
Delegated report Officer: Holly Levy

Application ref. DMPA/2023/0809

Demolition of existing remaining walls forming a dilapidated structure and rebuilding the wall at 25 Weston Road, Aston-on-Trent, Derby, DE72 2AS

Valid date: 28/06/2023

Consults expired: 04/08/2023

EIA development? No

Section 106 agreement? Not required

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

Relevant planning history

9/2008/1078–The removal of Cedar Tree at 25 Weston Road Aston-on-Trent, Derby, DE72 2AS – Approved 10th December 2008.

9/2006/0042–The erection of an extension at 25 Weston Road Aston-on-Trent, Derby, DE72 2AS – Approved 07th March 2006.

9/2001/1147–The extension and conversion into self-contained living accommodation of an outbuilding at 25 Weston Road Aston-on-Trent, Derby, DE72 2AS – Approved 18th January 2002.

Responses to consultations and publicity

No consultation responses have been received by the Local Planning Authority from the general public in relation to this application.

Conservation Officer: The Conservation Officer raises no objection to the proposal subject to a condition requiring the materials to be used in the rebuild of the wall matching the existing.

Relevant policy, guidance and/or legislation

The relevant Development Plan policies are:

- Local Plan Part 1 (LP1):
- S2 (Presumption in Favour of Sustainable Development),
- SD1 (Amenity and Environmental Quality),
- BNE1 (Design Excellence),
- BNE2 (Heritage Assets),
- BNE4 (Landscape Character and Local Distinctiveness)

Local Plan Part 2 (LP2):

- SDT1 (Settlement Boundaries and Development),
- H27 (Residential Extensions and Other Householder Development)
- BNE10 (Heritage)

The relevant local guidance is:

- South Derbyshire Design Guide Supplementary Planning Document (SPD)

The relevant national policy and guidance is:

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

Planning considerations

In taking account of the application 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:

- Heritage
- Residential Amenity

Planning assessment

Application Site

The application site is 25 Weston Road, Aston on Trent, a primarily residential area located within the settlement boundary and within the Aston on Trent Conservation Area.

The dwelling house faces Weston Road but the siting of the wall subject to this application is located on Posey Lane nestled between No. 21 Weston Road and No. 3 Posey Lane, facing and visible within Posey Lane.

No. 21 Weston Road is a Listed building.

Proposed Development

The application proposes the demolition of an existing wall that is considered to be unstable and rebuild a replacement boundary wall in the same location, in reclaimed brick from the demolition and of the same design as the original wall.

It is proposed to demolish the wall facing Posey Lane as well as the side walls and remaining elements of the existing structure.

The wall facing Posey Lane has a length of 9.6m and a height of 2.7m with a single wooden door located somewhat centrally. The two return walls proposed to be demolished and re-built have a maximum length of 4.5m and would match the height of the Posey Lane frontage at 2.7m.

Heritage

The application site is located within the Aston on Trent Conservation Area adjacent to a Listed Building. The Conservation Officer has reviewed the proposal and has advised that whilst the construction is being altered it is to provide safety and stability as the former building is currently lacking structural support from a roof.

The replacement wall is to be constructed of reclaimed brick on the same footprint and of the same design as the existing wall. As such the proposed development is considered to have no detrimental impact on the character or appearance of the Conservation Area or the near by Listed Building.

On that basis the Conservation Officer has raised no objection to the proposal but has requested that a condition be added to any subsequent approval notice ensuring that the materials (the bricks, mortar, coping details and brick coursing) match the existing wall as best possible, in order to maintain the integrity of the heritage assets.

Resultantly, it is considered that the proposal complies with the requirements of Policies BNE1, BNE2, BNE4 and BEN10 of the Local Plan.

Residential Amenity

The protection of residential amenity is a material consideration in the decision making process, which is recognised within development plan policies H27 and BNE1, together with the advice within the Design SPD.

As the application proposes a rebuild of an existing wall on the same footprint and of the same design and dimensions, it is considered that the proposal would have no greater impact on the residential amenity of the occupiers of any of the neighbouring dwellings than that which already exists.

Consequently, it is considered that the proposal complies with the Local Plan Policies H27 and BNE1 of the development plan and advice within the SPD.

Conclusion

The proposed development is considered acceptable in terms of its scale, design, form and finish in the context of the Conservation Area and nearby Listed Building. It is also considered that the proposal would not have an adverse impact on residential amenity of the occupiers of the neighbouring properties.

On balance, the proposal is deemed to be compliant with the aims of the development plan policies listed above the the guidance within the Design SPG.

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.

Recommendation made:	07/09/2023
Report agreed:	14/09/2023
Authorised officer:	Steffan Saunders
