

26/03/2002

**Item B1****Reg. No. 9 2002 0164****Applicant:**

Foston & Scropton Parish Council  
 C/O 2 Mansfield Croft  
 Etwall  
 Derbyshire  
 DE65 6NJ

**Agent:**

Mrs J Storer (Clerk)  
 C/O 2 Mansfield Croft  
 Etwall  
 Derbyshire  
 DE65 6NJ

**Proposal:** residential development (outline application with all matters reserved for further approval) at The Parish Rooms  
 Scropton Road Scropton Derby

**Ward:** North West

**Valid Date:** 14/02/2002

**Site Description**

The site comprises a part of land in the ownership of the Foston and Scropton Parish Council. There are two cottages to the west of the site but the other boundaries are open with allotments to the south. There is permission for a village hall to be developed on the remaining frontage land. A temporary village hall is also situated on the site.

**Proposal**

The Parish Council wishes to obtain permission on this land so that it can help to fund the erection of the new village meeting room on the rest of the Scropton Lane frontage site. The application is in outline with all matters reserved for subsequent approval.

**Applicants' supporting information**

The Parish Council confirms that the monies raised from the sale of the land would be used solely for the funding of a new village hall. The parish only has a pub as an amenity now, the village post office having closed some 15 months ago. A new hall would be a focus for community activity. At a public meeting residents supported the provision of a much-needed amenity.

**Planning History**

Permission was granted in outline contrary to policy, for the erection of a pair of semi-detached dwellings in 1996. A copy of the Committee report is attached. A subsequent application for the approval of reserved matters was submitted but the permission was not implemented and lapsed in 2001.

## **Responses to Consultations**

Foston and Scropton Parish Council has no objection

The County Highway Authority has no comment subject to the imposition of all the previous conditions.

The Environment Agency has no objection subject to appropriate drainage conditions and the imposition of a condition ensuring that the finished floor levels are at least 600mm above current ground level.

Severn Trent Water has no objection subject to the imposition of conditions relating to the foul drainage from the site.

## **Structure/Local Plan Policies**

The relevant policies are:

Joint Structure Plan: General Development Strategy Policy 4, Housing Policy 6.

Local Plan: Environment Policy 1, Housing Policy 8 and Community Facilities Policy 1

## **Planning Considerations**

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

- The provisions of the Development Plan.
- The impact on neighbours.

## **Planning Assessment**

The site is located in the countryside outside the village confine for Scropton. This has been recently consolidated in the light of the review of the Local Plan and the meeting of the Development Services Committee on 16 August 2001 resolved that Scropton was not a sustainable settlement in accordance with PPG3.

In the previous case, Members took a contrary view to the then prevailing policy, based on the needs for a new village hall for the village. The Parish Council maintains that the circumstances pertaining in 1996 still apply. The Parish Council did market the site and a sale was agreed. It is understood that there was a query relating to the amount of land available and the sale fell through.

The site is capable of development without significant impact on infrastructure and the amenities of adjoining residents.

Notwithstanding the fact that the particular circumstances of the Parish Council remain the same, the proposal remains contrary to the provisions of the Development Plan, reinforced by subsequent Government policy and is recommended for refusal accordingly..

**Recommendation**

**REFUSE** permission for the following reasons: -

1. The site lies in the countryside beyond the confines of a sustainable settlement. General Development Strategy Policy 4 and Housing Policy 6 of the adopted Derby and Derbyshire Joint Structure Plan state that development in the countryside, including housing, will only be permitted if there is a need for the development to be located in the countryside. If permitted then the development should be so designed and located so that the impact of the development is minimised. There is no justification on the basis of the needs of an established rural business that would warrant the erection of a dwelling in the countryside and so the development is contrary to the provisions of the above policies. It would also result in an unnecessary intrusion into the countryside.
2. The site lies in the countryside beyond the confines of a sustainable settlement. Environment Policy 1 and Housing Policy 8 of the adopted South Derbyshire Local Plan state that development in the countryside, including housing, will only be permitted if it is essential to a rural based activity and it is unavoidable in the countryside. If permitted then the development should be so designed and located so that the impact of the development is minimised. There is no justification on the basis of the essential needs of an established rural business that would warrant the erection of a dwelling in the countryside and so the development is contrary to the provisions of the above policies. It would also result in an unnecessary intrusion into the countryside.



27/11/2001

**Item** A8**Reg. No.** 9 2001 0976 O**Applicant:**

Squirrel Developments Ltd  
41 Whitmore Road  
Trentham  
Stoke On Trent

**Agent:**

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

**Proposal:** Outline application (all matters to be reserved) for the residential development of Yew Tree Farm Station Road Hatton Derby

**Ward:** Hatton

**Valid Date:** 03/10/2001

**Site Description**

The site is located within the built framework of Hatton as defined in the South Derbyshire Local Plan. It is 0.33 hectares in area and comprises the farmhouse, farm buildings (both modern and older), yard and garden of the farm that currently occupies it.

The site is bounded on two sides by fields and on the other two by houses. Immediately to the south of the existing access to the farm is a small parking area.

The house immediately adjoining the site on The Hayes is also in the ownership of the applicants.

**Proposal**

The applicant seeks consent to redevelop the site for residential purposes. No details of the development have been submitted as the submission was made in outline with all matters reserved. The sole purpose of the application is to establish whether the principle of residential development is acceptable on the site.

**Applicants' supporting information**

The farmhouse may be retained or it may be redeveloped. This would depend on the layout to be submitted later if permission were to be granted. Access would be from The Hayes and it is anticipated that a service vehicle turning area would be provided in the site. The site is large enough to ensure that normal space about dwellings standards could be maintained for existing residents. The site is currently used for horse stabling

matter that is subject to this application, and, therefore, despite the comments of the highway authority it is not appropriate to impose a condition at this stage limiting the number of units on the site. However, an informative to reflect the advice of the highway authority is proposed.

### **Recommendation**

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

1. (a) Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.
- (b) The development hereby permitted shall be begun either before the expiration of five years from the date of this permission or before the expiration of two years from the date of approval of the last of the reserved matters to be approved whichever is the later.

Reason: To conform with Section 92(2) of the Town and Country Planning Act 1990.

2. Approval of the details of the siting, design and external appearance of the building(s) the means of access thereto and the landscaping and means of enclosure of the site shall be obtained from the Local Planning Authority in writing before any development is commenced.

Reason: The application is expressed to be in outline only and the Local Planning Authority has to ensure that the details are satisfactory.

3. 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.

4. The development hereby approved shall not commence until details of drainage works for the disposal of foul and surface water sewage from the site, including a timetable for its implementation, has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall then be implemented as agreed in accord with the approved timetable.

Reason: In the interests of ensuring the site is adequately drained.

### **Informatives:**

- (i) You are advised to note the comments of the Environment Agency a copy of whose comments are attached.
- (ii) You are advised to note the comments of the highway authority, a copy of which is attached.

- a) There is a problem with the drains and pipes are not likely to take any more development in the area. Having experienced the problems in November last year, people do not want to go through that again. People away from the site and not directly affected by it are concerned. For this reason, the Council should object to the development. Residents who occupy houses that were almost flooded last year do not want extra water into the brook that might cause levels to rise further and cause actual flooding of their property. The area is always water laden. The brook is in need of serious maintenance
- b) The access points to the site are inadequate there is not enough room for two vehicles to pass each other and it would be a bottleneck for traffic.

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

The relevant policies are:

Joint Structure Plan: Housing Policy 5

Local Plan: Housing Policy 5

### **Planning Considerations**

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

- Conformity with the Development Plan
- The impact on neighbouring properties' amenity
- The impact of the development on the foul water drainage system
- The highway implications

### **Planning Assessment**

The site lies within the confines of Hatton as defined by the provisions of Housing Policy 5 of the Local Plan. Hatton is a sustainable settlement. Therefore, the principle of the development is in accord with the development plan and so acceptable.

Whilst no details of the development accompany the submission, the site is sufficiently large such that an acceptable residential layout could be accommodated within the site without adversely impacting on the amenity of adjoining residents.

The issue of water disposal has been raised in objections to the application. Whilst the specialist consultee on this matter, Severn Trent Water, has commented specifying that additional foul flows would exacerbate an existing problem, no formal objection to the scheme on this basis has been lodged by Severn Trent Water. This is because the existing problem is currently being investigated by the company and any necessary remedial action will be put in place should they be required. Therefore, whilst this issue is a material consideration it is not overriding in this instance.

The Environment Agency has no objection subject to a condition. In these circumstances, it would be unreasonable to refuse permission based on general flooding of the site.

The County Highways Authority has no objection to the principle of development save for concerns about the ability to achieve adoptable access points to The Hayes. Access is not a

The development would probably be two-storey in height but it would comply with recent Government Advice in PPG 3. The site lies within the village envelope for Hatton and there is a presumption in favour of the development as this settlement is one of those identified as being sustainable in the Council's recently adopted guidance note on sustainable villages.

### **Planning History**

The site had permission granted in 1989 for either the erection of three dwellings granted in outline or the conversion of outbuildings to three dwellings. Both schemes involved the retention of the farmhouse.

### **Responses to Consultations**

Hatton Parish Council objects to the development for the following reasons: -

a) This area is in the lowest lying part of the village, in the flood plain, and the brook to the north was the cause, in part, of severe flooding in November 2000. This also had an impact on the sewer system. There appears to be a difficulty in removing surface water from this area. The sewer system is being reviewed by Severn Trent Water and no more development should be allowed until the review is completed.

b) There is no clear, satisfactory, access to the site.

The County Highways Authority recommends that the development be limited to no more than five dwellings served off a private drive. This is on the basis that it does not appear that adoptable new street junctions could be accommodated within the frontage available.

Severn Trent Water has commented on the development on the basis that additional foul flows from the site would exacerbate a flooding problem in the village. The company has recently made some improvements to the Hatton pumping station in the form of increased storage and storm pumping but is not satisfied that this would be adequate. Severn Trent Water is also undertaking a Drainage Action Plan looking at the total catchment area for the pumping station. The plan is a feasibility study that is programmed to report by the end of the year at which time there would be an indication of further areas of the public foul system that may be need attention. If remedial works are identified those works will be undertaken.

The Environment Agency has no objection subject to a condition requiring the finished floor levels to be raised 600mm above the last known flood level. (November 2000). This is 54.0 AOD. Ground levels in the general area are about 53.9. Thus, the floor level of the houses would be about 700mm above existing ground levels. This would mean that in an event similar to last November the gardens of the proposed dwellings would be clear of the water levels.

### **Responses to Publicity**

Some objectors are under the impression that the development relates to the fields around Yew Tree Farm. This is not the case, the application relates to the existing farmyard.

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