
Delegated report Officer: Eleanor Overton

Application ref. DMOT/2019/0955

Non-material minor amendment to permission ref. 9/2018/0812 seeking shared surface treatment and bell-mouth junction on spine road (subject to Section 38 highways agreement) (relating to approval of reserved matters for access, layout, scale, appearance and landscaping of outline permission ref. 9/2014/0888 in so far as the access roundabout, spine road, green infrastructure, open space and drainage) on Land @ SK2819 1873 (Site C), Cadley Park, William Nadin Way, Swadlincote

Valid date: 19/08/2019

Consults expired: 13/09/2019

EIA development?

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

Relevant planning history

9/2018/1276: Approval of reserved matters of outline permission ref. 9/2014/0888 for the erection of 400 dwellings with associated car parking, landscaping and internal access roads - Approved March 2019

9/2018/0812: Approval of reserved matters for access, layout, scale, appearance and landscaping of outline permission ref. 9/2014/0888 in so far as the access roundabout, spine road, green infrastructure, open space and drainage - Approved December 2018

9/2014/0888: Outline application (all matters except for access to be reserved) for up to 400 dwellings, together with associated highways works, public open space to include children's play space, sports pitches and erection of changing facilities, new urban park, landscaping, associated drainage infrastructure (including SuDS), and creation of pedestrian and cycle ways - Approved June 2018

Responses to consultations and publicity

None relevant.

Relevant policy, guidance and/or legislation

Development Plan Policies

The relevant policies are:

- 2016 Local Plan Part 1 (LP1): S1 (Sustainable Growth Strategy), S2 (Presumption in Favour of Sustainable Development), H2 (Land north of William Nadin Way), SD1 (Amenity and Environmental Quality), SD3 (Sustainable Water Supply, Drainage and Sewerage Infrastructure), BNE1 (Design Excellence), INF2 (Sustainable Transport)

National Guidance

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

Local Guidance

- Design Guide Supplementary Planning Document (SPD)

Planning considerations

This application has arisen as there is a discrepancy between the highway design shown on two reserved matters consents for the development. The plans submitted in relation to application ref. 9/2018/1276 (for the erection of 400 dwellings) illustrate the inclusion of a shared surface treatment and a bellmouth junction to the vehicular access to the western parcels of development, and the reserved matters consent for the enabling works ref. 9/2018/0812 do not.

Planning assessment

The suitability of the area of alternative highway surfacing material and the proposed bell mouth junction have been previously assessed as acceptable from both a highway safety perspective and in terms of character and appearance, within the appraisal relating to application ref. 9/2018/1276. This application merely seeks to ensure that the plans relating to the development are consistent in terms of their detail. No material planning issues are therefore raised by this submission and the amendment is not considered material.

Recommendation

Approve

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:	11/09/2019
Report agreed:	24/09/2019
Authorised officer:	Chris Nash
