
Delegated report Officer: Richard McMichael

Application ref. DMPA/2021/0629

Retention of the roof to previously approved reference 9/2018/0683 for the erection of an extension for an annexe at 93 Chiltern Road, Swadlincote, Derbyshire, DE11 9SW

Valid date: 13/04/2021

Consults expired: 22/05/2021

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

9/2018/0683 – The erection of an extension to form an annexe, and erection of a boundary wall. Approved, Feb 2019.

Responses to consultations and publicity

Ward Councillors – No responses.

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), BNE1 (Design Excellence), SD1 (Amenity and Environmental Quality)
- Local Plan Part 2 (LP2): SDT1 (Settlement Boundaries 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:

- Design
- Neighbouring amenity

Planning assessment

Design

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 SPD supports this

policy with further detail.

The approved side extension at the property doubled the width of the original dwelling, creating a significant addition to the property. During the consideration of the application, to reduce its prominence within this corner plot position and to ensure that it was viewed as a subservient addition to the main property, being single storey in scale, the height of the proposal was significantly reduced. The application currently under consideration increases the height of this roof (1.3m beyond the originally unacceptable roof height), to just below the ridge height of the main dwelling, significantly higher than the eaves of this two storey property. This new proposed height results in a scale of development which is not inkeeping with that of the host property and increases the prominence of the development within its plot. Therefore, the proposal fails to comply with Policy BNE1 of the Local Plan P1 and H27 of the LP P2 and the SPD in relation to its scale and its 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.

The extension was originally considered that, due to the virtue of its single storey nature and the existence of existing boundary treatments, meant that the proposal did not raise any concerns in respect of loss of privacy through overlooking, or loss of light through overshadowing. The proposed increase in height will not change this stance, mainly due to the distances to neighbouring residential development. Therefore, the proposal is compliant with policies SD1, BNE1 and the minimum distances as set out in the SPD.

Recommendation

Refuse

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:	09/11/2021
Report agreed:	16/11/2021
Authorised officer:	Sarah Beeby
