

18/11/2003

Item 1.12**Reg. No.** 9 2003 1185 F**Applicant:**
R & H Finney
206 Slack Lane
Derby**Agent:**
Dickinson Building Design Ltd
24 Rectory Lane
Bredsall
Derby
Derbyshire
DE24 5LL**Proposal:** The erection of a two detached houses with integral garages adjacent to Rose Cottage Derby Road Stanton-by-Bridge Derby**Ward:** Melbourne**Valid Date:** 29/09/2003**Site Description**

The site is a paddock forming a gap between Rose Cottage to the north and Meadowside Barn to the south. The site slopes down from the road. It is adjacent to the conservation area.

Proposal

Two similar detached dwellings are proposed. Following negotiation with the applicant the external appearance of the dwellings has been amended and they have been set about 3 metres further back into the plot, providing a larger parking and turning area. The properties would be set close to the adjoining boundaries and there would be a gap of 2.5 m between the proposed dwellings at the narrowest point. The dwellings would be set an angle of about 20° relative to each other.

There is also an application for the erection of one dwelling within the garden to Rose Cottage, immediately to the north of the site (9/2003/1196/F). That application is currently pending the views of the Highway Authority.

Applicant's Supporting Information

Following representations the applicant has confirmed that he owns the entire site.

Site History

Outline permission for one dwelling was granted on appeal in December 2002. The inspector concluded that the site was infill. He considered that a suitably designed low-roofed dwelling set back in line with Rose Cottage, with appropriate boundary treatment along the road frontage

would preserve the character and appearance of the conservation area and would not detract from views into or out of the area. On the issue of sustainability the inspector noted that the village was well served by public transport with Melbourne only a few minutes away by bus and Swadlincote and Derby within reasonable journey time.

Responses to Consultations

The Parish Meeting objects in the following terms:

- a) The shared site access would be unsafe. Road accidents occur on a regular basis in the locality.
- b) There would be inadequate parking. Increased space between the dwellings would enable parking to be provided at the rear of the dwellings.
- c) The application form states that no new access is to be formed. There was previously no access at the position proposed.
- d) Permission was originally refused on the grounds that it was desirable to maintain an open aspect at this location. The appeal decision granted permission for one house only.
- e) The design of the properties would be inappropriate, incorporating integral garages and presenting gables to the road and. They would be angled to each other and the road and red brick construction is proposed. This would represent a further departure from the traditional appearance of the village.
- f) The development would be creeping urbanisation and ribbon development.
- g) There are boundary disputes that need to be resolved.
- h) A maximum of two dwellings, one on this site and one on land at Rose Cottage, should be permitted, with separate vehicular accesses.

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

Responses to Publicity

Letters of objection from the occupiers of the two adjacent properties and from a household at Lowes Lane Swarkestone have been received objecting as follows:

- a) The applicant does not own the whole site.
- b) The site is larger than the one subject to outline permission.
- c) The design and alignment of the dwellings would be inappropriate to the traditional character of the village. The dwellings would be set between two stone buildings and the use of red brick would be inappropriate.
- d) Two identical houses would be out of character with the village. If two dwellings were to be allowed they should be different to represent the existing variation.
- e) Two dwellings would cause an overcrowded appearance.
- f) Access and parking provisions would be inadequate and unsafe. When permission was granted for the adjacent dwelling at Meadowside Barn a lay by for service vehicles was required. A similar arrangement would be justified here.
- g) The traffic generated by two dwellings would impose significant risk to traffic. There have been several accidents in the locality.
- h) Visibility is barely adequate.
- i) The application form states that no new access is to be formed. There was previously no access at the position proposed.
- j) There should be one dwelling only, of similar size to those adjacent.

Any further representations received through re-consultation on the amended plan will be reported verbally.

Structure/Local Plan Policies

The relevant policies are:

Joint Structure Plan: General Development Strategy Policies 1 & 3, Housing Policy 5 and Environment Policy 9.

Local Plan: Environment Policy 1&12 and Housing Policies 5,6 & 11.
Draft Local Plan Policies H1 and ENV20.

Planning Considerations

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

- The principle of development.
- Impact on the character and appearance of the area.
- Residential amenity.
- Highway safety.

Planning Assessment

The proposal does not comply with the locational policies of the relevant plans, in particular Policy H1 of the draft local plan. However there is an extant permission granted on appeal. The inspector had regard to other material considerations, including the fact that the site was not brownfield land, and considered that the lack of harm caused by the proposed single dwelling outweighed the policy considerations. In particular he concluded that the site was infill. As such the erection of two dwellings within a built up frontage is not fundamentally less acceptable in principle.

The applicant proposed two dwellings of similar design, albeit handed. The dwellings would have a simple appearance when viewed from the road. Because of the falling land levels the roofs would appear to be low when viewed from the highway. Dwellings on the same side of the road display a variety of sizes, design and spacing, so there is no set pattern. There is also some variation in alignment although most of the properties in the locality are sited parallel to the highway. As the road has a convex curve at the site frontage the dwellings follow this general pattern of alignment, although they are orientated at an angle of about 20° relative to each other. Having regard to these factors the development would not have a demonstrably adverse impact on the form and setting of the village and the surrounding area and the character and appearance of the adjacent conservation area, subject to conditions relating to detail design and materials.

The proposal meets the supplementary planning guidance on space about dwellings. The proposal would therefore not cause demonstrable loss of amenity to neighbours.

On the advice of the Highway Authority the development would not be detrimental to highway safety. The re-siting of the dwellings in the amended plan would provide a larger area for the parking and turning of vehicles.

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.
1. 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 22/09/03/01 & 02 rev A received 4 November 2003.
2. Reason: For the avoidance of doubt, the original submission being considered unacceptable.
3. No part of the development shall be carried out until samples of the facing materials to be used in the construction of the external walls and roof of the buildings and external hard surfaces have been submitted to and approved in writing by the Local Planning Authority.
3. Reason: To safeguard the appearance of the existing building and the locality generally.
4. Notwithstanding the submitted plans 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.
4. Reason: The details submitted are inadequate to determine whether the appearance of the building would be acceptable.
5. 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.
5. Reason: In the interests of the appearance of the area.
6. Notwithstanding any details submitted, precise details of the type, size and position of the proposed rooflight(s) shall be submitted to and approved in writing by the Local Planning Authority. The approved rooflight(s) shall be fitted such that their outer faces are flush with the plane of the roof, unless otherwise agreed in writing with the Local Planning Authority.
6. Reason: In the interests of the appearance of the building(s) and the character of the area.
7. Pointing of the proposed buildings 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".
7. Reason: In the interests of the appearance of the building(s).

8. 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.
8. Reason: In the interests of the appearance of the building(s) and the locality generally.
9. 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.
9. Reason: In the interests of the appearance of the building(s) and the character of the area.
10. 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.
10. Reason: In the interests of the appearance of the building(s) and the character of the area.
11. Gutters and downpipes shall have a black finish and be fixed direct to the brickwork on metal brackets. No fascia boards shall be used.
11. Reason: In the interests of the appearance of the building(s), and the character of the area.
12. The windows in the side elevations, serving the lounges and landings, shall be permanently glazed in obscure glass.
12. Reason: To avoid overlooking of adjoining property in the interest of protecting privacy.
13. 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).
13. Reason: To protect the amenities of adjoining properties and the locality generally.
14. 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.
14. Reason: In the interests of the appearance of the area.
15. 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.
15. Reason: In the interests of the appearance of the area.
16. Before any other operations commence, the new vehicular access shall be formed to a width of 5m and provided with 2m x 160m visibility sightlines with no obstruction forward of the sightlines exceeding 1 m in height relative to the nearside carriageway edge. The sightlines shall be retained as such in perpetuity.

16. Reason: In the interests of highway safety.
17. 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 each 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 each dwelling.
17. Reason: To ensure that adequate parking/garaging provision is available.
18. Prior to the first occupation of the development the access parking and manoeuvring area shall be laid out in a solid bound material (i.e. not loose chippings) and provided with measures to ensure that surface water does not flow from within the site onto the footway.
18. Reason: In the interests of highway safety.
19. No gates shall be erected within 5m of the highway boundary and any gates elsewhere shall open inwards only.
19. Reason: In the interests of highway safety.

Informatives:

Further to Condition 18 above the surface materials will need to be approved pursuant to Condition 3.

To contact the Area Engineer South, Trent Valley Area, Derbyshire County Council, Director of Environmental Services, County Hall, Matlock, Derbyshire (Tel. 01629 580000 ext 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.

18/11/2003

Item 1.13
Reg. No. 9 2003 1194 F

Applicant:
 Mrs L V Marsh
 36, Vine Cottage, Twyford Road
 Barrow-on-Trent
 Derby
 DE73 1HA

Agent:
 Mrs L V Marsh
 36, Vine Cottage, Twyford Road
 Barrow-on-Trent
 Derby
 DE73 1HA

Proposal: The erection of a new dwelling to the rear of 36, Vine Cottage
 Twyford Road Barrow-on-Trent Derby

Ward: Aston

Valid Date: 30/09/2003

Site Description

The site is part of the large garden to No 36 and is within the conservation area. There is already significant backland development either side of the site. The neighbouring cottage, No 34, is a listed building.

Proposal

A single detached house is proposed. The design incorporates the usual South Derbyshire features.

The proposal would share a drive with the existing cottage, which would be left with a smaller curtilage incorporating its own parking area.

The dwelling would be set well back in the site, roughly at the same distance from the main road as dwellings in Fernello Close and Walnut Close.

Site History

Outline permission was granted in 1998 (9/0698/0231/O). Approval of reserved matters was granted in 2002 (9/2001/0859/D).

Responses to Consultations

The Parish Council is concerned that the proposed position of the dwelling would breach the building line. It also points out that a window to the en suite bathroom does not appear on the east elevation. This window should be obscure glazed.

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

Responses to Publicity

The occupier of an adjacent property supports the application because it would have less impact on residential amenity and would enable the retention of a wildlife pond.

Structure/Local Plan Policies

The relevant policies are:

Joint Structure Plan: Housing Policy 5 and Environment Policies 9&10.

Local Plan: Housing Policies 5&11 and Environment Policies 12&13.

Draft Local Plan: Policy H1 and Env 19&20.

Planning Considerations

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

- The principle.
- Impact on the conservation area and the adjacent listed building.
- Residential amenity.
- Highway safety.
- Trees.

Planning Assessment

The site benefits from an extant permission for the erection of one house and therefore this application effectively seeks approval for an amendment to the siting of the house already approved. The site is previously developed land and, having regard to the size of the plots either side, would be infill in the terms of Policy H1 of the draft local plan.

The dwelling incorporates the usual aspects of design that are recognisable as the local distinctiveness of the district and as set out in Historic South Derbyshire. The alignment of the dwelling relative to the main road respects the pattern of development defined by dwellings in Walnut Close and Fernello Close. The proposal would therefore not be harmful to the character and appearance of the conservation area. The dwelling would be set back relative to No 24 Twyford Road and would not have a harmful effect on the setting of that listed building.

The proposal satisfies the relevant tests of supplementary planning guidance on space about dwellings and there would thus be no demonstrable harm to the amenities of the occupiers of nearby residential property

Subject to appropriate conditions the development would not prejudice highway safety interests.

Some garden bushes would be affected but these are not of sufficient stature and do not make such a contribution to public amenity as to warrant a tree preservation order. Other trees on the site are protected by virtue of conservation area status.

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.
1. Reason: To conform with Section 91(1) of the Town and Country Planning Act, 1990.
2. 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 external joinery shall be constructed in accordance with the approved drawings.
2. Reason: The details submitted are inadequate to determine whether the appearance of the building would be acceptable.
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.
3. Reason: In the interests of the appearance of the area.
4. 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".
4. Reason: In the interests of the appearance of the building(s).
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.
5. Reason: In the interests of the appearance of the building(s) and the locality generally.
6. 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.
6. Reason: To ensure the building/extension is in keeping with its surrounding in the interest of the character and visual amenity of the area.
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.
7. 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.
8. Reason: In the interests of the appearance of the building(s) and the character of the area.

9. Gutters and downpipes shall have a black finish and be fixed direct to the brickwork on metal brackets. No fascia boards shall be used.
9. Reason: In the interests of the appearance of the building(s), and the character of the area.
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.
10. 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 first floor window in the west wall of the building (annotated as east on the submitted plan) shall be permanently glazed in obscure glass.
11. Reason: To avoid overlooking of adjoining property in the interest of protecting privacy.
12. 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).
12. Reason: To protect the amenities of adjoining properties and the locality generally.
13. The access, parking and manoeuvring areas shown on the submitted plan shall be provided prior to the first occupation the dwelling and shall be retained as such thereafter.
13. Reason: To ensure that adequate provision is made for access and parking.
14. The access shall be surfaced in a solid bound material (i.e. not loose chippings) for a distance of 5 m back from the highway boundary with measures to prevent surface water escaping from the site onto the footway.
14. To prevent danger to road users.
15. The access shall be 4 metres wide for the first 10 metres from the highway boundary.
15. Reason: In the interests of highway safety.

18/11/2003

Item 1.14**Reg. No.** 9 2003 1285 F**Applicant:**

Mr K Atkin

Grange Farm, Twyford Road

Barrow-on-Trent

Derby

DE73 1HA

Agent:

M J Barrett Construction Limited

Brookside Business Park

Brookside Road

Uttoxeter

Staffordshire

ST14 8AT

Proposal:

The erection of an extension to an existing agricultural building for storage use at Grange Farm Twyford Road Barrow-on-Trent Derby

Ward:

Aston

Valid Date:

20/10/2003

Site Description

The site is an established farmstead in the countryside to the north of the village.

Proposal

The proposal seeks to extend the exiting range of modern farm buildings in a similar form.

Responses to Consultations

Severn Trent Water Limited and the Highway Authority have no comment.

Structure/Local Plan Policies

The relevant policies are:

Joint Structure Plan: General Development Strategy Policy 4.

Local Plan: Environment Policy 1 and 5.

Draft Local Plan: Environment Policy 7 & 21.

Planning Considerations

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

- The principle.
- Impact on the countryside.

- Highway safety.

Planning Assessment

Being development related to an existing farm the proposal is appropriate to a location in the countryside.

The building would be closely related to the existing substantial farm group and its impact would be minimal.

There are no nearby dwellings likely to be affected by agricultural activity in the building.

On the advice of the Highway Authority there would be no detriment to highway safety.

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