
Delegated report Officer: Teresa Turner

Application ref. DMPA/2020/1389

The demolition of single storey side extension and the erection of a 2-storey side extension, single storey porch extension and a single storey detached garage at 16 Portland Street, Etwall, Derby, DE65 6JF

Valid date: 14/12/2020

Consults expired: 26/02/2021

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

9/2012/0935/FH – The erection of extensions and external alterations – Householder planning permission granted on 18th December 2012.

9/2018/0004/FH – The erection of an extension and a garage – Householder planning permission granted on 27th February 2018.

Both of the above applications relate to a 2-storey extension to the north side of the host as is proposed with the current application. The 2018 application included the detached garage.

Responses to consultations and publicity

The Conservation Officer comments that the submitted plans are as per the previously approved 2018 scheme and as such planning permission should be granted, subject to the same conditions as before in respect of the historic environment (3 – facing and roofing materials; 4 – mortar specification; 5 – pointing and brickwork sample panel; 6 – eaves and verge details to match existing; 7 – cills and lintels to match existing; 8 – vents, flues and services to be internal unless confirmed otherwise). There would be no need for condition 9 which required rainwater goods to be black metal, as the existing property is of black plastic throughout and this condition was unnecessarily restrictive as it could not have compelled the replacement of gutters and downpipes on the existing part of the property and could have led to a mismatched system.

Officer comments: Condition 9 of 9/2018/0004 required gutters and downpipes to have a black finish rather than the stipulation that they be metal. This condition will be re-imposed for clarity.

Relevant policy, guidance and/or legislation

The relevant Development Plan policies are:

- 2016 Local Plan Part 1 (LP1): Policy S2 (Presumption In Favour of Sustainable Development), Policy SD1 (Amenity & Environmental Quality), Policy BNE1 (Design Excellence), Policy BNE2 (Heritage Assets)
- 2017 Local Plan Part 2 (LP2): H27 (Residential extensions and other householder development), BNE10 (Heritage)

The relevant local guidance is:

- South Derbyshire Design Guide Supplementary Planning Document (SPD)
- Etwall Conservation Area Character Statement 2011 (CACS)

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 documents 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:

- The impact on the character and appearance of the conservation area; and
- The impact on the living conditions of the adjoining properties and the general character and appearance of the area.

Planning assessment

The impact on the character and appearance of the conservation area

The application property is located within the key service village and conservation area of Etwall. The building has been identified as one that makes a positive contribution to the character and appearance of the conservation area in the Adopted CACS and it appears to date from the late 19th Century and, judging by its appearance, was originally intended to be one of a pair or a terrace that was never completed. The building therefore has a truncated appearance, which would be better balanced by the 2-storey north side addition now proposed. The work would also involve the partial demolition of a front facing boundary wall more than 1 metre high and fronting a highway within a conservation area and the removal of front facing gates (themselves apparently unauthorised but likely more than 4 years old as they appear on the 2018 versions of the plans).

The application is in effect the same as the one submitted and approved back in 2018, to the extent that initial plans and amended plans from the 2018 submission have been resubmitted for this application and this assessment is based on the amended plans with red colouring on the elevations for new areas of brickwork and which correctly show existing window detailing on the 'as existing' elevations. It should be noted that agreement was obtained from the applicant via email on 22/01/2021 for the removal of the submitted plan that shows both existing and proposed elevations and floor plans as this was the 'initial' plan that was subsequently amended during the course of the 2018 application. This plan does not now form part of the current submission and has been removed from the public register for the avoidance of any doubt.

Having considered the 9/2018/0004 decision, the Local Planning Authority would be of the view that the situation on the ground remains the same and, to the extent to which planning policy (local and national) has changed in the interim, there are no new heritage or historic environment policies which would change the previous assessment of the application. As such, and as before, the proposal would preserve the contribution which this property makes to the special architectural and historic character and appearance of the conservation area, achieving the objective described in Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. The proposal would therefore conform to the requirements of the NPPF and the objectives of Policy BNE2 of the LP1 and BNE10 of the LP2 in that the heritage asset (conservation area) would not be harmed.

The impact on the living conditions of the adjoining properties and the general character and appearance of the area

As stated above, the submitted plans are as per the previously approved scheme of 2018 which was assessed as having no adverse impact on the living conditions and amenities of the surrounding neighbours in terms of overbearance and preserving privacy, and having an acceptable impact on the street scene and general character of the area. There has been no change in national or local policy that would warrant a different view and as such the proposal would be considered to be in accordance

with the requirements of the NPPF and with the objectives of Policy BNE1 of the LP1 and Policy H27 of the LP2.

The proposal would conform to Policy SD1 of the LP1 in that it would not lead to adverse impacts on the environment or amenity of existing and future occupiers within and around the proposed development.

The proposal would conform to the requirements of the NPPF and the NPPG and with Policy S2 of the LP1 in that planning applications received by the Council that accord with the policies in the Local Plan Part 1 (and where relevant, with policies in neighbourhood plans) will be dealt with positively and without delay unless material considerations indicate otherwise.

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:	02/03/2021
Report agreed:	05/03/2021
Authorised officer:	Steffan Saunders
