
Delegated report Officer: Christina Farrer

Application ref. DMPA/2019/0911

The erection of front and rear extensions at 88 Elmsleigh Drive, Midway, Swadlincote, DE11 0EP

Valid date: 12/08/2019

Consults expired: 11/09/2019

EIA development? No

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

Relevant planning history

None

Responses to consultations and publicity

1 letter of objection has been received which raises the following points

- A concrete bollard has been removed from the grass verge.
- 3 cars regularly park on the grass which blocks views when exiting Elmsleigh Close and prevents mowing.
- Foundations have now been dug at the rear, concrete for the foundations has arrived and a cement mixer has been delivered.
- Scaffolding has now been erected front and rear.
- There is a 30ft caravan at the site.
- The neighbour notification serves little purpose given that the above has occurred already.

Relevant policy, guidance and/or legislation

The relevant Development Plan policies are:

- 2016 Local Plan Part 1: S2, SD1, SD3, BNE1, BNE4, INF2
- 2017 Local Plan Part 2: H27, BNE5, BNE7

Relevant local guidance is:

- Design Guide Supplementary Planning Document (SPD)

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 document 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:

- Design and the visual amenities of the area;
- Amenity of neighbours;

- Parking and highway safety; and
- Impact on existing trees.

Planning assessment

Design and the visual amenities of the area

Policy BNE1 highlights the importance of new development being visually attractive, appropriate and of a high standard of architectural quality. Policy H27 specifically relates to new residential extensions and householder development stating that such development *"will be permitted provided that the proposals: are of a scale and character in keeping with the property, and the general character of the area"*. The Design SPD at Appendix A provides more detailed guidance on matters of scale, character and form, position and materials.

The proposal includes a single storey rear extension to provide a sun lounge and extension to the front of this semi-detached dwelling. The front extension would consist of a single storey element with a hipped monopitch roof and an adjoining roof canopy over a retained ground floor window, and a first floor extension in the form of a 'bay'. The latter would have angled sides and a flat roof that would finish higher than the existing eaves of the dwelling. The use of matching brickwork and roof tiles is stated.

The Design Guide recognises that extensions to the front of dwelling's have the greatest impact on the streetscene, and the existing building line should be considered. In this case the dwelling is one of a pair of semis which stand alone between dwellings that turn the corner and front neighbouring cul de sacs. They are set back from the road. The provision of a front extension of the depth proposed is considered acceptable in principal in terms of the visual impact. On paper the design looks unusual and perhaps something that would not ordinarily be supported, as it could look discordant to the host building and incongruous in the streetscene. However, in its wider context the design would blend acceptably with the character and appearance of the area by virtue of the very similar 2 storey bay features of the semi-detached dwellings on the neighbouring cul de sac (Elmsleigh Close) and opposite at number 103. Like the proposal, there is one such bay per pair of semis and each has a flat roof that finishes higher than the eaves level of the main roof. It appears that the proposed design has taken careful reference from such to achieve additional living space at the first floor level. Passers by would see the first floor bay in the context of the similar bays around the cul de sac, albeit the one at this property would sit above the ground floor extension and be visible from the junction almost opposite.

On balance it is considered that the extensions will integrate satisfactorily with the host property and not harm the visual amenities of the streetscene, subject to the use of matching materials (and not render as included on the application form). This can be secured by condition.

In conclusion, subject to the aforementioned condition the proposal would suitably comply with the relevant Local Plan Policies and the Design SPD in terms design and visual amenity.

Amenity of neighbours

Policies SD1, BNE1 and H27 seek to protect the privacy and amenity of existing and future occupiers, with specific 'Distance Guidance' contained with the Design SPD.

The rear extension would be single storey only and have windows on the rear elevation and glazed French doors on the side elevation facing west. Given the limited height of the extension, the difference in land levels (the land at No.88 being around 1m lower than rear garden of the dwelling to the west (No.2 Elmsleigh Close) and the provision of boundary treatment; this rear extension would have no adverse impact on the amenity of neighbours in terms of light to windows, privacy or any overbearing effect. Part of the rear garden boundary fencing is missing at present whilst internal works progress at No.88. It is assumed that replacement fencing will be installed by the side responsible for the various boundaries in due course.

The front extension would not contravene the Design Guide in terms of the impact on neighbours'

amenity, with the side of the first floor bay being angled to avoid a 45 degree line from the neighbouring primary windows being encroached. The scale, angled bay and window positions would prevent any loss of privacy or materially overbearing affect.

In conclusion, it is considered that the proposals suitably complies with the relevant Local Plan Policies and the Design SPD in terms of neighbours' amenity.

Parking and highway safety

Policy INF2 requires that appropriate provision is made for safe and convenient access, and that parking provision should have regard to parking standards. The Design SPD strongly encourages the provision of adequate parking spaces per dwelling, and recommends that two spaces be provided for homes of three bedrooms or more.

The number of bedrooms at the dwelling would remain at 3 and there is a large hardstanding area to the side of the dwelling that is capable of accommodating more than 2 cars. At present a large mobile home is sited on this land, which is acceptable in planning terms whilst the house cannot be lived in as significant internal works progress. An informative can reference that this mobile home must be removed from the site once works are complete (possibly including the proposed extension/s) and dwelling becomes habitable. At this point the land where the mobile home currently stands would return to being off street parking space for vehicles associated with the domestic occupation of the dwelling. This should overcome some of the issues raised by a neighbour.

In conclusion, the development would raise no highway safety issues, such that Local Plan Policy INF2 and the parking requirement of the Design SPD would be complied with.

Impact on existing trees

The development itself would have no impact on any existing trees, such that the requirements of Policies BNE4 and BNE7 would not be compromised.

Other issues

The site is located within an area identified as being at high risk from historic coal mining activity and, therefore, an informative advising the applicant of this matter will be attached.

Some ground work may have occurred at the rear of the property but even if such is footings for the proposed rear extension such would not amount to a 'material commencement' of the development applied for. It is, therefore, appropriate to attach a time limit condition to the permission (i.e. commence the permission within 3 years).

Any removal of a highway bollard is a matter for the Highway Authority.

Whilst the delivery of cement, a mixer and the erection of scaffolding may suggest that the applicant has been assumed that planning permission will be forthcoming, this is not a material consideration in the determination of the application nor a breach of planning legislation.

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:	30/09/2019
Report agreed:	07/10/2019
Authorised officer:	Chris Nash
