

## **DEVELOPMENT CONTROL COMMITTEE – 14 September 2004**

In accordance with the provisions of Section 100D of the Local Government Act 1972, BACKGROUND PAPERS are the contents of the files whose registration numbers are quoted at the head of each report, but this does not include material which is confidential or exempt (as defined in Sections 100A and D of that Act, respectively).

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### **REPORT OF THE PLANNING SERVICES MANAGER**

#### **1. Planning Applications**

#### **2. Appeals**

### **INDEX TO PLANNING APPLICATIONS**

<b>Application Reference</b>	<b>Item No.</b>	<b>Place</b>	<b>Ward</b>	<b>Page No.</b>
9/2004/0679	1.1	Drakelow	Linton	1
9/2004/0715	1.2	Bretby	Repton	5
9/2004/0732	1.3	Weston	Aston	7
9/2004/0749	1.4	Drakelow	Linton	12
9/2004/0796	1.5	Foston	North West	17
9/2004/0859	1.6	Scropton	North West	23
9/2004/0925	1.7	Melbourne	Melbourne	28
9/2004/0936	1.8	Swadlincote	Swadlincote	33
9/2004/0937	1.9	Woodville	Woodville	38
9/2004/0940	1.10	Woodville	Woodville	41
9/2004/0610	2.1	Swarkestone	Aston	44
9/2004/0927	2.2	Linton	Linton	47

When moving that a site visit be held, Members will be expected to consider and propose one or more of the following reasons:

1. The issues of fact raised by the Planning Services Manager's report or offered in explanation at the Committee meeting require further clarification by a demonstration of condition of site.
2. Further issues of principle, other than those specified in the report of the Planning Services Manager, arise from a Member's personal knowledge of circumstances on the ground that lead to the need for clarification that may be achieved by a site visit.
3. Implications that may be demonstrated on site arise for consistency of decision making in other similar cases.



14/09/2004

**Item** 1.1**Reg. No.** 92004 0679U**Applicant:**

Roger Bullivant Limited  
Walton Road  
Drakelow  
Burton-on-trent  
Staffordshire  
DE15 9TZ

**Agent:**

Roger Bullivant Limited  
Drakelow  
Burton-on-trent  
Staffordshire  
DE15 9TZ

**Proposal:** The storage of materials at Drakelow Power Station Walton Road Drakelow Burton-on-trent

**Ward:** Linton

**Valid Date:** 26/05/2004

**Site Description**

The site is an area of hardstanding on the former power station land. The site is towards the rear of the power station land and is screened from the public highway at the front of the site by the existing bank of trees adjacent to the road.

**Proposal**

The application is for the use of 0.64 hectares of land for the storage of tyre chips by a company who specialise in energy production from used vehicle tyres. The use will involve transportation of 75000 tonnes of chipped tyres per year to and from the site, which equates to around 2700 two-way HGV movements per year.

**Applicants' supporting information**

Letters have been submitted by the Applicant's Transport Consultants stating the following information:-

Letter dated 14<sup>th</sup> May:

The Applicant (RBL) is currently improving the access at Gate 2 to the site, it is intended that the proposed operation will use Gate 2 but until the works are completed the Applicant is willing to accept a condition to ensure that the operation uses the main RBL access until the new access road is completed.

Sapphire Energy Ltd intend to transport to and from the site approximately 75 000 tonnes of chipped tyres per year which equates to around 2700 two way HGV movements per year. At

peak periods this would result in around 22 two way HGV movements per day, although on average 10 two way movements can be expected per day.

Various Transport Assessments have been undertaken in the past to establish existing HGV traffic generation from the RBL operations. These assessments formed the basis of planning permissions granted on the RBL Landholdings and forecast a total of 232 HGV movements per day.

However, a significant proportion of aggregate used by the RBL operations has been stockpiled on site and hence very little is currently being imported. The current level of HGV traffic using the RBL landholdings is therefore significantly lower than those actually permitted. Having regard to this and the fact that the operation would only result in an increase in HGV movements of around 4% the proposals will not result in any material impact on the local highway network. Notwithstanding this, the applicant is willing, if deemed necessary to implement an HGV routing strategy as part of the development.

Letter dated 13<sup>th</sup> July:

The submission of various smaller applications for both the Power Station and the RBL factory site has been a necessary consequence of RBL's need to consolidate their operations; react to immediate needs (such as the operation to fill the power station basements); and in response to negotiations with external operators (for example the current proposals). Due to the nature of these requirements, it has not been possible to plan a more comprehensive combined application for all these uses.

It is not considered that the cumulative impact of these proposals would inevitably result in a material impact on highway safety. Through careful management and planning RBL have been able to limit the impact of HGV movements to and from the site on the local highway network and it is in their best interest to ensure that this continues.

It is considered that the current applications relating to the operational requirements for RBL to be separate from wider issues relating to the redevelopment of the allocated employment land on the Power Station. RBL intend to promote the comprehensive development of this land in due course. The Local Planning Authority have made it clear that any significant new built development on the Power Station would require the submission of a full Environmental Assessment. Such an assessment would, in line with EIA regulations be required to assess the cumulative impact of any such proposal.

With regards to the current levels of traffic generated by the RBL site, the currently reduced level of movements is due to a variety of reasons, including the fact that the previous assessment was based on the site operating 24 hours a day. It is not possible to say how long this situation will last, but it is unlikely to change in the immediate future.

Notwithstanding the above, the proposals the subject of this application are forecast to generate an average of 10 two way HGV movements per day, resulting in an increase in HGV movements of around 4% on the adjacent highway network. Regardless of HGV movements generated by existing permitted uses, this level of movements is not considered material in either proportional increase or in absolute terms.

RBL would accept conditions to mitigate any impact on the adjacent highway network, these could include an HGV routing strategy, HGV movements limited to a maximum of 30 two way movements per day and satisfactory wheel washing and road cleaning procedures if appropriate.

### **Planning History**

The site was formerly occupied by part of the power station, which has now been demolished.

### **Responses to Consultations**

The County Highway Authority has no objection on the basis of the information submitted by the Applicant's highway consultant. However, further comments from the Highway Authority are expected in response to the Consultants letter dated 13<sup>th</sup> July 2004.

### **Responses to Publicity**

None received.

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

The relevant policies are:

Joint Structure Plan: Economy Policy 1

Local Plan: Employment Policy 2

Emerging Local Plan: Policy EMP 1

### **Planning Considerations**

The main issues central to the determination of this application are the impact of the development on the character and appearance of the locality and highway safety issues arising from traffic generation.

### **Planning Assessment**

The application proposes the use of allocated industrial land for the storage of materials (tyre chips). The site is located towards the rear of the former power station land and well away from the nearest public highway, a belt of trees adjacent to the highway screens the site effectively. No details of the height of the proposed storage use have been submitted with the application but it is considered that height needs to be restricted by condition to ensure the tyre chips will not be visible in the landscape and will therefore not prove detrimental to the appearance of the area.

The principle of B1, B2 and B8 uses on the allocated industrial land is acceptable in line with the above policies however the emerging Local Plan recognises that the Drakelow site is constrained by the capacity of the local highway network. The County Highway Authority has stated that there is no basis for a highway objection to this application in view of the size of the site, the information provided by the Applicant's Transport Consultants and the fact that current traffic levels to and from the site are less than has previously been agreed under Traffic Assessments. The Transport Consultants state that RBL have stockpiled aggregates on site and do not currently import as much as previously agreed. There is therefore some cause for concern in that traffic levels could legitimately increase in the future. It is therefore considered that the storage of materials should only be considered on a temporary basis to ensure that account can be taken of

future traffic levels as well as to allow an opportunity in the future for the comprehensive planning and development of the allocated employment site if required. If an application were submitted for the comprehensive development of the site a full Environmental Impact Assessment including a Traffic Impact Assessment would be required.

The Applicant is proposing to use a new access permitted in 2001 as part of the approval for the Manufacturing Facility that has not yet been constructed. The access improvements are currently under way and until these have been completed the storage use would use the main site access.

### **Recommendation**

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

1. This permission shall be for a limited period only, expiring on 30th September 2007 on or before which date the use shall be discontinued and the site reinstated in accordance with a scheme approved in writing by the Local Planning Authority unless, prior to that date, an application has been made and permission has been granted for an extended period.

Reason: To ensure that future traffic levels to and from the site can be taken into account in the interests of highway safety.

2. The storage of materials hereby permitted shall not exceed 4 metres in height when measured from ground level on the site.

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

3. The storage site hereby permitted shall not be accessed via the new access adjacent to Gate 2 until all the improvement works have been completed in accordance with the details approved under planning application reference 9/2000/1120.

Reason: In the interests of highway safety.

4. In accordance with the letter from David Tucker Associates dated 13th July 2004 the HGV movements associated with the storage use shall not exceed 30 two way movements per day.

Reason: In the interests of highway safety.

5. Before any operations commence involving the movement of materials in bulk to or from the site, facilities shall be provided that have previously been approved in writing by the Local Planning Authority, to prevent the deposition of mud or extraneous material on the access roads to the site.

Reason: In the interests of highway safety.

14/09/2004

**Item** 1.2**Reg. No.** 92004 0715F**Applicant:**

Challener Properties Ltd  
 43g Bretby Business Park  
 Ashby Road  
 Burton Upon Trent  
 Staffordshire  
 DE15 0YZ

**Agent:**

Challener Properties Ltd  
 Ashby Road  
 Burton Upon Trent  
 Staffordshire  
 DE15 0YZ

**Proposal:** Amendment to planning permission 9/1097/0580 to allow the subdivision of a ground floor flat into two flats at Land Adjacent To Bretby Hall Bretby Park Bretby Burton-on-trent

**Ward:** Repton

**Valid Date:** 22/06/2004

**Site Description**

Bretby Hall, a former country house and then a hospital has now been converted into residential apartments from a permission granted in 1999. There is a missing section in the south west wing from when the original building was not completely finished and is the site of the proposed infill development. The hall is located within a wooded parkland setting with two long private drive accesses linking to Bretby Village and the A511.

**Proposal**

The infill block on the south west wing of the hall was approved as part of the overall conversion to residential in March 1999. This proposal amounts only to the subdivision of the ground floor apartment with no external alterations.

**Applicants' supporting information**

The applicant has stated that he had encountered difficulties in making the project work financially. He said presently there are five resales and had just sold unit 28 which had been finished for a year. He said that the proposal is to provide two smaller saleable units or units that could more easily generate a rental income. He said he was relying on this to give him a better chance of completing the development, which is presently an eyesore

**Planning History**

Planning permission was granted to convert the main hall into apartments in March 1999.

## **Responses to Consultations**

Bretby Parish Council has no objections, but raises concerns about the lack of additional parking.

## **Structure/Local Plan Policies**

The relevant policies are:

Local Plan: Housing Policy 7

Emerging Local Plan: H1, ENV19

## **Planning Considerations**

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

- An additional dwelling unit in the countryside
- The prospect of the development being completed in the interests of safeguarding the character of the listed building.

## **Planning Assessment**

Policy set out in the emerging Local Plan seeks to ensure that new dwellings are permitted by a sequential approach favouring existing urban areas. However, in this case the development would enable the final implementation of the infill block, which would complete the south west wing of the hall. This would be beneficial for the appearance of the listed building and the immediate area. The conservation gains would outweigh the disbenefits of the car journeys generated from the additional apartment.

The development is a considerable distance from the public highway and therefore any additional parking is a private matter for the developer to resolve.

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

## **Recommendation**

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

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

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

## **Informatives:**

This permission is based on the understanding that this approval is solely for the subdivision of the previously approved ground floor flat into two flats with the exterior of the development remaining completely unchanged from the previous permission. In addition, this permission does not include the stair housing or opening to Apartment 20 as shown on the roof plan of the submitted plans. Planning permission would be required for the stair housing and listed building consent for the opening.



14/09/2004

**Item** 1.3**Reg. No.** 92004 0732F**Applicant:**

MrG Jones  
 20 Kingsmill Lane  
 Weston-on-trent  
 Derby  
 DE72 2BQ

**Agent:**

M. Blood  
 M. A. Blood Building Design  
 6 Brecon Close  
 Spondon  
 Derby.  
 DE21 7JD

**Proposal:** The reconstruction of former railway station building to form dwelling at Railway Cottage Trent Lane Weston-on-trent Derby

**Ward:** Aston

**Valid Date:** 15/06/2004

**Site Description**

The site is part of the former village railway station, recently developed with three detached dwellings. The site access also serves the former railway cottages, which face the site. The access road falls into the land from Trent Lane. There is an embankment to the north side boundary, with neighbouring dwellings in Trent Lane and Weston Court at a significantly higher level. Railway Cottage and Station Cottage are at a roughly similar ground level to the application site.

There is an old railway building adjacent to the site. It is understood that this is to be demolished by the railway company, as being surplus to its requirements. The residual railway yard is still in operational use as a storage depot.

**Proposal**

The proposed dwelling would be sited between the new development and Trent Lane. Its design incorporates rooms in the roof space, attaining a height of about 6.2 metres to the ridge.

**Applicant's Supporting Information**

- a) The application is an opportunity to retain the architectural features of the old railway station building.
- b) Railtrack is proposing to demolish the building but would allow the applicant to retain the materials. Thus the building could be rebuilt as proposed. The building is one of very few with any historic significance in the village and contributed to the development of the village in the 19<sup>th</sup> century.

- c) The proposed sitting would create an excellent focal point when viewed from the top of the access lane and would partly mask the uninteresting rear elevation of Plot 1. This is the only public vantage point.
- d) The project would result in no increase in the number of buildings on the site. The original permission sought to retain the old railway building.
- e) A traffic survey has shown average vehicle speeds of less than 15 mph so there is no highway safety problem.
- f) The bus stop in Trent Lane causes little disruption.
- g) This is a brownfield site and development would be in accord with the Local Plan.
- h) There would be an opportunity to provide off Street parking for one of the railway yard cottages.
- i) The removal of the old building would enable better manoeuvring for railway vehicles.

### **Site History**

Outline permission was granted in 2000 (9/2000/0232/O), under the provisions of the adopted Local Plan. The three existing new units have been built pursuant to that permission (9/2003/0961/D), with an amendment to Plot 3 being granted full permission in 2003 (9/2003/1100/D). The outline permission limited the number of new dwellings to a maximum of three, in the interests of highway safety. It was the policy of the Highway Authority at that time to limit the total number of dwellings served by a private drive to 5 (i.e. the three new units and pre-existing two dwellings)

### **Responses to Consultations**

The Parish Council objects for the following reasons:

- a) The site would be overdeveloped.
- b) There would be an overbearing effect on established properties.
- c) The access is unsuitable being in close proximity to a bus stop.
- d) The proposal is for a new build and not restoration of the existing old building.
- e) The development would be contrary to the Local Plan.
- f) Traffic and parking is particularly bad in an area used for dropping off and parking by parents bringing children to the school and Under Fives.
- g) Railway maintenance vehicles would add to the traffic problem.

The Highway Authority comments that in view of the results of the speed survey there would be no grounds to object on the basis of visibility. The authority also advises that that it could not sustain an objection merely because the private drive would serve in excess of five dwellings.

### **Responses to Publicity**

Two neighbours object in the following terms:

- a) It was previously stated that a maximum of five houses should be served by the private drive in the interests of highway safety and demands on services.
- b) Previous safety objections would be exacerbated.
- c) There is no pedestrian access to the Old Station Yard and young children are at risk.
- d) There is poor visibility at the access junction with Trent Lane, exacerbated by the incidence of parked buses.

- e) The narrow drive allows for the passage of only one vehicle at a time. There would thus be additional hazards in Trent Lane, particularly when children enter and leave school.
- f) There would be additional hazards caused by congestion and manoeuvring within the private drive.
- g) The proposal would not involve the reconstruction of the existing railway building – it is a completely different design and has no conservation merits.
- h) There would be overbearing and loss of privacy to neighbours.
- i) Neighbouring dwellings are not accurately shown on the submitted plans.
- j) It is likely that approved plans would not be adhered to.
- k) The site was originally intended to be garden to the new build dwelling adjacent, bounded by a brick wall.
- l) The traffic survey was undertaken at times when the area was not congested and at its busiest.

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

The relevant policies are:

Joint Structure Plan: General Development Strategy Policies 1 & 3 and Housing Policy 5.

Local Plan: Housing Policy 5.

Emerging Local Plan: Policies ENV 21 and H1.

### **Planning Considerations**

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

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

### **Planning Assessment**

Being a small site surrounded by existing building this is an infill site on brownfield land in the terms of Policy H1 of the emerging Local Plan. Therefore the development of the site for a single dwelling is acceptable in principle.

The area comprises a mix of traditional and new dwellings. The proposal would incorporate some of the design features, most notably the plinth detail and the deep semi-circular arched window and door openings. The building would be lower than the adjacent dwellings. In the light of these factors the proposed dwelling would not be demonstrably harmful to the general character of the area.

The proposal would meet the tests set out in supplementary planning guidance and the impact on neighbours would therefore be acceptable in terms of privacy and light. The increased traffic associated with the dwelling would not result in a material loss of amenity to the occupants of adjacent dwellings.

On the advice of the Highway Authority the development would not be demonstrably harmful to the interests of highway safety. Whilst the result would be an additional unit compared with the conditional limit on the outline permission, the acceptability of this is based on an assessment by the Highway Authority of the objective evidence supplied in the vehicle speed survey commissioned by the applicant and current practice with regard to the number of dwellings that may be served by a private drive.

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

### **Recommendation**

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

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

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

2. Notwithstanding the originally submitted details, this permission shall relate to the amended drawings received 4 August 2004 showing the provision of two parking spaces, and 27 August 2004, showing, in particular, a reduction in size to achieve a minimum distance of 12 metres to the nearest habitable room window of the adjacent dwelling.

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

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

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

4. 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.

5. 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.

6. 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.

7. 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.

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

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

9. The windows in the rear (south east) and side (north east) wall of the building shall be permanently glazed in obscure glass.

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

10. Prior to the first use of the development hereby permitted, parking facilities shall be provided so as to accommodate two 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.

14/09/2004

**Item** 1.4**Reg. No.** 92004 0749M**Applicant:**

Roger Bullivant Ltd  
R B Drakelow Walton Road  
Drakelow  
Burton-on-trent  
Staffordshire  
DE15 9UA

**Agent:**

Julian McAlister  
ETC Design  
2 Carriers Fold  
Church Road  
Wombourne  
West Midlands  
WV5 9DH

**Proposal:** The erection of an extension to the industrial building at  
Express 3 Roger Bullivant Ltd Walton Road Drakelow  
Burton-on-trent

**Ward:** Linton

**Valid Date:** 19/07/2004

**Site Description**

The site is located to the north west of an existing industrial building constructed of green steel cladding. The site is well screened from the public highway to the south east by a wide belt of trees and the existing building.

**Proposal**

The application is for an extension to an existing industrial building which will double the floor area of the building. The extension measures 25 metres by 75 metres with a ridge height of 10 metres. The extension would be constructed of green steel cladding to match the existing building.

**Applicants' supporting information**

The Express 3 building currently houses a variety of smaller operations. There are two pre-cast concrete processes which take place elsewhere and separately on the Drakelow site.

Through this application it is intended to continue the rationalisation of production facilities currently in progress on the Drakelow site. There is now a need to make some significant capital investments in modern equipment to replace equipment that has reached the end of its useful life in respect of one of the pre-cast processes. However, it is vital to ensure that any investment expenditure is sustainable and effective. The extension of the building will allow two existing pre-cast concrete processes which currently take place in separate parts of the site to come together to share the new facilities and optimise their use. The benefits of doing this therefore

include the improved efficiency of raw materials handling equipment, the minimisation of wastage together with the reduction in vehicular movements within the site.

In addition, one of the processes currently takes place in an older building. This operation will benefit from being re-located to a more modern building with additional facilities which can be shared with the other operation.

The separate operations currently occupying Express 3 will then be re-located to the space vacated by the two operations.

Accordingly it can be seen that these activities already take place on site. The application is an improvement in the operation of two current processes so there is no expectation of a material increase in traffic to the highway arising as a result of this development. The development will help to secure the jobs that have been created over time at the Roger Bullivant site in Drakelow by allowing further investment to be made effectively.

This application is designed to allow the process of site rationalisation of production facilities at Drakelow to continue. In this instance an operation currently occupying a similar area in part of the former Thermalite building will occupy the extension the subject of this application. This will allow two operations to enjoy production synergies currently not available to them.

It is planned that as production operations move to the new extension the surplus accommodation created in the Thermalite building will be progressively taken up over the next eighteen months by other non-production operations currently undertaken outdoors elsewhere on the site.

Roger Bullivant Limited is willing to withdraw its recent application for a renewal of permission 9/0798/0298/F so that the floor area may count towards the Express 3 extension.

### **Planning History**

Planning permission was granted for the building that is to be extended in 1999. Planning permission was granted earlier this year for extensions to other industrial buildings, Express 1 and Express 4, on the site.

### **Responses to Consultations**

The Environment Agency has no objections to the development but recommends a condition regarding foul and surface water drainage.

The Environmental Health Manager recommends a condition requiring a contamination investigation.

The comments of the County Highway Authority will be reported at committee.

### **Responses to Publicity**

None received.

## **Structure/Local Plan Policies**

The relevant policies are:

Joint Structure Plan: Economy Policy 4

Local Plan: Employment Policy 1

Emerging Local Plan: EMP3

## **Planning Considerations**

The main issues central to the determination of this application are the visual impact of the development and the impact on the highway network/ highway safety.

## **Planning Assessment**

The extension will be located within an existing industrial site and the expansion of existing industrial facilities is acceptable in principle in accordance with the above policies. The extension will be screened from the road, the nearest public vantage point, by the existing building and a wide belt of woodland, it is therefore considered that the development will not result in an adverse impact on the appearance of the locality.

The Applicant has stated that the extension is required to rationalise existing processes that are already carried out on the site and that the former Thermalite building to be vacated will be used to house non-production operations already based outside on the site. The Applicant has also withdrawn an application to renew an unimplemented planning permission for an industrial building with a floor area of 1250 square metres (which expires on 9 September 2004), the overall industrial floor area to be added on the site is therefore not considered significant. As existing processes are to be rationalised rather than new products bring created the proposal should not result in a significant increase in highway movements to and from the site to the detriment 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. 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. Unless otherwise agreed in writing with the Local Planning Authority work shall not commence on the site until an adequate site investigation and assessment of contamination and the measures to be taken to avoid risk to people or the environment has been undertaken and submitted to the Local Planning Authority, and the development shall incorporate any measures shown in that assessment to be necessary for the removal or containment of any contaminated material when the site is developed.



Reason: To protect the health of the public and the environment from hazards arising from previous contamination of the site which might be brought to light by development of it.

4. 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.

5. 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.

#### Informatives:

The proposed development lies within a coal mining area. In the circumstances Applicants should take account of any coal mining related hazards to stability in their proposals.

Developers must also seek permission from the Authority before undertaking any operations that involves entry into any coal or mines of coal, including coal mine shafts and adits and the implementation of site investigations or other works. Property specific summary information on any past, current and proposed surface and underground coal mining activity to affect the development can be obtained from the Coal Authority. The Coal Authority Mining Reports Service can be contacted on 0845 762 6848 or at [www.coal.gov.uk](http://www.coal.gov.uk).

In connection with Condition 3 above the site investigation report should include:

- Details of an overview of the initial walkover survey to include the identification of contaminants from other sources e.g. gases emitted from natural organic deposits such as coal, or structures such as disused drains.
- Detailed on site sampling to identify any contamination.
- The locations of any contaminated zones within the site including details of more extensive and geographically wider investigation of these zones. This will provide a more reliable picture of the distribution of contamination on the site and reduce the risk of failing to discover a hot spot of contamination.
- An assessment of any off site impacts such as the effect on watercourses etc.
- A thorough explanation of the chosen remedial measures including depth, breadth of excavation and details of soil replacement.
- Plan of action if further contamination is identified during remediation.
- Details of the measures to verify that the contaminant has been removed to an acceptable level. The identification as to whether a long term monitoring and maintenance programme is required, if so, details of the plans.
- Details of the long and short term risk to human health including the construction phase and post development.
- Details of the British Standards or other guidelines used in both the assessment and remediation measures proposed.

Further guidance can be obtained from the following;

1. Sampling Strategies for Contaminated Land, CLR4 1994, DoE.
2. Investigation of Potentially Contaminated Land Sites - Code of Practice, BSI 10175 2001.
3. Secondary Model Procedure for the Development of Appropriate Soil Sampling Strategies for Land Contamination, R & D Technical Report P5 - 066/TR 2001, Environment Agency.

14/09/2004

**Item** 1.5**Reg. No.** 92004 0796M**Applicant:**

Dove Valley Park Ltd  
 3rd Floor Royal Buildings  
 Victoria Street  
 Derby  
 DE11ES

**Agent:**

T S Design Group  
 58 Portswood Road  
 Southampton  
 Hampshire  
 SO172FW

**Proposal:** Amendments to perimeter planting and bunding scheme  
 previously approved under planning permission  
 9/1993/0445/D at the perimeter landscaping at Dove Valley  
 Park Foston

**Ward:** North West**Valid Date:** 21/06/2004**Site Description**

The site comprises a strip of land adjacent to Woodyard Lane, Heath Top and extends south from Heath Top towards a turkey farm. The total site area is 2.9 hectares. The majority of the land is farmland with the exception of a pond on the north boundary and some hedgerow on the west boundary along Woodyard Lane. There is one dwelling on the west side of Woodyard Lane and several dwellings on the north side of Heath Top. The majority of the dwellings lie further north at the south end of Boggy Lane. In addition there is a dwelling off Dark Lane again well north of the site boundary. The site is generally flat with a slight slope to the south from Heath Top.

**Proposal**

The proposal involves the construction of a mound of varying heights that would extend along the northeast, north and northwest boundary of land in the control of the applicant. That is land that lies outside the land with permission for B1, B2 and B8 use. The maximum height of the mounds would be 4.65 metres at its widest point and between 2.5 and 3.5 metres high where the mounding narrows. The mound would be set behind existing boundary features and the pond on the north boundary would be retained as a part of the scheme. A typical cross section of mounding has been submitted but not details of the whole mound construction. A tree and shrub-planting schedule containing native species is proposed on the mounding once it is formed.

**Applicants' supporting information**

The original landscaping was required by condition of earlier consents and this application seeks to meet the original objective of providing a long-term screen of the site from the north.

The bund would be formed exclusively from material excavated from the continuing development of the Park and it is not envisaged that any imported material would be required.

The bunds would be formed as construction works are undertaken on the land designated for employment use. The proposal is that as the mound is formed, the landscaping proposals on the submitted drawings would be implemented as the mounding extends around the land in the ownership of the applicants.

### **Planning History**

The development of Dove Valley Park (DVP) dates back to its allocation as an employment site in the draft South Derbyshire Local Plan in the early 1990's. This arose from Toyota's decision to locate at Burnaston and large allocations for employment use were made at both DVP and Hilton.

The then draft Local Plan envisaged the eventual expansion of DVP to the north of its present northern boundary into the area that would be enclosed by this bund. In accordance with this draft policy, the outline permission for DVP included a condition requiring the construction of advance landscaping along the north of the extended area (9/1990/0155/O refers). Permission for mounding/landscaping on the western and northern edges of this extended area was granted in 1993 (9/1993/0445 refers) and a start was made on implementing the permission.

Subsequently the lower case text of the Local Plan was amended and reference to the extension of DVP was removed. Accordingly the grounds for following up on the implementation of the bund were removed as the company would have been able to argue that there was no need for it as it performed no function in terms of what was likely to obtain permission. Accordingly the Authority has subsequently sought to establish screening along the north boundary of the land with planning permission.

The development of the DVP site has resulted in large amounts of spoil, mainly low quality topsoil, being generated and subsequently stored on the site. This is mainly stored on the area where there is permission for the erection of a 46,500sqm. (500,000sq.ft.) warehouse building. (9/2001/0884 refers). Permission exists for the erection of a further building on another plot and there is outline planning permission for the development of two further plots on the site.

Permission was also granted in 2001 for the formation of a similar bund adjacent to Woodyard Lane, on land within the area with planning permission.

### **Responses to Consultations**

Hatton Parish Council has no objection. *Hatton Parish Council is consulted on all DVP applications at its request.*

Church Broughton Parish Council strongly objects to the development for the following reasons:

- a) The limit of permitted industrial development is located immediately to the north of the Starcross Foods building in a straight line. Allowing this would allow Phase II of DVP (Dove Valley Park) to proceed. The Authority should be aware of strong local opposition to the extension of DVP following a public meeting attended by the Head of Planning. The Parish Council states that accepting this proposal would allow the expansion of the site that does not form part of the outline plan.

- b) The bunds would obstruct three public footpaths therefore the application form is wrong at Question 10d.
- c) The landscaping scheme agreed for Starcross foods has not been implemented.

Foston and Scropton Parish Council welcomes the improvement in the proposed landscaping, however, it seeks reassurance that the tree planting will be carried out as soon as possible and certainly within the next two years.

The Highways Agency has no objection, as the proposal is unlikely to affect traffic on the trunk road.

### **Responses to Publicity**

10 letters have been received objecting to the development for the following reasons:

- a) The limit of permitted industrial development is located immediately to the north of the Starcross Foods building and to agree to this proposal would extend the DVP boundary to what has been spoken of as Phase II. The Authority should be aware of strong local opposition to the extension of DVP following a public meeting attended by the Head of Planning. DVP is not full and no more land should be allowed until it is.
- b) The bunds would obstruct three public footpaths therefore the application form is wrong at Question 10d.
- c) The landscaping scheme agreed for Starcross foods has not been implemented. The 20 – 30 yards of planting have not been implemented; this was part of the supporting information for DVP when it was first granted permission.
- d) There is too much traffic in the area both from DVP and developments off Woodyard Lane and there is an increased risk of road traffic accidents. The quality of life of local residents is and would be adversely affected especially those living on Heath Top.
- e) The publicity for the application was inadequate and individual houses should have been notified of the application, albeit that site notices were posted.
- f) There would be a significant loss in value of the property.

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

The relevant policies are:

Joint Structure Plan: General Development Strategy Policies 3, 4; Economy Policies 1, 2 & 6.

Local Plan: Employment Policies 2 & 6; Environment Policy 1

Emerging Local Plan: Policies ENV 3 & 7.

### **Planning Considerations**

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

- Conformity with the Development Plan
- The implications for the future development of the land as identified by the Parish Council and objectors.
- The impact on the character and appearance of the area.
- The impact on public footpaths of the proposals.

## Planning Assessment

The Development Plan requires amongst other requirements that major development is landscaped and designed such that its impact on the character and appearance of the area is minimised. Members will be aware that the District has been successful at attracting inward investment with some notable firms deciding to locate in South Derbyshire. There exists in the Structure Plan and the adopted Local Plan, a policy that allows for land outside the major allocations to be developed if it can be demonstrated that there is no viable alternative location to accommodate large users on allocated sites. DVP and its surroundings has already been considered for such development, albeit that your officers are directing firms to sites with established allocations. Nevertheless, it could be seen to be prudent to ensure that proper 'advanced landscaping' is in place to meet such an eventuality at DVP.

If development were proposed on the land to be enclosed on this site by this proposal, then it would be the subject of an application in its own right. If there were no justification for the expansion of the site, then the Local Planning Authority would be in a position to refuse planning permission based on existing well-established policies, notwithstanding the presence of the mound.

However, if a valid case were made that allowed DVP to expand to the north, the properties on Heath Top and to a lesser extent on Woodyard Lane would be left exposed to that development without the screening that could be afforded by the construction of the bund and the implementation of landscaping.

The site lies within the landscape that is influenced by the rivers Trent and Dove. The land hereabouts starts to rise above the low lying river valleys and forms a transition between the valleys and the higher ground that rises into the Peak District to the north. DVP lies on top of a low ridge that drops south towards the Dove valley and to the north towards Church Broughton. DVP lies on the site of a WW II airfield evidence of which is still apparent around the site. The implication of this is that the site is relatively flat and any mounding is likely to appear as an alien feature if not integrated into the surrounding area. This would be most visible along Heath Top.

However, permission is in place for the erection of a mound in this vicinity. The applicant could construct this mound without further reference to the Authority. The issue at stake then with this application is only the height of the mound.

The main consideration in terms of development plan policies is whether the additional bund height is such that refusal of the permission is justified on the grounds of its visual intrusion into the countryside hereabouts. The increase in the overall height of the bund would be mitigated by the fact that its apex would be set further from the dwellings particularly those on Heath Top. Conditions can be attached requiring the submission of a phasing of the construction of the mound and the implementation of the landscaping scheme in the planting season immediately following the completion of the phase under construction.

The Parish Council and objectors have correctly identified that the proposals would have an impact on the line of public footpaths in the area. It is not considered that it would be necessary to divert any of these paths but a condition is recommended to require the submission of details of the mound formation along the whole length of the bunds that are proposed including how the areas on the line of the footpaths would be treated. This would ensure that the footpaths are not prejudiced by the bund proposals.

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

## **Recommendation**

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

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

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

2. Before the development is commenced, detailed drawings indicating the shape of the mounds to a minimum scale of 1:200 shall be submitted to and approved in writing by the Local Planning Authority. The submitted details shall include provision for the maintenance of the line of Public Footpaths that pass through the site and for the retention, without disturbance, of the pond and trees at the northwest corner of the site. The bunds shall then be constructed in accordance with the approved plans in accordance with a phasing plan that shall also have received the prior written approval of the Local Planning Authority.

In the interests of the visual amenity of the occupiers of adjacent dwellings and to ensure that the line of public footpaths are maintained available as well as the pond that is an important feature in the locality.

3. The bunds hereby permitted shall be constructed solely from material arising from the development of Dove Valley Park the extent of which is identified on plans that accompanied planning permission 9/1990/0155/O as amended by planning permission 9/1995/0170/R. No material shall be imported to form the bunds unless planning permission has been sought and obtained in response to an application made in that regard.

In order to prevent material being imported to the site without proper consideration of the impact of that importation and the application hereby permitted states that no material is to be imported to the site.

4. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out in accordance with the programme agreed with the Local Planning Authority.

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

5. No development shall take place until a schedule of landscape maintenance for a minimum period of 5 years has been submitted to and approved in writing by the Local Planning Authority. The schedule shall include details of the arrangements for its implementation. Development shall be carried out and maintained in accordance with the approved schedule.

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

## **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. Further to Condition 3 above any application to import material into the site would be made to Derbyshire County Council as Waste Disposal Authority for Derbyshire.



14/09/2004

**Item** 1.6**Reg. No.** 92004 0859R**Applicant:**

Cranberry Foods  
 Holly Bank Farm Scropton Road  
 Scropton  
 Derby  
 DE65 5PS

**Agent:**

P. Diffey  
 Peter Diffey & Associates  
 Cotesbach Villa  
 54 Woods Lane  
 Stapenhill  
 Burton On Trent  
 DE15 9DB

**Proposal:** The variation of condition 1 of planning permission  
 9/2003/0671/R for the extension of time for the retention of a  
 water detention pond, sump and soak-away system at Holly  
 Bank Farm Scropton Road Scropton Derby

**Ward:** North West

**Valid Date:** 05/07/2004

**Site Description**

The site comprises an existing lagoon enclosed by mounding. It lies in open countryside to the southeast of the existing Brandon's factory site. The site is located immediately to the south of the railway line.

The site lies within the flood plain of the River Dove.

**Proposal**

The proposal is as described above.

**Applicants Supporting Information**

A different company operated the site until April 2003. It obtained temporary planning permission for the lagoon as part of a wider waste disposal system part of which was implemented (2001). The company then went into receivership and part of that process involved the receivers in obtaining a further temporary permission that expired in July. This application seeks a further 2-year temporary permission.

The company has to obtain IPPC (Integrated Pollution Prevention and Control) permit *[as issued by the Environment Agency]* if it wishes to continue in business and a part of this is the company's handling of waste arising from the processes carried out on the site. The system envisaged last year has been shown to be adequate and the company has instructed new consultants to draw up a scheme of disposal that would meet IPPC requirements. An initial

study has been undertaken and a report has been forwarded to the company. The implementation of the scheme would take until 2006 and a formal schedule to implement the IPPC requirements has been submitted with the application and is available for inspection on the file.

If permission is not renewed there are no other options available to the company and it would not be able to function. The company has no option but to obtain IPPC accreditation and has to introduce a much-improved effluent disposal system.

The company has indicated that it would be willing to accept conditions allowing for 3-monthly inspections of the works as they are being undertaken as well as one that would require the bund to be removed and the land restored within 3 months of the full operation of the replacement effluent facility.

### **Planning History**

The lagoon was created originally without the benefit of planning permission. An Enforcement Notice was served and a subsequent application for the retention of the lagoon granted temporary planning permission as described by the applicant's above. That permission expired on 31 May 2003 but the applicants made an application to further retain it before the permission expired. Permission was granted for a further year with the current application made before that permission expired.

### **Responses to Consultations**

Foston and Scropton Parish Council objects to the development for the following reasons:

- a) The problem with the lagoons has been going on for several years now and little has been done to resolve the problems. The support letter reveals that there is no clear intention or plan to eliminate the problem.
- b) The same argument was used when the last permission for an extension was granted and nothing has happened – the company has been in operation now for about 12 months – the application has been submitted to buy more time.

The Environment Agency has no objection to the proposal. (This is contrary to previous comments and clarification has been sought regarding this comment)

Network Rail has no objection to the extension of time for the permission.

The Environmental Health Manager has commented that problems of smell have been ongoing for a number of years. The current set up involves the wastewater being pumped through a primary effluent treatment plant before being discharged to the first lagoon and then into the second lagoon. *[The subject of this application]*. The smell problems have again arisen in the recent past because the company drained the level of the first lagoon revealing extremely odorous material to the air. This has happened on several occasions and has resulted in residents being unnecessarily exposed to smells. The intended reed bed has not been implemented and the situation has not changed for some time.

The application for an IPPC permit would require the company to use best practicable means to ensure that as little pollution as possible is released to air, water and land. The lagoons do not represent the best practicable means. The company must apply to the Environment Agency for

an IPPC permit by 31 August 2004 and they should have a good idea of what is necessary to achieve the permit. It takes between 12 and 18 months for an application to be processed and by the time the permit is issued the company would have to be using the new system. The company seems to have asked for an additional 6 months to allow for delays.

The information submitted seems reasonable and the outcome of the works to achieve the Permit would result in the any smells becoming a rare situation. However, there is concern about the company would return the lagoon to the floodplain as this could have a massive impact on the odour levels in the area. If the Committee were minded to grant permission, the Environmental Health Manager would recommend a condition to require submission of the details of how the lagoon was returned to the floodplain to try to minimise the impact of the works. An informative is recommended to advise that water levels in the lagoons should be maintained to prevent smells from the sediments being exposed to the air until the lagoon is no longer required.

### **Responses to Publicity**

9 letters have been received (6 in the same format) objecting to the development for the following reasons:

- a) The company has had numerous opportunities to remove the source of the smells, the residents of the area have accepted that the company should be given time to implement smell reduction measures. Only part of the proposals have been implemented and it is now time that the reed beds should be put in place. The community has suffered enough from the smells and are not prepared to accept any more excuses for the delay. The problems of smell can go on for weeks. The promised relief has not been forthcoming
- b) An enforcement notice has been served because of the non-implementation of the works and still nothing has been done. Residents believe that the delay arises from financial restraints.
- c) The ground is not suitable for the water to runoff especially when the water table is high. The drainage from nearby properties is not as efficient as it has been in the past and it is believed that the lagoons are to blame.
- d) When the company started business it stated that works had been started and would take about 6 months, they, the company would keep everybody concerned up to date. Environmental Health officers advised residents that constructive talks were taking place. The company now reveals that it has no intention of dealing with the problem in the short term. Residents do not want to see the factory close and believe that they have shown patience. The application should be refused, the smell should be removed from the area; residents have put up with the dreadful smell for too long whilst the applicants have continued to ignore their obligations. The threat to close the factory should be ignored and is a blatant attempt to get its own way.
- e) It is considered that the amount of publicity for the application was inadequate and additional time should be allowed for comments to be made as news of the application is spreading by word of mouth.

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

The relevant policies are:

Joint Structure Plan: General Development Strategy Policy 4

Local Plan: Environment Policy 1

Emerging Local Plan: Policy ENV 7

## Planning Considerations

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

- The need for the development in the countryside.
- The impact of the development on the area
- The affect of the development on nearby residents.

## Planning Assessment

The policies of the development plan seek to restrict development in the countryside to that requiring such a location.

In this case, the lagoon, the subject of this application, was originally constructed to overcome wastewater problems occurring at the applicant's factory. The works were carried out without the benefit of planning permission.

An enforcement notice was served requiring the removal of the lagoon as stated above. Since that time, the applicant has partially implemented the permission for the screen, sump and reed bed application. The reed bed being the part of the application has not been implemented. (Reg. Nos: 9/2001/0082 & 9/2003/0671 refer)

The intention of the then applicant 3 years ago was that this lagoon be retained so that the effectiveness of the new drainage system could be assessed. This has patently not been possible, as the reed bed was not implemented even after a further one-year permission. However, things have moved on in terms of the company applying for a permit under the IPPC requirements. The timescale for the implementation of the works would appear to be the length of time set out in the application. The Environmental Health Manager confirms this.

The objectors are stating that the smells have persisted despite the measures put in place in partial implementation of the screen and sump and reed bed proposal. The provisions of the IPPC legislation would determine the matter of the smell and within a period controlled by statute. The time frame of the current application would allow for the implementation of the IPPC provisions and the removal of the lagoon once the requirements of the permit have been implemented.

The ultimate aim of the proposal is again to remove the 'unauthorised' lagoon and bring about the restoration of the floodplain in this area. The method of achieving this was agreed in 2001 but the permission was not fully implemented. The current IPPC proposals represent a change of approach from that previously considered. The requirements of the permit would achieve an output that is clean enough to discharge direct to the Rive Dove under the supervision of the Environment Agency.

Again the Local Planning Authority is faced with a choice that offers a relief from the smells in the future or the closure of an important local business. When this company took over the factory earlier this year, it was advised that it had limited time to address the removal of the lagoon. To its credit the company has drawn up a schedule to deal with the overall emission problems of the site through the IPPC procedure.

So far the company has stuck to the programme it drew up and there is no reason to doubt that this time the end result would be the removal of the unauthorised lagoon. Members may recall that last time the application was submitted it was by the receivers and the permission was some six months through its temporary period when the new company took over the premises. In these circumstances, again it is considered that the balance is in favour of the applicants and the following recommendation is considered appropriate.

### **Recommendation**

GRANT permission subject to the following conditions:

1. This permission, with regard to the lagoon and its associated embankments, shall be for a limited time period only, expiring on 30 September 2006 on or before which date the lagoon and all associated works including the embankments, shall be removed from the land and the site reinstated in accord with a scheme of works that shall be first submitted to and approved in writing by the Local Planning Authority. Within three months of the date of the full implementation of the IPPC Permit, the lagoon and all associated works including the embankments shall be removed and the land restored in accordance with that scheme, unless, prior to that date, an application has been made and permission has been granted for an extended period.

Reason: To allow the implementation of IPPC permit measures in order to achieve the full restoration of the land to the floodplain.

2. Within three months of the date of this permission a method statement for the work and precise timetable of events for the removal of the lagoon and its associated embankments (including measures to remove odorous material from the lagoons shall be submitted to and approved in writing by the Local Planning Authority. The work shall then only progress in accord with the approved scheme.

Reason: To ensure that the work is carried out to an acceptable standard in the interests of minimising the impact of the removal of materials from the site on the amenity of residents of the area.

3. The Local Planning Authority shall be notified of the commencement of the implementation of the works to achieve an IPPC Permit within 14 days of the works being commenced. Thereafter, the Company shall submit progress reports on a 3-monthly basis to the Local Planning Authority to show how the IPPC requirements are being implemented.

Reason: To provide the Local Planning Authority with evidence that the IPPC works are being implemented in accordance with the schedule submitted with the application.

### **Informatives:**

You are advised to contact the local Parish Councils, and local residents, and the Environmental Protection Manager at the District Council prior to the work for the installation of the reed bed being carried out to ensure the community is aware when the work will take place.

14/09/2004

**Item** 1.7**Reg. No.** 92004 0925U**Applicant:**

Adam Devey Smith  
 Easytiger Associates  
 Blakemore House 159 Station Road  
 Melbourne  
 Derbyshire  
 DE731BQ

**Agent:**

Richard Collier  
 Adam Devey Smith  
 Easytiger Associates  
 Blakemore House 159 Station Road  
 Melbourne  
 Derbyshire  
 DE731BQ

**Proposal:** The erection of an extension and change of use to offices and flat 55 Derby Road Melbourne Derby

**Ward:** Melbourne

**Valid Date:** 16/07/2004

The application is brought before Committee on the instruction of Councillor Harrison.

**Site Description**

The site contains a modernised Victorian dwelling fronting the street, with a range of outbuildings to the rear, used until recently as a hairdressing salon. There is a courtyard to the side and rear of the frontage dwelling, with a garden area set against the boundaries of bungalows in Dunncliffe Lane.

**Proposal**

The application seeks to convert the existing buildings to office use. A two storey extension to the range of outbuildings would provide studio and library space. The development would facilitate the expansion of an existing business in Melbourne. A flat would be provided to the first floor of the frontage building.

**Applicant's Supporting Information**

- a) The plan of the extension would be designed to match the width of the existing barn with a square building off in the style of a coach house with timber doors and dovecote to the roof. It would screen the rear properties from the road and would be 12m from the adjoining windows of the rear property.
- b) The extension would be used as a photographic studio, requiring a spacious environment.
- c) The extension would respect Melbourne's historic buildings.
- d) There would be a reduction in the number of visitors to the site. The hairdressers salon has a capacity for about 32 customers per day.