
Delegated report Officer: Richard Rodgers

Application ref. DMPA/2021/1030

The erection of a side extension, with new roof to rear and the erection of a front porch canopy at 20 Old Marston Lane, Hatton, Derby, DE65 5DY

Valid date: 16/07/2021

Consults expired: 24/11/2021

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

No relevant history.

Responses to consultations and publicity

No comments received through consultation.

Relevant policy, guidance and/or legislation

The relevant policies are:

- 2016 Local Plan Part 1: S2 (Presumption in Favour of Sustainable Development); SD1 (Amenity and Environmental Quality); SD2 (Flood Risk); INF2 (Sustainable Transport) and BNE1 (Design Excellence).
- 2017 Local Plan Part 2: H27 (Residential Extensions and Other Householder Development).

National Guidance:Local Plan

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

Local Guidance:

- South Derbyshire Design Guide SPD (Design SPD)

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;
- Impacts on amenity;
- Highway safety; and
- Flood risk.

Planning assessment

Design

The host here is one of a small group of similar forms (the classic mid 20th century hipped semi). Plans

show a two-storey extension to the side and some modest cosmetic alterations to the rear. Plans have been amended from those first received in response to some basic design concerns and now the two storey part features a hipped roof and a noteworthy set back. As such the extension is considered to read as a subservient part, generally in keeping with the context. The changes thereafter show a storm porch (permissible) and some new windows to the current dwelling (again deemed permissible).

Impacts on amenity

The proposed changes here are considered to comply with the space around dwellings requirements of the SPD, the new mass found not to overbear unduly, either falling outside of the direct gaze of the most immediate neighbouring primary windows or far enough away as for distance to diminish harm to a non-significant level. Similarly, the new windows do not breach the sector of view requirements of the SPD, not affording a direct view into a neighbouring window or primary space. The main (new) windows which could allow an elevated view are the new bedroom window (to the front) and that looks out primarily over the public highway, whilst the extension window to the rear (first floor) serves a bathroom (a non primary space) and for there to be a breach, the SPD says it must be from primary window to primary window.

Highway safety

The plans show no increase in bedroom numbers and no reduction of parking space, such to request additional parking (to meet the maximum standards) by way of condition would be excessive. The drive could be altered however without planning permission, should a second space be required in the future. At present, though highways conditions are considered not to be unduly affected by the development, as to intervene further in this regard, this is a cul-de-sac situation with some highway parking available without breaching highway regulations (no yellow lines etc) and this a serviced town settlement in terms of viable public transport alternatives such one space is considered to be just about sufficient.

Flood Risk

The site falls within an area identified as being at risk from flooding (Flood Zone 3 as recognised by the Environment Agency). A condition on the decision notice will advise the applicant of necessary mitigation in terms of floor levels and future proofing.

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:	24/11/2021
Report agreed:	25/11/2021
Authorised officer:	Emma Palmer-Barnes
