

DELEGATED DECISION REPORT

HPK/2021/0084
Valid 22/02/2021

71 CHAPEL LANE
HADFIELD
GLOSSOP

PROPOSED SINGLE AND
DOUBLE STOREY EXTENSION
TO THE REAR.

(FULL - HOUSEHOLDER)

MAIN ISSUES

- Design and access
- Neighbour amenity

DESCRIPTION OF SITE

The application site comprises a 20th Century end terrace dwellinghouse of dark red brick, on the northern side of Chapel Lane. The terrace sits at a raised level above the street. There is a small front garden accessed via a flight of steps from the public highway and a larger garden area to the rear. The site is within the built-up area boundary for Hadfield.

To the west is a private access to rear parking.

Two previous applications for extensions to this dwelling, with differing combinations of two and single storey sections, have been approved in 2016 and 2020.

PROPOSAL

This application seeks full consent for a rear two storey extension with single storey beyond.

It is proposed to extend the dwelling to the rear, with a two-storey addition with a double hipped roof, and beyond this, a single storey lean to addition to create further ground floor space. The single storey section is less wide than the two storey extension, and offset to maintain a 45 degree line clear from the neighbouring dwelling's ground floor window.

It is proposed to construct the extension in matching brickwork and concrete roof tiles to accord with the existing dwelling.

Three glazed doors are proposed on the western side elevation of the existing dwelling, where a small window currently exists. It is noted that this would not require planning permission.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

High Peak Local Plan 2016

S 1 Sustainable Development Principles
S 1a Presumption in Favour of Sustainable Development
S 2 Settlement Hierarchy
EQ 6 Design and Place Making
CF 6 Accessibility and Transport

Residential Design SPD
High Peak Design SPD

National Planning Policy Framework

Paragraph(s) 1 - 14
Section(s) 12

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

HPK/2016/0269
Proposed part single/part two storey rear extension
APPROVED 12/07/2016

HPK/2020/0283
Proposed single and two storey extension to the rear
APPROVED 16/09/2020

CONSULTATIONS

Publicity

Site Notice expiry date: 5/4/21
Neighbour consultation period ends: 19/3/21
Press Advert: N/A

Public Comments

None

Town / Parish Comments

None

Derbyshire County Council Highways

No objection subject to it being confirmed that adequate off-street parking is secured for use by the dwelling concerned and these being Conditioned to be maintained clear of any obstruction to their designated use as any under provision may result in vehicles being parked on Ridings Road, or part on its footway or areas dedicated

to manoeuvring, situations considered against the best interests of safe operation of the public highway. In order to meet current recommendations, off-street parking spaces laid out in parallel should be of 2.0m x 6.5m minimum dimension.

OFFICER COMMENTS

Principle of Development

The determination of a planning application is to be made pursuant to section 38(6) of the Planning and Compulsory Purchase Act 2004, which is to be read in conjunction with section 70(2) of the Town and Country Planning Act 1990.

Section 38(6) requires the local planning authority to determine planning applications in accordance with the development plan, unless there are material circumstances which 'indicate otherwise'. Section 70(2) provides that in determining applications the local planning authority "shall have regard to the provisions of the Development Plan, so far as material to the application and to any other material considerations." The Development Plan consists of the High Peak Local Plan Policies Adopted April 2016.

Other material considerations include the National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG).

Paragraph 11 of the National Planning Policy Framework (NPPF) promotes a 'presumption in favour of sustainable development'. For decision takers this means (c) approving development proposals that accord with an up-to-date development plan without delay; or (d) where there are no relevant development plan policies, or the policies which are more important for determining the application are out-of-date, granting permission, unless: i) the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or ii) Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

Paragraph 8 of the NPPF identifies three dimensions to sustainable development as being economic, social and environmental.

In accordance with policies S1 and S1a of the High Peak Local Plan the Council will expect all new development to make a positive contribution towards the sustainability of communities and to protecting, and where possible enhancing the environment. When considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework (NPPF).

Development will be directed towards the most sustainable locations in accordance with the settlement hierarchy set out at Policy S2. In accordance with the settlement hierarchy, Hadfield is defined as a Larger Village. Accordingly, development which meets the needs of the local community will generally be supported.

Design

Section 12 of the NPPF places great importance of good design and states that good design is a key aspect of sustainable development.

Policy EQ6 refers to design and states that all development should be well designed and be of a high quality that responds positively to both its environment and the challenge of climate change, whilst contributing to local distinctiveness and sense of place. New development should be well designed to respect the character, identity and context of the high Peak's townscapes and landscapes. Development is expected to contribute positively to an area's character, history and identity in terms of scale, height, density, layout, appearance, materials and the relationship to adjacent buildings and landscape features.

The Council's Design SPD at paragraph 5.5 outlines the Council's expectations in respect of design and states that extensions should harmonise with the parent building. An extension should respect the dominance of the original building and be subordinate to it in terms of its size and massing.

The rear of the property is visible in the street scene due to the access road that runs along this terrace of 4 dwellings. The property, in particular, being the corner plot occupies a prominent position, with the access road being elevated to the front of the dwelling. All three elevations of the property are clearly visible from public vantage points.

The proposed two storey rear extension and the single storey extension will cover the entire rear elevation of this property and will consequently dominate the rear elevation. The introduction of two hipped roof forms at first floor level and the addition of the single storey extension will also result in an overly complicated rear elevation which is at odds with the existing simple character of the rear of the dwelling and the remaining terrace.

Although set down from the main ridge line, the extensions are not considered to be subordinate to, nor do they replicate, the simple character of the host property. The extensions are not therefore considered to result in high quality design and will detract from the character and appearance of the main dwelling, remaining terrace and wider residential area.

The single storey extension as an addition to the two storey extension further complicates the appearance of the rear elevation and is a contrived design to overcome overshadowing and overbearing effects.

It is acknowledged that a two storey rear and single storey extension was given consent in 2020 and this featured a hipped roof. However, the scheme as approved did not dominate the entire rear elevation and the introduction of an additional rear facing hipped roof at first floor does not represent a design improvement. Below is the rear elevation of the development approved in 2020:



The proposal is therefore considered to be contrary to Paragraph 127 of the National Planning Policy Framework, Policies S1 and EQ6 of the High Peak Local Plan, guidance with the High Peak Design Guide.

Amenity

The Council's Adopted Residential Design Guide SPD states that as a guide a distance of 21m between habitable room windows of adjacent properties will provide an acceptable level of amenity. High Peak Local Plan Policy EQ6 and paragraph 127f) of the National Planning Policy Framework seek to secure development that does not result in unacceptable effects on the amenity of the area by reason of visual intrusion, overlooking, shadowing, overbearing effect, noise, light pollution or other adverse impacts on local character and amenity.

Previous applications for extension of this dwelling ensured that the two-storey element was stepped back and away from the boundary with the attached neighbouring dwelling. This ensured the extension did not overbear the neighbouring plot.

The application as submitted brings the two-storey section adjacent to the boundary and of equal depth across the width of the dwelling, the single storey extension will be stepped away from the side boundary. The extension will be appreciable from the neighbouring attached property and may cast shadows to the rear of the neighbouring property and their immediate rear garden from evening sun. However, the applicant has demonstrated that the 45 degree line from the neighbouring dwelling's windows is not breached and will not result in a direct loss of light to the rear.

On balance, with a projection of 2m from the rear of the host dwelling at two storey and 3m at single storey, the proposal is not considered to result in a loss of amenity to the neighbouring property as a result in a loss of light, shadowing or overbearing such that would warrant a refusal. There are no side facing windows on the eastern elevation which would otherwise cause privacy issues.

To the west, although there are triple paned glazed doors proposed, they are in the existing dwelling and as such would benefit from permitted development.

In light of the above the proposal is considered to be acceptable and in accordance with local plan policy EQ6 and para 127 of the NPPF in this regard.

Highway Safety

Policy EQ6 and CF6 seek to ensure that all new development is served by safe and satisfactory access. Off road car parking is expected to comply with Appendix 1 of the adopted Local Plan.

The creation of a fourth bedroom requires the applicant to demonstrate that a minimum of 3 off street parking spaces can be provided. The applicant states that 3 off street spaces exist to the rear of the dwelling (accessed to the side of the application site and shown on the location plan). However these spaces are outside of the redline area and the control of the applicant.

There is unrestricted on street parking to the front and rear of the property. As with the previous application on this site, it is considered that the identified parking arrangements are acceptable and the proposal consequently accords with the Local Plan and NPPF.

CONCLUSION / PLANNING BALANCE

The proposed development is not considered to be sustainable development under the terms of the NPPF, and does not comply with the relevant policies of the High Peak Local Plan. Accordingly, the proposal is recommended for refusal.

OFFICER RECOMMENDATION : REFUSE

Case Officer: Faye Plant

Recommendation Date: 19/04/2021

X 

Signed by: Jane Colley Signature

On behalf of High Peak Borough Council