

matter that is subject to this application, and, therefore, despite the comments of the highway authority it is not appropriate to impose a condition at this stage limiting the number of units on the site. However, an informative to reflect the advice of the highway authority is proposed.

Recommendation

GRANT planning 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 either before the expiration of five years from the date of this permission or before the expiration of two years from the date of approval of the last of the reserved matters to be approved whichever is the later.

Reason: To conform with Section 92(2) of the Town and Country Planning Act 1990.

2. Approval of the details of the siting, design and external appearance of the building(s) the means of access thereto and the 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. 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. The development hereby approved shall not commence until details of drainage works for the disposal of foul and surface water sewage from the site, including a timetable for its implementation, has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall then be implemented as agreed in accord with the approved timetable.

Reason: In the interests of ensuring the site is adequately drained.

Informatives:

- (i) You are advised to note the comments of the Environment Agency a copy of whose comments are attached.
- (ii) You are advised to note the comments of the highway authority, a copy of which is attached.

27/11/2001

Item **A9****Reg. No.** **9 2001 0979 F****Applicant:**

A Green
11a, Belfield Road
Etwall
Derby
DE656JN

Agent:

Mr. C. Greenhalgh
Building Design
46 Wellfield Road
Alrewas
Burton On Trent

Proposal: **The erection of an extension at 11a Belfield Road Etwall
Derby****Ward:** **Etwall****Valid Date:** **04/10/2001****Site Description**

The site comprises one of a pair of dwellings on Belfield Road, Etwall. The dwellings have open plan frontages.

This and the adjoining dwelling (No.11) belong to the same family and have a shared rear garden.

The site is located within a residential area.

Proposal

The applicant seeks consent to erect a two-storey side and rear extension forming an "L" shape around two sides of the existing dwelling.

The side extension would be of the same depth as the adjoining property and come forward to a point adjoining the front of No 15 Belfield Road, which is slightly behind the front of 11a. This element of the proposal would have a pitched roof over the front portion of the extension and have a flat roof over the area to the rear.

The rear second storey extension would be some 2.3 metres deep and would abut the single storey rear extension of No.11.

Planning History

An application for a similar proposal with a wholly flat roof was refused planning permission earlier this year. This was on the grounds that the extension would appear incongruous in the street scene to the detriment of residential amenity.

Responses to Consultations

Etwell Parish Council remains of the opinion that the front extension would be unacceptable and that this application should also be refused

Structure/Local 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 principle of the development
- The impact of the proposed extension on the street scene and on the adjoining dwellings

Planning Assessment

The site is located within the confines of Etwell. The principle of the extension is, therefore, acceptable.

The originally submitted scheme was flat roofed. This was subsequently refused as reported above. However, in this case the application has been submitted with the rear extension having a pitched roof over it and the side extension having a pitched roof over its front half.

Whilst not a true pitch the effect is of a pitched roof on the side extension which ensures the impact on the street scene is minimal. In addition, there is a slight set back of the extension in relation to the application dwelling, this helps to reduce the impact further. This is acceptable and addresses the original reason for refusal.

The impact on the adjoining dwelling (No.11) is reduced due to the presence of a rear extension to that property. Therefore, the windows on the ground floor of that dwelling are not affected by the proposal in terms of any over bearing. The extension does not affect any habitable room windows. This accords with the Council's Supplementary Planning Guidance.

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. 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.

27/11/2001

Item **A10****Reg. No.** **9 2001 0993 F****Applicant:**

Mr R A Lloyd
 60, Lullington Road
 Overseal
 Swadlincote
 Derbyshire
 DE126NG

Agent:

Mr R A Lloyd
 60, Lullington Road
 Overseal
 Swadlincote
 Derbyshire
 DE126NG

Proposal: **The erection of a conservatory and a block of two stables and a tackroom/store at 60 Lullington Road Overseal Swadlincote**

Ward: **Overseal**

Valid Date: **10/10/2001**

Site Description

The dwelling, to which this development relates, is located in a ribbon of development fronting Lullington Road within Overseal. The applicant is understood to have recently purchased part of a field to the rear which is now the subject of the current application for the erection of stables along the north eastern boundary.

Open countryside is located to the rear of the site.

Proposal

The applicant seeks consent to erect a conservatory on the rear of the dwelling and to construct a stable building in the field to the rear of the dwelling.

The submitted plans show a concrete block construction building, painted green, comprising two stables and a fodder/tack room with steel sheeted roof. The conservatory is a mainly glass structure with a pitched roof.

Responses to Consultations

The Parish Council objects to the tackroom/store and stables which it states are permanent structures to be sited outside the village boundary where development would not normally be allowed. They would be in full view of neighbouring properties and could readily be sited closer to the dwelling so as to avoid this. The only access would be from a garden path and this would cause difficulties in removing manure from the site and admitting deliveries.

The Environmental Health Manager states that nuisance by odour is the main concern when considering application for stables. However, no objection is raised but advice is given on action to prevent nuisance being caused.

Responses to Publicity

No neighbour letters have been received. However, two further neighbours have been consulted and the time for them to respond expires on 29th November. Any further comments will be reported verbally to the meeting.

Structure/Local Plan Policies

The relevant policies are:

Joint Structure Plan: General Development Strategy Policy 2.

Local Plan: Environment Policy 1 and 5.

Planning Considerations

The relevant issues are relevant to the consideration of the conservatory:

- The principle of the development
- The affect of it on the amenity of the near neighbours and the area generally

The following are the relevant issues relevant to the erection of the stable building:

- Whether the application runs contrary to the provisions of the development plan, and,
- Whether any harm would result from the siting of the stables either to the area generally or neighbouring properties specifically.

Planning Assessment

The site of the conservatory is located within the confines of the village of Overseal. Therefore, the principle of the development is considered to be acceptable.

Whilst the building would extend some 3.8 metres to the rear of the dwelling it is proposed only to be single storey in height and the adjoining neighbour has consent for a similar structure. There would, therefore, be no detrimental impact on the adjoining neighbour.

The conservatory would be located on the rear of the dwelling. There would be no detrimental impact of it on the area generally.

With regard to the erection of the stables the policies of the development plan allow for agricultural and other buildings to be erected in the countryside provided they are essential to a rural based activity, unavoidable in the countryside and sympathetic to their location. Where such buildings are allowed they should be designed and located to minimise its impact.

In this case the building is required for the storage of hay in support of a legitimate rural pursuit i.e. the stabling of horses. The fact that the stable is outside the village confines is not of overriding importance given that village confines in the Local Plan are designed to limit the

outward expansion of residential development only. Therefore, in principle, the erection of the building is acceptable.

Additionally, the building is located in relatively close proximity to existing buildings and is adjacent to the applicants' garden. Thus the siting of the building complies with policy and ensures that the building is not unduly intrusive in the wider countryside. A location closer to the village confine as suggested by the Parish Council, would be likely to be resisted by the Environmental Health Manager because of the risk of nuisance. The comments of the Environmental Health Manager are noted. However, it is only possible to control the storage of manure to ensure it is in a suitable location. The other comments raised can only be included as informatives on any decision notice granting consent.

There are residential properties nearby. However, they are distant from the building itself and so would not be adversely affected by it.

With regard to access to the building, it is understood that the applicant's garage is to be demolished thus allowing sufficient width to access the stable building.

Recommendation

GRANT permission subject to no new comments being raised in the consultation period and 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. All facing bricks used in the conservatory 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.

3. Notwithstanding the submitted details, prior to the erection of the stables a scheme for their exterior decoration shall be submitted to the Local Planning Authority. The submitted scheme, if acceptable, shall be approved in writing by the Local Planning Authority and shall be implemented in full within a period of three months following the erection of the walls of the building. The stables shall then be retained as such thereafter.

Reason: To safeguard the appearance of the existing building and the locality generally.

4. Notwithstanding any details submitted, the erection of the conservatory shall not commence until there has been submitted to and approved in writing by the Local Planning Authority plans indicating the position, design, material and type of structure to be erected on the boundary with no 62. 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. Prior to the commencement of development, a scheme for the storage of manure shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to the development first being brought into use.

Reason: To prevent the pollution of the surface water system.

Informatives:

To note and act upon as necessary the comments of the Coal Authority (see attached letter).

To note the comments of the Environmental Health Manager.

27/11/2001

Item **A11****Reg. No.** **9 2001 0994 R**

Applicant:
 Mr F Eyre
 2, Shirley Park
 Aston-on-trent
 Derby
 DE722AP

Agent:
 Mr F Eyre
 2, Shirley Park
 Aston-on-trent
 Derby
 DE722AP

Proposal: **The renewal of planning permission 9/0796/0272/F to permit the continued siting of a store (removal of condition one) at 2 Shirley Park Aston-on-trent Derby**

Ward: **Aston**

Valid Date: **10/10/2001**

Site Description

The application site comprises a corner plot on the edge of the village. The garden currently contains a range of outbuildings, attached to which is the extension the subject of this application. There is also a makeshift enclosure to the outbuildings (around an existing carport), completed more recently, and of an apparent temporary construction.

Proposal

The applicant seeks to retain the extension subject to the earlier grant of temporary permission in 1996. The recent works of enclosure to the carport are not subject to the current application.

Applicant's Supporting Information

The subject store has been considerably improved by the installation of proper doors. Approximately 8 weeks ago there was a theft from the carport area. The police advised things to be kept out of site, hence the installation of the temporary garage door whilst the applicant continues to tidy the area.

Site History

A copy of the previous report to Committee is attached for information. The applicant has complied with the condition requiring new garage doors. Since the earlier application the site has been tidied considerably, with the exception of the temporary enclosure to the carport.

Responses to Consultations

The Parish Council would suggest that the District Council carry out a site visit to compare what is actually there with items on their list.

Structure/Local Plan Policies

None relevant.

Planning Considerations

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

- The impact of the structure on the general character of the area.

Planning Assessment

The site is located within the village confines of Aston. Therefore, in principle the erection of ancillary domestic buildings is acceptable.

A temporary planning consent was granted in 1996, as the materials of construction at that time were considered inappropriate for a permanent construction due to their likelihood to deteriorate.

However, since that time the building has been improved and its appearance and materials of construction are now compatible with those of a permanent construction. The structure does not harm the character of the area in which it is located. Therefore, it is now appropriate to allow retention of the structure on a permanent basis.

Recommendation

GRANT permission.

