
Delegated report Officer: Laura Hayes

Application ref. DMOT/2019/0999

Application for approval of details required by conditions 2 and 3 attached to planning application ref. 9/2018/1257 (relating to the approval of reserved matters for 4 dwellings under outline permission ref. 9/2016/0601) at 430 Burton Road, Midway, Swadlincote, DE11 0DW

Valid date: 27/08/2019

Consults expired: 30/09/2019

EIA development?

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

Relevant planning history

9/2018/1257 - APPROVAL OF RESERVED MATTERS FOR 4 DWELLINGS (INCLUDING LAYOUT, SCALE, APPEARANCE AND LANDSCAPING) OF OUTLINE PERMISSION REF. 9/2016/0601 - approved with conditions - 1st March 2019

9/2016/0601 - OUTLINE APPLICATION (ALL MATTERS EXCEPT FOR ACCESS TO BE RESERVED) FOR THE RESIDENTIAL DEVELOPMENT OF 4 DWELLINGS ON LAND - approved with conditions - 22nd September 2016

Responses to consultations and publicity

None received at time of report.

Planning considerations

This application seeks the approval of details required by conditions set out on the parent permission such that the scope of planning considerations is confined to the matters which those conditions seek to control or address. Matters of principle are thus not of relevance under this assessment.

Planning assessment

Submitted in support of this application were the following documents/ drawings as received by the Local Planning Authority on 25th October 2019:

- Site Layout and Location Plans drg no. 880-01 Revision C
- 880 – Planting Schedule Revision 1

The assessment on the suitability of the information provided to discharge the requirements of each of the conditions will be assessed in turn, in the following sections of this report.

Condition 2 attached to planning approval ref: 9/2018/1257 reads as follows:

'Notwithstanding the approved plans/drawings, prior to the occupation of a dwelling hereby approved, a revised scheme of soft landscaping shall be submitted to and approved in writing by the Local Planning Authority. The details submitted shall specify plant species, size/age, numbers and locations. All planting, seeding or turfing comprised in the approved details of soft landscaping shall be carried out in accordance with the approved scheme and no later than the first planting and seeding seasons following the first occupation of each respective dwelling (in so far as the landscaping within that plot) or the completion of the development, whichever is the sooner; any plants which within a period of five years (ten years in the case of trees) from their planting die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species and thereafter retained for at least the same period, unless the Local Planning Authority gives

written consent to any variation.

Reason: In the interest of the visual setting of the development and the surrounding area.'

The information provided demonstrates that a suitable mixture of planting with different heights, textures and colours of typical domestic typology consistent with the immediate area are proposed for the residential development at this site. The amount of planting shown taking into consideration the size/heights of the species proposed is, also considered to be acceptable. The planting proposed to the frontage and side boundaries most prominent when travelling south down Burton Road are of suitable type and will grow to overall heights mirroring existing planting at neighbouring residential developments. The siting of other plants on the site are also considered acceptable. It is therefore considered that the information provided is sufficient to formally discharge this condition.

Condition 3 attached to planning approval ref: 9/2018/1257 reads as follows:

'Notwithstanding the plans hereby approved, prior to the construction of a boundary wall, fence or gate, details of the appearance and materials of such boundary treatments shall be submitted to and approved in writing by the Local Planning Authority. The boundary treatments shall be completed in accordance with the approved details before the respective dwelling(s) to which they serve is/are first occupied or in accordance with a timetable which shall first have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of the character and appearance of the area.'

A mixture of brick walls to match those used in the rest of the development, dwarf stone walls matching existing and timber fencing and gates are proposed. The information provided demonstrates that boundary treatments including walls, fences and gates of a suitable type and height will be installed on site which are similar to others used in the immediate residential area. The materials and finishes chosen are considered acceptable. It is therefore considered that the information provided is sufficient to formally discharge this condition.

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:	28/10/2019
Report agreed:	29/10/2019
Authorised officer:	Richard Stewart
