
Delegated report Officer: Clare Holden

Application ref. DMPA/2025/1671

Erection of two-storey side extension and single-storey rear and front extensions at 11 New Street, Church Gresley, Swadlincote, DE11 9PS

Valid date: 16/12/2025

Consults expired: 17/01/2026

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 planning history.

Responses to consultations and publicity

Design officer - raised concerns for the design of the front elevation, the first floor window does not align with the garage. The use of render is not considered acceptable.

One objection received from a member of the public - object on the grounds of overshadowing caused by the extension, privacy from looking into the communal area, impact on natural light to the neighbouring bungalow and potential for parking to become on-street due to the removal of the car port.

Relevant policy, guidance and/or legislation

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications shall be determined in accordance with the provisions of the development plan unless material considerations indicate otherwise. The development plan for the purposes of this application comprises the South Derbyshire Local Plan Part 1 (LP1) adopted in June 2016 and the South Derbyshire Local Plan Part 2 (LP2) adopted in November 2017. Material considerations include, albeit not limited to, the National Planning Policy Framework (NPPF) Planning Practice Guidance (PPG), together with South Derbyshire Design Guide Supplementary Planning Document (SPD)

South Derbyshire Local Plan – Part 1

- S2 Presumption in Favour of Sustainable Development
- SD1 Amenity and Environmental Quality
- SD4 Contaminated Land and Mining Legacy Issues
- BNE1 Design Excellence
- INF2 Sustainable Transport
- INF8 National Forest

South Derbyshire Local Plan - Part 2

- SDT1 Settlement Boundaries and Development
- H27 Residential Extensions and other Householder 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)

Emerging Local Plan

On 10 March 2025 the South Derbyshire Local Plan Part 1 Review was published for its period of formal representations under Regulation 19 (of the Local Plan Regulations) prior to submission to the Secretary of State (The Publication Version). This is the version of the Local Plan that the Council intends to submit for examination, and it is a material consideration in the determination of planning applications.

The weight to be attached to emerging local plans is set out in paragraph 49 of the NPPF.

With regard to paragraph 49a) the plan is at an early stage of preparation having not reached examination. In terms of 49b) there remain unresolved objections to the plan from its Regulation 18 consultation and the period for comments concluded on 25 April and these comments are being reviewed in advance of a report to Environmental and Development Services committee on 6th November 2025. Although the plan is in general conformity with the NPPF (paragraph 49c) it has been published to benefit from the transition arrangements set out in paragraph 234 of the NPPF, meaning the Local Plan will be examined under the 2023 version of the NPPF. For all these reasons the weight to be attached to policies in the publication version of the Local Plan is low.

Where there is any conflict between policies in the publication version of the Local Plan and existing adopted Local Plan policies the decision should be taken in line with the adopted Local Plan policies.

Paragraphs 50 and 51 of the NPPF are also relevant which clarify that refusals of permission in line with emerging policies will seldom be justified before a plan has been submitted for examination. The plan is intended to be submitted for examination in Autumn 2025.

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:

- Impact upon the host dwelling, character and appearance of the area
- Residential amenity
- Adequacy of parking provision
- Coal mining legacy impacts

Planning assessment

Application Site

The host property is a semi-detached, brick-built dwelling with a tiled gable roof and an attached car port to the side. The dwelling benefits from a modest frontage that provides off-street parking for approximately two to three vehicles.

The surrounding street scene is varied. The host property forms the end unit of a row of semi-detached houses that share a consistent built form and character. Within this row, minor alterations are evident, including the addition of various front porches featuring different materials and design approaches.

To the north of the application site is a row of terraced bungalows. A communal green is located to the rear of these bungalows, providing shared amenity space for both the bungalow residents and those living at Chestnut Green.

The Site is within the defined settlement boundary of the Swadlincote Urban Area as referred to in policy SDT1 and shown on the Settlement Boundary Maps in Appendix A to LP2.

Proposed Development

Permission is sought for the erection of a two storey side extension and single storey front and rear extensions, following removal of the car port.

The two storey side extension will project off the side by approximately 4.8 metres. Together with the single storey front extension, the extension will be approximately 8.45 metres in length. The first floor element is proposed to be set back from the front elevation by approximately 0.45m and set down from the existing ridge line by approximately 0.15m. The two storey element will have a gable roof design.

The single storey front extension will be approximately 9.55 metres in width, covering the majority of the front elevation. It will have a lean to style roof design and be approximately 1.36 metres in depth, 2.7 metres in height to the eaves and have an overall height of approximately 3.6 metres.

The single storey rear extension will project off the rear elevation by approximately 3 metres, with a width of 5 metres. It will be located off the living area, creating additional living space for a dining area. The rear extension will also feature a lean to roof design, with an eaves height of approximately 2.6 metres and an overall height of 3.27 metres.

The front elevation at ground floor is proposed to have an 'up and over' style garage door to the north, a small single pane window adjacent, a new front door which will be located on the single storey projection, with a full length window directly adjacent and a larger two pane window next to it to benefit the living space. At first floor there will be a large two pane window centrally located within the two storey extension, which is proposed to match the existing design of the window at first floor.

The rear elevation is proposed to have two sets of patio doors, one located on the single storey rear extension, the other located within the two storey extension to serve the kitchen. At first floor there will be a single larger two pane window centrally located on the two storey extension. Within the roof slope of the single storey extension, there will be two roof lights which will be approximately 1.1m x 0.69m.

Both side elevations are proposed to be blank.

The materials are proposed to match the existing host.

Principle of the Proposed Development

Development plan policy SDT1 supports development in principle in locations within the defined settlement boundaries, subject to compliance with the relevant policies of the development plan. Policy H27 considers householder development and supports such undertakings if they do not harm the host property and the character and appearance of the area and is not unduly detrimental to the amenity afforded to nearby properties. The criteria associated with policy H27 is also reflected within policy BNE1 and advice within the Design Guide SPD.

The proposal is for residential extensions to a dwelling and therefore it is considered that the principle of the proposed development is therefore acceptable.

Design of the extensions and their impact on the streetscene

The most appropriate policies and guidance with regards to the design, character and appearance related consideration are Policy S2 (Presumption in Favour of Sustainable Development), Policy SD1 (Amenity & Environmental Quality), Policy BNE1 (Design Excellence) of the South Derbyshire Local Plan, the South Derbyshire Design Guide SPD and the National Planning Policy Framework.

Comments received from the Design Officer raised concerns regarding the size of the proposed garage door and the position of the first-floor window on the front elevation. The centrally positioned first-floor window, combined with the garage door set to the left to accommodate a smaller ground-floor window

for the shower room, resulted in a slightly unbalanced and incongruous appearance.

The original submission also proposed the use of render; however, the Design Officer considered this inappropriate given that the row of semi-detached dwellings, including the host property, is characterised predominantly by brickwork.

Amendments were therefore requested from the agent. Updated plans were provided showing the removal of the proposed render. However, the agent confirmed that relocating the first-floor window would adversely affect the internal layout and wished to proceed with the application as originally designed in this respect.

The removal of the render ensures that the proposed extensions remain in keeping with both the host dwelling and the wider streetscene. The property benefits from a large plot at the end of a row of semi-detached dwellings, providing opportunities for lateral extension. However, due to its prominent end position, it is important that any additions respect and complement the wider streetscene.

Although the first-floor window and garage door do not align on the front elevation, the resulting visual impact on the host dwelling and the wider area is considered de minimis and insufficient to warrant refusal in this instance.

Having regard to these considerations, the proposed extension is considered acceptable and in accordance with relevant planning policies and design guidance.

Amenity

In relation to Policy SD1 (Amenity & Environmental Quality) and BNE1 h) Neighbouring uses and amenity, as mentioned the site is sufficiently screened, therefore there are no undue impacts caused by the extension to the property to either neighbouring properties.

The host property benefits from a plot with an area of land to the north. At present, an attached car port sits to this side, with a driveway positioned directly in front leading to the highway, and a further grassed area located beyond the driveway. After removal of the car port, it is within this area and the lawned area that the proposed two-storey extension would be constructed, forming the main element prompting consideration of neighbouring amenity impacts.

To the north of the host property is a bungalow. Owing to its orientation, its position set forward within its own plot, and the fact that the proposed extension incorporates a blank north-facing elevation, the development would not result in issues of overlooking or overbearing impact. The 45-degree rule is satisfied in this case, and the rear single-storey element of the proposal is situated to the south of the host, further reducing any potential impact on the neighbouring bungalow to the north.

To the rear of the site lies an area of open space used by the surrounding bungalows at Chestnut Green. Objections have been raised by the Homeownership Manager, who oversees the leaseholds for elderly residents who enjoy this communal green. Concerns relate to perceived overlooking of both the residents' dwellings and the shared amenity space.

However, the proposed works to the rear comprise only a single-storey extension. The two-storey component projects solely to the side of the host dwelling. While an additional first-floor window is proposed on the rear elevation, it would not be positioned any further rearward than the existing first-floor window. The side elevation facing the neighbouring bungalow and communal area would remain blank, ensuring no loss of privacy. As the proposal complies with the relevant separation distances and design guidance set out in the Design SPD, it is considered acceptable in this regard.

Overall, the proposal would not result in any undue overbearing impacts or an unacceptable loss of privacy, daylight, or sunlight for neighbouring properties.

Highway safety/parking

The development would result in the creation of two additional bedrooms, increasing the total number of bedrooms from three to five. The proposal includes a space initially presented as a garage.

However, the internal dimensions and garage door width fall short of the minimum standards set out within the Design SPD. As such, this space cannot be considered a functional garage or a compliant parking space.

The Design SPD advises that dwellings with four or more bedrooms should be served by three off-street parking spaces. The proposal includes the widening of the existing driveway, as illustrated on the proposed floor plan, which would increase on-plot parking provision from two spaces to three. This meets the recommended standard.

Accordingly, the development satisfies the parking requirements of the Design SPD and does not conflict with Policy INF2.

Other matters

BNG

Householder applications are exempt from Biodiversity Net Gain requirements.

Coal Mining Legacy impacts

Policy SD4 relates to Contaminated Land and Mining Legacy Issues, the site is situated within The Coal Authority's Development High Risk Area (DHRA). However, as householder development falls on their list of exemptions an informative will be put on the decision notice to advise the applicant.

Conclusions and the Planning Balance

The proposed development is considered acceptable in terms of its scale, design, form and finish in the context of the existing dwelling and the area within which the application site lies.

The proposals therefore would not have an adverse impact on the residential amenity of neighbouring properties. The proposal is deemed suitable, compliant with the aims of development plan policies SDT1, H27, BNE1, and with the Supplementary Planning Document on Design. There are no material considerations that would warrant refusal of planning permission in this instance.

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:	26/02/2026
Report agreed:	27/02/2026
Authorised officer:	Sarah Atherton
