

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 19th 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.

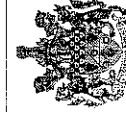
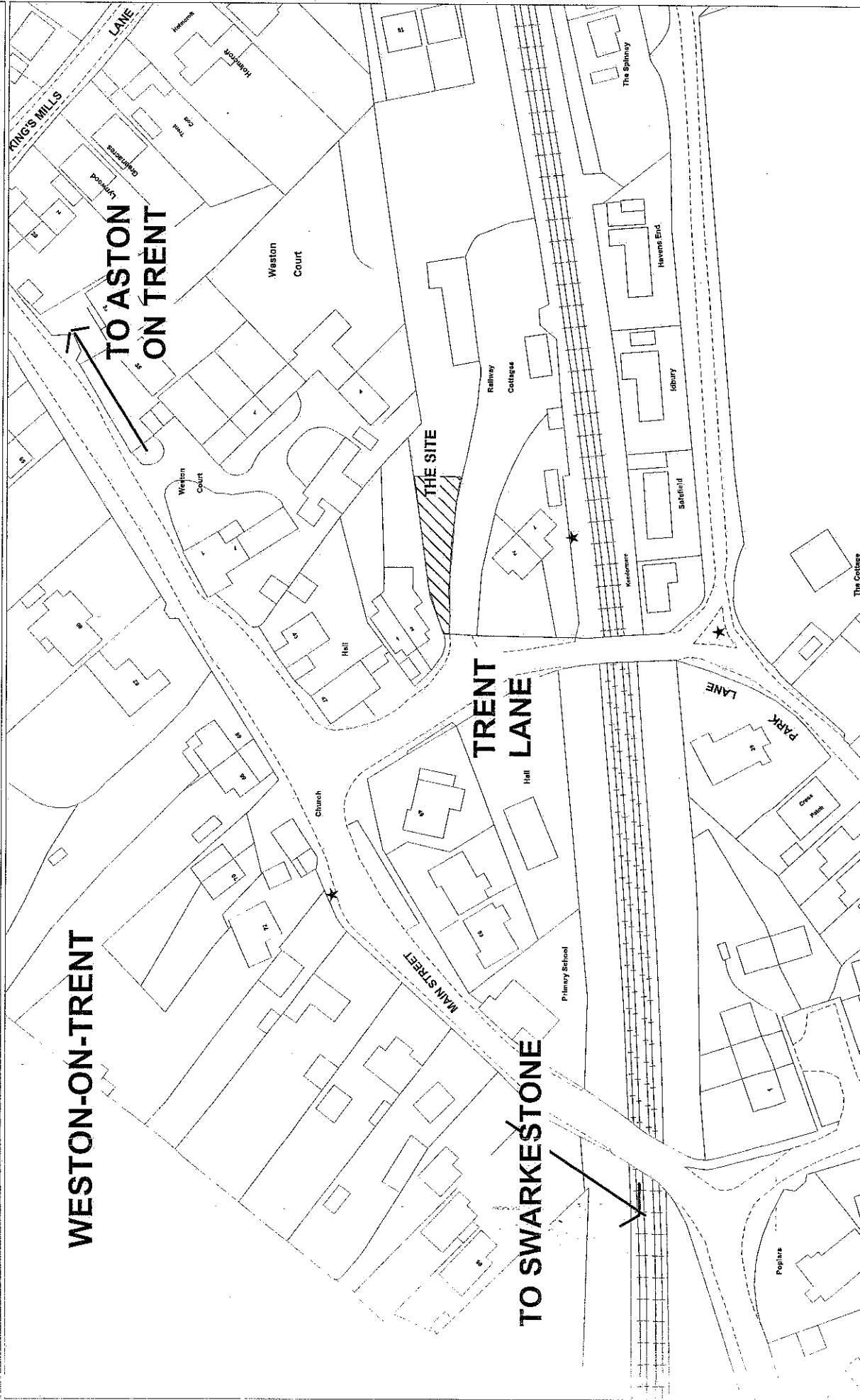
Reason: The details submitted are inadequate to determine whether the appearance of the building would be acceptable.

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.



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Date Plotted 16/9/2004
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14/09/2004

Item 1.9**Reg. No.** 92004 0937DM**Applicant:**

David Wilson Homes East Midlands
 Forest Business Park
 Cartwright Way
 Bardon Hill
 Leicestershire
 LE67 1UB

Agent:

David Wilson Homes East Midlands
 Forest Business Park
 Cartwright Way
 Bardon Hill
 Leicestershire
 LE67 1UB

Proposal: The erection of 36 apartments (amendment to plots 66 to 89 inclusive approved under planning permission 9/2003/0911/D) and associated works at Qualitas Bathrooms Hartshorne Road Woodville Swadlincote

Ward: Woodville

Valid Date: 20/07/2004

Site Description

Residential development is proceeding on this former industrial site with access off both Hartshorne Road and Burton Road.

Proposal

This is a reserved matters application following outline permission granted in June 2002.

It is proposed to amend part of the approved development that is accessed off Burton Road between the new access road and the doctor's surgery. The existing approval is for 12 houses and 12 flats. It is now proposed to provide 36 flats, 33 of which would be in three storey blocks and the remainder, next to Burton Road in two storey blocks.

Planning History

Outline permission was granted in June 2002 and details were approved in September 2003.

Responses to Consultations

The Highway Authority raises no objection to the proposal.

Responses to Publicity

Woodville Parish Council objects to the proposal on the following grounds:

- Increase of traffic onto the main A511 will cause major problems with all the extra vehicles
- Three storey apartments would not be proportional with the rest of the development
- The development will not be as originally planned and the apartment blocks will make the village more like a town.

Structure/Local Plan Policies

The relevant policies are:

Local Plan: Housing Policy 11, Recreation and Tourism Policy 4.

Emerging Local Plan: ENV21 and LRT 4.

Planning Considerations

The main issues central to the determination of this application is the appropriateness of three storey development in this location.

Planning Assessment

A block of three storey flats have already been built at this end of the site and because the land falls away from Burton Road, it does not appear as an unduly dominant feature in the streetscene. The proposed three storey flats would be set at a similar level, or lower, and, like the existing flats, would not be out of keeping with the rest of the development or the surrounding area. The County Highway Authority has not expressed concern regarding any extra traffic that may be generated.

The development is subject to a Section 106 Agreement and the increased density would result in a pro-rata increase in financial contributions towards local school and medical provision. No additional public open space would be required as the original scheme provided in excess of what is normally required.

The developer has reported that flats have proven to be very popular on this site, and the proposal is in response to supplying this high demand.

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

A. The publicity period for the application expires on 20 September. Grant delegated powers to the Head of Planning to deal with any new material issues raised;

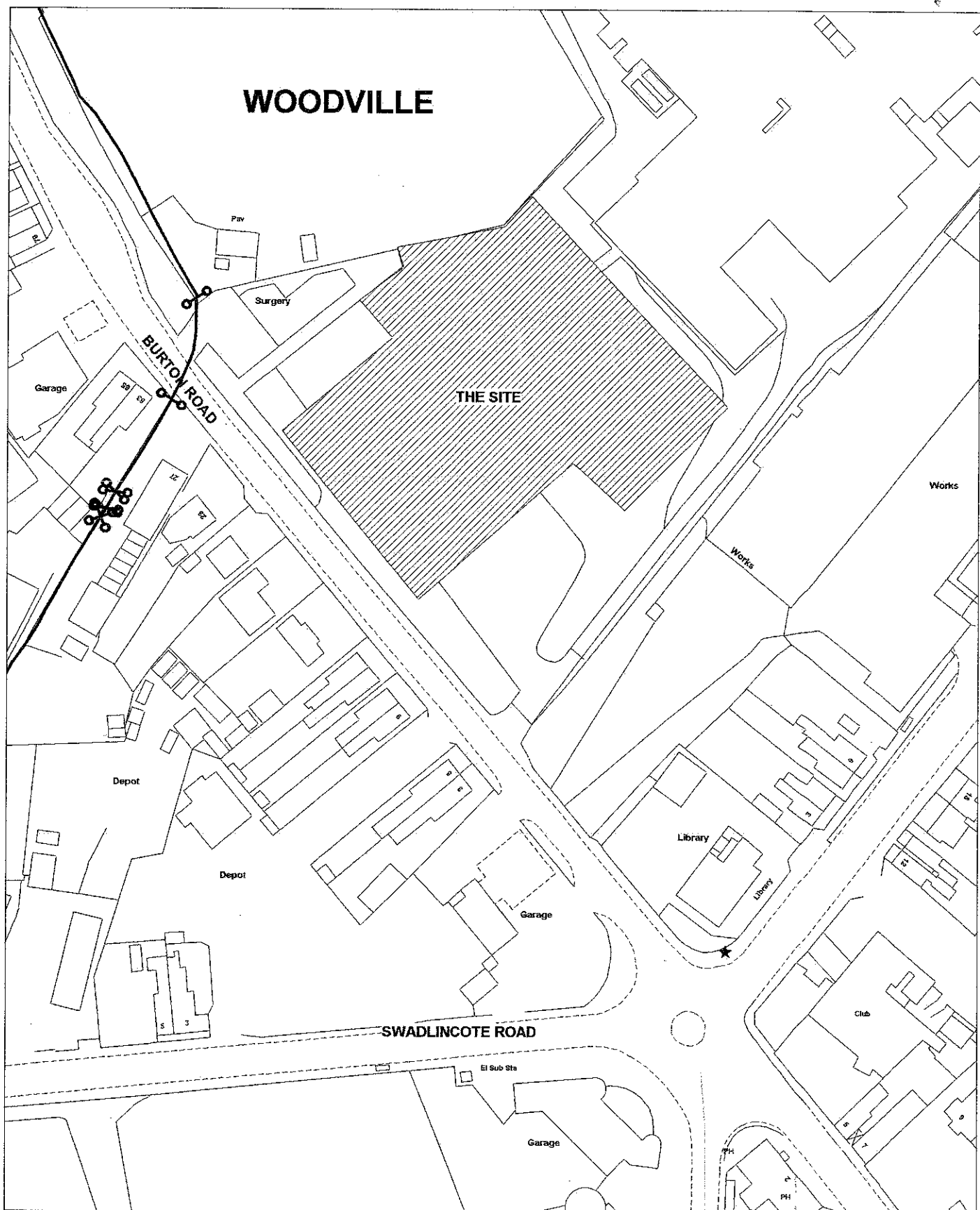
B. Subject to A, **APPROVE** the reserved matters subject to the following conditions:

1. This permission shall relate to the amended drawings, nos S1374/101/02 Rev A, S1374/101/01 Rev A, S1374/3C/E RevA, S1374/C2/E Rev A, S1374/Type A/E Rev A, S1374/SB8/E Rev A received on 1st September 2004 showing plain brick eaves and verges to all buildings.

Reason: In the interests of the appearance of the building and to contribute to local distinctiveness.

Informatives:

The applicant is informed that alterations will be required to the street lighting scheme, the design for which has already been carried out by the County Council. Amended plans should be submitted accordingly.



South Derbyshire
District Council
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 Civic Way
 Swadlincote
 DE11 0AE

9/2004/0937 - Woodville

Date Plotted 16/9/2004

NORTH ↑

Plot centred at 428536 325343

Scale 1:1250

14/09/2004

Item 1.10**Reg. No.** 92004 0940F**Applicant:**

Radleigh Homes
Riverside Court
Pride Park
Derby
DE24 8JN

Agent:

Radleigh Homes
Riverside Court
Pride Park
Derby
DE24 8JN

Proposal: The construction of underground foul water pump station adjacent to Butt Farm 163 High Street Woodville Swadlincote

Ward: Woodville

Valid Date: 23/07/2004

Site Description

This cleared sloping site, previously occupied by Butt Farm, is on the north side of High Street almost opposite Butt Lane and is set within a residential area of mainly Victorian properties. To the north of the site is open countryside.

Proposal

It is proposed to install a private foul sewer pumping station outside the northeast edge of the site. The facility would be submerged below ground. Vehicular access would be provided with a turning facility for maintenance purposes.

Applicants' supporting information

The applicant has submitted the following supporting statement:

1. Severn Trent Water Ltd confirmed in the network development response that a gravity outfall for this site was not achievable and that pumping would be required to the sewer in Ashby Road.
2. The fall across the site dictated that the pumping station would need to be located to the Northern boundary of the site.
3. To meet Severn Trent Water Ltd requirements for separation of such facilities from domestic properties it was at the earliest of stages determined that this required the pumping station to be located in the retained agricultural land on the Northern boundary of the site.
4. The precise location was further determined by the need for vehicular access to the Station and utilises the route of the existing public footpath through open space to provide this requirement

Planning History

Reserved matters approval for the erection of twenty-five dwellings was granted in December 2003 following outline permission granted in January 2001, which had been renewed from 1998.

Responses to Consultations

The environmental health officer raises no objections to the proposal.

Woodville Parish Council comments that it realises the importance of the proposal but questions why it is to be located outside the development site. It is also concerned about environmental problems should the pump fail.

Structure/Local Plan Policies

The relevant policies are:

Local Plan: Environment Policy 1.

Emerging Local Plan: ENV 7.

Planning Considerations

The main issues central to the determination of this application is the siting of the development beyond the urban area development boundary as set out in the Local Plan.

Planning Assessment

The pump itself would be sited within the urban area development boundary and therefore would be acceptable in principle. The vehicular access and turning area would however be outside the boundary. As there would be no above ground structures, the development would not cause harm to the appearance of the countryside and is therefore acceptable.

The proposed facility is outside the development site boundary as this is the lowest point for sewage collection to the pump chamber for all of the dwellings before it is pumped uphill to the main sewer in High Street.

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.

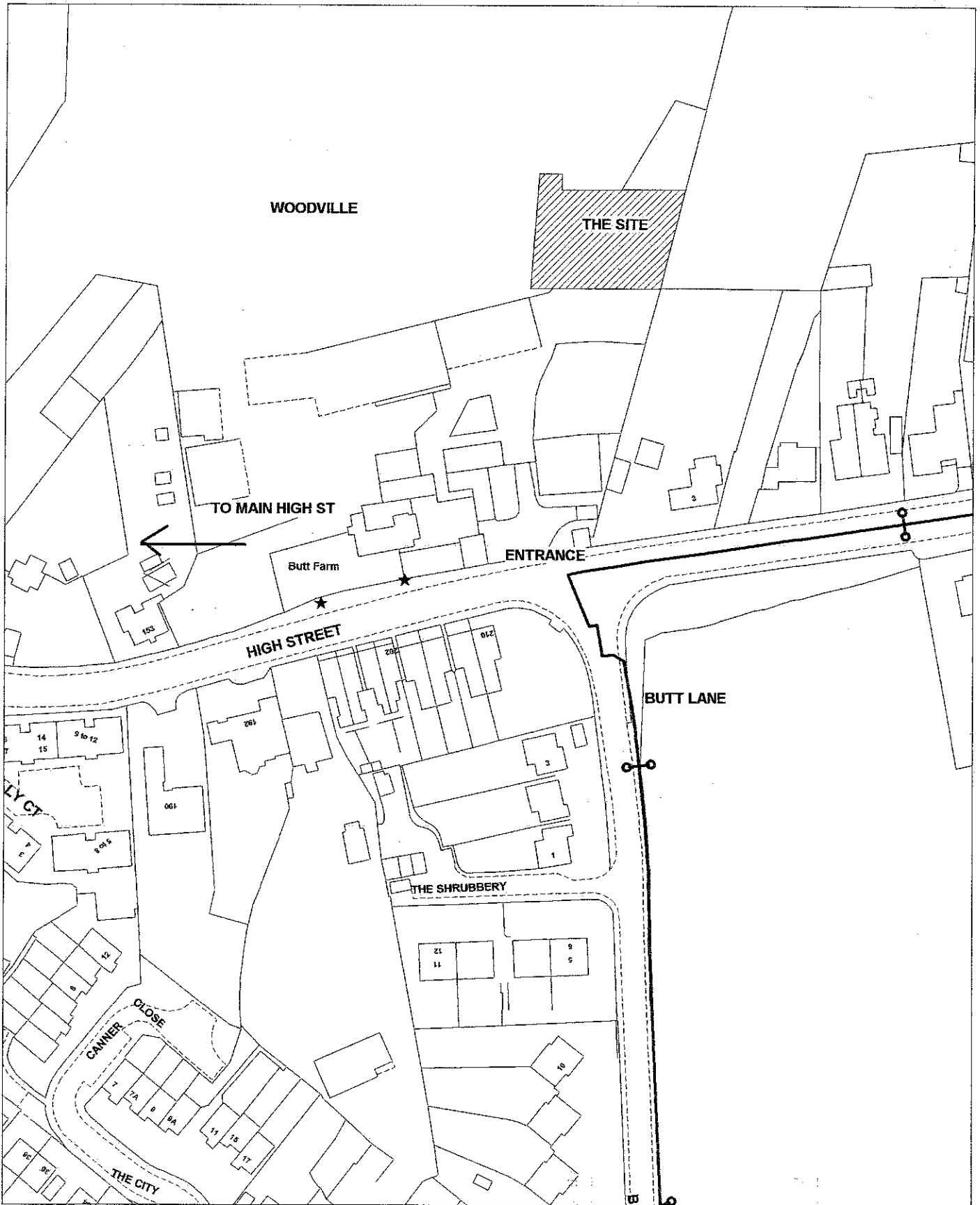
Reason: To conform with Section 91(1) of the Town and Country Planning Act, 1990.

2. No development shall take place until there has been submitted to and approved by the Local Planning Authority a scheme of landscaping.

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

3. All landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed with the Local Planning Authority.

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



South Derbyshire
District Council
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Civic Way
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DE11 1AL

9/2004/0940 - Woodville

Date Plotted 16/9/2004

NORTH ↑

Plot centred at 428536 325343

Scale 1:1250

14/09/2004

Item 2.2**Reg. No.** 92004 09270**Applicant:**

Mr M Jakeman And Miss E Davies
58 Oak Close
Castle Gresley
Swadlincote
Derbyshire
DE11 9RU

Agent:

James and Pye
10 Victoria Road
Tamworth
Staffs
B79 7HL

Proposal: Outline application (all matters to be reserved) for the erection of a detached dwelling at Land Adjoining 15 Main Street Linton Swadlincote

Ward: Linton

Valid Date: 19/07/2004

Councillor Lauro has requested that this item be reported to Committee.

Site Description

The site is a small area of land that measures approximately 180 square metres and which used to be the side garden area to No 15 Main Street, the dwelling has now been sold off separately. A conifer hedge marks the front boundary to the site, a wall marks the side boundary and a fence marks the rear boundary.

Proposal

The application is an outline submission for a dwelling. Although all details have been reserved for future consideration an illustrative scheme for a dormer bungalow measuring 8.4 metres by 7.6 metres and 6.4 metres to the ridge has been included in order to establish that a dwelling can be accommodated on the site. All windows and doors to the dwelling are indicated on the front and side elevations. The scheme has an integral garage to the side with a roller door so that the garage door would not open onto a shared turning and parking area located between No 15 and the proposed dwelling.

Planning History

A planning application for a dwelling on the site was refused in March on the grounds that the development would result in the increased use of an access that is substandard in terms of visibility and the fact that the development would result in vehicles manoeuvring within the highway due to insufficient turning space being provided within the site.

Applicants supporting information

There is an existing driveway, and this is a positive consideration. There is a newly constructed house on the same side of the road which had no existing driveway pre-construction. The road is at its widest point in Linton and there is a 30 mph speed limit.

Responses to Consultations

Councillor Lauro requests that the Committee conducts a site visit. The previous application to build a house on the land was refused on the recommendation of the Highway Authority because it did not meet the required specification for vehicular movements and highway visibility. The applicants have redesigned the plan to meet the first requirement but are unable to meet the visibility standard, however they are proposing to use the existing access/ egress to the site which has been in use without any problem for many years. The applicants are a young couple trying to build their own home and on this occasion Councillor Lauro feels that some flexibility in the regulations should at least be considered by the Committee.

The County Highway Authority recommends refusal of the proposal on the grounds of increased use of an access which is substandard in terms of visibility and the fact that the development would result in vehicles manoeuvring within the highway due to insufficient turning space being provided within the site.

Responses to Publicity

None received.

Structure/Local Plan Policies

The relevant policies are:

Joint Structure Plan: Housing Policy 5

Local Plan: Housing Policy 5 and Transport Policy 6

Emerging Local Plan: Policies H1 and T1

Planning Considerations

The main issues central to the determination of this application are the impact on the amenity of occupiers of neighbouring dwellings and highway safety concerns due to substandard visibility and parking layout.

Planning Assessment

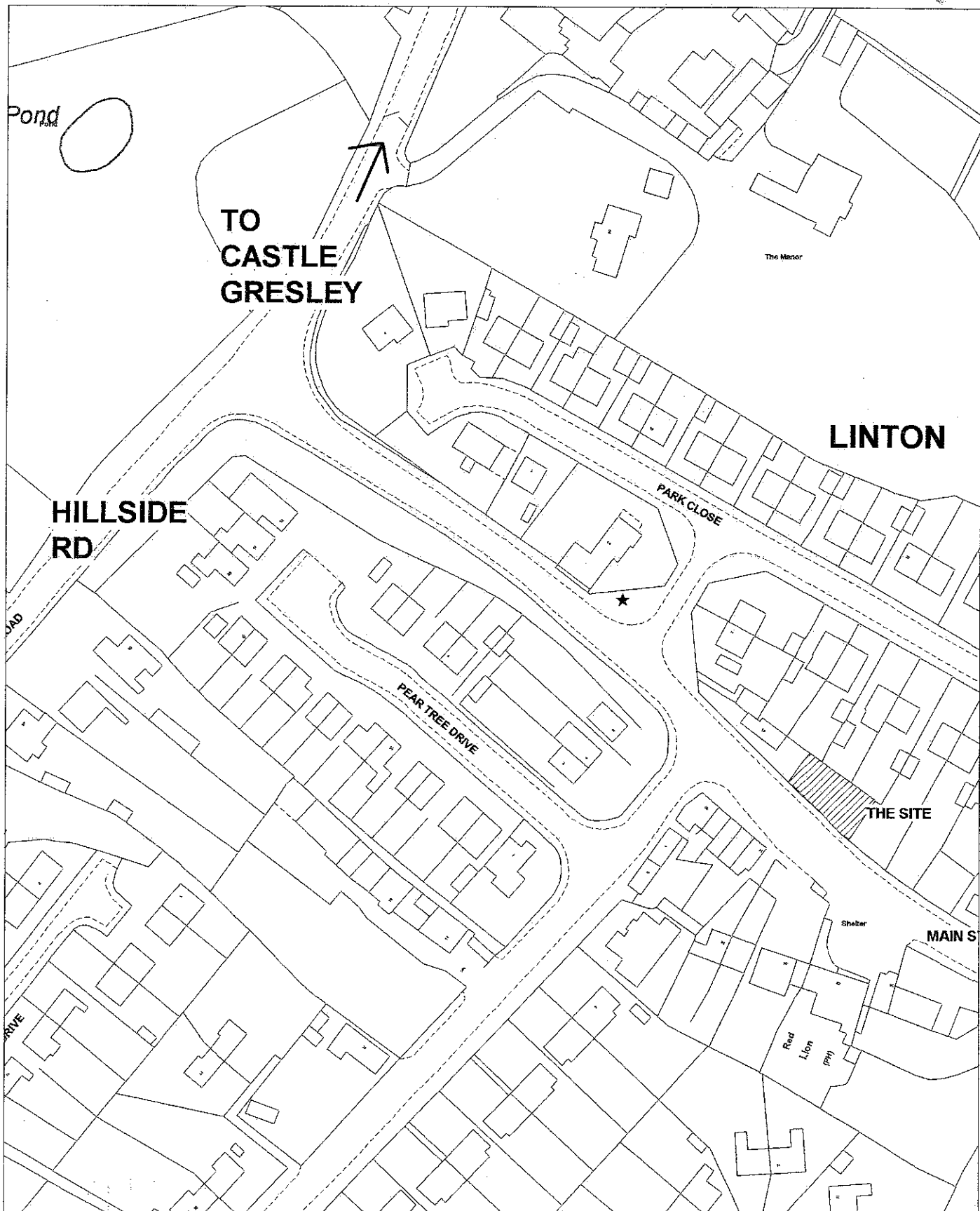
The site is a long narrow site fronting onto Main Street and backing onto the rear gardens of dwellings fronting Park Close. The application is in outline only although an indicative scheme has been submitted. The scheme establishes that a small dwelling could be located on the site and comply with the Council's Space About Dwellings standards. The required window distances between the site and the dwellings at the rear can be met. A small garden area could be provided to the side of the dwelling. The distance between windows on the front of the dwelling and properties across Main Street would be short of requirements but the Supplementary Planning Guidance allows for a reduction in standards where a road is between dwellings.

The proposed access currently serves No 15 Main Street only and is located in a position on the highway where visibility is substandard. The application proposes an additional dwelling served by this substandard access and therefore the development would be detrimental to highway safety. The illustrative parking and turning layout submitted with this application differs to that shown for the previous application however the Highway Authority consider that accessing the parking spaces would be difficult resulting in vehicles parking in the designated turning area, which would in turn result in vehicles being manoeuvred within the classified highway in order to reverse to and from the site, contrary to the best interests of highway safety.

Recommendation

GRANT permission subject to the following conditions:

1. Approval of the proposal would result in increased vehicle movement to and from the classified highway at a location where visibility is substandard to the detriment of highway safety and contrary to Transport Policy 6 of the South Derbyshire Local Plan and Policy T1 of the Revised Deposit Draft South Derbyshire Local Plan.
2. In view of the constraints of the site, accessing the parking spaces would be difficult and vehicles are likely to be parked in the designated turning area, resulting in vehicles being manoeuvred within the classified highway in order to reverse to and from the site, contrary to the best interests of highway safety and the provisions of Transport Policy 6 of the adopted South Derbyshire Local Plan and Policy T1 of the Revised Deposit Draft South Derbyshire Local Plan.



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DE11 1AA

9/2004/0927 - Linton

Date Plotted 16/9/2004

NORTH ↑

Plot centred at 428536 325343

Scale 1:1250