

3. Prior to the first occupation of the new dwelling, space shall be provided within the plot curtilage for the parking and manoeuvring of one vehicle. The space shall thereafter be maintained free of any impediment to its designated use.

Reason: In the interests of highway safety.

4. Prior to the occupation of the dwelling the boundary wall between the two dwellings indicated on the submitted drawings shall be constructed to the specified height.

Reason: In the interests of maintaining privacy between dwellings.

5. 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 and extension are in keeping with its surrounding in the interest of the character and visual amenity of the area.

24/07/2001

**Item**            **A5****Reg. No.**        **9 2001 0386 F****Applicant:**

Pawan Joshi  
 Spar Shop Repton  
 5  
 High Street  
 Repton  
 Derbyshire

**Agent:**

Darren Insley  
 Bi Design Architecture  
 First Floor Studio  
 79 High Street  
 Repton  
 Derbyshire  
 DE656GF

**Proposal:**        **The formation of a new access and menage, the erection of a stable block, the conversion into a dwelling of the stable to the north east of Mill House without complying with condition 7 of planning permission 9/1096/0544/F issued on 11 December 1996 and the extension and alteration of the stable, Mill House Repton Road Hartshorne Swadlincote**

**Ward:**            **Hartshorne****Valid Date:**    **23/04/2001****Site Description**

The site is occupied by a dwelling house and associated outbuildings. The dwelling is a detached traditional brick and tile former farmhouse located in the countryside on the east side of Repton Road some 70m from the junction with Midway Road. In addition to an established treed garden there is a paddock to the rear and south of the house, which is well screened from the road by a boundary hedge

**Proposal**

The proposals with regard to this submission are as follows:

- 1) The formation of a new access. The proposed access is partially completed and is some 48m north of the existing access, which is proposed to be closed off. From the access it is proposed to form a driveway back to the dwelling and out buildings and for parking and turning area to be provided.
- 2) The construction of a 28m long by 15m wide menage in the paddock area for training horses.
- 3) The erection of a 19.5m long by 5.8m wide stable block to be sited 4m from the eastern end of the existing outbuilding. The building would be constructed in brick and tile to match the existing buildings and would accommodate four loose boxes and a hay store.
- 4) The variation of condition 7 of planning permission 9/1096/0544 and the extension and conversion into a dwelling of an outbuilding. The renewal of planning permission to convert this brick and tile outbuilding was granted in December 1996. Condition 7 of the planning permission required that no windows were to be inserted in the north elevation. Following further discussion, it is now proposed to insert one first floor window into this

otherwise blank elevation to provide natural light onto the stair well. The window would be 1.2m by 0.7m. It is also proposed to construct a single storey 2m long brick and tile extension to link the outbuilding to an existing store building to provide additional accommodation.

### **Planning History**

9/1091/0544: Permission granted for the conversion of the stable into a dwelling. This permission was subsequently renewed in 1996.

Additionally, a further application (9/2001/0462/F) to extend the house is currently under consideration and a report on that matter also appears on this agenda.

### **Responses to Consultations**

The Highway Authority comments that the access as shown is not ideal in highway terms. It is added, however, that it is considered to be an improvement compared to the existing access and raises no objections subject to various conditions being included in any approval in the interests of highway safety.

Severn Trent Water Limited has no objections.

The Environmental Health Officer comments that one of the main concerns regarding the siting of stables is the nuisance caused by odour. The factors which affect the risk of odour nuisance being caused include; the distance from neighbouring properties, the number of horses being kept, the prevailing wind direction in relation to neighbouring properties, the management system used and the type of feed used. Additionally, there is a risk of smoke nuisance being caused if the manure heap from the stables is burned. It is, therefore, recommended that a condition is included in any consent to prevent the burning of waste on site and informatives added to advise on the position of the manure heap and regular inspections to control rodents, flies and other insects.

The Coal Authority raises no objections.

### **Responses to Publicity**

The Hartshorne Ward Councillor objects to the proposed new access on the outside of a bend which he considers cannot be an enhancement of road safety. It is stated that traffic from Repton approaches this sharp bend downhill and is obscured from traffic turning right into the proposed access. He also questions whether windows should be allowed in the north elevation of the outbuilding conversion when there is a previous condition to prevent this.

He suggests that the development conflicts with Local Plan Housing Policy 7: Residential Conversion; Housing Policy 8: Housing Development in the Countryside; Environment Policy 1: Development in the Countryside and from the Structure Plan – General Development Strategy Policy 4: Development Away From Settlements.

## **Structure/Local Plan Policies**

The relevant policies are:

Joint Structure Plan: General Development Strategy Policy 2: Scale and Nature of Development; General Development Strategy Policy 4: Development Away from Settlements; Housing Policy 6: Housing Development Away From Settlements.

Local Plan: Housing Policy 7: Residential Conversion; Environment Policy 1: Development in the Countryside

## **Planning Considerations**

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

- The appropriateness of allowing horse related development in the area.
- The appropriateness of allowing a window in the north elevation of the barn conversion and the addition of an extension.
- The highway safety implications of the new access.

## **Planning Assessment**

Development in the countryside is generally strictly controlled to that which is necessary to be located there. New development connected to the keeping of horses is generally considered to require a rural location. Additionally, the conversion of the stable building has an extant consent. Therefore, the principle of that conversion has been established and could be implemented and the development as a whole is acceptable.

The proposed stables have been sensitively designed to match the traditional buildings on the site and would be set back a sufficient distance from the road and to the rear of existing buildings to avoid undue prominence. The menage area proposed within the paddock involves no vertical development and would be well screened from the road by high roadside hedges. As such they are both acceptable

Planning permission is already established for the barn conversion. It would be preferable to avoid the formation of openings in the north elevation to preserve the agricultural character of the building. The insertion of one window, however, is reasonable and would not cause demonstrable harm to the character of the buildings or its surroundings.

The conversion would be in close proximity to the main house. As such, in accord with the Council's normal policy, and so as to avoid the creation of a further residential curtilage, a condition restricting its use to being ancillary to the main house is appropriate in this case. A similar condition appeared on the original granting of planning permission for the conversion of the stable.

The comments made regarding the new access are noted. However, the highway authority consider the new access would be an improvement on that that currently exists and as a result it is acceptable.

## **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. This permission shall relate to the amended drawing, no 04A received by the Local Planning Authority on 5 July 2001 showing the first floor bricked up window in the south east elevation retained as such, the number of windows in the north west elevation reduced to one, the design of the external doors amended as shown.

Reason: To safeguard the character and appearance of the building.

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

Reason: Although the erection of an extension to provide additional accommodation to be used in conjunction with the existing dwelling is acceptable, the Council would not normally be inclined to allow the formation of a separate residential unit in this locality. Since the extension includes all the domestic facilities necessary for the establishment of a separate self-contained unit, the Council hereby seeks to make it clear that separate occupation is not authorised by this permission.

4. 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.

5. No development shall commence on site until large scale drawings of the windows including sections to a minimum Scale of 1:20 or samples have been submitted to and approved in writing by the Local Planning Authority. The external joinery shall be carried out in accordance with the approved details.

Reason: In the interests of safeguarding the appearance of the building.

6. The windows shall:

- a. be set back at least 50mm from the front face of the wall;
- b. utilise existing cills and lintels;
- c. not be provided with an integral timber cill.

Reason: In the interests of safeguarding the appearance of the building.

7. All external joinery shall be painted timber in a colour to be first agreed in writing by the Local planning Authority. The windows shall be painted as agreed prior to the first use of the buildings and be maintained as such thereafter.

Reason: In the interests of safeguarding the appearance of the building.

8. Apart from the single window approved as part of this permission, there shall be no further windows inserted in the north elevation of the building.

Reason: In the interests of safeguarding the appearance of the building.

9. Prior to the development being first brought into use, the new access shall be laid out in accordance with the application drawing, provided with a 2.4m by maximum visibility splays and be surfaced in a bound material (ie not loose chippings) for at least 5m into the site from the highway boundary.

Reason: As recommended by the Highway Authority in the interests of highway safety.

10. Prior to the development being brought in to use, space shall be provided within the site curtilage for the parking and turning of four vehicles. These areas shall then be maintained in perpetuity free of any impediment to its designated use.

Reason: As recommended by the Highway Authority in the interests of highway safety.

11. Upon completion of the new access, the existing access shall be permanently stopped up in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority.

Reason: As recommended by the Highway Authority in the interests of highway safety.

12. The stables and menage shall be restricted solely for the personal non-commercial use of the occupants of the dwelling.

Reason: As recommended by the Highway Authority as any commercial use would result in an increase in use of the substandard access to the detriment of highway safety.

13. All plumbing and service pipework, soil and ventpipes, 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 flue outlets shall be agreed in writing by the Local Planning Authority.

Reason: In the interests of safeguarding the appearance of the building.

14. No development shall commence until details of the means of disposal of foul drainage have been submitted to and approved in writing by the Local Planning Authority. The approved means of disposal shall be provided prior to the first occupation of the building.

Reason: To ensure the development would not result in the pollution of the water environment.

15. Prior to any part of the construction of the manège, hereby approved, being commenced details of the levels of the manège shall be submitted to and approved in writing by the Local planning Authority. Thereafter, the manège shall be constructed in accordance with the agreed details.

Reason: For the avoidance of doubt and in the interests of the appearance of the area.

16. There shall be no lighting erected or placed in a manner that may light the manège hereby approved unless details of the lighting has been submitted to and approved in writing by the Local Planning Authority.

Reason: In order to protect the amenity of the area.

17. 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.

Informatives:

To contact the Area Engineer South, Trent Valley Area, Derbyshire County Council, Director of Environmental Services, County Hall, Matlock, Derbyshire (Tel. 01629 580000 xt 7595) at least six weeks before the commencement date of the proposed works should any works be required within the public highway.

24/07/2001

**Item**            **A6****Reg. No.**        **9 2001 0397 F****Applicant:**

Mr & Mrs Lowe  
 Woodend Day Nursery  
 136, Main Street  
 Repton  
 Derby  
 DE656FB

**Agent:**

Darren Insley  
 Bi Design Architecture  
 First Floor Studio  
 79 High Street  
 Repton  
 Derbyshire  
 DE656GF

**Proposal:**        **Single storey rear extension to form library and IT Resource room, spiral staircase and porch to baby unit entrance at Woodend Day Nursery 136 Main Street Repton Derby**

**Ward:**            **Repton**

**Valid Date:**      **27/04/2001**

**Site Description**

The site is a former barn, situated to the south east of the village of Repton within a linear row of development. The building itself is now in mixed use as a domestic residence on the first floor and a day care nursery on the ground floor. The yard and lawn to the rear are used for outdoor play.

There are residential properties either side.

**Proposal**

The proposed conservatory would be 5.2 metres wide and project from the rear face of the existing wall by 4.1 metres. The application states that it would be used as a library and IT resource room. It is also proposed to erect a spiral staircase to access the upper storey of the building.

**Planning History**

9/0894/0485/U - Use of ground floor as a nursery for 30 children; permission refused under delegated powers on 11.10.94 for highway safety reasons.

9/1194/0715/U - Use of ground floor as a nursery (resubmission of above); permission granted.

9/0396/0870/F - First floor extension to provide sleeping accommodation/baby unit for an extra 14 children; permission granted 16.5.96.



9/0796/0312/F - Single storey extension to provide a baby unit and sleeping room for 14 children as an alternative to the foregoing; permission granted 26.9.96.

9/0697/0196/F - Building for 2 stables and storage; permission granted 20.8.97.

9/0697/0212/U - Conservatory and use of first floor lounge as after school/holiday club, enabling the number of children registered to increase from 44 to 52; permission refused on highway safety grounds.

### **Responses to Consultations**

The Parish Council has no objection.

The Highway Authority has no objection subject to there being no increase in the number of children.

The Environmental Health Officer has no objection.

### **Responses to Publicity**

Three letters have been received objecting as follows:

- (i) It is doubted that the conservatory would be suitable for heat-sensitive IT equipment.
- (ii) The enclosure to the play area that would be formed by the structure would reflect noise causing increased disturbance to neighbours.
- (iii) There could be more children at the property with resultant increase in noise and traffic, which is already considerable.
- (iv) There would be loss of outdoor play area, causing more usage of less suitable areas of the site in terms of noise generation and intrusion.
- (v) The application is another incremental proposal. The site could develop in to a school. (N.B. Each submission has to be considered on its own merits)
- (vi) The nursery is already large enough.

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

The relevant policies are:

Local Plan: Community Facilities Policy 1.

### **Planning Considerations**

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

The impact on the general character of the area.  
Residential amenity.  
Highway safety.

### **Planning Assessment**

The extensions are proposed to an existing building, that although outside the settlement confines of Repton, is located within an area of continuous development. Therefore, in principle

the extensions proposed are acceptable. Additionally, the extension is small scale and relates to an existing community facility.

The conservatory would be sited away from public view. Although it would be visible from an adjoining private property, its impact on the general character of the area would be minimal and it is acceptable.

If used as proposed, and controlled as such, it is unlikely that the proposal would give rise to an increased number of children at the property. The objections about reflected noise and the tendency to increase outdoor play on other parts of the site cannot be sustained with evidence. As such the proposal, based on its own merits would not give rise to demonstrable harm to the amenities of the occupiers of adjacent dwellings over and above the existing situation on the site.

Again on the basis of the likelihood of no extra children being accommodated as a result of the development there would be no increased danger in highway terms.

### **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. The extension hereby permitted shall be used solely as a library and IT room and shall not be used as a separate classroom, playroom or rest room associated with the use of the premises as a day care nursery.

Reason: For the avoidance of doubt and to ensure that the extension does not lead to an increase in traffic visiting the premises.

24/07/2001

**Item**            **A7****Reg. No.**        **9 2001 0401 F****Applicant:**Mr & Mrs F Tyler  
C/o Agent**Agent:**Philip Billham Planning & Design  
Old School Lodge  
Aston On Trent  
Derbyshire  
DE72 2AF**Proposal:**        **Erection of a dwelling and attached garage in substitution of  
planning permission 9/0698/0263/F at Land To The South Of  
42 Weston Road Aston-on-Trent Derby****Ward:**            **Aston****Valid Date:**     **25/04/2001****Site Description**

The site forms part of the former garden to 42 Weston Road and it is located within a residential area. Its southern boundary is contiguous with the edge of the conservation area.

There is a conifer hedge on the north side of the wall that defines the edge of the conservation area and the boundaries to 30-38 Weston Road. The hedge is not in the conservation area. A number of conifers have recently been reduced in height to about 3 metres in height.

Access to the site is shared with three other dwellings.

**Proposal**

The applicant proposes to erect a two-storey building with narrow (5 metre gables) in an L shape, with 45 degree pitched roofs. There would be a conservatory at the rear and a single storey garage, attached to the building, at the front.

The maximum height of the dwelling would be 8 metres, this being that part of the building set at right angles to the southern boundary. The remainder of the dwelling would be about 7.2 metres in height, with a single storey garage to the front. The southern wall of the dwelling would be situated close to the southern boundary. This would result in the loss of about 11 metres of the conifer hedge.

Following discussion with the applicant's agent the proposed siting of the dwelling has moved 4.5 metres to the west of its original position to secure compliance with the Council's supplementary planning guidance on space about dwellings relative to 30 Weston Road.

A subsequent amendment has resulted in the omission of a dormer window facing 42 Weston Road, this being replaced with roof lights.

### **Applicants' supporting information**

- a) The house is designed to minimise any impact on 42 Weston Road.
- b) The design incorporates narrow gables to reduce bulk and height in order to minimise shadowing.
- c) Being due north of the houses on Weston Road there would be no effect on their gardens.
- d) The revised proposal satisfies the Council's space standards.

### **Planning History**

Outline permission for the erection of 4 houses in the grounds of 42 Weston Road was granted in 1988 (9/988/605) and renewed in 1991 (9/1091/0666/O). Two plots on the site have been developed. Permission was granted for the erection of a dwelling on the application site in 1993 (9/0593/0129/F). This was renewed in 1998 (9/0698/0263/R). The house type permitted is of suburban scale and character, with a roughly square plan form, set 2 metres in from the southern boundary. The permissions for the house were both subject to a condition requiring the conifer hedge to be retained at "its existing height", although the height of the hedge had apparently increased in the interim period. The reason for the condition, having regard to the design of the house and the proximity of the conservation area, was imposed in the interest of amenity and privacy.

### **Responses to Consultations**

The Parish Council objects strongly for the following reasons:

- a) The dwelling would be unacceptably close to neighbouring properties.
- b) The applicant has already removed some of the screening hedge, despite the condition attached to the previous permission requiring its retention.
- c) The removal of the conifers would have a severe impact on the conservation area.
- d) The objections of local residents are supported.

The Highway Authority and Severn Trent Water Ltd have no objection in principle.

### **Responses to Publicity**

Letters have been received from 6 local households, objecting in the following terms:

- a) There would be direct overlooking to habitable room windows, in conflict with supplementary planning guidance.
- b) There would be loss of light to habitable rooms.
- c) There would be total overshadowing to neighbouring property.
- d) The dwelling would be excessively large and out of keeping.
- e) The sewerage system is inadequate, indicated by recent problems.
- f) The access to the site is difficult, exacerbated by vehicles parked on the highway. The proposal would cause potential hazard.
- g) A 2 metre fence should be required along the adjoining boundary.
- h) The submitted plan fails to show other land owned by the applicant.
- i) The application fails to show trees to be lopped or felled. Full details should be submitted. The previous grant of permission required the conifer hedge to be retained in the interests of maintaining privacy. The current proposal would necessitate the removal of a large number of conifers, in breach of the conditions.
- j) The revised plans would necessitate the removal of three well-established trees, one of which is a horse chestnut tree. This would diminish the aesthetics of the site. The site is understood to be in a conservation area, which would necessitate a separate application.

- k) New trees shown on the plan would further reduce light to the adjoining dwelling.
- l) The revised plans make the loss of amenity to the adjoining dwelling worse and would cause severe problems to all surrounding neighbours.
- m) Some of the existing conifers, required to be retained pursuant to the previous permission, have already been lopped.
- n) The roof space to the dwelling would be used as a habitable room and there would be overlooking from the windows at second floor level.
- o) The proposal would be detrimental to the conservation area.
- p) The previous permission was more acceptable and of reasonable size.
- q) There would be loss of outlook from adjoining properties.
- r) The revised proposal would impair access along the private drive, by removing the turning area.
- s) The plans are inaccurate by showing more outbuildings on adjacent land than actually exist. Therefore the screening effect is not as great as implied in the drawings. A neighbour's conservatory is not shown either.
- t) A site visit should be undertaken.

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

The relevant policies are:

Joint Structure Plan: Housing Policy 5 and Environment Policies 9 & 16.

Local Plan: Housing Policy 5 and Environment Policies 9 & 12.

### **Planning Considerations**

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

- Residential amenity.
- Impact on the character of the area, in particular with regard to the setting of the conservation area.
- Trees.
- Drainage.
- Highway safety.

### **Planning Assessment**

The site lies in the village confines and there is an extant planning permission to erect a dwelling on the site. Therefore the proposal is acceptable in principle.

The dwelling in its revised position satisfies space standards as set out in the supplementary planning guidance in respect of 28 – 38 Weston Road, subject to appropriate screen fencing to prevent overlooking from ground floor windows. The impact on these properties in terms of light and privacy is therefore acceptable. In terms of overbearing there would be minimal impact on 28-38 Weston Road, because the dwelling would be sited to the north and its mass, compared with the existing hedge, would be negligible. The southern (side) elevation to 42 Weston Road has a large patio window facing the site. The nearest part of the new dwelling to this window would be some 6 metres. This is less than the 12 metres normally sought to minimise overbearing. However there are other main windows in the east (rear) elevation of 42 Weston Road. The supplementary planning guidance makes allowance for such a situation and does not always seek to attain the guideline distances for side windows. Furthermore the dwelling already permitted would have a similar impact. The revised plan showing the omission of the dormer to

bedroom 2 would preclude overlooking to No 42 from first floor accommodation. Appropriate screen fencing would prevent overlooking from ground floor windows.

The design of the dwelling follows the principles set out in Historic South Derbyshire, featuring narrow gables and steep roofs, with the mass of the building broken down in to several elements. Traditional materials are proposed.

The proposal would necessitate the removal of some of the conifer hedge, exposing the building to views from the conservation area. The previous proposal would have benefited from the presence of the hedge, because its modern design would have made no positive contribution to the setting of the conservation area. However the current scheme is of an appropriate form to the conservation area. The dwelling would therefore not have an adverse on the character and appearance of the conservation area, even though it would be more visible therefrom.

The existing conifer hedge has attained substantial height (about 6 metres). It is planted at 2.5 metre centres. This close spacing means that the only green growth is on either side of the hedge. This type of conifer does not grow well when light is excluded and there is evidence of this where the hedge is growing next to the brick boundary wall. The erection of a dwelling on the site, as well as causing direct damage to the root systems, would also result in loss of light to the hedge. It is likely that a section of hedge as indicated on the submitted plan would be permanently lost. Whilst the hedge is not in the conservation area it is clearly visible from it. Whilst there is local opinion in favour of retaining the hedge in its current state, this type of conifer is generally considered to be alien to traditional areas. There was previously an arguable case to retain the hedge, to screen modern development behind but the design of the current proposal makes this less of an imperative. Left unchecked the hedge itself could become an incongruous and overbearing feature in the locality.

Severn Trent Water Ltd raises no concerns about sewerage disposal and there is no other evidence that the public system is inadequate.

On the advice of the Highway Authority, and having regards to the extant permission there would be no material impact on 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. Notwithstanding the originally submitted details, this permission shall relate to the amended drawing nos. T25.1/2 A received 15 June 2001; and T 25.1/4 A and T 25.1/3 B received 9 July 2001.

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

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

occupied or in accordance with a timetable which shall first have been agreed in writing with the Local Planning Authority, and thereafter shall be retained as such.

Reason: In the interests of the appearance of the area and the privacy of adjoining occupiers.

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 is in keeping with its surrounding in the interest of the character and visual amenity of the area.

5. 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.

6. 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.

7. 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.

8. 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.

9. Notwithstanding the provision of the Town and Country Planning (General Permitted Development) Order 1995, the dwelling hereby permitted shall not be altered, enlarged or extended without the prior grant of planning permission on an application made to the Local Planning Authority in that regard.

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.

10. The windows in the first floor of the north wall and the second floor of the 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.

11. Unless as may otherwise be approved in writing by the Local Planning Authority the access shall be widened to 6 metres, laid out and surfaced with a solid bound material for a distance of 10 metres back from the highway boundary, and shall be provided with 2 m x 2 m x 45 degree splay on either side at the entrance to the site in accordance with details that shall have previously been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety.

12. Prior to the first use of the development hereby permitted, parking facilities shall be provided so as to accommodate three cars within the curtilage of the dwelling. Thereafter, (notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995), three 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.

13. Notwithstanding the submitted drawing, large scale drawings to a minimum Scale of 1:20 of eaves and verges shall be submitted to and approved in writing by the Local Planning Authority before building development begins and 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.

Informatives:

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



24/07/2001

**Applicant:**  
Amanda Bond  
31, West End Drive  
Shardlow  
Derby  
DE722GY

**Agent:**  
Amanda Bond  
31, West End Drive  
Shardlow  
Derby  
DE722GY

Ward: Aston

Valid Date: 24/05/2001

The property comprises a ground floor flat that is located at the western end of West End Drive of Shardlow. The site has a flat above it that has a balcony flush with the outer wall of the building and a conventional window recessed by about 1 metre.

The applicant seeks consent to erect a conservatory that would be 7 metres wide, covering most of the rear wall of the building at ground floor level. The top of the structure would be below the cill of the window to the flat above, having an overall height of 3 metres. It would project from the face of the wall by 3 metres, with a central projection of a further 2 metres.

The Parish Council objects for the following reasons:

- There could be material implications for the residents of the adjoining flat.
- The size of the building would be out of proportion to its surroundings.

None received.

The relevant policies are:

Local Plan: Housing Policy 13.

## **Planning Considerations**

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

- Residential amenity.
- The impact of on the general character of the area.

## **Planning Assessment**

The site is located within the confines of the village as defined in the local plan. As such the proposal is in principle acceptable.

The proposed conservatory projects by 3 metres from the building at its boundaries with adjoining properties. This is in accord with the Council's supplementary planning guidance (SPG) and would ensure there was no adverse impact on the amenities of adjoining occupiers.

The roof would not materially affect the outlook from the window of the flat above. Therefore, there would be no demonstrable harm to the living conditions of the occupier of the flat above that of the applicant.

By virtue of being at the rear of the property away from public view there would be no adverse impact on the general character of the area.

## **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. The windows in the side walls of the building shall be permanently glazed in obscure glass, unless screen fencing is erected and thereafter retained in accordance with details that shall have previously been submitted to and approved in writing by the Local Planning Authority.

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

24/07/2001

**Item**            **A9****Reg. No.**        **9 2001 0462 F****Applicant:**

Mr Pawan Joshi  
 C/O Spar Shop Repton  
 5 High Street  
 Repton

**Agent:**

Darren Insley  
 Bi Design Architecture  
 First Floor Studio  
 79 High Street  
 Repton  
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**Proposal:**            **The erection of a two storey extension and alterations at Mill House Repton Road Hartshorne Swadlincote**

**Ward:**                **Hartshorne**

**Valid Date:**        **14/05/2001**

**Site Description**

This traditional brick and tile detached former farm house in open countryside is on the east side of Repton Road some 80m north of the junction with Midway Road. There is a detached property on the opposite side of the road known as "Thackers" otherwise the site is located within the open countryside.

**Proposal**

The existing house, set back some 10m from the road, is rectangular in plan, 14.3m wide by 5.6m deep by 4.5m to the eaves and 8m to the ridge. It is proposed to erect a two-storey rear extension which would be 5.5m wide by 3.5m to the eaves and 6.6m to the ridge and would extend 9m from the house. Also proposed is a rear conservatory to be sited in the corner formed by the house and the proposed extension. This would be 5.4m by 4.3m by 2.5m to the eaves and 4m to the ridge.

The application has been significantly amended during consideration by officers to reduce the bulk and massing of the extension and to secure a design sympathetic to the main dwelling house.

A further application to form a manage, stables and convert a stables at this site is reported on this agenda. Application 9/2001/0386/F refers.

**Applicants' supporting information**

In a supporting letter the applicant's agent states that the extension to the house has been significantly reduced in size to be sub-ordinate to the main house and detailed in a sympathetic style with gables to match the existing outbuildings.

## **Responses to Consultations**

The Highway Authority has no objections provided the accommodation is ancillary to the existing.

The Coal Authority raises no concerns.

## **Responses to Publicity**

The Councillor for Hartshorne Ward objects to the proposal. He comments that the cottage is one of a group of three situated outside the village of Hartshorne and is in a very visible position being situated only 10m from Repton Road, a country lane. He says the effect of the proposed alterations would be to convert a two bedroom cottage into a large 4 bedroom detached house with other new buildings adjacent.

He suggests that the proposal conflicts with Environment Policy 1: Development in the Countryside and from the Derby and Derbyshire Joint Structure Plan – General Development Strategy Policy 4: Development Away From Settlements.

## **Structure/Local Plan Policies**

The relevant policies are:

Derby and Derbyshire Joint Structure Plan – General Development Strategy Policy 4

South Derbyshire Local Plan: Housing Policy 13: Residential Extensions; Environment Policy 1: Development in the Countryside.

## **Planning Considerations**

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

- The compliance of the proposal with development plan policies, and,
- The visual impact of the extension on the character of the house and surrounding area.

## **Planning Assessment**

The applicants seek consent to extend the dwelling house by the provision of two and single storey additions. Whilst located in the countryside, where new residential development is strictly controlled by planning policy, house extensions may be acceptable where there is no undue harm caused to the area in which they are located or the amenity of any near neighbours.

In this case the dwelling occupies an important location close to the Swadlincote to Repton road. However, the proposed extensions are to the rear of the property and they have been the subject of considerable negotiation between officers and the applicant. This negotiation has resulted in the extensions being re-designed such that their massing has been considerably reduced.

This has been done by a mixture of both a reduction in the height of the extension and lowering of the eaves level. This has resulted in an extension that would be acceptable visually and have no detrimental impact on the character of the area. As such it would be compatible with planning policy.