



Derby City Council

Mr Mark Mirams  
Studio Charrette  
50 Grosvenor Hill  
London  
W1K 3QT

## Planning Application Decision

Town and Country Planning Act 1990 (as amended)

### Part 1: Application Details

**Application No:**

**Location:**

**Proposal:** Single storey side extension to dwelling house

### 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 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:

H16 Housing Extensions GD5

Amenity

E18 Conservation Areas E21

Archaeology

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

CP1A Presumption in Favour of Sustainable Development

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Development Control, Communities and Place, The Council House, Corporation Street, Derby, DE1 2FS  
[www.derby.gov.uk](http://www.derby.gov.uk)

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- CP2 Responding to Climate Change
- CP3 Placemaking Principles
- CP4 Character and Context

**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 must conform in all aspects with the plans and details shown in the application as listed below. (It is very important to note that, in order for this decision to be lawfully implemented, all approved plans and details must be adhered to and any other condition(s) attached to this decision must be formally discharged, by separate Discharge of Condition applications, in accordance with the relevant timeframe).

Reason: For the avoidance of doubt and to define the bounds of this decision.

<b>Plan Type:</b>	<b>Plan Ref – Rev:</b>	<b>Date received:</b>
Location Plan	P1	27/07/2022
Elevations - Proposed	P5	27/07/2022
Floor Plans - Proposed	P3	27/07/2022

**Pre Commencement Conditions:**

3. No development shall take place until a written scheme of investigation (WSI) for archaeological work has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no development shall take place other than in accordance with the agreed WSI, which shall include the statement of significance and research objectives; and:
  - o The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works
  - o The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI

Reason: In the interests of protecting and preserving important archaeological remains 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. Prior to development commencing details of the site drainage system shall be submitted to and approved in writing by the Local Planning Authority. Details shall include a sustainable drainage system which must restrict run-off to greenfield rates (incorporating measures such as rain gardens, tree pits or permeable paving, or use infiltration. The development shall be carried out in accordance with the approved details.

Reason: In the interests of preventing flooding 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.

**Pre Occupation Conditions:**

5. Development shall be carried out in facing materials to match, as closely as possible the facing materials on the existing dwelling unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the external appearance of the building is satisfactory 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:

A handwritten signature in black ink, appearing to read 'P. Clarke', with a stylized flourish underneath.

Paul Clarke  
Authorised Officer of the Council

Date: 20/09/2022

## 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](http://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](mailto:developmentcontrol@derby.gov.uk)

Website: [www.derby.gov.uk/environment-and-planning/planning/](http://www.derby.gov.uk/environment-and-planning/planning/)