

18/12/2001

Item **A2****Reg. No.** **9 2001 0587 F****Applicant:**

Mr C N & Mrs J Gibson
Woodshop Lane House, Woodshop Lan
Swarkestone
Derby
DE731JA

Agent:

R Wilmot
32 Askew Grove
Repton
Derbyshire
DE65 6GR

Proposal: **The erection of one dwelling (to be used as an annex/granny flat to Woodshop Lane House) and associated garage at Woodshop Lane House Woodshop Lane Swarkestone Derby**

Ward: **Aston**

Valid Date: **20/06/2001**

Site Description

The site consists of the side garden/yard to Woodshop Lane House. The site is located off Woodshop Lane, Swarkestone. Currently, there is a range of converted outbuildings, in separate ownership, along its northern boundary and a tall conifer hedge to the western boundary.

The site is located within the confines of Swarkestone as defined in the current local plan and within the conservation area.

Proposal

The applicant seeks permission to erect a part two-storey building, designed to resemble an outbuilding. The building would be used as ancillary accomadation to the main dwelling unit.

Additionally, garaging for both existing and application dwellings is also proposed.

The existing access to the property would be used, in unaltered form.

Applicant's Supporting Information

The parents of the applicant would occupy the property in their retirement as an annex. The accommodation would enable them to be near to their family.

Site History

The garden to the south of Woodshop Lane House was developed for a single dwelling in the mid- 1990s.

Responses to Consultations

The Highway Authority and Severn Trent Water Limited have no objection.

Responses to Publicity

Letters have been received from 5 local households objecting in the following terms:

- a) The proposal would not preserve or enhance the conservation area. It would be detrimental in this regard.
- b) The garden is an important element in the conservation area and should be protected as such. Much of the garden has already been lost to development.
- c) The proposal could lead to the damage or collapse of adjacent historic buildings.
- d) An historic pigsty would be demolished. (Comment: This building is too small to be subject to a requirement for Conservation Area Consent for its demolition).
- e) There would be increased surface water run off which could increase the risk of flood.
- f) There would be loss of privacy to neighbours.
- g) There has already been too much development in the conservation area.
- h) There would be increased noise and disturbance.
- i) There would be parking problems.
- j) The proposal does not comply with PPG3.
- k) An extension to the existing house should be sufficient to meet the needs of the household.
- l) A precedent would be set for more development.

Structure/Local Plan Policies

The relevant policies are:

Joint Structure Plan: Housing Policy 6 and Environment Policy 9.

Local Plan: Housing Policy 5 and Environment Policy 12.

Planning Considerations

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

- The principle of development.
- Impact on the conservation area.
- Residential amenity.
- Access and parking.
- Site drainage.

Planning Assessment

The site lies within the village confines and is thus supported in principle by the policies of the extant development plan. However, with regard to new dwelling units these policies can be superseded by the guidance in the recently revised PPG3.

In this regard Swarkestone is not a sustainable settlement and new residential development within it would, in principle, not be acceptable. However, in this case the proposal is to erect a small two-bedroom unit to meet the specific requirements of the applicant. A condition could be applied to ensure that the facility was connected to the main unit. In addition the unit is designed

in a manner that would allow its future assimilation into the main house thereby allowing an acceptable use of the building when the current circumstances of the family have altered.

Additionally, the development would enable the family to share journeys and enable family based care to be administered without the need to make journeys by private car.

Therefore, in principle, subject to appropriate conditions, the proposal does not conflict with the aims of sustainable development set out in PPG3, and makes full and effective use of land for housing provision as advocated in the guidance.

The proposed scheme has been amended following discussion with the applicant and is well related to the house in terms of scale and design, so that it appears as a logical outbuilding. Its scale and design are in keeping with other outbuildings in the locality and the proposal would therefore preserve the character of the conservation area. The site would still maintain a sufficiently large area of domestic garden space to ensure the amenity of the occupants and the area generally is not adversely affected.

The proposed building is no higher than the adjacent building at The Roaches and would therefore neither overlook nor overbear on that building. Whilst concerns have been raised about the impact of the development on the structure of the adjacent building this is a matter that is controllable under the Party Walls Act and civil law. No other dwellings are materially affected. The level of activity associated with the site would not be demonstrably greater than as at present.

On the advice of the Highway Authority and on the basis of this being an ancillary unit to the main house there would be no adverse impact on highway safety.

Foul water would discharge to the public sewer. It is a normal expectation that surface water runoff is accommodated within the confines of the site. A condition is recommended to require run-off to be kept away from the highway.

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 drawing no. 296/RW 04 received 23 November 2001.

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

3. Large scale drawings to a minimum Scale of 1:20 of external joinery, including 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 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.

4. 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.

5. External joinery shall be in timber and painted to a colour and specification which shall have been previously agreed in writing by the Local Planning Authority.

Reason: In the interests of the appearance of the building(s) and the character of the area.

6. All plumbing and service pipework, soil and vent pipes, electricity and gas meter cupboards and heating flues shall be located inside the building unless specifically agreed in writing by the Local Planning Authority. The type, number and position of heating and ventilation flues outlets shall be agreed in writing with the Local Planning Authority before development is commenced.

Reason: In the interests of the appearance of the building(s) and the character of the area.

7. Gutters and downpipes shall have a black finish and be fixed direct to the brickwork on metal brackets. No fascia boards shall be used.

Reason: In the interests of the appearance of the building(s), and the character of the area.

8. Pointing of the existing/ proposed building(s) shall be carried out using a lime mortar no stronger than 1:1:6 (cement:lime:yellow sand). The finished joint shall be slightly recessed with a brushed finish in accordance with Derbyshire County Council's advisory leaflet "Repointing of Brick and Stonework".

Reason: In the interests of the appearance of the building(s).

9. A sample panel of pointing 2 metres square or such other area as may be agreed by the Local Planning Authority shall be prepared for inspection and approval in writing by the Local Planning Authority prior to the implementation of any other works of pointing.

Reason: In the interests of the appearance of the building(s) and the locality generally.

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, the dwelling hereby permitted shall not be altered, enlarged or extended, no satellite dishes shall be affixed to the dwelling and no buildings, gates, walls or other means of enclosure (except as authorised by this permission or required by any condition attached thereto) shall be erected on the application site (shown edged red on the submitted plan) without the prior grant of planning permission on an application made in that regard to the Local Planning Authority.

Reason: To maintain control in the interest of the character and amenity of the area, having regard to the setting and size of the development, the site area and effect upon neighbouring properties and/or the street scene.

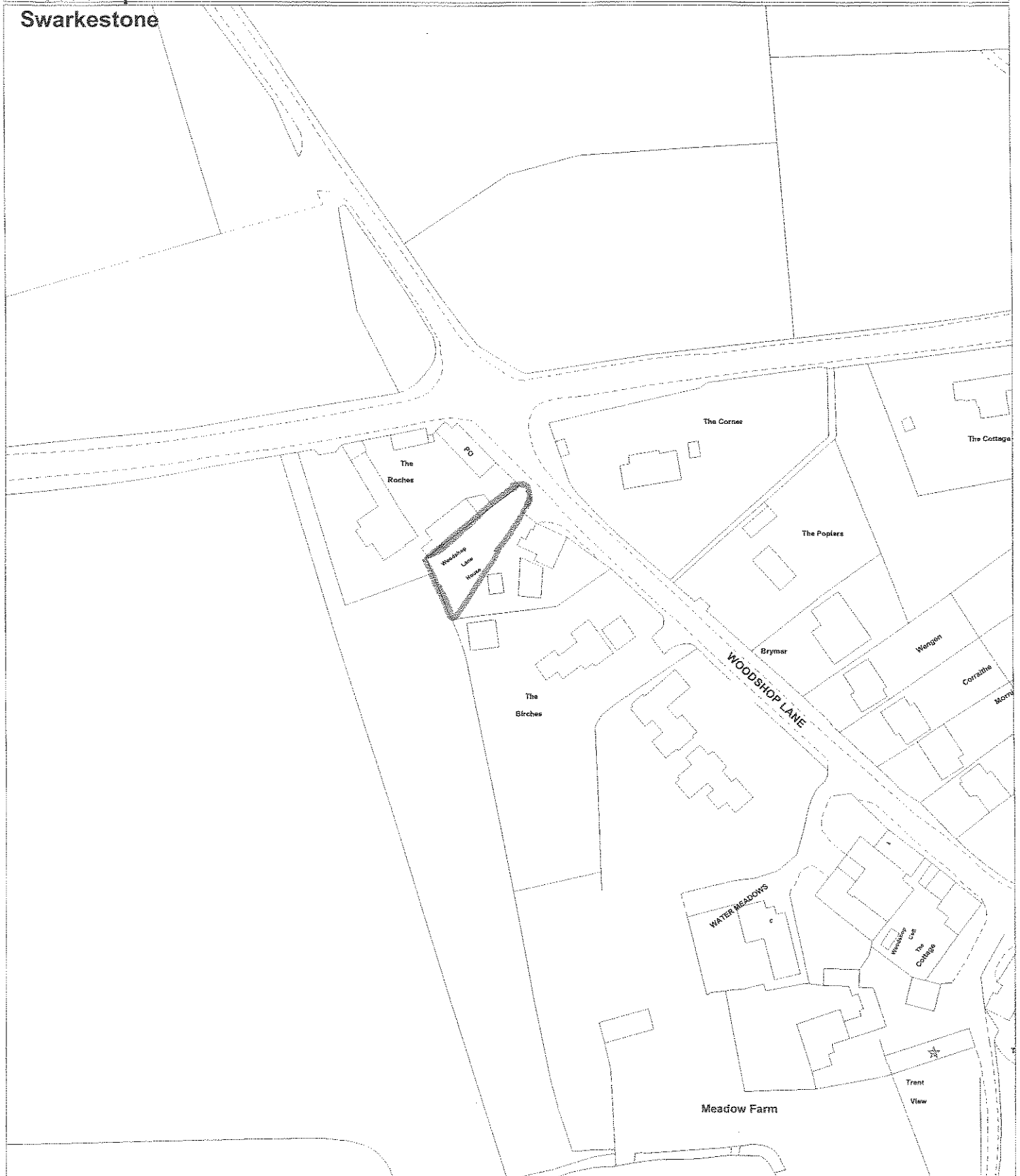
11. The living accommodation hereby permitted shall be occupied solely by members of the household of Woodshop Lane House or by domestic staff, and shall not be severed from the main house as a separate and unconnected dwelling.

Reason: Swarkestone is a settlement with few facilities, such that it is considered to be an unsustainable location for general residential development. Furthermore separation of the unit would necessitate works to the access involving the demolition of an historic stone wall. In addition the property would be located in proximity to Woodshop Lane House such that there would be disturbance to the occupiers of the two properties.

12. Prior to the first use of the development hereby approved, measures shall be taken to prevent the discharge of surface water onto the highway in accord with a scheme that shall have first been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety and flood control.

Woodshop Lane House
Woodshop Lane
Swarkestone



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Scale 1:1250 Date Plotted 3/1/2002

Plot centred at 436673 328649

Woodshop Lane House
Woodshop Lane
Swarkestonejm

