

REPORT OF THE HEAD OF PLANNING SERVICES

SECTION 1: Planning Applications

In accordance with the provisions of Section 100D of the Local Government Act 1972, BACKGROUND PAPERS are the contents of the files whose registration numbers are quoted at the head of each report, but this does not include material which is confidential or exempt (as defined in Sections 100A and D of that Act, respectively).

1. PLANNING APPLICATIONS

This section includes reports on applications for: approvals of reserved matters, listed building consent, work to trees in tree preservation orders and conservation areas, conservation area consent, hedgerows work, advertisement consent, notices for permitted development under the General Permitted Development Order 1995 (as amended) and responses to County Matters.

Reference	Item	Place	Ward	Page
9/2006/0623	1.1	Findern	Willington/Findern	1
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When moving that a site visit be held, Members will be expected to consider and propose one or more of the following reasons:

1. The issues of fact raised by the Head of Planning Services' report or offered in explanation at the Committee meeting require further clarification by a demonstration of condition of site.
2. Further issues of principle, other than those specified in the report of the Head of Planning Services, arise from a Member's personal knowledge of circumstances on the ground that lead to the need for clarification that may be achieved by a site visit.
3. Implications that may be demonstrated on site arise for consistency of decision making in other similar cases.

19/09/2006

Item 1.1**Reg. No.** 9/2006/0623/O**Applicant:**

J A Ball New Homes Ltd
 Unit 2 Property Court
 Telford Way
 Stephenson Industrial Estate
 Coalville
 Leicestershire
 LE67 3HE

Agent:

David Granger Architectural Design Ltd
 The Old Dairy Mill Street
 Packington
 Ashby De La Zouch
 Leicestershire
 LE65 1WN

Proposal: Outline application (all matters reserved except for means of access and siting) for residential development comprising three dwellings and a new vehicular access off Sycamore Avenue and the erection of a new garage to serve The Hall Lower Green Findern Derby

Ward: Willington/Findern

Valid Date: 25/05/2006

Reason for committee determination

The application is brought to the Committee for determination at the request of Councillor Mrs Hood and Councillor Ford who consider that considerable local concern has been expressed about a particular issue.

Site Description

The site is the garden to the Old Hall, a substantial Victorian house. The site is basically flat and the trees on the site are subject to a County Council Tree Preservation Order. The Old Hall lies in the northeast corner of the plot. There is an outbuilding adjacent to the paddock on the north boundary, which would be demolished if permission were granted. On the other side of the southern boundary is a public footpath. The Findern Church adjoins the site to the southwest, which together with the church boundary wall, is a listed building.

Proposal

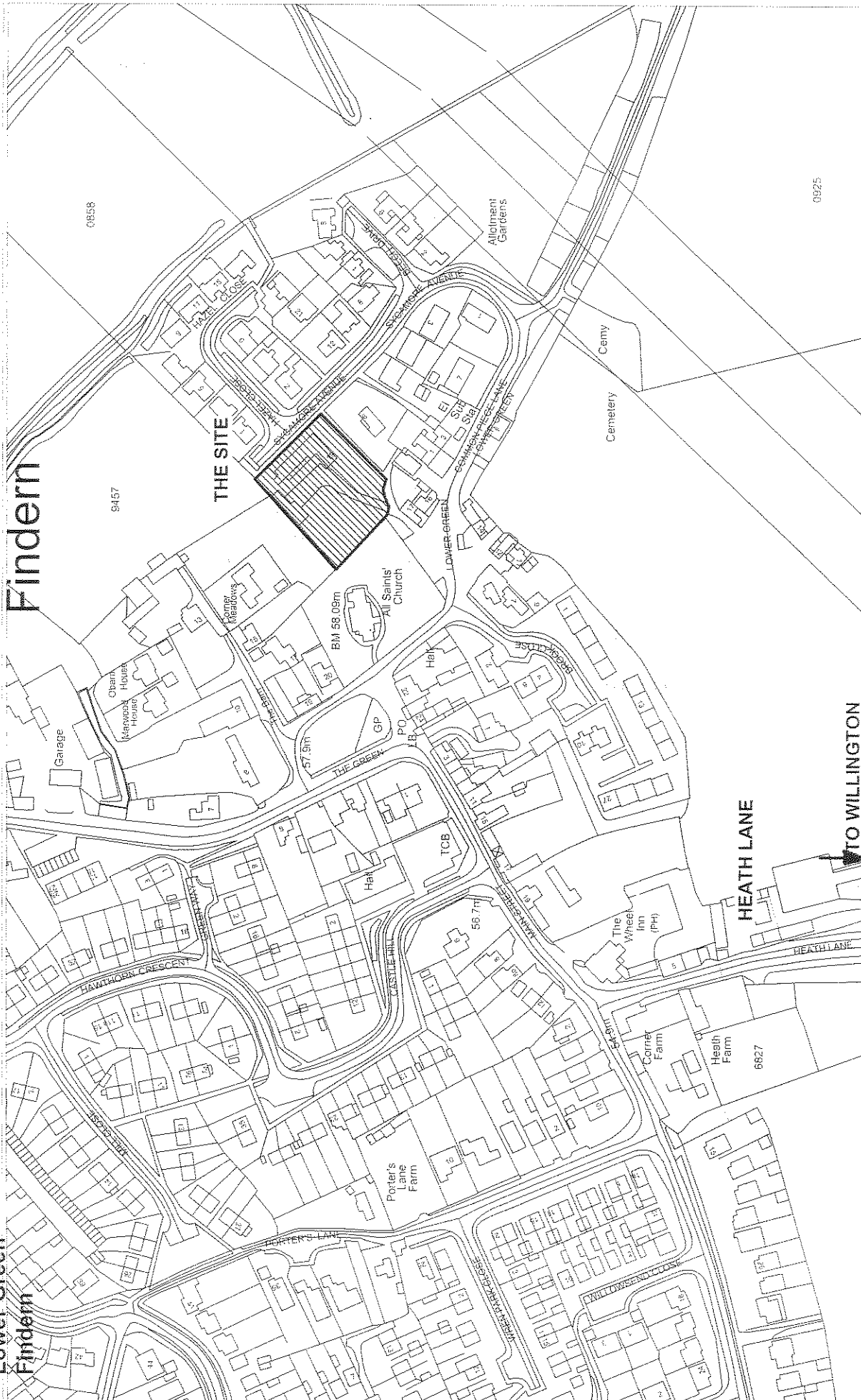
The proposal involves two main elements:

- The formation of an access to the site from Sycamore Avenue
- The siting of three dwellings in the grounds (amended from four in the original submission).

9/2006/0623/O The Hall

Lower Green

Findern



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Several elements of the final design are reserved for subsequent approval – design, materials of construction and means of enclosure. Other elements would require approval but would be the subject of separate conditions should permission be granted. Accordingly, the only issues for determination now are the principle of the development, the siting of the dwellings and the means of access to the site.

Applicants' supporting information

In the light of the tree preservation order, the applicants have submitted a report from a tree specialist which examines the site and makes recommendations. In the light of these and discussions with the County Council's tree specialist, the applicants revised the scheme showing three dwellings in the grounds. A further amendment was submitted following consultations with the Councils' Conservation Section that involve the retention of the access from The Green for pedestrians that will facilitate the 'avenue' entrance to the site that is associated with the Old Hall.

The applicants have given further consideration to the design of plot 1 and a design document has been submitted to guide the development of the detailed scheme. The basic principle will be that the plot looks inwards and to the south so that there are few window openings looking towards the adjacent dwelling and those that are would be obscure glazed.

The remaining two plots would be sited on the site of the former outbuilding adjacent to the paddock. The dwelling that has been omitted was located adjacent to the church boundary wall beneath the trees.

Planning History

There is no recent planning history associated with the site.

Responses to Consultations

Findern Parish Council has serious and fundamental objections to the proposed development:

- a) Additional traffic passing along Church Lane and Lower Green that are narrow is cause for real concern.
- b) Houses of this size are not necessary in this particular area that is one of the oldest parts of the village
- c) If the trees mentioned were part of a TPO, then the Parish Council would not want to see a repetition of the situation that occurred at The Longlands.

The County Highway Authority has no objection subject to the access to Sycamore Avenue being formed first in accordance with the application drawings and the dwellings not being occupied until the relevant parking space has been provided along with the manoeuvring areas.

The County Archaeologist notes the history associated with the Church and that by 1781 the boundaries of the churchyard had been established. However, the map of that date indicates that the church was in a different position within the yard and that the 1862 rebuilding of the church moved it to a more central location in the churchyard. Accordingly there may be below ground remains of the previous church. The proximity

of the development site to the church gives cause for some archaeological concerns and it is recommended that an investigation of the site be undertaken.

Severn Trent Water has no objection subject to the submission of details of foul and surface water drainage details.

Following an objection to the original scheme, the County Council tree officer has raised no objection to the amended scheme subject to stringent conditions to protect the trees within the site.

The Council's Design and Conservation Officer has no objection to the amended scheme, as the removal of the forth dwelling would help to maintain the historic views between the church and the 'big' house.

The Environmental Protection Manager has no objection and states that the responsibility for ensuring that the site is fit for purpose rests with the developer.

Responses to Publicity

17 letters/e-mails have been received objecting to the development for the following reasons:

- a) The development is out of keeping with the Old Hall and the setting of the listed church. The houses are too close to the Hall that forms part of the setting of the church. There are enough homes of this type in the village – affordable homes are desperately needed.
- b) The access off Sycamore close is ludicrous; there are numerous cars on Hazel Close using Sycamore Avenue additional traffic from the Hall would be disastrous. The additional traffic across The Green and past the shops already cause problems with congestion at peak times the additional traffic would add to these problems. It would be more acceptable if plot 1 were to be omitted and the access taken off Lower Green. There is no footpath on Commonpiece Lane and the increase in traffic could cause problems for persons attending the Methodist Church on the Lane. Children play at the end of Sycamore Avenue and the new access would remove a valuable area as well as an overspill parking area.
- c) There would be the loss of mature trees in the garden.
- d) The houses would be too tall at 2½ stories and would overbear on the footpath and the houses around it. The development should be in accord with the Councils Guidance on Housing layout and design. It would be a sad loss if this intrusive development were allowed to proceed. 4 dwellings is overdevelopment of the site
- e) Any archaeological remains should be investigated before development is commenced. It is alleged that there is a tunnel linking the site to the Church.
- f) The drainage system is not sufficient to take the additional flows.

Development Plan Policies

The relevant policies are:

RSS8: P20

Joint Structure Plan: General Development Strategy Policy 1 & 2, Housing Policy 5.

Environment Policy 10, 12 & 16

Local Plan: Housing Policy 5, Environment Policy 9, 13, & 14.

Planning Considerations

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

- The principle of residential development
- Access
- Siting and impact on neighbours
- Trees
- Archaeology and the historic context of the development

Planning Assessment

The Development Plan makes provision for the erection of dwellings in locations where there are a full range of services available. Findern is such a location and the principle of residential development is acceptable. The question then is to consider whether there are grounds for refusing the application for other reasons such as those suggested by the Parish Council and objectors in the light of responses from consultees.

One of the major concerns raised is the access to the site proposed from Sycamore Avenue and the knock on effects on the local highway network. The County Highway Authority has raised no objection to the creation of additional dwellings on the site or to the formation of an access to Sycamore Avenue. The proposed access accords with the County Highway Authority standards and the access would function satisfactorily. The Parish Council and residents consider that the additional traffic would adversely affect highway safety on Lower Green, Commonpiece Lane and on the Green itself. More traffic would be generated by the development but this is not considered to be sufficient reason for the County Highway Authority to recommend refusal.

The siting of the dwellings is a matter for consideration at this time. As such all references to design and external appearance on the drawings are for illustrative purposes only. Plots 2 & 3 could be accommodated without significant impact on the adjacent dwellings. Depending on the detailed design, the dwelling shown on plot 1 may have an impact on neighbouring dwellings but this is a matter for consideration at a the reserved matters stage.

The trees on the site are protected by a Tree Preservation Order. As such, the County Council's Tree specialist's recommendation led to the scheme being reduces to three dwellings to avoid any adverse impact. There is a significant horse chestnut tree in the centre of the site and the remaining dwellings have been assessed to demonstrate that the tree would not unduly shade the dwellings. A tree protection zone has been identified and if permitted it is recommended that a condition be attached requiring the implementation of an approved Method Statement and Tree Protection Plan before the development is generally commenced.

The possibility of archaeological remains is confirmed by the County Archaeologist and he recommends that a condition be imposed requiring an archaeological survey be undertaken prior to the building works commencing. The Council's Design and Conservation Officer welcomes the removal of the proposed dwelling adjacent to the church wall, as this would preserve the historic views from the church to a major village house. The application has also been amended to save the drive from Lower Green as a pedestrian access to the site. This would mean that the drive is preserved intact and not subsumed into the gardens of adjacent dwellings.

Subject to attaching the various conditions below, the application is considered acceptable. The many issues raised regarding the design of the dwellings and therefore how they would impact upon neighbouring dwellings cannot be discussed here but for consideration at a later stage.

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) Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.
 (b) The development hereby permitted shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved.
 Reason: To conform with Section 92(2) of the Town and Country Planning Act 1990.
2. Approval of the details of the design and external appearance of the buildings, landscaping and means of enclosure of the site shall be obtained from the Local Planning Authority in writing before any development is commenced.
 Reason: The application is expressed to be in outline only and the Local Planning Authority has to ensure that the details are satisfactory.
3. Notwithstanding the originally submitted details, this permission shall relate to the amended drawing no. 05_2086_05E received on 1 September 2006.
 Reason: For the avoidance of doubt, the original submission being considered unacceptable.
4. 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.

5. As part of the submission of the reserved matters required by condition 2 above, a scheme for the archaeological investigation of the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be drawn up in accordance with a written scheme of investigation (WSI) submitted by the applicant and approved by the Development Control Archaeologist acting on behalf of the Local Planning Authority. No development shall take place until the approved scheme has been implemented and the results assessed.

Reason: In order that the archaeological significance of the site can be assessed prior to the commencement of building operations.

6. Notwithstanding the submitted details, prior to the commencement of building operations on adjoining areas, the boundary with the area of protected trees shall be fenced with chestnut pale fencing to a minimum height of one metre staked at 3 metre centres. The extent of the fencing shall be established in accordance with an Arboricultural Method Statement and Tree Protection Plan that shall have been submitted to and approved in writing by the Local Planning Authority. The AMS and TPP shall be produced in accordance with the guidance attached to this planning permission. The fencing shall be retained in position until all building works on adjoining areas have been completed unless otherwise agreed in writing with the local planning authority.

Reason: To protect the trees from undue disturbance

7. Before any other operations are commenced, a new vehicular access shall be created to Sycamore Avenue in accordance with the application drawings, laid out, constructed and provided with visibility sight lines from a point 2.4 metre from the carriageway edge measuring along the centre line of the access for a distance of 70 metres in an easterly direction measuring along the nearside carriageway edge. The land in advance of the sight line shall be cleared on all obstructions to visibility greater than 1.0 metre in height relative to the nearside carriageway edge channel level.

Reason: In the interests of highway safety.

8. None of the dwellings hereby permitted shall be occupied until space has been provided within the application site in accordance with the application drawings for parking and manoeuvring of residents' vehicles. The areas shall be surfaced and retained available for their designated use free from any impediment to that use in perpetuity.

Reason: To ensure that adequate parking and manoeuvring space is available.

9. Notwithstanding the requirements of Condition 6 above, the permission hereby granted permits the formation of an access road within the identified tree protection zone. The works to form the access road within the tree protection zone shall be carried out in accordance with a method statement that shall have received the prior written approval of the Local Planning Authority.

Reason: it is necessary to protect the root system of the horse chestnut tree and any mechanical excavations are likely to harm the long-term health of the tree. The Local Planning Authority seeks to make it clear that the method of working in the vicinity of the tree is to be strictly controlled.

10. No plant, machinery, building materials or buildings shall be sited, stored or work within the area of the canopy of any tree within the site. The position of the builders compound shall be agreed in writing with the Local Planning Authority before any works are commenced.

Reason: In the interests of the long-term health of the trees on the site that are all protected by Derbyshire County Council Tree Preservation Order no 70.

11. No development shall take place until details of a scheme for the disposal of surface and foul water have been submitted to and agreed in writing by the Local Planning Authority. The scheme shall be carried out in conformity with the details which have been agreed before the development is first brought into use.

Reason: In the interests of flood protecting and pollution control.

12. 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:

Further to Condition 5 above all archaeological work should be undertaken by a suitably qualified and experienced archaeological contractor. The Development Control Archaeologist can upon request provide a written brief from which the WSI can be developed.

Pursuant to Section 184 of the Highways Act 1980 and Section 86(4) of the New Roads and Streetworks Act 1991, at least 6 weeks prior notification should be given to the Director of Environmental Services at County Hall, Matlock (telephone 01629 580000 and ask for the District Highway Care Manager on extension 7595) before any works commence on the vehicular access within highway limits.

Where development is proposed, the developer is responsible for ensuring that development is safe and suitable for use for the purpose for which it is intended. The developer is thus responsible for determining whether land is suitable for a particular development or can be made so by remedial action. In particular, the developer should carry out an adequate investigation to inform a risk assessment to determine:

- whether the land in question is already affected by contamination through source - pathway - receptor pollutant linkages and how those linkages are represented in a conceptual model;
- whether the development proposed will create new linkages, e.g. new pathways by which existing contaminants might reach existing or proposed receptors and whether it will introduce new vulnerable receptors; and
- what action is needed to break those linkages and avoid new ones, deal with any unacceptable risks and enable safe development and future occupancy of the site and neighbouring land.

A potential developer will need to satisfy the local authority that unacceptable risk from contamination will be successfully addressed through remediation without undue environmental impact during and following the development. In doing so, a developer should be aware that actions or omissions on his part could lead to liability being incurred under Part IIA, e.g. where development fails to address an existing

unacceptable risk or creates such a risk by introducing a new receptor or pathway or, when it is implemented, under the Environmental Liability Directive (2004/35/EC). Where an agreed remediation scheme includes future monitoring and maintenance schemes, arrangements will need to be made to ensure that any subsequent owner is fully aware of these requirements and assumes ongoing responsibilities that run with the land.

It is indicated on the drawing that Plot 1 may be two and a half storeys. This would be likely to breach the council's Supplementary Planning Guidance with regard to impact on neighbouring dwellings.

19/09/2006

Item 1.2**Reg. No.** 9/2006/0863/F**Applicant:**

Sustrans
 St Pauls Centre
 Hightown
 Crewe
 CW1 3BY

Agent:

Sustrans - Peter Foster
 St Pauls Centre
 Hightown
 Crewe
 CW1 3BY

Proposal: The construction of a surfaced ramp from the cloud trail to land to the north of Station Road Melbourne Derby

Ward: Melbourne

Valid Date: 25/07/2006

Reason for committee determination

This is before the Committee because the recommendation is contrary to the advice of the Highway Authority.

Site Description

The Cloud Trail is part of a traffic free section of the National Cycle Network (Route 6). The site affects a bridge carrying Station Road, a classified highway, over the cycleway. It is some 70 m to the east of the Station Road/Main Street Kings Newton junction.

There is no formal access and egress to and from the Cloud Trail at this point. However an informal desire line has been established on the east side of the bridge, where cyclists are able to enter and leave the cycleway via Station Road. This activity involves encroachment onto private land adjacent to the trail.

The site affects part of Wildlife Site SD137 (Melbourne Railway).

Proposal

The application seeks to establish a formal access on the west side of the bridge, within land owned by the applicants. There would be a need to remove 5 mature trees and some saplings. It is proposed to plant 12 new Oak trees.

Applicants' supporting information

- a) There is a demand from local people for access to the Cloud Trail at Station Road.

9/2006/0863/F Land north of Station Road

Melbourne

M 56 33m
Fairfield Lodge

TO KINGS NEWTON
VILLAGE

54.3m

MAIN STREET

55.2m

JAWBONE LAKE

Charnwood

MAIN STREET

Kings Newton

52.7m

48.8m

MAIN STREET

THE SITE

BM 48.88m

48.8m

STATION
ROAD

Path (um)

49.4m

ET Sub Sta

4286 Pumping
Station

Works

Works

Cart Brook

6800

New Bridge

BM 41.83m

FB

Track

Track



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- b) Currently they cross the bridge where there are no formal footways, and trespass on adjoining land to reach the trail on the east side of the bridge.
- c) The proposal would provide a legitimate means of access, enabling the unauthorised route to be fenced off. The proposed solution has been discussed with the Parish Council and Derbyshire County Council.
- d) The bridge pilaster would be repositioned and inverted U bars would be positioned to force cyclists to dismount. The width would be restricted, to prevent vehicular access.
- e) The ramp is not intended for electric wheel chair use – the access points at Kings Newton and Wilson are more suitable.
- f) The proposal is only part of the overall solution. A kerbed footway would be needed and Derbyshire County Council has produced drawings. Also the 30 mph speed limit is to be moved eastwards, to include the proposed access.

Responses to Consultations

The Parish Council supports the proposal as follows:

- a) The application is as a result of pressure from local residents for a safe access to the Cloud Trail at this point.
- b) Currently people use a dangerous unauthorised route across private land on the other side of the bridge where there is no pavement and a blind bend.
- c) The Parish Council, DCC, Sustrans and local land owners have met a number of times over the past two years and believe that this would be the best and safest solution, because even without it the public would gain access at the most dangerous point.
- d) Permission should be granted to resolve this dangerous situation as well as providing a much needed access.

Melbourne Civic Society supports the proposal.

The Highway Authority recommends refusal because the proposed access onto Station Road from the Trail is at a location where there is no footway and where forward visibility available to an approaching driver is limited due to the horizontal alignment of the road. Furthermore, there is no provision for off-street car parking in the vicinity. Approval of the proposal would encourage on-street parking in the vicinity of the access, pedestrians walking in the carriageway and pedestrians emerging onto Station Road where there is no provision for pedestrians; not only would this be contrary to the best interests of highway safety, but it would all exit at a location where forward visibility available to approaching drivers is limited.

Derbyshire Wildlife Trust comments that there would be a small loss of species rich vegetation, which could be compensated for by some small scale mitigation.

Responses to Publicity

The period for responses to publicity ends on 21 September. Any received within the notification period will be reported verbally.

Development Plan Policies

The relevant policies are:
 RSS8: Policy 25
 Joint Structure Plan: LT3 T1 T10 EV14
 Local Plan: EV11 RTP1

Planning Considerations

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

- The principle.
- Highway safety.
- Trees and wildlife.

Planning Assessment

The proposal would enhance users' experience a strategic cycle route and is thus acceptable in principle.

Derbyshire County Council has prepared a scheme to provide a footway and to redefine the area affected by the 30 mph speed limit. Whilst the County Council is in principle prepared to implement the scheme, there is no current financial commitment to do so. In the absence of the highway improvements the proposal would be contrary to highway safety interests. Whilst there is no absolute certainty that the works will be undertaken there is at least a reasonable prospect that they may be implemented at some stage in the future. As such it would be appropriate to impose a negative (or 'Grampian') condition, to prevent the proposed development from being undertaken in advance of highway improvements.

Given that, in practice, the Cloud Trail is already being accessed from the Station Road bridge there is no evidence that on street parking would materially increase as a result of the development.

Whilst there would be some loss of trees and habitat, this would be small scale and the wildlife issues could be resolved by condition.

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

Subject to any subsequent matters arising from publicity being considered by the Head of Planning, **GRANT** permission subject to the following conditions:

1. The development permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To conform with Section 91(1) of the Town and Country Planning Act, 1990 (as amended by section 51 of the Planning and Compulsory Purchase Act 2004).

2. No development shall be undertaken until a footway has been provided within the highway limits, to connect the proposed ramp with the existing footway in Station Road to the west of the site.

Reason: In the interests of highway safety.

3. 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 and wildlife.

4. 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 and wildlife.

Informatives:

The Council will require the details submitted pursuant to Condition 3 to include the measures recommended in Derbyshire Wildlife Trust's letter dated 5 September 2006 (attached).

19/09/2006

Item 1.3**Reg. No.** 9/2006/0950/FH**Applicant:**

Mr Mrs A Gouldin
 Woodside
 104 Duck Street
 Egginton
 Derby
 DE65 6HG

Agent:

Mr Mrs A Gouldin
 Woodside
 104 Duck Street
 Egginton
 Derby
 DE65 6HG

Proposal: The erection of extensions at Woodside 104 Duck Street Egginton Derby

Ward: Etwall

Valid Date: 09/08/2006

Reason for committee determination

The application is brought before the committee because the applicant is a member of staff.

Site Description

The site is occupied by a 1960s bungalow, the last in a row of five on this side of Duck Street at the edge of the village.

Proposal

The application shows the bay window on the front of the bungalow supplanted with a first floor extension. The scheme also shows an extension at the rear with two similar two-storey bays.

Planning History

Permission for the erection of a garage in the front garden was granted earlier this year.

Responses to Consultations

None received.

Responses to Publicity

None received.

9/2006/0950/FH Woodside
104 Duck Street
Egginton



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Development Plan Policies

The relevant policies are:

Local Plan: Housing Policy 13.

Planning Considerations

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

- The impact on the amenities of the neighbours
- The impact on the design and appearance of the dwelling and the street scene.

Planning Assessment

The scheme has no undue impact on the amenity of the nearest neighbours and as such accords with the council's guidance on extensions.

The extensions have been designed so as to retain the basic shape of the existing building whilst adding some first floor accommodation. No detriment to the building or the street would result.

Recommendation

GRANT permission subject to the following conditions:

1. The development permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To conform with Section 91(1) of the Town and Country Planning Act, 1990 (as amended by section 51 of the Planning and Compulsory Purchase Act 2004).

2. 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.

19/09/2006

Item 1.4**Reg. No.** 9/2006/1006/F**Applicant:**

Mr G Clarkson
 South Derbyshire District Council
 Civic Offices
 Swadlincote
 Derbyshire
 DE11 0AH

Agent:

Mr Stephen Greaves
 S G Design Studio Limited
 202 Woodville Road
 Hartshorne
 Swadlincote
 Derbyshire
 DE11 7EX

Proposal: Infill to form lobby to ground floor
 passageway at 1 3 Hill Street Swadlincote

Ward: Swadlincote

Valid Date: 23/08/2006

Reason for committee determination

This application is brought before the committee because the Council is the applicant.

Site Description

Two storey flats wrap around the corner of Hill Street and Church Street. On the Hill Street frontage an open passageway divides the ground floor flats numbered 1 and 3 and provides access to the staircase that leads to the first floor.

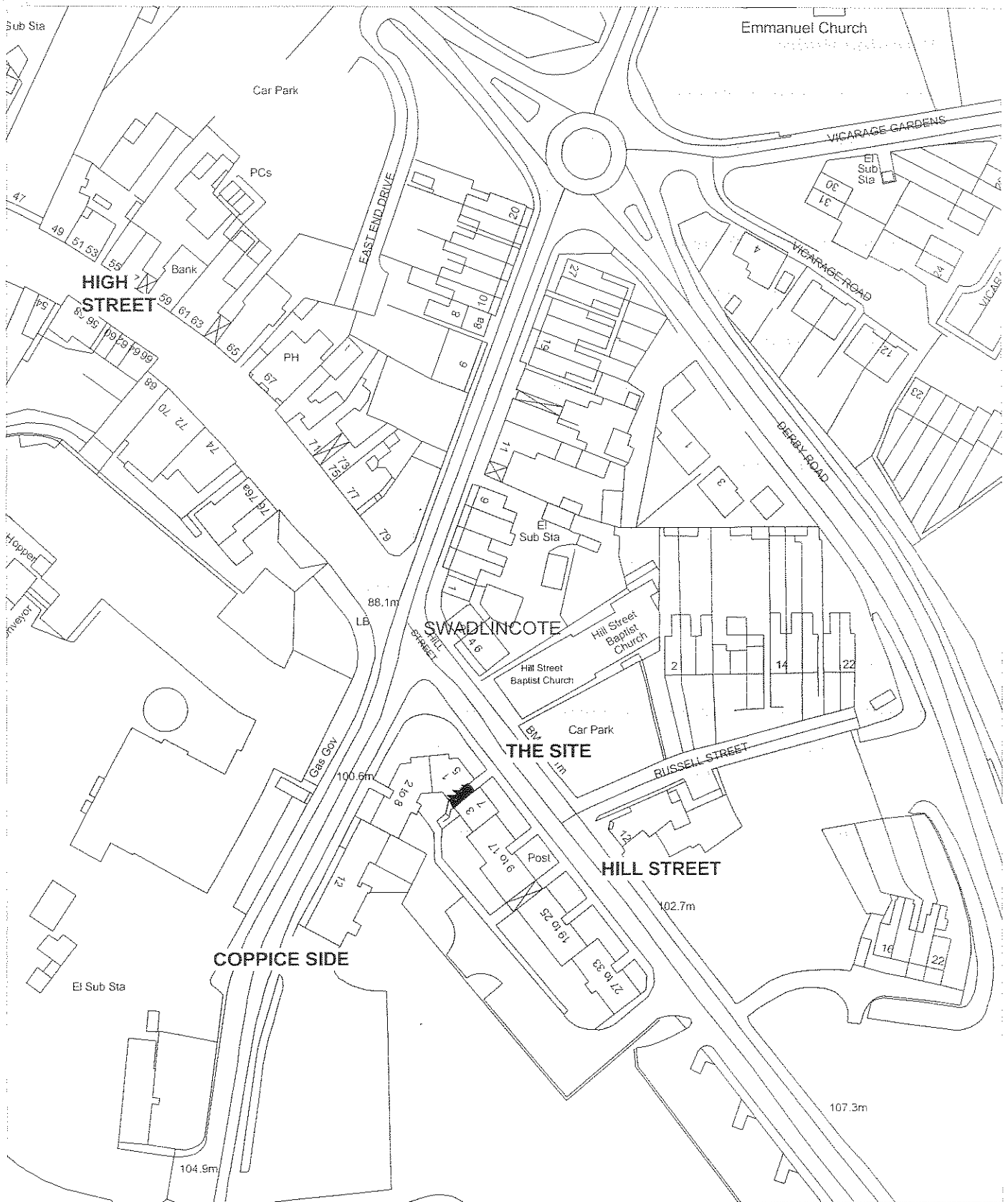
Proposal

It is proposed to close off the passageway at each end with a glazed screen and door.

Applicants' supporting information

The applicant states that the works are necessary to prevent late night nuisance to the elderly residents of the flats caused by persons congregating under the passageway. The works will also serve to improve security and energy efficiency.

In design terms he states that the works will be similar in appearance and materials to the lobby entrances to other surrounding flats. As to access, since the route is between residential properties and a private car park, he comments that access to the town centre is unaffected.



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Civic Offices
Civic Way
Swadlincote
DE11 0AH

9/2006/1006/F 1-3 Hill Street
Swadlincote

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NORTH ↑

Plot centred at 430253 319513 Scale 1:1250

Planning History

There is no relevant planning history

Responses to Consultations and Publicity

There has been no response to consultations or publicity

Development Plan Policies

There is no relevant policy

Planning Considerations

The main issue central to the determination of this application is the impact of the development on the design of the building.

Planning Assessment

The works are not considered to be detrimental to the amenities of occupants of adjoining properties, indeed there are likely to be benefits from lack of nuisance and increased security. In terms of design, the doors and screens are similar to those already in place elsewhere within this complex and are acceptable.

Recommendation

GRANT permission subject to the following conditions:

1. The development permitted shall be begun before the expiration of three years from the date of this permission.
Reason: To conform with Section 91(1) of the Town and Country Planning Act, 1990 (as amended by section 51 of the Planning and Compulsory Purchase Act 2004).
2. All external materials used in the development to which this permission relates shall match those used in the existing building in colour 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.