
Delegated report Officer: Richard Rodgers

Application ref. DMPA/2021/1532

Demolition of side garage and the erection of a single storey rear extension with balcony space at 61 Meynell Street, Church Gresley, Swadlincote, DE11 9LS

Valid date: 21/10/2021

Consults expired: 11/11/2021

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

9/2015/0089 - Erection of extension (to front) - approved April 2015 and built.

Responses to consultations and publicity

No comments received.

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); SD4 (Contaminated Land and Mining Legacy Issues); INF2 (Sustainable Transport); and BNE1 (Design Excellence).
- 2017 Local Plan Part 2: H27 (Residential Extensions and Other Householder Development).

National Guidance:

- 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; and
- Highway safety
- Coal Mining Legacy Impacts

Planning assessment

Design

It is considered the street is sufficiently mixed in terms of character (built form and materials) as to

accommodate such changes, as is proposed, without undue detriment. The use of a flat roof on the rear extension is mildly out of character but given the works are to the rear (a generally private space) and the bungalow is lower than the road level, impacts would not be so great as for this build to stand out in such a negative way as to offer a refusal. Flat roofed additions are particularly popular at present and here would avoid the need for an otherwise huge expanse of pitched roof and the additional materials needed to construct that. The small garage on the side is not a redeeming feature and can be removed, again without detriment.

Impacts on amenity

The proposals are considered to comply with the space around dwellings requirements of the SPD, the extension not of a size, in this context, as to cause a high level of overbearance/overshadowing to neighbouring primary spaces, or fenestrated such it allows for an unfair reduction in privacy. The balcony part will be screened (in perpetuity) to limit sideways views although given there is an existing balcony with the ability to overlook the adjacent gardens, if the screen is trellis, rather than a solid screen, it is considered to be sufficient to suitably soften impacts, particularly as the new balcony is set further to the rear, away from the rearmost private areas of the adjacent dwellings.

Highway Safety

Off road car parking provision would not change here to where the changes could be said to bring harm to the highway. The site affords three spaces on the drive and that is considered sufficient for the offer of the property and the location.

Coal Mining Legacy Impacts

The site falls within an area identified by the Coal Authority (CA) as high risk for potential coal mining legacy impacts. The CA therefore asks that their base line information, in that regard, is added to the decision notice - see informative.

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:	13/12/2021
Report agreed:	16/12/2021
Authorised officer:	Emma Palmer-Barnes
