

LIST OF PLANNING DECISIONS & CONDITIONS OR REASONS FOR REFUSAL BETWEEN 22/01/2010 - 29/01/2010 1

Our Ref 1008/0045 EH/00000051

Proposal RETENTION OF INTERNALLY ILLUMINATED FASCIA SIGN

Location 8 Albion Centre Ilkeston Derbyshire DE7

Decision INVALID **Date** 26 January 2010

Conditions or Reasons for Refusal:

Our Ref 0709/0021

Proposal RETENTION OF PRE-FABRICATED UNIT FOR SALE OF HOT FOOD

Location Land North of 61-63 Central Avenue Borrowash Derbyshire

Decision INVALID **Date** 26 January 2010

Conditions or Reasons for Refusal:

Our Ref CD8/1208/152 EH/00007287

Proposal PROPOSED ERECTION OF APPROXIMATELY 68 LINEAR METRES OF 2.4 METRE HIGH SECURIFOR 3D FENCE SYSTEM, 1 X SET OF 2.4M HIGH VEHICULAR ACCESS GATES AND 1 X SINGULAR PEDESTRIAN GATE AT 2.4 METRES IN HEIGHT. IN ADDITION A SECONDARY SET OF METAL BOWTOP GATES AND INFILL BOWTOP FENCING WILL BE INSTALLED AT 1.2 METRES IN HEIGHT. ALL FENCING TO BE POLYESTER, COLOUR COATED DARD GREEN RAL 6009

Location Breadsall CE Primary School Moor Road Breadsall Derbyshire DE21 5LA

Decision CD8 APP - NO OBJECTION **Date** 26 January 2010

Conditions or Reasons for Refusal:

Our Ref 0909/0044

Proposal CHANGE OF USE OF LAND TO PUBLIC RECREATIONAL AREA AND FORMATION OF CAR PARKING FACILITIES

Location Land Adjacent 501 Tamworth Road Sawley Derbyshire NG10 3GR

Decision Approve with Cond(Delegated) **Date** 28 January 2010

Conditions or Reasons for Refusal:

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

Reason

To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.

This permission shall relate to the following plans which were validated by the LPA on 29/09/09:-

- a) Drawing No: 09033.01 - Scheme Proposals;*
- b) Site Location Plan (Scale 1:1250)*

Any revisions to these plans may be subject to further consent.

Reason

For the avoidance of doubt as to what is approved and to satisfy the Town and Country Planning Act 1990 as amended.

Notwithstanding the details as submitted in the Planning Design and Access Statement (which accompanied the application), the private parking spaces shown on Drawing No: 09033.01 shall only be used by the residents of the flat above the ground-floor shops at 501 Tamworth Road, unless a further planning permission has been granted to vary this.

Reason

In the interests of the residential amenity of the occupants of neighbouring dwellings.

No lighting shall be installed within the car-parking areas hereby approved, unless the details of any such lighting have been submitted to and approved by the LPA, in writing, prior to installation. Thereafter, any lighting within the car-parking areas shall only be installed in accordance with the approved details.

Reason

As such details have not previously been submitted, and in the interests of visual amenity.

Before any other operations are commenced, a new vehicular access shall be created to Tamworth Road in accordance with the application details, laid out, constructed and furnished with 2m x 2m x 450 pedestrian intervisibility splays,

the area in advance of the sightlines being maintained clear of any obstruction greater than 600mm in height throughout the life of the development.

Reason

In the interests of highway safety.

The car-parking facilities shall not be taken into use for parking purposes until they have been laid out in accordance with the application details and surfaced with a solid bound material (including the access driveway) and thereafter maintained free of any impediment to the designated use for parking purposes throughout the life of the development.

Reason

In the interests of highway safety.

Notwithstanding the submitted drawing (No: 09033.01) there shall be no gates or other means of access closure within 5m of the nearside highway boundary (i.e. back of footway) and any gates or other means of access closure shall not open towards the highway. Details of any gates or other means of access closure shall be submitted to and approved by the LPA, in writing, prior to installation on site.

Reason

In the interests of highway safety.

Prior to the development commencing, and notwithstanding the submitted boundary treatment details, a scheme for an alternative means of enclosure around the car park shall be submitted to and approved by the LPA, in writing. Thereafter, the boundary treatment scheme shall be implemented, in accordance with the approved details, prior to the development being brought into use.

Reason

In the interests of security and residential amenity.

The car parking facilities shall not be brought into use until full details of both hard and soft landscape works (including details of the surfacing of the car parking areas) and a programme for implementation have been submitted to and approved by the LPA, in writing, and the works shall be carried out as so approved.

Reason

To ensure that satisfactory landscaping is provided within a reasonable period in the interests of visual amenity.

Prior to the development being brought into use, a scheme detailing how the residents using the private parking area shall gain entry to or exit from the public car park at times when it is closed to the general public, shall be submitted to and approved by the LPA, in writing.

Reason

As such details have not previously been submitted.

Summary of Policies and Reason for Decision

The proposed development is acceptable, because it is considered that the principle of using the land for public open space is appropriate as a facility for local people; there would be no detrimental impact on highway safety through the creation of the vehicular access and car-parking facilities; and any impact on the amenity of nearby residents through increased levels of vehicular noise/disturbance would not be significant enough to outweigh the overall benefit to the community of the development. Therefore, the development generally accords with the objectives of Policies LP1, DC10 and R5 of the Erewash Saved Policies (2008), Policies 1 and 2 of the East Midlands Regional Plan (2008), SPD: Design (2006), and the advice given in PPS1, PPG13 and PPG17.

The applicant is advised to contact Derbyshire County Council Highways Department on 01629 580000 and ask for extension 7642 in connection with the construction of the vehicular access or any works in the highway. Twelve weeks notice of the intention to start works in the highway limits should be given.

The applicant is advised that the requirements of Condition 7 may affect parking space number 12 on the submitted layout drawing, and consideration should therefore be given to an appropriate revision to the parking/landscaping layout adjacent to the site access.

With regard to Condition 8 the applicant is advised to discuss an alternative boundary treatment scheme with the Council's Crime Prevention Design Adviser (Keith Beswick Tel: 01629 538498) prior to submitting a revised scheme.

Our Ref 1109/0003 EH/00002065

Proposal RETROSPECTIVE APPLICATION FOR ALTERATIONS TO FACILITATE FORMATION OF FUNERAL HOME (INCLUDING NEW BOUNDARY TREATMENTS, AIR CONDITIONING UNITS, INFILL OF EXISTING DOORS AND WINDOWS, FORMATION OF NEW ENTRANCE AT REAR AND FLOOD-LIGHT ON REAR OF BUILDING)

Location 57 Lower Stanton Road Ilkeston Derbyshire DE7 4LR

Decision Approved with Conds(Committee) **Date** 27 January 2010

Conditions or Reasons for Refusal:

This permission shall relate to the submitted application as amended by the following revised plans relating to the air conditioning units and the flood-light at the rear of the building (Drawing Numbers: 09009.07 C) and the additional details submitted in relation to the air conditioning units and flood-light (including the Plant Noise Report and the technical details for the air conditioning units and the lighting unit), which were received by the LPA on 07/12/09 and 16/12/09, together with the information contained in the emails from the applicant's agent dated 07/12/09 and 16/12/09.

Reason

For the avoidance of doubt as to what is permitted.

Within 2 weeks of the date of this permission, additional details shall be submitted to the Local Planning Authority, in writing, relating to a) the flood-light time switch (i.e. length of time that the flood-light will be on) and b) the cowl on the flood-light to help shield the light spillage. The development shall, thereafter, be implemented in accordance with the approved details or within 4 weeks of the approval of the Local Planning Authority (if not already undertaken) and shall be retained as such throughout the life of the development.

Reason

As such details have not previously been submitted, and in the interests of residential amenity.

Summary of Policies and Reason for Decision

Summary of Policies and Reason for Decision

The development is considered to be acceptable as it is considered to be in keeping with the existing building and its surroundings; acceptable in terms of its impact on neighbouring residential amenity; and acceptable from a highway safety point of view, and so it generally accords with the objectives of Saved Policy LP1 and Saved Policy DC10 both of the Erewash Saved Policies (2005), SPD: Design (2006) and the advice given in PPS1, and in the opinion of the Local Planning Authority there are no other material considerations that indicate the decision should be taken at variance to these policies.

The applicant is advised to contact the Council's Environmental Protection Section (Laura Sharrock) in order to discuss legislative requirements relevant to occupational safety, and in order to discuss maintenance of air conditioning units to prevent noise nuisance from occurring.

The Planning Committee has suggested that the applicant may wish to consider erecting a canopy over the rear yard area. It is pointed out, however, that such a development would require the benefit of a separate planning permission. The applicant is advised to speak to the Council's Planning Section to discuss such a proposal, prior to making a planning application.

Our Ref 1109/0015 EH/00002065

Proposal RETROSPECTIVE APPLICATION FOR ADVERTISEMENT CONSENT FOR 2 EXTERNALLY ILLUMINATED FASCIA SIGNS AND ONE NON ILLUMINATED FASCIA SIGN

Location 57 Lower Stanton Road Ilkeston Derbyshire DE7 4LR

Decision Approved with Conds(Committee) **Date** 27 January 2010

Conditions or Reasons for Refusal:

This consent shall operate for a period of five years from the date of this decision.

Reason

In accordance with the requirements of Regulation 14 (7) of the Town and Country Planning (Control of Advertisements)(England) Regulations 2007.

The source of luminance for the fascia sign shall not contain any flashing or intermittently illuminated elements.

Reason

In the interest of highway safety and the visual amenity of the area.

This consent shall relate to the submitted application and to the clarification/additional details, as given in the emails from the applicant's agent dated 10/12/09, relating to the hours of illumination of the fascia signs i.e. that the fascia signs to the building will only be illuminated during the normal opening hours of the funeral home administrative office.

Reason

For the avoidance of doubt as to what is approved.

Summary of Policies and Reason for Decision

The signage proposal is acceptable as it is considered to be in keeping with the existing building and with its surroundings, and so it generally accords with the objectives of Saved Policy S10 (Advertisements) of the Erewash Saved Policies (2008), and in the opinion of the Local Planning Authority there are no other material considerations that indicate the decision should be taken at variance to these policies.

Notes to Applicant

The Council's Environmental Protection Section refers the applicant to the following document for advice: "Assessment of the Problem of Light Pollution from Security and Decorative Light, Published Guidance/Standards on Obtrusive Light, written by Temple (2006) available from the Defra website.

Our Ref 1109/0026 P3486

Proposal DEMOLITION OF EXISTING COMMUNITY HALL & CONSTRUCTION OF NEW COMMUNITY ANNEX

Location West Hallam Methodist Church High Lane West West Hallam Derbyshire DE7 6HQ

Decision Approved with Conds(Committee) **Date** 27 January 2010

Conditions or Reasons for Refusal:

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

Reason

To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.

Samples of the materials to be used in the external construction of the development shall be submitted to, and approved in writing by, the Local Planning Authority before the commencement of any development and the development shall only be undertaken in accordance with the materials so approved.

Reason

To ensure a satisfactory standard of external appearance

The amended parking layout submitted with this application shall be provided prior to the new annex being brought into use and shall be maintained thereafter free from any impediment to its designated use.

Reason

In the interests of highway safety.

No building shall be occupied until full details of both hard and soft landscape works including a programme for implementation have been submitted to, and approved in writing by, the Local Planning Authority and the works shall be carried out as approved

Reason

To ensure that satisfactory landscaping is provided within a reasonable period in the interests of visual amenity.

No building shall be occupied until a detailed scheme for the boundary treatment of the site, including position, design and materials, and to include all boundaries or divisions within the site, has been submitted to and approved in writing by the Local Planning Authority.

The approved scheme shall be completed before the building(s) is/are first occupied or such other timetable as may first have been agreed in writing with the Local Planning Authority.

Reason

To preserve the amenities of the occupants of nearby properties and in the interests of the visual amenity of the area.

In order to minimise noise disturbance to the occupiers of adjacent residential properties, construction work and deliveries to the site should only be permitted between the following hours:

Monday to Friday: 8.00a.m. to 6.00p.m.

Saturday: 8.00a.m. to 1.00p.m.

No work or deliveries to take place on Sundays, Public or Bank Holidays.

Reason

To protect the amenity of future occupants.

a The development shall not commence until a scheme to identify and control any environmental risk is developed and undertaken. This will include a desk top study (Preliminary Risk Assessment / Phase I Investigation) and, if indicated by the desk top study, an intrusive investigation (Generic Risk Assessment/ Phase II Investigation). The scope of the intrusive investigation must be approved by the Planning Authority before commencement. In reaching its decision to approve such proposals the Planning Authority will have regard to currently pertaining government guidance as set out in the CLR series of documents (particularly CLR 11) issued by DEFRA or any subsequent guidance which replaces it.

b A written method statement detailing the remediation requirements to deal with any environmental risks associated with this site shall be submitted and approved by the Planning Authority prior to commencement of the remedial works. The method statement should also include details of all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. All requirements shall be implemented according to the schedule of works indicated on the Method Statement and completed to the satisfaction of the Planning Authority prior to the development being brought into use. No deviation shall be made from this scheme without the express written agreement of the Planning Authority.

c If, during the development, any contamination is identified that has not been considered previously, then, other than to make the area safe or prevent environmental harm, no further work shall be carried out in the contaminated area until additional remediation proposals for this material have been submitted to the Planning Authority for written approval (this would normally involve an investigation and an appropriate level of risk assessment). Any approved proposals shall thereafter form part of the Remediation Method Statement.

d Prior to the development first being brought into use a verification report must be submitted to the Local Planning Authority demonstrating that the works have been carried out. The report shall provide verification that the remediation works have been carried out in accordance with the approved Method Statement. The development should not be brought into use until the verification report has been submitted to and approved in writing by the Local Planning Authority.

e In the event that it is proposed to import soil onto site in connection with the development the proposed soil shall be sampled at source such that a representative sample is obtained and analysed in a laboratory that is accredited under the MCERTS Chemical testing of Soil Scheme or another approved scheme the results of which shall be submitted to the Planning Authority for consideration. Only the soil approved in writing by the Planning Authority shall be used on site.

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

The applicant should produce a method statement detailing the measures they intend to take to minimise dust nuisance during demolition and construction activities. The method statement should have regard to best practice in respect of the control of dust and should be submitted to the local planning authority for approval prior to commencement of work on the site.

Reason

In the interests of health and safety;

This approval relates to the plans received by the Local Planning Authority on the 5 November 2009 - drawing numbers 01, 02, 03 Rev A, 04 Rev J and 05 Rev D, and any revision to these plans may be subject to further consent.

Reason

For the avoidance of doubt and to satisfy the Town and Country Planning Act 1990 as amended.

Summary of Policies and Reason for Decision

The proposal is considered to be of a suitable design that would not impact on the amenity of neighbours to a significant degree or cause harm to highways safety and so generally accords with the objectives of Policies 1 and 2 of the East Midlands Regional Plan (2009) and Saved Policies LP1, DC1 and DC10 of the Erewash Local Plan (2005), and in the opinion of the Local Planning Authority there are no other material considerations that indicate the decision should be taken at variance to these policies.

Notes to Applicant

Due to the close proximity to residential properties the applicant should take all reasonably practicable steps to minimise noise and dust nuisance that may arise from the activities on site;

Any lighting to be installed should be designed, angled and properly installed to avoid nuisance being caused to the occupiers for nearby properties. The applicant is advised to consult the Assessment of the Problem of Light Pollution from Security and Decorative Light, published Guidance/Standards on Obtrusive Light, written by Temple (2006) available from Defra's web site.

Our Ref 1109/0052

Proposal ALTERATIONS TO EXISTING SHOPFRONT

Location Unit B, Dales Shopping Centre The Village West Hallam Derbyshire DE7 6GR

Decision Refused(Delegated) **Date** 22 January 2010

Conditions or Reasons for Refusal:

"The proposals, especially the removal of the window from the western elevation, are considered harmful to the design of the building, reducing the retail appearance of the unit and consequently reducing the vitality and vibrancy of this small shopping centre to the detriment of the appearance of the conservation area. Additionally the loss of the window would reduce natural surveillance of the area outside the unit with implications for potential crime and disorder.

Consequently the proposal is considered contrary to the objectives of Planning Policy Statement 1 'Creating Sustainable Communities', Planning Policy Statement 4, 'Planning for Sustainable Economic Growth', Planning Policy Guidance Note 15 'Planning and the Historic Environment', Policies 1, 2 and 27 of the East Midlands Regional Plan (2009) and Saved Policies LP1, S9, EV5, DC9 and DC10 of the Erewash Local Plan (2005) and Erewash Borough Council's SPD on Shopfronts."

Note to Applicant

For the avoidance of doubt the signage shown on the plans is subject to separate application.

Our Ref 1209/0002 P3090

Proposal LISTED BUILDING CONSENT FOR SECONDARY GLAZED WINDOWS (BEHIND EXISTING WINDOWS)

Location 115-121 Derby Road Sandiacre Derbyshire NG10 5HZ

Decision Approve with Cond(Delegated) **Date** 27 January 2010

Conditions or Reasons for Refusal:

The works to which this consent relates shall be begun before the expiration of three years from the date of this consent.

Reason

To comply with the requirements of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

This permission relates to the amended plans received by the Local Planning Authority on 14 January 2010 and to the details contained in drawing numbers SS2 FF and SS3 FF.

Reason

For the avoidance of doubt.

Summary of Policies and Reason for Decision

The proposal is considered acceptable and so generally accords with the objectives of Planning Policy Guidance Note 15 and Saved Policy EV6 of the Erewash Local Plan (2005), and in the opinion of the Local Planning Authority there are no other material considerations that indicate the decision should be taken at variance to these policies.

Our Ref 1209/0001 P3227

Proposal ERECTION OF ONE 3 BEDROOMED CHALET BUNGALOW

Location Land North West Of 18 Trafalgar Road Long Eaton Derbyshire NG10 1DD

Decision Refused(Delegated) **Date** 27 January 2010

Conditions or Reasons for Refusal:

The proposed detached dwelling, by reason of its overall size, height and length would result in an over dominant and visually obtrusive form of development which would have a significant adverse impact on the residential amenity that the occupiers of No's.14 and 18 Trafalgar Road could reasonably expect to enjoy by way of loss of light, loss of outlook and overbearing impact. Consequently the proposal is considered to constitute an unneighbourly form of development contrary to the Erewash Borough Saved Policies H3 and D1.

The design of the proposed detached dwelling by reason of incorporating an eaves height and ridge height higher than that of the neighbouring properties at No's.14 and 18 Trafalgar Road would result in a visually obtrusive form of development which does not relate well to its surroundings and which would have a detrimental impact on the character and appearance of the street scene, and be detrimental to visual amenity in the area. On this basis, the design of the proposed detached dwelling is considered to be contrary to the Erewash Borough Saved Policies H3, H12 and DC10.

The Flood Risk Assessment submitted with this application does not comply with the requirements set out in Annex E, paragraph E3 of Planning Policy Statement 25 and as such the Local Planning Authority is not satisfied that the property and its occupants are suitably safe from the impact of flood waters. Consequently, the proposal is also in conflict with Erewash Borough Saved Policy DC7.

Note to Applicant

The applicant is advised that the Flood Risk Assessment submitted fails to consider the requirement for flood emergency planning including flood warning and evacuation of people for a range of flooding events up to and including the extreme event (as advised by Planning Policy Statement 25 (PPS25), paragraph G12 and the PPS25 Practice Guide, paragraph 7.23). A development must have adequate safe access and egress for the lifetime of the development, and thus climate change design levels should be used to analyse whether or not safe access and egress can be provided. Any resubmitted planning application should be accompanied with a Flood Risk Assessment which addresses the points raised.

Our Ref 1209/0005

Proposal PROPOSED HARDSTANDING FOR VEHICLE PARKING

Location 27 Chestnut Grove Sandiacre Derbyshire NG10 5EZ

Decision Approve with Cond(Delegated) **Date** 29 January 2010

Conditions or Reasons for Refusal:

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

Reason

To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.

This permission shall relate to Drawing Number 550113/SP03, which was validated by the LPA on 04/12/09, and on which the 'Proposed Site Layout' is actually at scale 1:50 (and not 1:100 as specified).

Any revision to this drawing may be subject to further consent.

Reason

For the avoidance of doubt as to what is approved and to satisfy the Town and Country Planning Act 1990 (as amended)

No gates shall be installed across the vehicular hard-standing area within 5.0m of the highway boundary (i.e. back edge of footpath), and any gates erected shall open inwards only.

Reason

In the interests of highway safety.

Notwithstanding the details given on Drawing Number 550113/SP03, the new wall to be erected around the proposed vehicular hard-standing shall be constructed with an external finish in brickwork i.e. to match the bricks on the existing dwelling house. The wall shall specifically not be constructed to have a blockwork external finish. Samples of the proposed bricks shall be submitted to and approved by the LPA, in writing, prior to construction of the wall on site.

Reason

In the interests of visual amenity.

Summary of Policies and Reason for Decision

The proposal is considered to be acceptable (subject to revised walling materials) as it will be in keeping with the existing dwelling and its surroundings; it will not have any significant impact on neighbouring residential amenity; and it will not adversely impact on highway safety. It therefore generally accords with the objectives of Saved Policies LP1, DC2 and DC10 of the Erewash Local Plan (2008), Erewash SPDs - 'Extending your Home' and 'Design' (Adopted 2006) and PPS1, and in the opinion of the Local Planning Authority there are no other material considerations that indicate the decision should be taken at variance to these policies.

Note to Applicant

The applicant is advised to contact Derbyshire County Council Highways Department on 01629 580000 and ask for extension 7642 in connection with the construction of the vehicular access or any works in the highway. Twelve weeks notice of the intention to start works in the highway limits should be given.

Our Ref 1209/0003 P1215

Proposal TWO-STOREY SIDE EXTENSION AND LOFT CONVERSION

Location 2 Birchwood Avenue Breaston Derbyshire DE72 3AQ

Decision Approve with Cond(Delegated) **Date** 28 January 2010

Conditions or Reasons for Refusal:

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

Reason

To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.

This permission shall relate to the amended drawings labelled proposed 02A, 03A, 04A, 05A, 06A, 07, 08, 09A, 10A received by the Local Planning Authority on 13 January 2010.

Reason

For the avoidance of doubt; the original proposals being considered unsatisfactory.

The external wall and roof materials used in the development shall be of the same type, texture and colour as those used in the existing building unless otherwise agreed in writing with the Local Planning Authority beforehand.

Reason

To ensure a satisfactory standard of external appearance.

a) No development shall take place until a proposal to adequately deal with the potential ground gas problem has been submitted to and approved by the Local Planning Authority.

b) A validation report detailing the gas protection steps taken must be produced and approved by the Local Planning Authority before bringing the development into use. c) If any unexpected contamination is found during the development, work must be stopped and a suitable remediation response agreed with the Local Planning Authority prior to recommencement of works.

Reason

The site is on drift deposits known locally to give ground gas problems (release of carbon dioxide) from time to time.

Summary of Policies and Reason for Decision

The proposal is considered acceptable and so generally accords with the objectives of Policies 1 and 2 of the East Midlands Regional Plan (2009) and Saved Policies LP1, DC2 and DC10 of the Erewash Local Plan (2005), and in the opinion of the Local Planning Authority there are no other material considerations that indicate the decision should be taken at variance to these policies.

Notes to Applicant

The appropriate actions to deal with the ground gas issue may include a full ground gas survey but this may be avoided at design stage. You are advised to contact the Council's Contaminated Land Officer for advice.

The Council's Environmental Health Officer advises that In order to minimise noise disturbance to the occupiers of adjacent residential properties construction work and deliveries should be restricted to between the following hours:

*8.00am and 6.00pm Monday to Friday,
8.00am and 1.00pm Saturday, and no work on Sundays, Bank and Public Holidays*

The Council's Environmental Health officer advises that to minimise dust nuisance during demolition and construction activities a method statement should be produced detailing the measures intended to be employed to minimise the nuisance. The method statement should have regard to established best practice on respect of the control of dust

Our Ref TREE/1209/1118

Proposal POLLARD 7 WILLOW TREES PROTECTED BY A TREE PRESERVATION ORDER

Location 11 Sawley Road Breaston Derbyshire DE72 3EF

Decision Approve with Cond(Delegated) **Date** 29 January 2010

Conditions or Reasons for Refusal:

Notwithstanding the submitted application details , the trees shall only be re-pollarded to the previous pollard level.

Reason

The reduction in height to 7 feet would cause subsequent re-growth to cause significant interference with the adjacent highway.

Summary of Policies and Reason for Decision

With respect to the comment within your application regarding the possibility of removing the Tree Preservation Order from the trees you are advised that Council's arboricultural adviser would not raise an objection to the trees being removed provided appropriate replacement planting were carried out.

Our Ref TREE/1209/1119

Proposal CUT BACK TWO WILLOW TREES

Location 58 Wharnccliffe Road Ilkeston Derbyshire DE7 5GF

Decision Approve with Cond(Delegated) **Date** 25 January 2010

Conditions or Reasons for Refusal:

Notwithstanding the submitted information the two Willows the subject of this application shall not be cut back by any more than 30%.

Reason

For clarification as to what is permitted as part of this approval.

Our Ref 1209/0016

Proposal TWO-STOREY EXTENSION TO PROPERTY TO FORM ONE NEW DWELLING UNIT

Location 47B King Street Ilkeston Derbyshire DE7 8GJ

Decision Refused(Delegated) **Date** 29 January 2010

Conditions or Reasons for Refusal:

In the opinion of the Local Planning Authority the proposed development would not be well related to, or in keeping with, its surroundings. It would give rise to a development which would fail to respect the principles of good urban design and sustainable development by poorly relating to the context in which it was located by virtue of the size, location, design and massing of the proposed extension. It is considered that the proposal will have a detrimental effect on the amenity of the surrounding occupiers and would have an unacceptably overbearing visual impact on those properties.

Accordingly the proposed development would not be in accordance with PPS1 - Delivering Sustainable Development or RSS8 - Policy 1: Regional Core Objectives and Policy 2: Promoting Better Design or Policy LP1 - Sustainable Development, Policy H1 - Urban Consolidation, Policy H12 - Quality and Design and Policy DC10 - Design, of the Erewash Borough saved Planning Policies 2008, or the SPD-Design (adopted Erewash Borough Council 2005).

Our Ref TREE/1209/1120 P3421

Proposal PROPOSED FELLING OF 3 CHERRY TREES WITH REPLACEMENT PLANTING

Location 4 The Green Breaston Derbyshire DE72 3DU

Decision Approve with Cond(Delegated) **Date** 29 January 2010

Conditions or Reasons for Refusal:

Notwithstanding the details submitted, 3 replacement trees, of sizes and species and in a positions to be agreed in writing with the local planning authority, shall be planted within 12 months of the date of the felling of the 3 Cherry trees which form the basis of this application.

Reason

To mitigate against the loss of the trees which are of some aesthetic value.

Note to Applicant

The applicant is advised to seek the advice of an Arboriculturalist as to appropriate species and planting methods to prevent possible conflict or damage to adjacent buildings.