

18/12/2001

**Item**        **A4****Reg. No.**        **9 2001 1041 F****Applicant:**

J Hobson  
 57, Derby Road  
 Aston-on-Trent  
 Derby  
 DE722AE

**Agent:**

J T Associates  
 17 Pineside Avenue  
 Cannock Wood  
 Rugeley  
 WS15 4RG

**Proposal:**        **The erection of extensions at the front, side and rear, the conversion of the loft (including the provision of dormer windows) and the erection of a garage at 57 Derby Road Aston-on-Trent Derby**

**Ward:**            **Aston**

**Valid Date:**        **25/10/2001**

**Site Description**

The property is a bungalow in an area of mixed house types within the Aston village confine as defined in the local plan.

The bungalow occupies a plot with a frontage of some 19 metres and a depth of 34 metres.

**Proposal**

The applicant seeks to extend the bungalow by:

- (i)        additions to either side of the main bungalow,
- (ii)      the introduction of additional dormer windows serving first floor accommodation on both the front and rear elevations,
- (iii)     the provision of a rear extension to provide accomadation on two floors, and,
- (iv)     the provision of a utility room on the rear.

Additionally, a new two-car garage would replace the existing garage.

The overall width of the dwelling, as extended would be some 14 metres.

**Responses to Consultations**

The Parish Council comments as follows:

The submitted plan is inaccurate because it shows a dormer window in the existing elevation that is not actually here. It also gives the impression that the existing garage is much further forward than it actually is. In view of these “misleading mistakes” the Parish Council has declined to comment until an amended plan with measurements is received. It is also suggested that a site visit with parish councillors would be advisable and helpful. (Comment: An officer has offered to meet parish councillors).

The highway authority has no objection subject to the imposition of a condition requiring the provision of adequate car parking.

#### **Structure/Local Plan Policies**

The relevant policies are:

Local Plan: Housing Policy 13.

#### **Planning Considerations**

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

- The principle of the development.
- Residential amenity.
- Impact on the general character of the area.
- Highway Safety.

#### **Planning Assessment**

The site is located within the village confine defined for Aston in the South Derbyshire Local Plan. Therefore, the extensions proposed are acceptable in principle.

The proposal complies with guidelines for space about dwellings and there would be no adverse impact on the neighbours.

The existing bungalow has no distinctive architectural quality and the proposed extensions would be in keeping with its character and the area in general.

The Highway Authority does not object to the proposal subject to the provision of suitable levels of car parking. This can be provided within the site and a condition to require this is recommended.

The plans are accurate insofar that they describe the proposal. There is no requirement to supply a site survey and therefore any inaccuracy in it, whilst regretted, is not a matter that should be prejudicial to the determination of the application.

**Recommendation**

**GRANT** permission subject to the following conditions:

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

Reason: To conform with Section 91(1) of the Town and Country Planning Act, 1990

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

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

3. Prior to the first use of the development hereby permitted, parking facilities shall be provided so as to accommodate three cars within the curtilage of the dwelling. Thereafter, (notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995), two parking spaces, measuring a minimum of 2.4m x 4.8m, shall be retained for that purpose within the curtilage of the site.

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

18/12/2001

**Item**            **A5****Reg. No.**        **9 2001 1045 F**

**Applicant:**  
Mr H Wainwright  
1, The Lees  
Boulton Moor  
Derby  
Derbyshire

**Agent:**  
Peter J Holden RIBA  
The Little Cottage  
3 Siddals Lane  
Allestree  
Derby  
DE22 2DY

**Proposal:**        **Conversion of existing garage to study and additional kitchen  
area at 1 The Lees Boulton Moor Derby**

**Ward:**            **Aston**

**Valid Date:**     **31/10/2001**

**Site Description**

The property, the subject of this application, comprises a single detached dwelling that is located within in a recently built cul-de-sac at Boulton Moor.

**Proposal**

The applicant seeks consent to convert the existing garage into living accommodation. Permission is required because a condition attached to the grant of permission for the estate precludes such usage, on the grounds of ensuring the retention of adequate parking. The proposal would leave two parking spaces to the frontage of the property.

**Applicant's Supporting Information**

- a) The applicant notes that two other properties in the locality have space for two cars only, following conversion of the garages.
- b) The applicant has no family requirement for more than two parking spaces and sees no need to provide a replacement space for the garage.

**Responses to Consultations**

The Highway Authority has no objection in principle but requires three parking spaces to be provided within the site curtilage.

**Structure/Local Plan Policies**

The relevant policies are:

Joint Structure Plan: Transport Policy 15.

Local Plan: Transport Policy 6 B.

**Planning Considerations**

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

- The principle of the development.
- The provision of car parking.

**Planning Assessment**

The proposal is incidental to the main use of the house as a dwelling and is therefore acceptable in principle. Additionally, it would have no adverse impact on the amenity of neighbouring properties.

The Highway Authority's recommendation to seek three parking spaces is consistent with its normal approach. However government advice in PPG3 is to make lesser provision on the basis of only 1.5 cars per dwelling. The guidance also advises authorities against requiring occupants to have more parking than they want.

Having regard to this and the applicant's personal requirements for private parking, an attempt to retain 3 spaces, in this case, is not appropriate particularly as the retention of only two spaces would not adversely affect highway safety due to the dwellings location close to the head of a cul-de-sac. Also, there is sufficient room to provide a third parking space under permitted development rights within the curtilage of the dwelling if a subsequent occupier makes greater use of the private car for personal transport.

**Recommendation**

**GRANT** permission subject to the following conditions:

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

Reason: To conform with Section 91(1) of the Town and Country Planning Act, 1990

18/12/2001

**Item**        **A6****Reg. No.**        **9 2001 1079 F****Applicant:**

J G McDonald  
 25, Long Row  
 Shardlow  
 Derby  
 DE722HE

**Agent:**

M J Harrison MBIAT, ACIOB  
 7 Hall Park  
 Barrow On Trent  
 Derby  
 DE731HD

**Proposal:**        **The erection of a two storey side extension at 25 Long Row  
 Shardlow Derby**

**Ward:**            **Aston**

**Valid Date:**        **06/11/2001**

**Site Description**

The property, the subject of this application, is at the end of a modern terrace of 4 dwellings, within a narrow street of mainly traditional cottages.

The neighbouring dwelling No 24 Long Row is also a traditional cottage and it is narrower in plan form than the subject property and set closer to the street frontage.

The site is in the Shardlow conservation area and also within the village confine.

**Proposal**

The applicant seeks permission for a two-storey side extension in the form of an extra bay that would take the property to its boundary with No 24.

**Applicants' supporting information**

- a) Two letters, one from the owner of 24 Long Row and one from the tenant of that property are in support of the proposal.
- b) Their approval was sought because the rear external corner of the proposal would break the 45 degree rule, albeit only marginally.

**Responses to Consultation**

The Parish Council has no objection.

**Responses to Publicity**

The two letters of support received via the applicant state that there are no objections from the owner and tenant of 24 Long Row.

### Structure/Local Plan Policies

The relevant policies are:

Joint Structure Plan: Environment Policy 9.

Local Plan: Environment Policy 12 and Housing Policy 13,

### Planning Considerations

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

- The principle of the proposal.
- The impact on the conservation area.
- Residential amenity.

### Planning Assessment

The site is in the village confine and there is thus no objection in principle to extending the property.

The design of the extension respects the form, materials and design of the existing dwelling and would not impact adversely on the setting of the older cottages in the vicinity. As such there would be neutral impact on the character and appearance of the conservation area.

The proposal does not meet the guidelines in the supplementary planning guidance on extensions. This is because the rearmost part of the extension would intersect a 45-degree line drawn from the middle of the kitchen window to No 24 Long Row. However in view of the fact this is only marginal, if the extension was reduced by one metre it would achieve compliance, and having regard to the support from the neighbours it is considered that this situation is acceptable in this case.

A single side window serving a bathroom is proposed in the extension. Notwithstanding the fact that the window serves a bathroom it is appropriate in this case to condition the glazing of the bathroom window to be obscure glazed. A condition to reflect this is recommended.

### Recommendation

**GRANT** permission subject to the following conditions:

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

Reason: To conform with Section 91(1) of the Town and Country Planning Act, 1990

2. All external materials used in the development to which this permission relates shall match those used in the existing building in colour, coursing and texture unless otherwise agreed in writing by the Local Planning Authority.

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

3. The window in the side wall of the building shall be permanently glazed in obscure glass.

Reason: To avoid overlooking of adjoining property in the interest of protecting privacy.

18/12/2001

**Item**            **A7**

**Reg. No.**        **9 2001 1088 F**

<b>Applicant:</b> Mr & Mrs A Waddicor 5, Trent Lane Newton Solney Burton-on-trent Staffordshire DE15 OSF	<b>Agent:</b> Mr. B. A. Williamson Genista Broomhills Lane Repton Derbyshire DE656FS
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**Proposal:**        **The erection of a two storey rear extension at 5 Trent Lane  
Newton Solney Burton-on-trent**

**Ward:**            **Repton**

**Valid Date:**     **09/11/2001**

**Site Description**

The application site is one property of a pair of similar semi-detached cottages. The cottages are located off Trent Lane within Newton Solney conservation area.

The site is surrounded by other residential properties.

**Proposal**

The applicant seeks consent to erect a rear two storey extension. The proposal matches a similar extension proposed to the adjoining dwelling at 4 Trent Lane, handed, other than a dormer window which is proposed in the side elevation. The proposal at 4, Trent Lane is the subject of a separate report on this agenda.

The extension would project from the rear wall of the dwelling by 5.6 m.

**Responses to Consultations**

The Parish Council has no objection.

**Structure/Local Plan Policies**

The relevant policies are:

Joint Structure Plan: Environment Policy 9.  
Local Plan: Environment Policy 12 and Housing Policy 13.

## Planning Considerations

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

- The principle of the proposed extension.
- The impact of it on the conservation area.
- Residential amenity.

## Planning Assessment

The site is located within the confines of the village of Newton Solney. Therefore, the principle of the proposed extension is acceptable.

The extension would generally be hidden from public view due to its location at the rear of the property. Notwithstanding this, its design is in keeping with the scale and character of the host dwelling. As such the proposal preserves the character of the conservation area.

Due to the proposed extension at No. 4 Trent Lane, there would be no adverse impact on that property from the proposal. No 6 Trent Lane (Vine Cottage) is set at right angles to the road and has a number of windows facing the site. The extension would be some 9 m from the face of Vine Cottage. As the affected elevation to that property contains secondary aspect windows the normal space guideline is met in respect of overbearing.

However there is a proposed dormer window and two rooflights that could overlook Vine Cottage. This situation can be resolved through the use of a condition requiring obscure glazing. An appropriate condition is recommended.

## Recommendation

**GRANT** permission subject to the following conditions:

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

Reason: To conform with Section 91(1) of the Town and Country Planning Act, 1990

2. A sample of both the roof tile and the brick shall be submitted for approval in writing by the Local Planning Authority before work commences.

Reason: To ensure the building/extension is in keeping with its surrounding in the interest of the character and visual amenity of the area.

3. The rooflights and dormer window in the north western side elevation of the building shall be permanently glazed in obscure glass.

Reason: To avoid overlooking of adjoining property in the interest of protecting privacy.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, no windows or other openings, other than those expressly granted consent by this permission, shall be installed, created or placed in the north elevation of the extension hereby approved without the prior written approval of the Local Planning Authority.

Reason: In the interests of protecting the amenity of adjoining residential occupiers.

18/12/2001

**Item**            **A8****Reg. No.**        **9 2001 1089 F****Applicant:**

Mr & Mrs A Waddicor  
5, Trent Lane  
Newton Solney  
Burton-on-trent  
Staffordshire  
DE150SF

**Agent:**

Mr. B. A. Williamson  
Genista  
Broomhills Lane  
Repton  
Derbyshire  
DE656FS

**Proposal:**        **The erection of a two storey rear extension at 4 Trent Lane  
Newton Solney Burton-on-trent**

**Ward:**            **Repton**

**Valid Date:**     **09/11/2001**

**Site Description**

The application site is one property of a pair of similar semi-detached cottages. The cottages are located off Trent Lane within Newton Solney conservation area.

The site is surrounded by other residential properties.

**Proposal**

The applicant seeks consent to erect a rear two storey extension. The proposal matches a similar extension proposed to the adjoining dwelling at 5 Trent Lane, handed. The proposal at 5, Trent Lane is the subject of a separate report on this agenda.

The extension would project from the rear wall of the dwelling by 5.6 m.

**Responses to Consultations**

The Parish Council has no objection.

**Structure/Local Plan Policies**

The relevant policies are:

Joint Structure Plan: Environment Policy 9.

Local Plan: Environment Policy 12 and Housing Policy 13.

## Planning Considerations

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

- The principle of the proposed extension.
- The impact of it on the conservation area.
- Residential amenity.

## Planning Assessment

The site is located within the confines of the village of Newton Solney. Therefore, the principle of the proposed extension is acceptable.

The extension would generally be hidden from public view due to its location at the rear of the property. Notwithstanding this, its design is in keeping with the scale and character of the host dwelling. As such the proposal preserves the character of the conservation area.

Due to the proposed extension at No. 5 Trent Lane, there would be no adverse impact on that property from the proposal. No 3 Trent Lane is set at right angles to the road and has a number of windows facing the site. These currently face the existing dwelling and so would not be affected further by the proposed extension.

However, permission has recently been granted under delegated powers to rebuild the outbuildings to No 3. Therefore, the extension would be within 6 metres of that extension. However, there would be no overlooking of the new living areas at No. 3 as no new second storey windows are proposed in the extension and subsequent alterations can be controlled by condition.

Whilst the two extensions would be in close proximity of one another the only affected window in the converted out buildings would be a kitchen window. However, in this case any harm would be limited as both properties are seeking to extend. As such, it is inappropriate, in this case, to seek to rigorously apply the Council's normal standards particularly as no objections have been received and there is no guarantee that either/both extension(s) will be built.

## Recommendation

**GRANT** permission subject to the following conditions:

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

Reason: To conform with Section 91(1) of the Town and Country Planning Act, 1990

2. A sample of both the roof tile and the brick shall be submitted for approval in writing by the Local Planning Authority before work commences.

Reason: To ensure the building/extension is in keeping with its surrounding in the interest of the character and visual amenity of the area.

3. Notwithstanding any details submitted, no development shall take place until there has been submitted to and approved in writing by the Local Planning Authority plans indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed in accordance with the approved details before the development is occupied or in accordance with a timetable which shall first have been agreed in writing with the Local Planning Authority.

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

4. The windows in the rooflights in the south eastern side elevation of the building shall be permanently glazed in obscure glass.

Reason: To avoid overlooking of adjoining property in the interest of protecting privacy.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, no windows or other openings, other than those expressly granted consent by this permission, shall be installed, created or placed in the south elevation of the extension hereby approved without the prior written approval of the Local Planning Authority.

Reason: To ensure that the amenity of the adjoining neighbours is maintained.

18/12/2001

**Item** A9**Reg. No.** 9 2001 1091 F**Applicant:**

Mr & Mrs J Stanley  
9, Dog Lane  
Netherseal  
Swadlincote  
Derbyshire  
DE128DE

**Agent:**

Doug Rutter  
Architectural & Graphic Services  
36 Main Street  
Linton  
Swadlincote  
Derbyshire  
DE12 6PZ

**Proposal:** The erection of a detached house and garage on land to the west of 9 Dog Lane Netherseal Swadlincote

**Ward:** Netherseal

**Valid Date:** 09/11/2001

**Site Description**

The site lies on the edge of the village and was previously in use as part of an orchard. It is bounded to the east by other residential properties with open land to the south. Across Dog Lane to the north are other residential units.

**Proposal**

The applicant seeks consent to erect a detached house and detached garage with access from Dog Lane.

**Planning History**

Planning permission for the erection of a dwelling on the site was granted at appeal in 2000. An amended scheme was granted permission at the beginning of this year.

**Responses to Consultations**

The County Highway Authority has no objection subject to conditions.

Severn Trent Water has no objection.

**Responses to Publicity**

Four letters of objection have been received stating the following:

- a. The further development of the lane would cause even more congestion and danger to vehicles and pedestrians, especially as there is no footway. The new access would make

parking and access to existing properties, especially in the evenings, more difficult. This has been the case since the construction of the development on the old coal yard.

- b. The erection of a large, detached house and garage would be out of character and would affect the environmental quality of the surrounding area and a further intrusion into the countryside.
- c. Any development in this area contravenes the Council's open spaces policy and open views across the site would be lost.

### **Structure/Local Plan Policies**

The relevant policies are:

Joint Structure Plan: Housing Policy 5 and Environment Policy 8.

Local Plan: General Development Strategy Policy 3 and Housing Policy 5.

### **Planning Considerations**

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

- The principle of the development,
- Whether there has been any material change in circumstances since the permission was granted at appeal last year (and amended earlier this year).
- Affect on residential amenity
- Highway safety

### **Planning Assessment**

The site is located within the settlement confines of Netherseal as defined in the South Derbyshire Local Plan. In addition, consent has been granted on two previous occasions on the site for the erection of a single dwelling. As such, the principle of the development is acceptable.

Notwithstanding the concern of residents, the current application represents a relatively minor revision to the siting and design of the development since it was allowed at appeal. None of these revisions could be said to constitute a change in circumstances that could merit a refusal of permission.

The dwelling would not adversely affect the amenity of neighbouring property occupiers and the dwelling would comply with the Council's guidelines on space about and between dwellings.

In noting the comments of the highway authority there is no objection to the proposal on grounds of highway safety.

### **Recommendation**

**GRANT** permission subject to the following conditions:

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

Reason: To conform with Section 91(1) of the Town and Country Planning Act, 1990

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

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

3. No development shall take place until there has been submitted to and approved by the Local Planning Authority a scheme of landscaping, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of development.

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

4. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

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

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

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

6. No development shall take place within 2.5 metres of each side of the centre line of the public sewer crossing or adjacent to the site.

Reason: To enable essential maintenance repair and renewal of the sewer and to protect its structural integrity.

7. Prior to the first occupation of the dwelling hereby permitted the access, parking and manoeuvring space shall be provided as shown on the submitted plan and thereafter the facilities shall be maintained free of any impediment to their designated use. The driveway shall be surfaced with a solid bound material for at least five metres from the highway boundary.

Reason: In the interests of highway safety.

8. Prior to the first occupation of the dwelling hereby permitted the Dog Lane frontage of the site shall be cleared of obstructions exceeding 1 metre in height relative to road level for a distance of 2 metres from the carriageway edge. Thereafter the area so cleared shall be maintained free of obstructions exceeding 1 metre in height.

Reason: In the interests of highway safety.

Informatives:

The grant of planning permission does not entitle developers to obstruct public rights of way affected by the proposal. Development, in so far as it affects the right of way, should not be started, and the right of way should be kept open for public use, until the necessary order under Section 247 or 257 of the Town and Country Planning Act 1990 for the diversion or extinguishment of the right of way has been made and confirmed. Nor should it be assumed that because planning permission has been granted an order will invariably be made or confirmed.

To contact the Area Engineer South, Trent Valley Area, Derbyshire County Council, Director of Environmental Services, County Hall, Matlock, Derbyshire (Tel. 01629 580000 xt 7595) at least six weeks before the commencement date of the proposed works in order to arrange the necessary supervision of works on the highway crossing.

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

18/12/2001

Item A10

Reg. No. 9 2001 1093 U

**Applicant:**  
Mr D W Crocker  
Chapel Farm, Wilne Lane  
Shardlow  
Derby  
DE72 2HA

**Agent:**  
Mr D W Crocker  
Chapel Farm, Wilne Lane  
Shardlow  
Derby  
DE72 2HA

**Proposal:** Change of use of to garden at Chapel Farm Wilne Lane  
Shardlow Derby

**Ward:** Aston

**Valid Date:** 13/11/2001

**Site Description**

The site is currently used as agricultural land and it is located at the edge of Great Wilne next to a converted chapel, which is now occupied as the farmhouse to Chapel Farm, and a complex of modern farm buildings.

**Proposal**

The applicant seeks consent in retrospect to change the use of the land from its current agricultural use to a domestic use in connection with the nearby house. The application details contain a drawing showing how the garden would be managed.

**Site History**

An application to retain the use was originally refused in August 2001 for the following reason:

“The application is considered to be unacceptable as the site occupies a prominent position at the entrance to the settlement of Great Wilne. The site’s use as garden would alter its appearance. As a result, the proposal would be harmful to the rural character of the immediate locality contrary to Green Belt Policy 1 of the adopted South Derbyshire Local Plan and General Development Strategy Policy 7 of the approved Derby and Derbyshire Joint Structure Plan.”

The application had been subject to objection from two neighbours, concerned about loss of privacy and general disturbance.

Following refusal the matter has been discussed with the applicant who has indicated that he would be willing to accept a condition to manage the garden in accordance with a submitted scheme.

## Responses to Consultation

The Parish Council has no objection.

## Structure/Local Plan Policies

The relevant policies are:

Joint Structure Plan: General Development Strategy Policy 7.  
Local Plan: Green Belt Policy 1.

## Planning Considerations

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

- The impact on the openness and character of the green belt.
- Residential amenity.

## Planning Assessment

The site is located within the green belt where development is generally strictly controlled to maintain the open appearance of the land. It was on this basis that the earlier refusal was issued as, at that time, it was determined that the proposal would have had an adverse impact on the open appearance of the land.

The current application has included details of a management regime that indicates a low-key usage of the area as a garden, avoiding ornamental features that would be inappropriate to a rural area. No structures are proposed. In this regard the proposal is very similar to a case at Jawbone Lane, Melbourne, where an inspector allowed an appeal subject to the land being managed in accordance with a submitted scheme. A similar approach is proposed in this case. This is acceptable subject to a condition removing permitted development rights and controlling the species of trees and shrubs. This could be enforced and a condition to reflect this is recommended.

With regard to the impact on neighbours the land is a direct link from the farmhouse to the applicant's farmyard. As such there would no significant increase in usage of the land such that neighbours' privacy and amenity would be significantly affected. The applicant would presently be able to spend as much time as he saw fit on the land in pursuit of his agricultural business.

## Recommendation

**GRANT** permission subject to the following conditions:

1. The garden hereby permitted shall be used and managed strictly in accordance with the drawing submitted with the application showing its layout, and subject to the requirements of conditions 2 and 3 below.

Reason: To ensure that the use does not have an adverse impact on the openness and character of the green belt.

2. Within 28 days of this permission, a scheme of landscaping for the permitted garden shall be submitted to and, if acceptable, approved in writing by the Local Planning Authority. It shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of development.

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

3. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in accordance with details approved under Condition 2 above.

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

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, no buildings and no gates, walls, fences or other means of enclosure (other than as shown on the submitted drawing) shall be erected on the application site without the prior written approval of the Local Planning Authority.

Reason: To ensure that any such structures are appropriate to the character and appearance of the building.

18/12/2001

Item           A11

Reg. No.       9 2001 1096 NM

**Applicant:**  
Hutchison 3g Uk Ltd  
Star House  
20 Grenfell Road  
Maidenhead  
SL61EH

**Agent:**  
Stappard Howes  
Unit B1 The Viscount Centre  
University Of Warwick  
Science Park, Millburnhill Road  
Coventry  
CV48XH

**Proposal:**  
The siting of a 15 metre high monopole, 3 antennae, 2  
transmission dishes and associated equipment cabin on Land  
Forming Part Of O S Field Number 3253 Stenson Road  
Stenson Derby

**Ward:**           Ticknall

**Valid Date:**    12/11/2001

**Site Description**

The site, the subject of this application, is a field on the western side of Stenson Road at Stenson.  
The mast would be located close to a group of trees and would be accessed via a track formed  
across the field.

Access to the site would be gained from the Grampian Way traffic island.

**Proposal**

The applicants seek consent to erect a 15 metre high monopole mast on the site. It would have  
three antennae and two transmission dishes on it and there would be ancillary equipment at its  
base.  
The mast would be sited adjacent to an existing mature tree, of similar height to the proposed  
structure.

An access track would be formed from the road access point to the mast.

**Applicant’s Supporting Information**

- a) The mast is necessary to achieve coverage for a public telecommunications service.
- b) Proper and long-term efforts have been made to identify existing facilities or high buildings  
that may be used. Alternative sites have been assessed as follows:

- Orange Mast at Stenson Fields Farm – site owner not interested in additional operators on the existing mast. Also it was indicated that the site provider is not prepared to renew the lease to the existing operator.
  - ASDA – were not interested in having telecommunications development on their property.
  - Sinfin Community School – the applicant has a policy of not locating on school buildings.
  - Ashley Farm – was rejected because it was too far from the cell area.
  - Electricity pylons. The applicant has been unable to secure agreement of the regional electricity board.
- c) National guidance in PPG8 advises authorities to respond positively to proposals for telecommunications development and to understand the associated special problems and technical needs.
- d) Care has been taken to minimise the visual impact.
- e) The proposal conforms to ICNIRP Public Exposure Guidelines. Health and safety issues lie with the HSE and should not be a determining factor.

### **Responses to Consultations**

The Parish Council objects as follows:

- a) The proposal would have visual impact.
- b) Existing facilities or pylons should be used.
- c) There is also concern about emissions, regardless of assurances given.

The Environmental Health Manager has no comment and refers to planning guidance on health matters relating to this type of installation.

The Highway Authority has no objection in principle.

### **Structure/Local Plan Policies**

The relevant policies are:

Local Plan: Community Facilities Policy 4.

### **Planning Considerations**

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

- The principle of development.
- Visual impact.
- The health issues.

### **Planning Assessment**

The application is permitted development. As such it as if the proposal already has outline planning permission. Therefore the Local Planning Authority must confine its attention to matters of siting and design only.

The mast proposed is a 15 metre high monopole. Having regard to this, the lack of alternatives as set out by the applicant in the supporting statement and the fact that the proposal is well related to existing vegetation (a mature tree), its overall impact on the appearance of the area would not be significant. Therefore, the proposal would be in accord with the policies of the development plan and the guidance in PPG8 on the siting of masts.

Whilst the Parish Council has concerns about health risks there is no evidence to support this fear. No representations have been received re-inforcing the comments of the Parish Council and paragraph 98 of PPG8 specifically states that:

“It is the government’s view that if a proposal meets the ICNIRP guidelines as expressed by the EU Council recommendations of 12 July 1999 on the limitation of exposure of the general public to electromagnetic fields, it should not be necessary for an authority in processing an application, to consider the health effects further”.

The applicant has provided an ICNIRP declaration and this issue, therefore, is adequately dealt with by other legislation.

### **Recommendation**

**Raise No Objection.**

Informatives:

To contact the Area Engineer South, Trent Valley Area, Derbyshire County Council, Director of Environmental Services, County Hall, Matlock, Derbyshire (Tel. 01629 580000 xt 7595) at least six weeks before the commencement date of the proposed works in order to arrange the necessary supervision of works on the highway crossing.