
Delegated report Officer: Holly Budworth

Application ref. DMOT/2023/0987

Approval of details reserved by condition 3 (details of physical works) relating to DMPA/2022/1411 (Change of use from shop and house into just a house) at 69 Woodville Road, Overseal, Swadlincote, DE12 6LU

Valid date: 13/07/2023

Consults expired:

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

This application seeks approval of details required by conditions set out on the host permission, as described above. The host permission forms the most relevant planning history for this application.

Responses to consultations and publicity

There have been no responses to consultations and publicity.

Relevant policy, guidance and/or legislation

The relevant Development Plan policies are set out in the officer report relating to the host permission.

Planning considerations

This application seeks to discharge condition 3 (details of physical works) which granted permission for the change of use. The principle development has been established and the following assessment takes into account of the physical works, given that the application was retrospective.

Planning assessment

Condition 3 of permission DMPA/2022/1411, states the following:

'Within 6 months of grant of this permission, detailed drawings of any physical works already carried out to the building to facilitate the change of use shall be submitted to and approved in writing by the local planning authority.

Reason: In the interest of the visual setting of the development and the surrounding area.'

Photographs of the works have been submitted in stages, as well as a roof plan which clearly demonstrate the works and adds detail to that were omitted from application DMPA/2022/1411.

The condition can therefore be discharged.

Recommendation

Approve

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:	04/09/2023
Report agreed:	06/09/2023
Authorised officer:	Jenny Blair
