

SOUTH DERBYSHIRE DISTRICT COUNCIL

DEVELOPMENT CONTROL SUB-COMMITTEE – 29TH MAY 2001

Planning Services Manager

I N D E X

PART 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).

PLANNING SERVICES MANAGER

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29/05/2001

Item A1**Reg. No.** 9 2000 1154 U**Applicant:**

Ottewell Trust
 Kings Newton Hall, Main Street
 Kings Newton
 Derby
 DE731BX

Agent:

E. Lee
 Mr. Eric J. Lee
 Pennside
 Penn Lane
 Melbourne
 Derbyshire
 DE73 1EP

Proposal: The conversion into an office of the barn at Kings Newton
 Hall Main Street Kings Newton Derby

Ward: Melbourne

Valid Date: 15/12/2000

Site Description

The property is located on the roadside edge at the centre of King's Newton off Main Street. The building is a redundant listed barn within a complex of historic buildings in the conservation area.

A variety of buildings in a number of uses occupy the area around the site.

Proposal

The applicants seek consent to change the use of the building into offices. Only minor external works are proposed to the fabric of the building. The application states that five employees would work at the office.

Responses to Consultations

The Parish Council has no objection.

Melbourne Civic Society has no objection subject to the retention of the original roof tiles and careful monitoring of the brickwork.

The Environmental Health Officer has no objection.

The Highway Authority recommends refusal on the basis that visibility is substandard, considering that increased use of the access would be potentially detrimental to the safety of pedestrians using the fronting footway and to drivers on Main Street.

Structure/Local Plan Policies

The relevant policies are:

Joint Structure Plan: Economy Policy 5 and Environment Policies 8 & 9.

Local Plan: Employment Policy 5 and Environment Policies 12 & 13.

Planning Considerations

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

- The impact of the use on the conservation area and the listed building.
- Residential amenity.
- Highway safety.

Planning Assessment

The building is located within the built framework of Kings Newton. Therefore, in principle the conversion of the building to an office use is acceptable.

The proposal would result in only minimal alteration of the fabric of the building, whilst enabling it to be brought into beneficial use. As such it would achieve the dual goals of preserving the character and appearance of the conservation area and the restoration of an important historic building.

The proposed use would have no adverse impact on the living conditions of the occupiers of nearby residences.

The access could not be provided with the level of visibility required by the highway authority, without severely harmful demolition works to the principal building and its historic boundary wall. Implementation of the proposal would therefore be potentially harmful to interests of highway safety. However, in this case, given that the use would generate a small amount of traffic (about 10 vehicles per day), the substantial benefits to the listed building and the conservation area would be sufficient to outweigh the safety issue.

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 drawing received under cover of the agent's letter dated 15 January 2001.

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

3. All works of alteration and making good of the existing fabric of the building(s) shall be carried out in matching reclaimed brick and plain clay tiles, samples of which shall have previously been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of the appearance of the building(s).

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".

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.

Reason: In the interests of the appearance of the building(s) and the locality generally.

6. 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.

Reason: In the interests of the appearance of the building(s) and the character of the area.

7. Large scale drawings to a minimum Scale of 1:20 of external joinery, including 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 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.

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.

Reason: In the interests of the appearance of the building(s) and the character of the area.

9. Gutters shall be cast metal (with cast metal fall pipes) and shall 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.

10. No work shall take place until precise details of the means of internal alteration of the existing premises have been submitted to and approved in writing by the Local Planning Authority. The submitted details shall include all measures necessary to obtain approval under Part B of the Building Regulations. The work shall be implemented in conformity with the approved details.

Reason: In the interests of maintaining the character and internal integrity of the Listed building.

11. Notwithstanding any details submitted, precise details of the type, size and position of the proposed rooflights shall be submitted to and approved in writing by the Local Planning Authority. The approved rooflights 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.

Reason: In the interests of the appearance of the building(s) and the character of the area.

12. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (as amended) and Article 3 and Part 3 of the Town and Country Planning (General Permitted Development) Order 1995, this permission shall relate to the use of the premises for uses within Use Class B1 only and for no other purpose.

Reason: In order that the Local Planning Authority may retain control over the future use of the premises and in the interests of the amenity of the area.

29/05/2001

Item A2**Reg. No.** 9 2001 0082 F**Applicant:**

Brandons Poultry Ltd
Holly Bank
Scropton
DE65 5PS

Agent:

Alan Taylor
Talbot Associates
Liberty Farm
Findern Lane
Burnaston
Derbyshire
DE656LJ

Proposal: Housing for effluent treatment unit, associated sludge tank and provision of a reed bed filtration system at Brandons Poultry Limited Hollybank Farm Scropton Road Scropton Derby

Ward: North West

Valid Date: 30/01/2001

Site Description

The site lies to the rear of the existing Brandon's factory site at Scropton adjacent to the railway line. The site is separated from the railway by a fence otherwise the site is open to the factory area. The land around the site is surfaced with hardcore. In addition, the application includes another area within the ownership of the applicants. This land is situated to the east of the main factory. It is currently used as an open lagoon that receives all the effluent from the factory. The lagoon lies adjacent to the River Dove in an otherwise open field.

Proposal

The proposal involves the installation of a piece of equipment known as a DAF plant within the required housing. The plant would extract solid material from the effluent prior to discharge to the reed bed. The extracted material would be stored in the sludge tank prior to being disposed of by an authorised method. The structure itself is modest in relation to the adjacent factory buildings measuring 14 metres by 4 metres with a height of 6 metres.

Applicants' supporting information

The application arises from strong objections from the communities at Scropton and Hatton. The complaints relate to the smells that have been coming from the existing lagoon. Solids in the effluent primarily cause the smells. The DAF plant would extract the majority of the solids and transfer them to the sludge tank. Through this operation, the main component of the smell is reduced from a level of BOD (Biological Oxygen Demand) from 800mg/litre to 50mg/litre BOD.

The effluent is then passed to the reed bed that further reduces the BOD to less than 20mg/litre. The effluent is then passed in to a soak away system that is the subject of the related application (9/2001/0332). The BOD level is further reduced to a level of 5mg/litre. This is the BOD level of the water extracted from the company bore hole for use in the factory.

The company that installs the reed beds has 50 years of experience in the field and works with numerous large companies including South Staffordshire Water and Severn Trent. The company has installed reed beds at Doveridge Sewage Works and at Dove Valley Poultry in Ashbourne.

The applicant's anticipate that the proposals would remove the smells from the factory site.

Planning History

The factory itself has a long planning history. The various permissions have resulted in the factory on site today. The expansion of the factory has resulted in increasing discharges to the lagoon described above. The engineering works to form the lagoon are now exempt from enforcement due to the passage of time. An application for a plant to treat other waste water at the factory was recently approved.

Responses to Consultations

Foston and Scropton Parish Council has no objection to the proposal.

The Environment Agency is satisfied that the proposals have the potential to improve discharges to the floodplain. The further comments of the Agency are awaited on the additional details about the system that have been submitted since the application has been received.

The Environmental Health Services Manager has commented that the proposal should alleviate the smell problem. This would only occur if there were good management programmes to ensure that the system is operating efficiently. A condition to that effect is recommended.

Responses to Publicity

No responses to the advertisement of the application have been received. However, there have been numerous complaints about the smells around the area. A single e-mail has been received requesting an update on the situation. This has been given together with the advice that the matter would be reported to this meeting. The response to an earlier application for the retention of the second lagoon was significant. The current situation on that matter is contained in the report on application 9/2001/0332.

Structure/Local Plan Policies

The relevant policies are:

Joint Structure Plan: General Development Strategy Policy 4 and Economy Policy 4

Local Plan: Environment Policy 1 and Employment Policy 1

Planning Considerations

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

- The policies of the development plan
- The impact of the proposal on the character of the area.
- The impact of the development on nearby residents

Planning Assessment

Development plan policies allow for new development that is allied to an existing industrial activity and that are requisite for such a use providing they do not adversely impact upon the character of the area. In this case the proposal is necessary in connection with an existing use. In principle the proposal is, therefore, acceptable.

The structure to house the plant is relatively small and would have no significant impact on the wider area.

The potential to benefit the amenities of nearby residents appears to be significant. The Environmental Health Services Manager considers that the system of the DAF plant and reed beds would go a long way to relieving the smells that currently cause problems in the area. This is subject to adequate management arrangements being put in place and a condition to this effect is proposed

There is space in the original lagoon for the increase in the area of the reed bed required if there is an increase in BOD levels (BOD = smell) arising from the DAF plant.

Overall, there appears to be a net improvement to the locality from the introduction of this method of effluent disposal. If it transpires that there is a continuation of the smell, the Environmental Health Services Manager has indicated in a letter to residents that the provisions of the Environment Protection Act would apply if there was a proven statutory nuisance.

The applicants at a meeting indicated that it would be necessary to drain and excavate the original lagoon to install the reed bed. This is likely to cause significant odours. This is necessary to gain the benefits from the new system. The company would be anxious that the community is aware of this possibility if the applications are approved.

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. Before the development hereby permitted is first brought into operation, a scheme for the management and maintenance of the effluent treatment plant and associated sludge tank shall be submitted to and approved in writing by the Local Planning Authority. The treatment plant and sludge tank shall then be operated in accordance with the approved details.

Reason: In order to ensure that best practicable means are in place to operate and maintain the equipment and associated structure in the interests of the residential amenity of residents in the area of the plant.

3. This permission shall relate to the information accompanying the original application and the supplementary information contained in and attached to the following letters dated 27 April and 14 May 2001

Reason: For the avoidance of doubt

29/05/2001

Item A3**Reg. No.** 9 2001 0332 F**Applicant:**
Brandons**Agent:**
Alan Taylor
Talbot Associates
Liberty Farm
Findern Lane
Burnaston
Derbyshire
DE656LJ**Proposal:** The retention of a water detention pond, installation of a sump and soakaway system at Brandons Poultry Limited Hollybank Farm Scropton Road Scropton Derby**Ward:** North West**Valid Date:** 05/04/2001**Site Description**

The site comprises an existing lagoon enclosed by mounding. It lies in open countryside to the south-east of the existing Brandon's factory site. The site is located immediately to the south of the railway line.

The site lies within the flood plain of the River Dove. Hedges otherwise enclose the site.

Proposal

In response to the serving of an Enforcement Notice to secure the removal of the lagoon, the company has submitted proposals to retain the works. However, since submission, the application has been amended to show a soak away sump and 200 metres of 150mm dia of perforated pipe under the land.

Provision has also been made for a gap in the embankment of the lagoon which would allow water to flow into the lagoon area in times of flood.

Planning History

The applicant's formed a water detention lagoon some time ago. An application to retain the lagoon was submitted last year but was withdrawn. An enforcement notice requiring the removal of the lagoon was served earlier this year.

Responses to Consultations

Foston and Scropton Parish Council objects to this application in the strongest terms possible. It understands that an enforcement notice was served upon Brandon's to remove the lagoon. The Parish Council is unsure as to what stage this enforcement notice is at, but the smell imposed upon residents over a several mile radius, has not improved despite many meetings and discussions with Brandon's and Government departments. Promises made over the years to curb or eliminate the smell have not been kept and it is considered that the situation will only persist with the granting of permission for this application. It considers that the continual pungent smell from the site is an infringement of the Human Rights of residents over a wide area and that the opportunity now presents itself to remove this by refusing the application.

The County Highways Authority has no comment.

The Environment Agency (EA) has no land drainage objection provided the existing bunds are lowered at the south-eastern part of the site to allow the natural floodplain storage of the site to be restored to the satisfaction of the Agency. The comments of the EA on the amended drawings are awaited. They will be reported to the meeting verbally

Severn Trent Water has no objection.

Railtrack has no objection.

Responses to Publicity

Two letters have been received that object to the application on the following grounds: -

- a) Smells have been monitored over a number of months and the application should be refused on environmental health grounds. The site is an open pit full of rotting offal
- b) The enjoyment of local homes has been destroyed by the smells.
- c) The site is a potential hazard to children and animals.
- d) The enforcement notice has been ignored since it was served.
- e) There are clouds of insects around the pit.

Structure/Local Plan Policies

The relevant policies are:

Joint Structure Plan: General Development Strategy Policy 4

Local Plan: Environment Policy 1

Planning Considerations

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

- The need for the development in the countryside.
- The impact of the development on the area
- The affect of the development on nearby residents.

Planning Assessment

The policies of the development plan seek to restrict development in the countryside to that requiring such a location.

In this case, the lagoon, the subject of this application, was originally constructed to overcome waste water problems occurring at the applicant's factory. The works were carried out without the benefit of planning permission.

An enforcement notice has been served requiring the removal of the lagoon. Since that time the applicant has sought, through negotiation, to rectify the problems caused by the waste water from the factory. This has resulted in an application being made for an effluent treatment unit (Ref: 9/2001/0082) along with this submission, which seeks to further de-contaminate the waste water by means of a sump and soakaway system. This element of the application is necessary in this location and would have no detrimentally visual impact on the area. It is, therefore, acceptable in principle.

Discussions have continued with the applicant with regard to the removal of the second lagoon. Whilst willing to undertake the works necessary to relieve the current problems over smell the applicant retains concerns about the ability of this land to soak away the treated effluent. Particularly he has received complaints from his neighbour about runoff from the land. The lagoon had otherwise prevented this problem and he seeks to retain it in the short term to enable a period of time to elapse to ensure the new system works effectively.

The view of the Environmental Services Manager and the Environment Agency is that the treatment proposals referred to in application reg. No. 9/2001/0082 would help to significantly reduce the amount of material entering the lagoon area. This should ensure that the water entering the soak away would not have the potential for causing a smell nuisance.

Therefore, on balance, it is appropriate to approve this submission but, in view of the applicant's concern, to allow the retention of the lagoon banking for a temporary period to assess the performance of the soak away. A suitable length of time would be two years. A condition to this effect is recommended.

The overall impact of the retention of the banks constructed to form the lagoon, in the short term, is minimal. Their retention for a temporary period, would, therefore, not be visually damaging.

A gap in the banks of the lagoon is proposed. This would allow flood waters into the lagoon in times of flood.

The objections of the Parish Council and local residents are primarily related to the existing situation and the impact of the smell from water disposal from the factory on the area and residents. The measures proposed in this and application 9/2001/0082, in the opinion of the Environmental Health Services Manager and the Environment Agency, will alleviate that problem.

Recommendation

GRANT permission subject to the following conditions:

1. This permission, with regard to the lagoon and its associated embankments, shall be for a limited time period only, expiring on 31 May 2003 on or before which date the lagoon and all associated works including the embankments, shall be removed from the land and the site reinstated in accord with a scheme of works, including a time scale for the works, that shall be first submitted to and approved in writing by the Local Planning Authority unless, prior to that date, an application has been made and permission has been granted for an extended period.

Reason: In order that the effectiveness of the soakaway system can be assessed with a view to the full reversion of the land to the floodplain.

2. Notwithstanding the originally submitted details, this permission shall relate to the amended drawing no. 639/SS/2 submitted under cover of your letter dated 4 May 2001.

Reason: For the avoidance of doubt.

29/05/2001

Item A4**Reg. No.** 9 2001 0138 F**Applicant:**

Mr Mrs M Franklin
 20, Mayfair
 Newhall
 Swadlincote
 Derbyshire
 DE110UB

Agent:

Mr Mrs M Franklin
 20, Mayfair
 Newhall
 Swadlincote
 Derbyshire
 DE110UB

Proposal: The erection of a two storey extension and front proch at 20
 Mayfair Newhall Swadlincote

Ward: Newhall

Valid Date: 14/02/2001

Site Description

The site comprises one half of a pair of semi detached dwellings. The site is located on a street of similar units, some of which have been extended at single storey level.

Proposal

The applicants seek consent to erect a two storey side extension. The extension would extend the full depth of the dwelling and the full width of the drive that serves the dwelling. It would form a garage at first floor level with a study behind with two additional bedrooms at first floor level.

Responses to Consultation

The Highway Authority recommends that three parking spaces be maintained at the site.

Responses to Consultations

A single letter of objection has been received making the following points:

- (i) the light to the kitchen and landing would be blocked,
- (ii) the view from the kitchen and landing window would be blocked [this is not a matter material to the consideration of this application]
- (iii) there will be no windows on the side of the extension to aid reflecting light [this is not a matter material to the consideration of this application]
- (iv) the objector would be faced by a solid brick wall 7-8 feet from the kitchen and landing window,
- (v) the lack of light will result in plants and shrubs dying,

(vi) expense will be incurred if the objector needs to fell trees to assist in lessening the claustrophobic effect of the extension [this is not a matter material to the consideration of this application]

(vii) this may in turn lead to a fence being erected to compensate for the loss of the conifers [this is not a matter material to the consideration of this application]

(viii) the building of the extension would be detrimental if the objector ever wished to sell their house [this is not a matter material to the consideration of this application]

(ix) the objectors have been advised the applicants intend to leave shortly [this is not a matter material to the consideration of this application]

(x) the extension would not be sympathetic to the character of the area

Structure/Local Plan Policies

The relevant policies are:

South Derbyshire Local Plan: Housing Policy 13

Planning Considerations

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

- The effect the extension would have on the character and appearance of the area
- The effect the extension would have on the amenities of the adjoining neighbour
- Highway Safety

Planning Assessment

The site is located within a residential street that is formed of similar dwellings to that located on the site. Some of those dwellings have been extended but only at single storey level.

The Council's Supplementary Planning Guidance "Extensions" gives guidance on the design of extensions and states that, in general, extensions that would lead to the "terracing" of streets will not be encouraged. In addition, the Local Plan seeks to ensure that extensions to dwellings should be sympathetic to the character and appearance of the area in which they are located.

In this case the proposed extension would result in an enlarged dwelling that extends the full depth of the dwelling. Notwithstanding this, the design of the unit is satisfactory in that it replicates the design of the rest of the house and the low scale of the bungalow would not result in a terracing impact, even if replicated elsewhere, that would be detrimental. Therefore, notwithstanding supplementary guidance, in this case, the proposal is acceptable.

Whilst the comments of the neighbour are noted the impact of the extension would be on a landing window and a kitchen window. Landings, being non-habitable rooms, are not generally protected and the kitchen has its primary light source to the rear. Secondary side windows are also not generally afforded protection. Therefore, there would be no detrimental impact from the extension on the amenity of the neighbour.

The highway authority does not object to the extension, however, it does seek the provision of three parking spaces. However, the extension incorporates a garage and along with space on the drive would provide space for two vehicles within the curtilage. The provision of a third space is not necessary in this case.

The other matters raised by the objector are not material to the determination of this application.

Recommendation

GRANT permission for the following reasons:

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. 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. Thereafter, the agreed materials shall be used to construct the extension hereby approved.

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

3. 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 the dwelling. Thereafter three parking spaces, measuring a minimum of 2.4m x 4.8m, shall be retained for that purpose within the curtilage of the dwelling unless as may otherwise be approved in writing by the Local Planning Authority.

Reason: To ensure that adequate parking/garaging provision is available.

Informatives:

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

Further to the above Informative, the responsibility and subsequent liability for safe development and secure occupancy of the site rests with the developer and/or landowner. This grant of planning permission does not give a warranty of ground support or stability, neither does it necessarily imply that the requirements of any other controlling authority would be satisfied.

29/05/2001

Item **A5****Reg. No.** **9 2001 0198 U****Applicant:**

Mrs J Draycott
 383 Burton Road
 Midway
 Swadlincote
 Derbyshire
 DE117NA

Agent:

Mrs J Draycott
 383 Burton Road
 Midway
 Swadlincote
 Derbyshire
 DE117NA

Proposal: **The siting of three portable buildings and the use as a day nursery of unit 8 E& J W Lake Ltd Park Road Newhall Swadlincote**

Ward: **Newhall**

Valid Date: **07/03/2001**

Site Description

The site is located on the north west side of Park Road in Newhall. The site comprises a two storey, flat roofed former office building set back some 5m from the rear of the highway. The site is on the western fringe of Newhall and is set within a pocket of business uses which are excluded from the Green Belt and include Lakes Building Merchants, RC Scaffolding Limited and Garden King Garden Centre.

Proposal

It is proposed to convert the ground and first floor of the building into a nursery catering for children from babies to five-year-olds. Adjacent to the south-west end of the building it is also proposed to site two portable buildings with an overall floor area of 9.6m by 7m which would be linked to a portable toilet facility. To the rear of the building is a large expanse of concrete hardstanding to serve the commercial uses and part of this would be fenced off to form an enclosed play area for the nursery, part of which would be grassed. Provision would also be made for the parking of 13 cars.

Responses to Consultations

The Head of Environmental Health has no objections.

Derbyshire County Council Social Services has no objections.

The Highway Authority comments that peak times associated with the day nursery is unlikely to conflict with that generated by the adjacent garden centre and it has no objection to the parking spaces being available for both uses. In response to an amended layout it adds that there is

limited manoeuvring space behind spaces 8-13, but says that this would only be a problem if the garden centre parking area was physically separated.

Structure/Local Plan Policies

The relevant policies are:

Derby and Derbyshire Joint Structure Plan: General Development Strategy Policy 1; General Development Strategy Policy 3; Economy Policy 5; Transport Policy 1; Transport Policy 4

Local Plan: Employment Policy 8; Community Facilities Policy 1.

Planning Considerations

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

- The principle of the proposed development
- The reuse of a vacant building and the effect on nearby residents.
- Availability of modes of transport other than the private car.
- The siting of mobile buildings adjacent to the highway

Planning Assessment

This is an appropriate use of a vacant building in close proximity to the built up area of Newhall. It accords with planning policies that seek to promote the re-use of buildings and it is, therefore, in principle acceptable.

The site is located away from existing residential properties. Therefore, there would be no adverse impact from the use on the amenity of those properties.

There is a regular bus service along Park Road which connects to both Burton and Swadlincote. The use is, therefore, sustainable.

Appropriate boundary treatment could be provided to separate the nursery grounds from the neighbouring commercial uses and landscaping provided for the future amenity of the site and area. This would ensure the use was compatible with those surrounding uses.

The use of mobile buildings is not ideal and if in less than good condition could detract from the appearance of the area. It is therefore recommended that a time limit condition is imposed for this part of the development to enable the Authority to reconsider whether it is appropriate to allow the buildings to remain on site after a suitable period of time has elapsed to enable the business to become established. Permanent accommodation would be an appropriate solution to any long term accommodation needs.

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 drawing no. OSDN-SK01A dated February 2001 received on 11 April 2001 showing amendments to the car parking and boundary and the inclusion of a grassed area.

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

3. The areas shown on the submitted plan no OSDN-SK01.A for the parking and manoeuvring of vehicles shall be laid out, hard surfaced and marked out prior to the first use of the development hereby permitted. Thereafter those areas shall remain unobstructed for their designated use.

Reason: To ensure that all the activities associated with the development are contained within the curtilage of the site, so as to avoid parking and manoeuvring on the highway to the detriment of highway safety.

4. 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.

5. Further to condition 4 above, soft landscape details shall include planting plans; written specifications including cultivation and other operations associated with plant and grass establishment; schedules of plants (noting species, plant sizes and proposed numbers/densities where appropriate) and the implementation programme.

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

6. All hard and soft 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. Any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

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

7. Notwithstanding 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.

8. This permission for the portable buildings shall be for a limited period only, expiring on 29 May 2004 on or before which date the buildings shall be removed from the site and the area reinstated to the satisfaction of the Local Planning Authority unless, prior to that date, an application has been made and permission has been granted for an extended period.

Reason: To enable to reconsider whether it is appropriate to allow the buildings to remain on site in the interests of the appearance of the area.

29/05/2001

Item A6**Reg. No.** 9 2001 0247 F**Applicant:**

Mr I Hiatt
6, Repton Road
Willington
Derby
DE656BX

Agent:

B. Williamson
Mr. B. A. Williamson
Genista
Broomhills Lane
Repton
Derbyshire
DE656FS

Proposal: The erection of a two storey extension at the rear of 6 Repton Road Willington Derby

Ward: Willington

Valid Date: 16/03/2001

Site Description

The site comprises one of a pair of cottages fronting onto the Repton Road, Willington. To the north of the site is the access to a surgery that occupies the site to the north of the applicants property.

Proposal

The applicant seeks consent to erect a two storey rear extension on the property extending 2.3 metres from the rear face of the building. The consequence of the extension would be that additional windows are installed in the elevation of the property facing the surgery.

No windows are proposed in the elevation of the extension facing the neighbouring property.

Responses to Consultations

Willington Parish Council has no objection to the proposal.

Structure/Local Plan Policies

The relevant policies are:

Local Plan: Housing Policy 13
Supplementary Planning Guidance - Extensions.

Planning Considerations

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