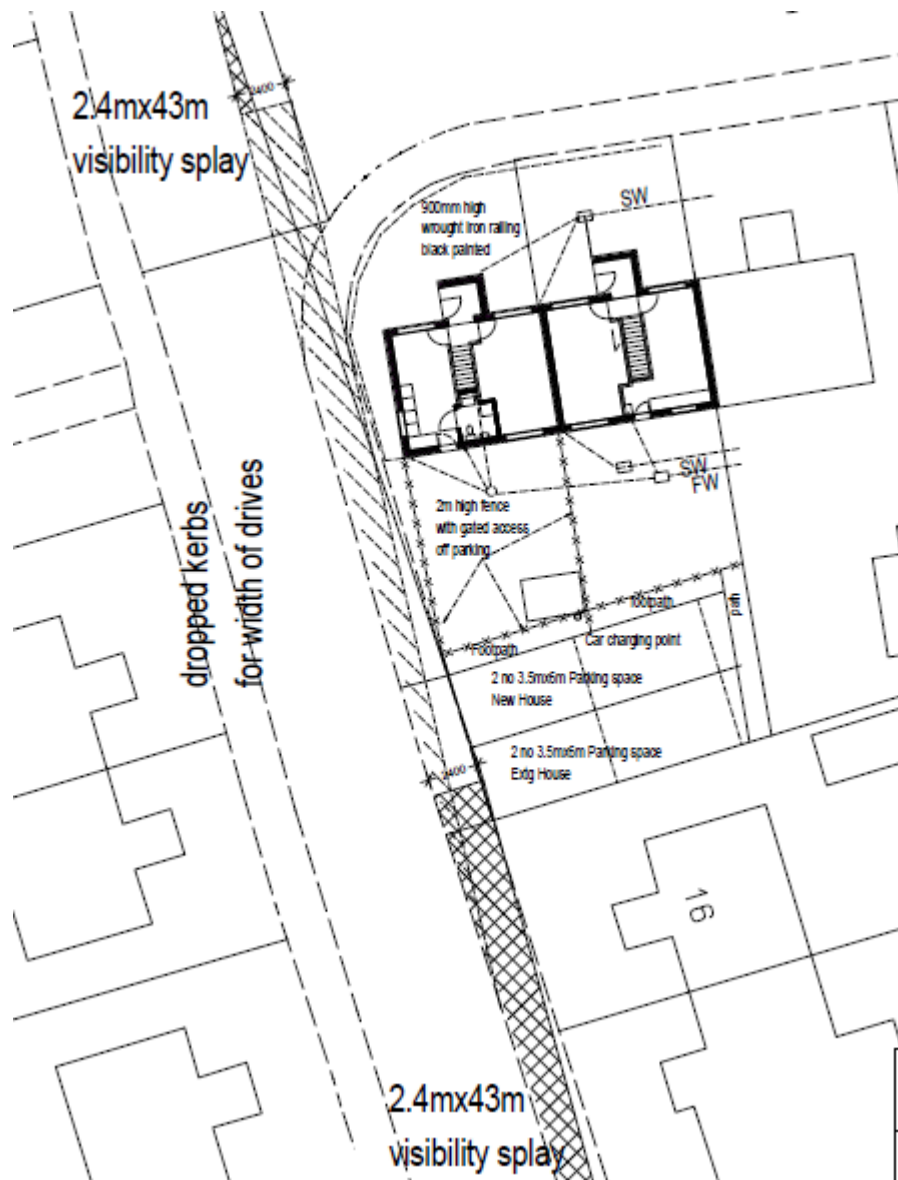
4.0 **THE PROPOSAL**

4.1 The proposal is for the reserved matters application following the allowed appeal for appearance, landscaping, layout and scale for one residential dwelling.

4.2 The proposal is for a two storey dwelling with a width of 6.5m and 6m in length, as well as front porch that would have 2m by 1.8m footprint. It would have the same eaves, ridge and overall height of the attached dwelling. Its design would mirror the front elevation of the attached dwelling. It is proposed to use matching materials of the roof and tiles.



- 4.3 The scheme would create a two bedroom dwelling. The existing and proposed dwellings would each have 2 parking spaces to the rear of the site.
- 4.4 It is proposed to include box hedging to the front and black iron railing to the front and side elevation. It would also include a bat box in the gable and bird boxes on the fence and at eaves level. An electric charging point is also proposed as part of the scheme. The gardens would be separated and have an outer boundary that would include a 2m high wooden fence.
- 4.5 The existing house would have a 58 sqm rear garden, with the new dwelling incorporating a 59 sqm rear garden.



5.0 **CONSIDERATIONS**

5.1 **Local Plan Issues**

5.2 The site is situated within the built settlement of Rother. 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 CLP2, CLP14, CLP16, CLP20 and CLP22 of the Local Plan and the wider National Planning Policy Framework (NPPF) apply. In addition, the Council's Supplementary Planning Document

on Housing Layout and Design 'Successful Places' is also a material consideration.

5.1.2 Policy CLP2 (Principles for Location of Development) states that when assessing planning applications for new development not allocated in the Local Plan, proposals will be supported according to the extent to which they meet the following requirements which are set out in order of priority:

- a) deliver the council's Spatial Strategy (policy CLP1);
- b) are on previously developed land that is not of high environmental value;
- c) deliver wider regeneration and sustainability benefits to the area;
- d) maximise opportunities through their location for walking access to a range of key services⁴ via safe, lit, convenient walking routes;
- e) maximise opportunities through their location for cycling and the use of public transport to access a range of key services;
- f) utilise existing capacity in social infrastructure (Policy CLP10) or are of sufficient scale to provide additional capacity, either on site or through contributions to off-site improvements;
- g) ensure the long term protection of safeguarded Minerals Related Infrastructure as identified in the Derbyshire and Derby Minerals Local Plan and shown on the Policies Map;
- h) are not on the best and most versatile agricultural land;

5.1.3 Policy CLP14 (A Healthy Environment) states that "the quality of the environment will be recognised at all levels of the planning and development process with the aim of protecting and enhancing environmental quality. All developments will be required to have an acceptable impact on the amenity of users and adjoining occupiers, taking into account noise and disturbance, dust, odour, air

quality, traffic, outlook, overlooking, shading (daylight and sunlight and glare and other environmental impacts)".

- 5.1.4 Policy CLP16 (Biodiversity, Geodiversity and the Ecological Network) states that the council will expect development proposals to:
- *protect, enhance and contribute to the management of the borough's ecological network of habitats, protected and priority species and sites of international, national and local importance (statutory and non-statutory), including sites that meet the criteria for selection as a local wildlife site or priority habitat; and*
 - *avoid or minimise adverse impacts on biodiversity and geodiversity; and*
 - *provide a net measurable gain in biodiversity*

- 5.1.5 Policy CLP20 (Design) states that *all development should identify and respond positively to the character of the site and surroundings and respect the local distinctiveness of its context. The Council will support outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, provided that they complement the character and appearance of their surroundings.*

All development will be expected to:

- a) promote good design that positively contributes to the distinctive character of the borough, enriches the quality of existing places and enhances the quality of new places;*
- b) respect the character, form and setting of the site and surrounding area by virtue of its function, appearance and architectural style, landscaping, scale, massing, detailing, height and materials;*
- c) be at a density appropriate to the character of the area whilst not excluding higher densities in and close to designated local, district and town centres;*
- e) ensure that the interface between building plots and*

streets and also the boundaries of development sites and their surroundings are attractive and take account of the relationship between public and private spaces;

- f) provide appropriate connections both on and off site, including footpath and cycle links to adjoining areas to integrate the development with its surroundings;*
- g) provide adequate and safe vehicle access and parking;*
- h) provide safe, convenient and attractive environment for pedestrians and cyclists;*
- i) preserve or enhance the landscape character and biodiversity assets of the borough;*
- j) be designed to be adaptable and accessible for all;*
- k) have an acceptable impact on the amenity of users and neighbours;*
- l) be designed to be safe and secure and to create environments which reduce the potential for crime;*
- m) minimise the impact of light pollution;*
- n) be able to withstand any long-term impacts of climate change.*

5.1.6 Policy CLP22 states that *“To reduce congestion, improve environmental quality and encourage more active and healthy lifestyles, the Council will seek to maximise walking, cycling and the use of public transport through the location and design of development and parking provision. Priority will be given to measures to encourage more sustainable travel choices”*. This policy also expects schemes to include electric charging points where appropriate.

5.1.7 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.

- 5.1.8 The principal of the development of the site has been established in the outline application which remains extant, albeit this was at appeal after the original scheme was refused by planning committee. The permission was an outline application with all matters reserved although it included an indicative site layout drawing showing approximately where the house would be sited. This indicated a similar width dwelling to the existing however the drawing was not to scale as it also included a 3m gap between the side of the new house and Grindlow Avenue.
- 5.19 The planning officer for the outline application considered that there was sufficient space on site for a dwelling, a garden and parking on site without severely impacting the neighbouring residents or impacting adversely on the character of the local area. It was stated that the indicative plan appeared to be inaccurate but that some form of development could be possible on site without leading to a negative impact in terms of the street scene, and that any details of this would be considered at a reserved matters stage. The inspector on the appeal took account of the indicative drawing and agreed that the development of the plot would not be inappropriate.
- 5.20 The planning committee refused the application as they considered that *“the introduction of a built form on this current piece of open grass verge would be at odds with the character of the area, were the prevailing streetscene is set back and includes a consistent building line. Furthermore the visual impact of the development proposed would be detrimental to the character and appearance of the streetscene, which is enjoyed by local residents as an area of open grass verge”*.
- 5.21 At appeal the Inspector stated that in relation to the building line *“This would form a short terrace that would extend out into Grindlow Avenue. The dwelling would sit at a*

transitional point between the stepped building line formed by Nos 16-26, and the building line established by the 3 storey Potters Place development. The building line established by Nos 16-26 is stepped towards the appeal site, and the development would be broadly consistent with this. It would also be next to the junction with Branton Close which would provide a more open setting to the north. In this position, a minor encroachment out into Grindlow Avenue would not be out of character with the surrounding area.”

5.22 The inspector also considered that in relation to the retention of the grass verge and openness that *“the development would incorporate part of the existing grass verge and would lead to some loss of openness in this regard. However, verges of this depth are not typical of the surrounding area. The verge is also not of high environmental value or large enough to form a useable open space. A narrower verge could be retained at reserved matters stage that would be comparable to the grass verges at the far end of Branton Close, and the appellant has indicated their willingness to accommodate this. Similarly, the details of any boundary treatments could be controlled at reserved matters stage.”* The inspector concluded *“that the development would not significantly harm the character or appearance of the area.”*

5.23 Whereas the principle of the development of a dwelling on the land is established this application deals with the scale, layout, appearance, access and landscaping of the scheme and these issues are considered in the below sections.

6.0 **Visual Impact and Residential Amenity**

6.1 Visual Impact

6.1.1 In accordance with Local Plan Policy CLP20 all new development should identify, respond to and integrate with the character of the site and surroundings and respect the

local distinctiveness of its context. In doing so developments are expected to respect the character, form and setting of the site and surrounding area; having regard to its function, appearance, scale, massing, detailing, height and materials.

- 6.1.2 Appearance – The proposal copies the existing dwelling almost completely, with it mirroring the front elevation. It is proposed to use matching bricks and tiles to the existing dwelling and it is considered that in design terms the scheme is considered to be acceptable.



- 6.1.3 Scale and Massing - The scale of the house is consistent with the neighbouring houses on Branton Close, as it is proposed to match them almost exactly. The houses on the Branton Close and Grindlow Avenue are semi-detached and include a step up in the ridges between attached dwellings to allow for the increase in levels along Branton Close and Grindlow Avenue. The proposal would not include a step however this is considered acceptable as the floor level of the proposed dwelling would be at the same level as the existing dwelling and any step-up would just increase the height and massing of the scheme.

- 6.1.4 In conclusion it is considered that the proposal is appropriate and acceptable taking its cues from the design of the existing house on site and those in the surrounding area. The scheme features retention of a small verge along the Grindlow Avenue frontage. The applicant was requested to

consider reducing the width of the dwelling to widen the verge area however this was not accepted by the applicant.

6.2 Residential Amenity

6.2.1 Core Strategy policies CLP14 comments that development will be expected to have an acceptable impact on the amenity of users and neighbours. The Council's SPD 'Successful Places' provides further guidance in respect of privacy, day light and sunlight, overshadowing and external amenity space.

6.2.2 Overlooking – The proposal will be over 13m to the dwellings to the front and rear of site and this is considered to be acceptable separation distance.

6.2.3 Overshadowing – Due to the positioning of the dwelling this will not lead to any issues with overshadowing issues.

6.2.4 Landscaping – The proposal will have a 2m fence internally and to the sides of the rear gardens. To the front it is proposed to have iron railing and box hedging. Additional information on landscaping and boundary treatments can be sought by condition of any approval.

6.2.5 Amenity space – The proposed dwelling would have a private rear garden area of 59 sqm. The character of the surrounding dwellings is slightly larger gardens however this deficiency from the 75 sqm ideal is not considered to be so significant that the scheme should be refused.

6.3 Overall the proposed development is considered to be appropriately designed to respond to the provisions of policies CLP14 and CLP20 of the Local Plan, NPPF and the wider SPD.

7.0 Environmental Services

7.1 Environmental Services were consulted on this application and they have not objected. Conditions were included in terms of workings hours in the outline permission and which will still apply.

8.0 **Drainage**

8.1 Design Services were consulted on the application and they had no comments to make. A drainage condition is included within the outline permission in terms of foul and surface water drainage.

9.0 **Biodiversity**

9.1 The scheme includes items in relation to biodiversity such as a new hedge to the front, 2 bird boxes and a bat box. Precise details have not been included on these items but these matters can be conditioned. The principal of including such items in the scheme is considered to be acceptable to provide a biodiversity net gain on site in line with policy CPL16.

10.0 **Highways Issues**

10.1 The Highway Authority was consulted on the application and they have raised no objections to the scheme as it has an acceptable visibility and acceptable levels of parking for the houses. They also request that the existing access is closed and reinstated to a standard pavement.

10.2 The proposal includes 2 parking spaces per dwelling for a 3 bedroom and a 2 bedroom house, which is considered to be acceptable in relation to the character of the area. Having regard to the principles of policies CS14 and CS20 of the Local Plan in respect of highway safety it is not considered that the development proposals pose any adverse risk to highway safety.

11.0 **Coal Mining Risk**

11.1 In respect of potential Coal Mining Risk, the site the subject of the application lies within the high risk area and the Coal Authority do not raise an objection on the basis that the outline application included a condition that is required to be discharged pre-commencement and which would deal with any potential coal mining legacy issue.

12.0 **Community Infrastructure Levy (CIL)**

12.1 Having regard to the nature of the application proposals the development comprises the creation of new residential accommodation and the development is therefore CIL Liable, but the applicant has claimed CIL exemption as the proposal is planned to be a self-build scheme. Whereas the forms will still need to be processed it is likely that there will be no CIL payment required.

12.2 The site the subject of the application lies within the medium CIL zone and therefore the CIL Liability is calculated (using gross internal floor space and is index linked).

		A	B	C	D	E
Development type	Proposed floor space (GIA in Sq. m)	Net Area (GIA in Sq. m)	CIL Rate	Index permission	Index Charging schedule 2020	CIL Charge
Residential (C3)	84	84	£50.00 (Medium Zone)	334	288	£4,870

Calculation:

CIL Charge (E) is calculated as outlined below:

$$\text{Net Area (A) x CIL Rate x BCIS Tender Price Index (at date of permission) (C)}$$

BCIS Tender Price Index (at date of charging schedule) (D)

Therefore, the CIL charge liable for this application is as follows:

$$\frac{84 \times \pounds 50 \times 334}{288} = \pounds 4,870$$

13.0 **REPRESENTATIONS**

13.1 Comments have been provided from the resident of no.3 Branton Close. They have stated that they object to the scheme, as it will have unacceptable impact on their property as it will change their dwelling from a semi-detached house to a terraced dwelling. They also consider that the lack of step-up of the ridge line and building up to the boundary line of the new dwelling is out of character for the local area and will have a negative impact.

13.2 Councillors Flood and Blakemore also represent the resident of 51, Grindlow Avenue. The resident is aware it was appealed and that it was granted. However in particular the resident is not happy with how it will change the street scene as it will not be in line with the houses on the other side and there is the loss of the grass verge. She feels it will detract from the look of Grindlow Avenue with it protruding out into Grindlow Avenue facing sideways and is not in line with Potters Place building itself, only the metal fence boundary. She also supports the comments by the resident of 3 Branton Close particularly about the roof height being out of alignment with the rest of Branton Close. Also thought the look of the close will show some semi detached and this row of terrace houses.

Officer comments – these issues are considered in the Design and Appearance section above.

13.2 1 comment from 2 local councillors – Cllr Flood and Cllr Blakemore – They object to the scheme and provided these comments:

The issue we have is the effect on the street scene of the size of the building. The footprint does not seem to comply with the original plans when all matters were reserved concerning the size of the gap to the boundary.

Therefore making the building dominant into Grindlow Avenue.

It will not be inline with the other houses on Grindlow Avenue, nor with Potters Place itself. It might just line up with the metal fence boundary of the garden of Potters Place but it is difficult to assess from the drawings.

The treatment of the boundary will be important to ensure it matches the fronts of the Houses on Grindlow Avenue.

We also feel that the look of the property on Branton Close itself needs the roof stepped to match. There is also the question of front paths which appear to be missing from the drawings.

We could not get a proper feel for the measurements, especially of the Upstairs rooms, they seem rather large for the plot. The proposal also makes the houses part of a terrace, which is not in keeping with the other properties on Branton Close as they are Semi Detached.

There is also the issue of the water hydrant, which will need moving, as yet we cannot see any mention of that from either Severn Trent or Yorkshire Water.

There are to be 4 Parking Bays on the plans at the bottom of what is currently the garden of number 1 Branton Close next to number 16 Grindlow Avenue, we would want conditions placed to prevent any building such as a garage in that area as it would again affect the street scene. It would also obstruct the view of any car exiting the drives of the nearest properties.

Officer comments – the above issues are considered in the report above. The issue of the presence of the water hydrant is a matter which the developer will need to resolve with the statutory undertaker.

14.0 **HUMAN RIGHTS ACT 1998**

14.1 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

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

14.3 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.

14.4 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

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

15.1 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 paragraph 38 of the February 2019 National Planning Policy Framework (NPPF).

15.2 Given that the proposed development would not conflict with the revised NPPF (February 2019) and 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 been sufficiently proactive and positive in proportion to the nature and scale of the development applied for.

16.0 **CONCLUSION**

16.1 The proposals are considered to be appropriately designed having regard to the character of the surrounding area and would not have an unacceptable detrimental impact on the amenities of neighbouring residents or highway safety. As such, the proposal accords with the requirements of policies CLP2, CLP14, CLP20 and CLP22 of the Local Plan and the wider National Planning Policy Framework.

16.2 The outline planning permission already includes appropriate planning conditions such that the proposals are considered to demonstrate wider compliance with policies CLP13 and CLP14 of the Local Plan and the wider NPPF in respect of technical considerations.

17.0 **RECOMMENDATION**

17.1 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 / documents (listed below) with the exception of any approved non material amendment:
 - Site Location Plan
 - Proposed Plans
 - Proposed Elevations
 - Block Plan Revision D

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.

2. As stated on the approved plans, an residential charging point shall be provided with an IP65 rated domestic socket 13amp socket, directly wired to the consumer unit with 32 amp cable to an appropriate RCD. This socket should be located where it can later be changed to a 32amp EVCP. Alternative provision to this specification must be approved in writing, by the local planning authority. The electric vehicle charging point shall be provided in accordance with the stated criteria prior to occupation and shall be maintained for the life of the approved development.

Reason: In the interests of air pollution.

3. Unless otherwise agreed in writing by the local planning authority, no development shall take place until space is provided within the site curtilage, for site accommodation, storage of plant and materials, parking and manoeuvring of the 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.

4. 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 parking spaces hereby permitted shall be retained as such and shall not be used for any purpose other than the parking 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.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, or any Order revoking and re-enacting that Order, no windows, side or rear extensions, outbuildings, means of enclosure or alterations to existing means of enclosures or boundary treatments other than those hereby permitted, shall be constructed/carried out on the site without the permission of the Local Planning Authority.

Reason: In the interests of residential and visual amenity.

6. Prior to the 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.

Reason: In the interests of visual amenity.

7. Before any other operations are commenced a new vehicular access shall be created to Grindlow Avenue in accordance with the revised application drawings, laid out, constructed and provided with 2.4m x 43m visibility splays in both directions, the area in advance of the sightlines being maintained throughout the life of the development clear of any object greater than 1m in height (0.6m in the case of vegetation) relative to adjoining nearside carriageway channel level.

Reason: In the interests of highway safety.

8. The premises, the subject of the application, shall not be occupied until space has been provided within the application site in accordance with the application drawings for the parking and manoeuvring of residents vehicles, laid out, surfaced and maintained throughout the life of the development free from any impediment to its designated use.

Reason: In the interests of highway safety.

9. There shall be no gates or other barriers within 6m of the nearside highway boundary and any gates shall open inwards only.

Reason: In the interests of highway safety.

10. No development above floor-slab/D.P.C level shall take place until details for the treatment of all parts on the site not covered by buildings shall be submitted to and approved in writing by the Local Planning Authority. The site shall be landscaped strictly in accordance with the approved details in the first planting season after completion or first occupation of the development, whichever is the sooner and which shall be retained thereafter. Details shall include:

- a) a scaled plan showing plants and trees to be planted:
- b) proposed hardstanding and boundary treatment/detail:
- c) the retained verge area;
- d) a schedule detailing sizes and numbers of all proposed plants and trees:
- e) Sufficient specification to ensure successful establishment and survival of new planting. Any new plant(s) and tree (s) that die(s), are/is removed, become(s) severely damaged or diseased shall be replaced and any new planting (other than trees) which dies, is removed, becomes severely damaged or diseased within five years of planting shall be replaced. Replacement planting shall be in accordance with the approved details.

Reason – In the interests of biodiversity and ecology.

11. No development above floor-slab/D.P.C level shall take place until details of the precise location and the type of bird and bat boxes shall be submitted to and approved in writing by the Local Planning Authority. The site shall include the biodiversity measures in accordance with the approved details prior to the occupation of the dwelling and which shall be retained thereafter.

Reason – In the interests of biodiversity and ecology.

Informatives

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 & Environment 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 , e-mail highways.hub@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.
4. Pursuant to Section 127 of the Highways Act 1980, no work may commence within the limits of the public highway to close any redundant accesses and to reinstate the footway without the formal written Agreement of the County Council as Highway Authority. It must be ensured that public transport services in the vicinity of the site are not adversely affected by the development works. Advice regarding the technical, legal, administrative and financial processes involved in Section 127 Agreements may be obtained by contacting this Authority via email –

highways.hub@derbyshire.gov.uk . The applicant is advised to allow approximately 12 weeks in any programme of works to obtain a Section 127 Agreement.