

01/03/2005

Item 1.3**Reg. No.** 9/2005/0040/FH**Applicant:**

Mr A Dawson
 The Hill Lodge, Deep Dale Lane
 Barrow-on-trent
 Derby
 DE73 1NH

Agent:

Tim Foster
 2 Broomfield Cottages
 Morley
 Ilkeston
 Derbyshire
 DE7 6DN

Proposal: The retention of windows in the garage approved under 9/2003/0480/FH at The Hill Lodge Deep Dale Lane Barrow-on-trent Derby

Ward: Aston

Valid Date: 11/01/2005

The application is brought to Committee on the instruction of Councillor Atkin

Site Description

The site is the former lodge to The Hill and is served by a private drive in conjunction with that property. A stable block has recently been erected in the adjacent paddock along with a brick shed. The subject building is almost built.

Proposal

The new garage would be sited in the paddock adjacent to the garden area. It would measure 8m x 7m in plan and would be 5.5 m in height.

Site History

9/0390/1320/F - Stable block. Work commenced within five years of the grant of permission and the current owner is completing the development.

9/2002/1020/F - Conservatory. This has not been built the current proposal would be an alternative scheme.

9/2002/1038/F - Two storage sheds (one in the garden and one in the paddock).

9/2002/1211/F - Hardstanding and access. This work has been substantially completed.

9/2003/0380/FH - Conservatory and garage.

9/2003/0480/F - Feed store and tack room attached to stable block. Permission refused on the grounds of visual impact and conflict with policy in the emerging local plan.

9/2004/0534/FH - The installation of a balcony, and alterations to previously approved shed

Responses to Consultations

The Parish Council has commented that this could be a prelude to a residence.

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 ENV21

Planning Considerations

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

- The principle of development.
- Impact on the countryside.
- Residential amenity.
- Highway safety.

Planning Assessment

As the development relates to works closely related to an existing residential property and detail alterations to a scheme with planning permission the development is capable of being acceptable in principle.

There would be more openings than there were in the previous permitted garage. However whilst the garage would be sited outside the curtilage of the dwelling it would be closely related to it. There is mature existing screen vegetation. Therefore the overall impact of the development on the character of the countryside, as seen from public vantage points, would not be unreasonable.

The property is well way from its nearest neighbours and there would be no demonstrable impact on their living conditions.

There would be no material impact in highway safety as a direct result of this proposal

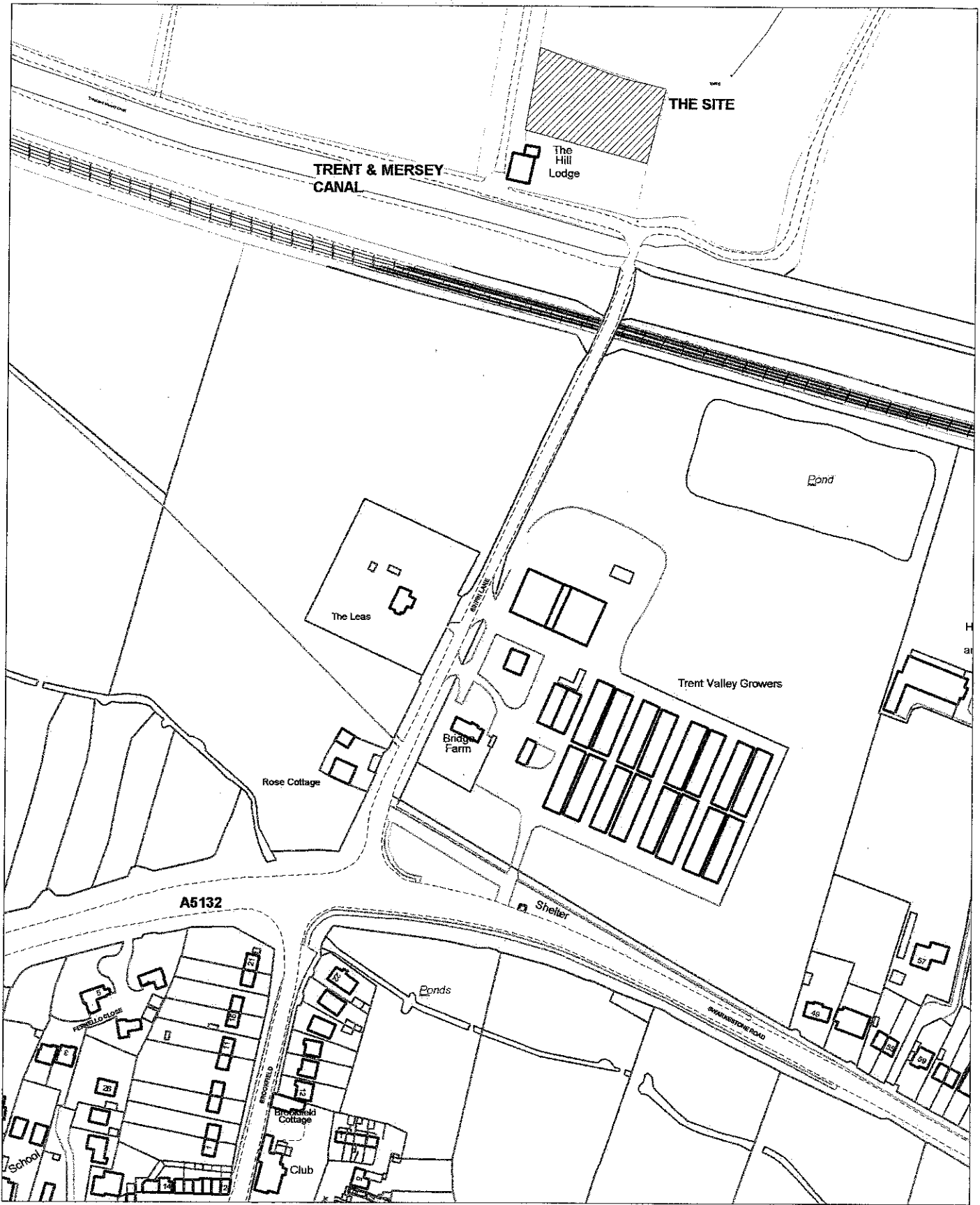
None of the other matters raised through the publicity and consultation process amount to material considerations outweighing the assessment of the main issues set out above.


Recommendation

GRANT permission subject to the following conditions:

1. A sample of the roof tile shall be submitted for approval in writing by the Local Planning Authority before the roof is covered.

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



 South Derbyshire District Council Civic Offices Civic Way Swadlincote DE11 0AA	The Hill Lodge Deep Dale Lane Barrow-on-Trent 9/2005/0040/FH	Date Plotted 10/3/2005 Plot centred at 428536 325343	NORTH ↑ Scale 1:2500
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01/03/2005

Item 1.1

Reg. No. 9/2004/1453/F

Applicant:

Victory Homes Ltd
Quarterbridge Horses Lane
Measham
Swadlincote
Derbyshire
DE127LL

Agent:

D C L architecture Limited
27 Trintinty Close
Ashby De La Zouch
Leicestershire
DE127JJ

Proposal: The erection of five dwellings on plots 37-41 phase 4 of the development at Land Between 145 And 153 Oversetts Road Newhall Swadlincote

Ward: Newhall

Valid Date: 04/11/2004

The application is brought to the Committee on the instruction of Councillor Bambrick.

Site Description

This backland gently sloping site consists of parts of the rear gardens to 159 to 171 Oversetts Road. The site backs onto the rear boundaries of properties on The Gables which are set at a lower level.

Proposal

This is a further phase of development to the south side of recently completed residential development off the west side of Oversetts Road. It is proposed to erect five two storey dwellings two of which would be semi-detached and the remainder detached with access formed between 155 and 159 Oversetts Road.

Responses to Consultations

The Highway Authority raises no objections to the revised layout, which overcomes its previous concerns with regards to highway safety subject to securing adequate visibility splays onto Oversetts Road.

The Primary Care Trust and Education Authority have confirmed that they do not require financial contributions to local medical and school facilities.

Responses to Publicity

Two letters of objection have been received which are summarised as follows:

- The site is higher than properties on The Gables allowing easy views into these properties leading to loss of privacy.
- Sunlight would be blocked to back gardens especially in winter.
- Any new tree planting would block out sunlight.
- Large amount of development in a small space.
- Parking of one space per house would lead to congestion on the public highway
- The presence of a building site will make existing houses harder to sell.

Structure/Local Plan Policies

Joint Structure Plan: Housing Policy 3.

Adopted Local Plan: Housing Policy 4 and 11

Revised Deposit Draft Local Plan (2003): H1 and ENV21

Planning Considerations

- Loss of amenity for existing residents.
- Adequate off-street parking.

Planning Assessment

The building falls within the definition of previously development land as defined in PPG3 and is within the Swadlincote Development Boundary. It therefore complies with Policy H1 of the emerging Local Plan and is acceptable in principle.

With regards to safeguarding neighbours' amenity, the layout has been amended to ensure compliance with the Councils housing layout and design guidelines. An increased separation distance between existing and proposed dwellings has been achieved in excess of the normal standard to take account of the change in levels, which will relieve occupiers of any undue loss of privacy or overbearance. The proposal is now acceptable in this regard.

The proposed off-street parking provision for each unit is 2 spaces which is acceptable.

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. This permission shall relate to the amended drawings 414-VH.04A and 414-VH.05A received on 1st December 2004 and 414-VH.03C received on 10 February 2005 showing increased separation distances between existing and proposed dwellings, brick eaves detail and highway amendments.

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

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. 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. Notwithstanding condition 4 above, the development shall not be brought into use until the front boundary walls to 153, 155 and 159 have been lowered to 1m in height above adjacent carriageway level and retained as such in perpetuity.

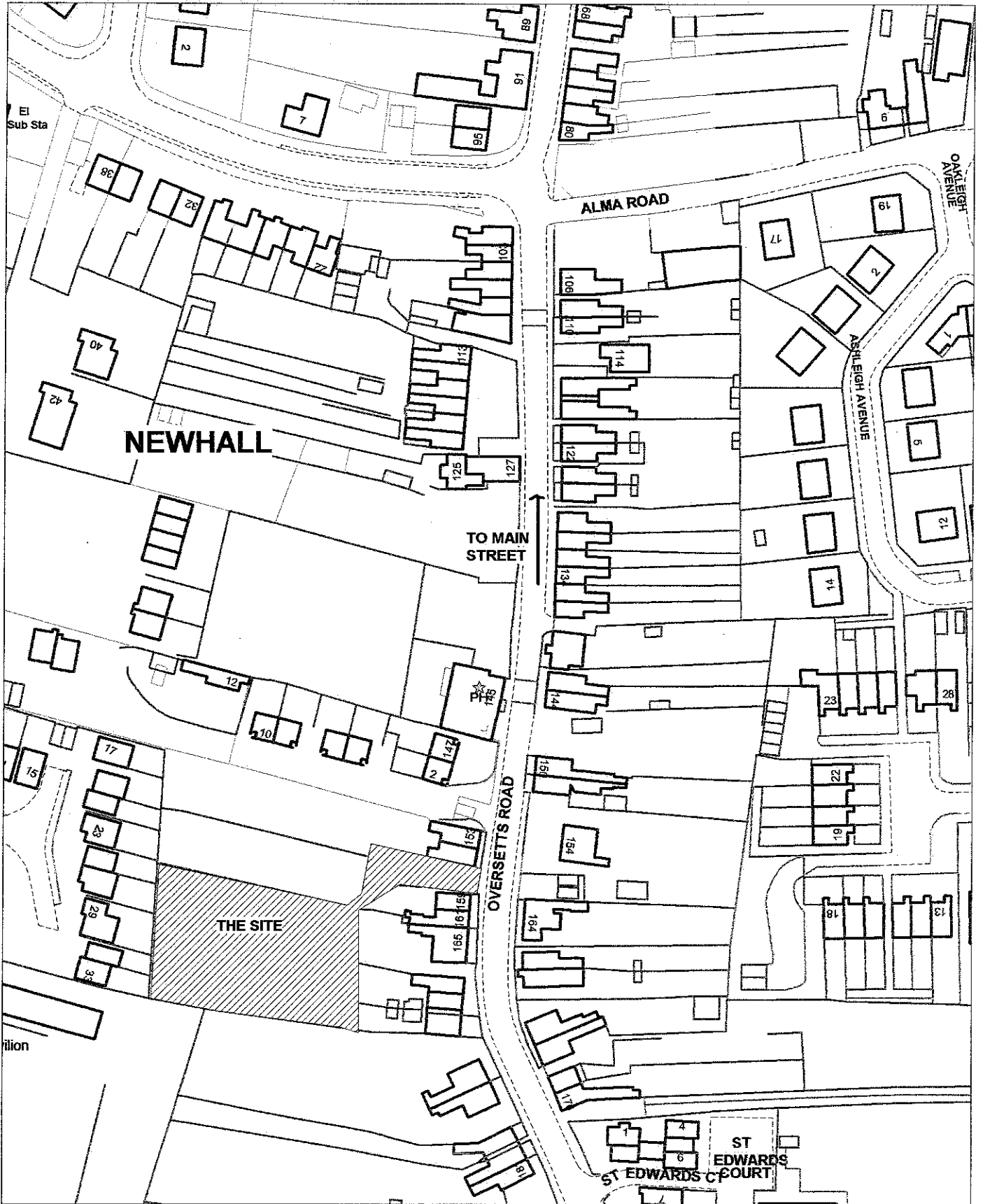
Reason: In the interests of highway safety.


8. 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.

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.



 <p>South Derbyshire District Council Civic Offices Civic Way Swadlincote DE11 0AA</p>	<p>Land between 145 & 153 Oversetts Rd Newhall 9/2004/1453/F</p>	<p>Date Plotted 10/3/2005</p>	<p>NORTH ↑</p>
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