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**Delegated report**      Officer: Teresa Turner

**Application ref. DMPA/2020/0996**

Replacement pillars and the widening of the site access involving partial demolition of current boundary wall at 30 Main Street, Repton, Derby, DE65 6EZ

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Valid date:                      15/09/2020

Consults expired:              06/11/2020

EIA development?              No

Section 106 agreement?      Not required

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This decision is delegated to officers under the terms of the current Scheme of Delegation.

**Relevant planning history**

9/2017/0034 – Replacement pillar(s) and the widening of the site access involving partial demolition of current boundary wall at 28 Main Street, Repton – Householder planning permission granted on 17th March 2017 (permission lapsed on 16th March 2020).

The proposed works would be located between 28 and 30 Main Street at their shared driveway entrance. The amended and approved 2017 application details regarding the piers and boundary wall are the same as the piers and wall identified in this current application (i.e. the same photo montage and drawings as amended during the determination of the 2017 application). The amended plans of the 2017 approval were requested by the case officer in order to lessen the impact/disruption to the trees adjacent to the left hand pier (as viewed from the road) and to enable the improved access to be in line with the existing dropped kerb.

DMPA/2020/1085 - Relevant demolition consent for the partial demolition of a boundary wall – running concurrently with DMPA/2020/0996.

**Responses to consultations and publicity**

The Conservation Officer has raised no objection to the proposed works subject to a materials condition requiring approval of the proposed reclaimed bricks, and a condition requiring approval of a mortar specification.

The County Highways Authority (CHA) has been consulted on the current proposal however no response has been received during the statutory consultation period. CHA raised no objection to the 2017 application and an informative was requested to advise the applicant that Derby County Council should be contacted regarding any works that would affect the adjacent highway.

**Relevant policy, guidance and/or legislation**

The relevant Development Plan policies are:

- 2016 Local Plan Part 1 (LP1): Policy S2 (Presumption In Favour of Sustainable Development), Policy SD1 (Amenity & Environmental Quality), Policy BNE1 (Design Excellence), Policy BNE2 (Heritage Assets), Policy INF2 (Sustainable Transport)
- 2017 Local Plan Part 2 (LP2): H27 (Residential extensions and other householder development), BNE10 (Heritage)
- Repton Neighbourhood Development Plan 2020 (NDP): H1 (The Limits of Development), H2 (Development within Settlement Confines), H4 (Design of New Developments)

The relevant local guidance is:

- South Derbyshire Design Guide Supplementary Planning Document (SPD)
- Repton Conservation Area Character Statement 2014 (CACS)

The relevant national policy and guidance is:

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)

### **Planning considerations**

Taking into account the application made, the documents submitted (and supplemented and/or amended where relevant) and the site and its environs; the main issue(s) central to the determination of this application is/are:

- The impact on the character and appearance of the conservation area;
- The impact on the living conditions of the adjoining properties and the general character and appearance of the area; and
- Highway implications.

### **Planning assessment**

#### The impact on the character and appearance of the conservation area

The two applications (0996 and 1085) concern the demolition of two gate-piers and a section of boundary wall at the frontage of 30 Main Street to widen the shared driveway [with 28 Main Street] followed by the making good and reforming of the demolished piers at the widened position. The proposal would effectively widen the driveway by 600mm from 3.15 metres to 3.75 metres for easier vehicular access with the left hand, as seen from the road, pier being rebuilt in its current position and the right hand pier rebuilt further north of its current position.

The piers would be rebuilt three brick courses shorter than the existing using reclaimed bricks and re-using the existing copings. The existing piers are 9 brick courses taller than the existing walls either side so rebuilding 3 courses shorter would do little to change their prominence in relation to the wall.

Subject to the conditions requested by the Conservation Officer the proposal would preserve the special architectural and historic character and appearance of the Repton Conservation Area as is described as a desirable objective within Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. As such the proposal would conform to the requirements of the NPPF and the objectives of Policy BNE2 of the LP1 and BNE10 of the LP2 in that the heritage asset (conservation area) would not be harmed.

#### The impact on the living conditions of the adjoining properties and the general character and appearance of the area

The proposal affects non-habitable structures (boundary wall and gate piers) and as such would have no impact on the surrounding neighbours. There would be no discernible impact on the existing street scene as the proposal seeks to widen the existing vehicular access and the character of this part of the street which features brick walls to both sides of the existing highway would be maintained.

As such the proposal would be considered to be in accordance with the requirements of NPPF and with the objectives of Policy BNE1 of the LP1 and Policy H27 of the LP2 in that the development would be in keeping with the character of the existing street scene and would not be unduly detrimental to the living conditions of adjoining properties or the general character of the area.

#### Highway implications

The proposal affects a highway edge boundary wall that forms an existing shared vehicular access to

28 and 30 Main Street, both of which are set back over 30m from the highway edge. The current proposal would be as per the previous 2017 approval to which the CHA had no objection. The existing vehicular access has a dropped kerb in place and the proposed widening of the access would bring it more in line with the extent of this kerb. As such, the existing access would be marginally improved by the proposed modifications and as such the proposal would be considered to conform to the requirements of Policy INF2 of the LP1 in that there would be no increased adverse impact on highway safety.

The proposal would conform to the requirements of Policies H1, H2 and H4 of the Repton NDP in that the site is within the settlement boundary of Repton and the proposed development would not adversely affect neighbouring properties and would have a negligible impact on the historic context of the conservation area.

The proposal would conform to Policy SD1 of the LP1 in that it would not lead to adverse impacts on the environment or amenity of existing and future occupiers within and around the proposed development.

The proposal would conform to the requirements of the NPPF and the NPPG and with Policy S2 of the LP1 in that planning applications received by the Council that accord with the policies in the Local Plan Part 1 (and where relevant, with policies in neighbourhood plans) will be dealt with positively and without delay unless material considerations indicate otherwise.

### **Recommendation**

Approve with Conditions

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, noting that conditions or obligations have been attached where meeting the tests for their imposition. Where relevant, regard has been had to the public sector equality duty, as required by section 149 of the Equality Act 2010 and to local finance considerations (as far as it is material), as required by section 70(2) of the Town and Country Planning Act 1990 (as amended), as well as climate change, human rights and other international legislation.

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| Recommendation made: | 12/11/2020      |
| Report agreed:       | 16/11/2020      |
| Authorised officer:  | Richard Stewart |

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