



Derby City Council

Mr Gibson
Studio Charrette
The Clubhouse
50 Grosvenor Hill
London
W1K 3QT

Planning Application Decision

Town and Country Planning Act 1990 (as amended)

Part 1: Application Details

Application No: 21/00591/FUL (please quote in correspondence)

Location:

Proposal: Erection of a boundary fence

Part 2: Decision

Permission is **granted** subject to the conditions in Part 5

Part 3: Reason for Decision

The proposal has been considered against the following Local Plan Policies, the National Planning Policy Framework where appropriate and all other material considerations.

The proposal is considered acceptable in Planning Policy terms in regards to highway safety, design, visual amenity and residential amenity.

In dealing with this application the City Council has worked with the applicant / agent in a positive and proactive manner and, whilst no amendments to the scheme were necessary in this case, it has been determined in a positive fashion.

Part 4: Relevant Policies

City of Derby Local Plan Review Saved Policies:

GD5 Amenity
H16 Housing Extensions

Derby City Local Plan Part 1 (Core Strategy) Policies:

CP3 Placemaking Principles
CP4 Character and Context
CP23 Delivering a Sustainable Transport Network

Development Control, Communities and Place, The Council House, Corporation Street, Derby, DE1 2FS
www.derby.gov.uk

To view Derby City Council Privacy Notices please visit derby.gov.uk/privacy-notice



Part 5: Conditions

General Conditions:

1. The development hereby permitted shall begin before the expiration of three years from the date of this permission.

Reason: As required by Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development shall conform in all aspects with the plans and details shown in the application as listed below.

Reason: For the avoidance of doubt.

Plan Type:	Plan Ref – Rev:
Layout	116-PL-EXT-OO-B
Location Plan	N/A

Pre Occupation Conditions:

3. The extended drive parking areas must be surfaced in a hard-bound material (not loose gravel) for the full length of the parking area behind the Highway boundary. The surfaced parking area shall then be maintained in such hard-bound material for the life of the development.

Reason: To reduce the possibility of deleterious material being deposited on the public highway (loose stones etc.) and to accord with the adopted policies of the Derby City Local Plan Part 1: (Core Strategy) and the saved policies of the adopted City of Derby Local Plan Review as included in this Decision Notice.

4. The extended drive parking areas must be constructed with provision to prevent the discharge of surface water from the parking areas to the public highway in accordance with details first submitted to and approved in writing by the Local Planning Authority. The provision to prevent the discharge of surface water to the public highway shall then be retained for the life of the development.

Reason: To ensure surface water from the site is not deposited on the public highway causing dangers to road users and to accord with the adopted policies of the Derby City Local Plan Part 1: (Core Strategy) and the saved policies of the adopted City of Derby Local Plan Review as included in this Decision Notice.

Signed:



Paul Clarke
Authorised Officer of the Council

Date: 08/06/2021

Part 6: Informative Notes to Applicant

1. The extended driveway makes it necessary to create a vehicular crossing over the footway of the public highway on Stockwell Drive, Derby. These works shall be constructed to the satisfaction of the Highway Authority. You are, therefore, required to contact StreetPride at Derby City Council to apply for a vehicle access licence under Section 184 of the Highways Act 1980 (as amended) to arrange for

these works to be carried out. Contact highways.maintenance@derby.gov.uk tel
0333 2006981

Notes

Appeals to the Secretary of State

- If you are aggrieved by the decision of your Local Planning Authority to refuse your application for the proposed development, or non-material amendment to a proposed development, or to grant it subject to conditions, then you can appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990.
- Please note, only the applicant possesses the right of appeal.
- Further information on how to appeal and the deadlines for different types of applications can be found at www.gov.uk/government/organisations/planning-inspectorate
- If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. [Further details are on GOV.UK.](#)
- The Secretary of State can allow a longer period for giving notice of appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to him that the Local planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions it imposed, having regard to statutory requirements, to the provisions of the development order and to any directions given under the order.
- In practice, the Secretary of State does not refuse to consider appeals solely because the Local planning Authority based their decision on a direction given by him.
- If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your Local Planning Authority's decision on your application, then you must do so within: 28 days of the date of the service of the enforcement notice, or within six months (12 weeks in the case of a householder appeal) of the date of this notice, whichever period expires earlier.

Purchase Notices

- If either the Local Planning Authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to reasonably beneficial use in its existing state nor can he render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted. In these circumstances, the owner may serve a purchase notice on the council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

E-mail: developmentcontrol@derby.gov.uk

Website: www.derby.gov.uk/environment-and-planning/planning/