
Delegated report Officer: Kim Parkes

Application ref. DMPA/2020/0681

Erection of a single storey side extension at 17 Walton Close, Swadlincote, DE11 9SH

Valid date: 08/07/2020

Consults expired: 17/08/2020

EIA development? No

Section 106 agreement? Not required

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

Relevant planning history

None relevant.

Responses to consultations and publicity

None received.

Relevant policy, guidance and/or legislation

The relevant Development Plan policies are:

- Local Plan Part 1 (LP1): SD1 (Amenity and Environmental Quality), SD4 (Contaminated Land and Mining Legacy Issues), BNE1 (Design Excellence), BNE4(Landscape), INF2 (Sustainable Transport)
- Local Plan Part 2 (LP2): H27 (Residential Extensions and Other Householder Development), BNE10 (Heritage) BNE7 (Trees)

The relevant local guidance is:

- South Derbyshire Design Guide Supplementary Planning Document (SPD)

The relevant national policy and guidance is:

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

Planning considerations

In taking account of the application documents submitted (and supplemented and/or amended where relevant) and the site and its environs; the main issues central to the determination of this application are:

- Design;
- Amenities;
- Parking;
- Trees; and
- Mining Legacy.

Planning assessment

Design

The proposal would be subordinate to the host and in a non-prominent position. As such there would be no harm to the general character of the area and the proposal is in accord with Policies BNE1 & H27.

Amenity

Having regard to the proximity of neighbours' main and secondary windows and existing boundary screening the proposal is wholly compliant with SPD separation guidelines. The impacts on neighbours' living conditions would thus be acceptable and in accordance Policies SD1 & H27.

Parking

The proposal would retain existing driveway parking for at least two cars. As such there is no offence to the SPD or Policy INF2.

Trees

There is a mature trees in the open space separating Walton Close and Ladybower Close. The extension would be well outside its root protection area and there would be no adverse landscape or arboricultural implications in accordance with Policies BNE4 & BNE7.

Mining legacy

The site lies in an area affected by previous coal mining activity. An appropriate informative, drawing attention to Coal Authority Standing Advice, would adequately safeguard this issue in accordance with Policy SD4.

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:	01/09/2020
Report agreed:	02/09/2020
Authorised officer:	Chris Nash
