
Delegated report Officer: Richard Rodgers

Application ref. DMPA/2022/0433

Addition of first floor to existing dwelling including and alterations (amended scheme to approved DMPA/2021/1031) at 239 Woodland Road, Stanton, Swadlincote, Burton on Trent, DE15 9SU

Valid date: 21/03/2022

Consults expired: 10/05/2022

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

2021/1031 - similar two-storey project approved March 2022.

2004/0119 -- rear extension, approved and built.

Responses to consultations and publicity

County Highways Authority - no objection.

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;
- Highway safety; and
- Coal Mining Legacy Impacts

Planning assessment

Design

Whilst it cannot be argued that the changes here are subservient, similar bungalow to two storey projects have been supported, if the resulting form generally fits in with the streetscene. Given the variety of built forms in the locality (a common trait of ribbon development) it is considered that the amended form would suitably assimilate in the context for it not to look incongruous. There is some slight awkwardness in regards the build to the rear but that is in a more private space and has little impact on how the property reads from the road; standard markers such as roof pitch/hipped style and window sizes, as seen from the public realm, are deemed commensurate with those found adjacent. It should be noted this is an amended scheme to a recent approval here and arguably an improvement on that earlier scheme, better proportioned.

Impacts on amenity

The proposal is considered to comply with the basic requirements of the SPD, neither of a size or situation as to overbear unduly on the primary spaces adjacent or cause a high level of overlooking/unreasonable loss of privacy. The enlarged mass would only be seen peripherally from the main windows at 237 and 241, it falling outside of the sectors of view afforded by the ground floor spaces of those immediate properties whilst the bulk of new windows look over its own land. Side windows at both adjacent properties will be modestly compromised in terms of loss of light but in respect of 241, the closest window there (side window to the kitchen diner) that same space affords a larger and main outlook to the north. Similarly at 239, the windows that would be most affected are are cloakroom (with obscure glass) and a first floor landing window. Both of those spaces do not attract such weight in regards protection as to seek amends. The proposal will be seen from the rear also (properties on Manor Road) but at such a distance as for impacts to diminished by sheer separation.

Highway Impacts

The site affords space on the drive for 3 cars. That level of provision is sufficient for the offer of the house (4 beds) and the context. The Highways Authority view similarly.

Coal Mining Legacy Impacts

This site falls in an area identified as being at risk (albeit low risk) of turning up historic coal mining workings. A Coal Authority informative will be added to the decision notice to advise the applicant as to necessary proceedings, should this happen.

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:	16/05/2022
Report agreed:	16/05/2022
Authorised officer:	Sarah Beeby
