

Delegated officer's report	Officer: KMM
Application ref. 9/2018/0914	
THE ERECTION OF A DETACHED DWELLING AT 30 BRIDGE STREET CASTLE GRESLEY SWADLINCOTE	
Valid date:	13/08/2018
Consults expired:	23/09/2018
EIA development?	☐ Yes ☒ No
Habitats development?	☐ Yes ☒ No

This decision is delegated to officers under the terms of the current Planning Services Delegation Agreement.

Responses to consultations

Environmental Health Officer/ Contaminated Land Officer – Has no objections subject to conditions relating to ground gas and contaminated land.

County Highways Authority – The parking and proposed access would be moved to the front of the proposed dwelling as shown in the original submission 9/2016/1235. However, additional land to the side of the access has now been acquired which would achieve the same visibility splays as shown under planning application 9/2017/1130 but now in front of the proposed dwelling. This is considered suitable and the same conditions required under reference 9/2017/1130 should be attached to an approval.

Coal Authority – The submitted Coal Report recommends the carrying out of intrusive site investigations in order to investigate ground conditions and to inform any necessary remedial measures to address coal mining legacy. This is consistent with application 9/2016/1235 and 9/2017/1130 and there are no objections raised subject to the inclusion of these details as a condition.

Severn Trent – No response received at the time of writing this report.

Responses to publicity

No comments have been received.

Planning history

9/2016/1235 - Outline application (all matters except for access, layout and scale to be reserved) for the erection of a detached 2 bedroomed bungalow –Refused

9/2017/1130 - Outline application (all matters except for access, layout and scale to be reserved) for the erection of a detached 2 bedroomed bungalow –Approved with conditions

Development Plan Policies

The relevant policies are:

2016 Local Plan Part 1: S1 (Sustainable Growth Strategy), S2 (Presumption in Favour of Sustainable Development), S6 (Sustainable Access), H1 (Settlement Hierarchy), H20 (Housing Balance), SD4 (Contaminated Land and Mining Legacy), BNE1 (Design Excellence), BNE4 (Landscape Character and Local Distinctiveness) and INF2 (Sustainable Transport).

2017 Local Plan Part 2: SDT1 (Settlement Boundaries and Development).

National Guidance

National Planning Policy Framework (NPPF)
Planning Practice Guidance (PPG)

Local Guidance

South Derbyshire Design Guide 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:

- Principle of Development;
- Visual Impact;
- Impact on Amenity; and
- Highways.

Planning Assessment

Principle of Development

The site is contained within the Swadlincote Urban Area and is contained by existing residential development on all sides of the site. The proposed dwelling would be accessed by Cross Street and the proposed dwelling would be positioned to the rear of the properties on Bridge Street. Outline consent was granted for the erection of a single storey, two bedroom dwelling with access under application 9/2017/1130. The principle of the proposed development would be considered suitable and would comply with policies H1 and SDT1 of the Local Plan.

Visual Impact

Due to the position of existing properties and the street formations, there is no clear existing building line to the rear of Bridge Street and the positioning of the proposed dwelling would not break a clear forward or rear building line and would pose no detriment to the existing street scene. The size and mass of the proposed dwelling would be proportionate to the site and would have a positive impact on the immediate setting of the area. On the basis of this, the proposed dwelling would comply with policy BNE1 of the Local Plan Part 1.

Impact on Amenity

The site and surrounding area are predominantly flat and the proposed dwelling would be single storey in height and in accordance with the Council's Design Guide, would be assessed on its merits. Any outlook from the ground floor windows of the proposed dwelling would be

interrupted by boundary screening and therefore, there would be no inter-visibility between the proposed windows and existing neighbouring windows. On the basis of this, proposed dwelling would not conflict with the minimum separation distances as contained within the Councils Design Guide and would be consistent with the principles of policy SD1 of the Local Plan.

Highways

Outline consent was previously refused for planning application 9/2016/1235 as the proposed access would have been positioned on Cross Street at a point where visibility would be substandard. However, additional land has now been purchased by the applicant to the side of the proposed access which has increased the extent of the visibility splay to the same amount that was achieved under application 9/2017/1130 by moving the vehicular access further up the street. By acquiring the additional land, this has allowed the vehicular access and parking to be accommodated at the front of the property. Due to the limited level of traffic using the road it is considered that the proposed visibility splays would be considered suitable and that an objection on highway grounds could not be sustained. Therefore, subject to the inclusion of conditions, the proposal would be suitable and would comply with the principles of policy INF2 of the Local Plan Part 1.

Recommendation

- ☐ Approve without conditions
- ☒ Approve subject to conditions
- ☐ Approve subject to conditions and planning obligation
- ☐ Refuse

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).

Recommendation made:	05/10/2018	
Recommendation agreed:	08/10/2018	Agreed by: RES