
Delegated report Officer: Helen Branson

Application ref. DMPA/2024/0357

Erection of a single storey rear extension at 5 Dalston Road, Newhall, Swadlincote, DE11 0QG

Valid date: 08/03/2024

Consults expired: 11/04/2024

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

None relevant.

Responses to consultations and publicity

No comments were received in response to the publicity and consultation process.

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)

Planning considerations

In taking account of the application documents submitted 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

5 Dalston (the Site) is a detached two storey dwelling constructed in brick with a pitched tiled roof. It is located on an unadopted road off High Street.

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 single storey rear extension.

Main Issues

Principle of the proposed development

Policies H27, SDT1, BNE1, and SD1 of the development plan support in principle householder development, where it does not harm the character and appearance of the host dwelling and the character of the area, is of an appropriate design quality and is not unduly detrimental to the living conditions of adjoining properties. The SPD reinforces policies H27, SDT1, BNE1 and SD1 by citing the importance of design, context, amenity and impact upon the host dwelling in the decision making process. Policy INF2 under the heading of parking provides that development should include appropriate car parking provision having regard to, in part, the development not having an undue detrimental impact on highway safety.

Impact upon the host dwelling, character and appearance of the area

The extension will be to the rear of the property and therefore will not be visible from the street scene, such that there will be no impact. There may be glimpses of it from the nearby PROW, but this would be in the context of the existing built form and not considered to be out of keeping.

The extension is simple in form and constructed in materials to match the host dwelling. The pitched of the roof will also match that of the host dwelling.

It is therefore considered that the extension would be sympathetic and subordinate to the host property which is in line with the Council's Design Guide SPD

Residential amenity

The extension will be over 1m from the nearest boundary, with 3 Dalston Road, and would be closest to the garage and an outbuilding associated with that property rather than the main dwelling itself. Whilst there is a window in the garage facing the shared boundary with the application site, given that this serves a non-habitable space and is already partially screened by the boundary and existing wall of

the property it is not considered that the proposal would result in significant detriment to the amenity of this neighbouring property. Whilst the elevation facing 3 Dalston Road would be blank, as it is single storey it is not considered to be overbearing.

There will be no openings in the rear elevation of the extension and it will be over 12m from the side elevation of neighbouring property in this direction, 56 Valley Rise, which is in line with the distance guidelines within the Design SPD.

The windows and doors on the south side of the extension will face into the garden of the host dwelling.

Overall, due to the layout and orientation of surrounding properties, it is not considered that the proposed extension would cause any undue overbearing effects, or lead to an unacceptable loss of privacy, overshadowing, or loss of sunlight to neighbouring properties.

Adequacy of parking provision

The proposed extension will add a small amount of living space, not bedrooms, so is not considered to have any impact on parking demand and will not affect the existing car parking arrangements so would therefore not conflict with development plan policy INF2.

Coal Mining Legacy impacts

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.

Concluding comments

For the reasons set out above it is considered that the proposal will not have an adverse impact upon the host dwelling, character and appearance of the area, residential amenity or adequacy of parking provision and therefore the accords with the aforementioned policies of the development plan.

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:	01/05/2024
Report agreed:	02/05/2024
Authorised officer:	Sarah Beeby
