
Delegated report Officer: Thomas Beardsmore

Application ref. DMPA/2021/0235

The erection of a detached dwelling (as per approved outline application DMPA/2020/0479 with revised site access) at 7 Rosliston Road South, Drakelow, Swadlincote, DE15 9UD

Valid date: 04/03/2021

Consults expired: 29/03/2021

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

DMPA/2020/0479 Outline application (all matters except for access to be reserved) for the erection of a detached dwelling with shared access - Approved July 2020

Responses to consultations and publicity

Network Rail - Noted that the resubmitted application features a corrected red line boundary plan which now agrees with our own records. Subject to the boundary fence being implemented as indicated on the proposed site layout plan, they have no objections to the scheme.

Environmental Health - The property is located within influencing distance of areas of unknown infilled ground which has been classed as medium risk, therefore they request ground gas protection measures as part of the property. They require update on form of waste water systems (currently stipulated as 'unknown') and would require this information to understand if they are connecting to existing foul water systems or require to put in relevant waste water systems which may require additional planning or environmental permits. Due to the close proximity of the residents, there is a potential for impacts on air quality and noise to neighbours. In regards to the air quality of the development, the new house introduces additional vehicles to access the property in the future, as part of supporting the sustainability aims with transport to support improving air quality, this development should ensure future proofing of Electric vehicle infrastructure. No objections, subject to conditions.

Derbyshire Wildlife Trust - They do not anticipate any substantive ecological impacts associated with the proposed development. The erection of a new dwelling does however provide opportunities to secure a net gain for biodiversity in line with the objectives of the National Planning Policy Framework and policy BNE3 of the South Derbyshire Local Plan through the incorporation of features for roosting bats and nesting swifts on the new building. This should be secured by a planning condition.

County Highways Authority - The current application is for a separate access off Rosliston Road South. The wall either side of the access is at height 600mm and therefore the visibility splays are provided for both vehicular and pedestrian splays as well as the provision for turning space within site. The adjoining site (existing dwelling no. 7) to the north also maintains their parking and turning space with their existing access. The proposal is for a 4 bedroom dwelling for which 3 parking spaces are provided and is satisfactory. No objections subject to conditions.

Relevant policy, guidance and/or legislation

The relevant Development Plan policies are:

- Local Plan Part 1 (LP1): S1 (Sustainable Growth Strategy), S2 (Presumption in Favour of Sustainable Development), S6 (Sustainable Access), H1 (Settlement Hierarchy), SD1 (Amenity and Environmental Quality), SD3 (Sustainable Water Supply, Drainage and Sewerage Infrastructure), BNE1 (Design Excellence), BNE3 (Biodiversity), BNE4 (Landscape Character and Local Distinctiveness), INF2 (Sustainable Transport) and INF8 (National Forest).

- Local Plan Part 2 (LP2): SDT1 (Settlement Boundaries and Development), BNE5 (Development in the Countryside) and BNE7 (Trees and Development)

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

Taking into account the application made, the 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:

- Principle of development;
- Highway safety and parking;
- Design principles; and
- Neighbouring amenity.

Planning assessment

Principle of development

Given that the site is the subject of an extant outline permission for one dwelling, what needs to be considered here primarily are issues around design and layout. The site received an outline permission as recently as July 2020. The application site is located outside of any settlement boundary as defined by Policy SDT1 and therefore constitutes development within the rural areas/countryside. Here, policy BNE5 governs the appropriateness, or not, of housing proposals with allowance for development which is considered to be infill that is in keeping with the character of the locality, and represents the infilling of a small gap for not normally more than two dwellings within small groups of housing. In addition, to be considered compliant with Policy BNE5, the development must be considered not to unduly impact on landscape character and quality.

The proposed siting of the dwelling is considered to constitute infilling of a small gap between dwellings in an area where the character is of linear development along the road frontage within relatively generous plots. This linear development is predominantly large detached houses, with both single storey and two storey, with the built form set back from the road and with Rosliston Road South being a short cluster of dwellings with open countryside beyond the Lioncourt Homes development to the south and no development on the land opposite. This allows the countryside to permeate towards and between the dwellings before the more densely built areas of Burton to the north and north-east.

The proposed siting of the dwelling on land adjacent to No.7, currently used as outdoor amenity space, is not considered to represent an important gap between groups of housing due to its size and context. Furthermore, plot widths vary considerably from the wide plots at numbers 1 or 9 to the narrow plots at numbers 5, 11 or 13. The infilling of this space between dwellings is therefore not considered to be harmful to a degree which would fundamentally alter the character of the locality, or be at odds with it. Views of the site from the public realm would be viewed in context with the existing built development that surrounds it at both sides and at the rear and would not result as an intrusion into the countryside. The principle of development is therefore considered acceptable and accords with policies H1 and BNE5.

Highway safety and parking

Vehicular access for the site is proposed using a new access point off Rosliston Road South, with a sufficient turning area provided within the site for access to the new dwelling. The County Highway Authority has raised no objections to the proposal from a highway safety perspective, subject to a condition which ensures that the proposed access is created in accordance with the plans and the visibility sight lines are secured. The site plan shows that sufficient space can be provided within the site to ensure adequate off street parking for at least two vehicles, this is compliant with the parking guidance as set out in the Design Guide SPD. Vehicle movements generated by the proposal are unlikely to have an noticeably negative impact on the capacity of the wider highway network, with the proposal being for a single dwelling only, within an already established residential area. As such the access and parking proposed is considered suitable to facilitate a new dwelling on the site and would not adversely impact on highway safety to a point where it would reasonably justify refusal of the application in accordance with paragraph 111 of the NPPF. As such the proposal complies with the requirements of Policy INF2.

Design principles

Policy BNE1 expects all new development to be well designed, embrace the principles of sustainable development, encourage healthy lifestyles and enhance people's quality of life, the Design SPD supports this policy with further detail. In relation to impacts on the street scene, the site layout shows the proposed dwelling placed in a staggered position between No.'s 7 and 9, which would therefore follow the pattern of dwellings along this part of the road. As a result there would be clear views of the proposed dwelling along the highway and footway, with the dwelling fronting the highway. As noted above, the surrounding dwellings differ considerably in design with those along Rosliston Road South being a mix of both single storey and two storey houses and varying types of materials used. Hipped roofs would appear to be more prevalent in this immediate area, however, it is considered that the proposed cross gable roof would suitably fit within the street scene, with there also being adequate space between the existing dwellings to accommodate a new dwelling. There is no reason why a two-storey dwelling might not be appropriate in character terms, noting that No. 9 is a two-storey dwelling. The proposed front elevation includes a bay window and porch area, which improves the overall design quality of the scheme and also integrates well with No.9 which has a similar character. Details of the proposed facing materials can be controlled by condition to ensure that they match materials found within the local area and are typical of South Derbyshire. The proposal is thus considered to comply with Policy BNE1 and the SPD in relation to its design and impact on the street scene.

Neighbouring amenity

Policy SD1 supports development that does not lead to adverse impacts on the environment or amenity of existing and future occupiers. Policy BNE1 requires development to not cause demonstrable harm to neighbouring amenity. When assessing the impact on No.9 Rosliston Road South, the neighbouring property to the south, the site layout shows that when drawing a 45 degree sector view from the closest ground floor rear window the proposed dwelling, it would lie outside of the sector and therefore comply with the requirements of the SPD. The proposed dwelling is set further back from No.9 so there are no concerns over the potential impact on the front of their dwelling.

When assessing the impact on No.7, the neighbouring property to the north, the site layout shows that when drawing the 45 degree sector view from the closest ground floor window on the front elevation, due to the cut out design at the front which staggers the two storey element the proposed dwelling would lie outside of the sector and therefore comply with the requirements of the SPD. Again, as the building line is staggered the proposed dwelling would be further forward than that of No.7, so there are no concerns over the potential impact on the rear of their dwelling.

There are no neighbours at the rear of the site which would be impacted. As such, it is considered that the proposed dwelling would not demonstrably impact the residential amenities of neighbouring

properties, that surround the site and therefore the proposal is compliant with Policies SD1, BNE1 and the minimum distances as set out within the SPD.

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:	06/08/2021
Report agreed:	09/08/2021
Authorised officer:	Steffan Saunders
