

DELEGATED DECISION REPORT

HPK/2021/0069
Valid 23/02/2021

44 ASH GROVE
CHINLEY

PROPOSED TWO STOREY
SIDE EXTENSION

(FULL - HOUSEHOLDER)

MAIN ISSUES

- Character, form and design
- Neighbour amenity
- Parking and access

DESCRIPTION OF SITE

The site consists of a modern two-storey, reconstituted stone detached dwellinghouse with attached side garage on a residential estate. The plot has a rear garden, and driveway and lawn to the front, where it is open to the street. The property has been previously extended to the rear to create a single storey rear extension across the entire width of the original dwelling.

The dwellinghouse is located within Chinley built up area within an estate of similarly designed dwellings.

PROPOSAL

This application seeks full consent for a two-storey side extension. Revised plans were received during the course of the application to reduce the width of the two storey side extension from the rear facing roof slope to being this in line with the existing side building line.

The application as submitted now seeks consent for a two storey extension which will replace the existing garage and extend to boundary at the front, with a set back at the side and extension above the existing utility room. The side extension is to be set down at a lower roofline than the existing dwellinghouse and set back from the front elevation. It will be constructed from reconstituted stone to match the existing house and windows and doors would be brown UPVC to match existing.

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

National Planning Policy Framework

Paragraphs 2 - 14
Section 12

High Peak Design Guide 2018
National Design Guide 2020

Residential Design Guide SPD 2005

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

HPK/0000/8099 - For Proposed Erection Of 15 Detached Houses – APPROVED

HPK/2018/0279 - Certificate of Lawfulness: Single storey rear extension with flat roof and glazed atrium - APPROVED (LAWFUL) 26/07/2018

CONSULTATIONS

Publicity

Site Notice expiry date: 14/04/2021
Neighbour consultation period ends: 24/03/2021
Press Advert: N/A

Public Comments

None

Chinley, Buxworth & Brownside Parish Council

No objections to this application.

Environmental Health

No comments received.

Derbyshire County Council Highways

No objection subject to the applicant demonstrating and maintaining adequate off-street parking space clear of any obstructions to its designated use as any under provision may result in vehicles being parked on Ash Grove, or part on its footway, situations considered against the best interests of safe operation of the public highway.

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 makers 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 expects 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, Chinley is regarded as a Larger Village where a moderate scale of development may be acceptable, consistent with meeting local rural needs and maintaining or enhancing their role, distinctive character or appearance whilst also maintaining existing facilities and services.

The principle of this development is consequently in accordance with the Local Plan, matters relating to design, amenity and parking are considered below.

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 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 proposed extension, with a set down from the main ridge, eaves line and front wall will present a subordinate appearance to the street scene and appear as an extension to the main dwelling. The design and form of the extension is acceptable and sympathetic to the main dwelling. Although it will be built to the common boundary with number 42, a gap of approximately 1m will still be maintained to the side on the neighbour's side, with no opportunity to extend. Accordingly there will be no terracing effect on the street scene. The use of matching materials means the extension will compliment the existing dwelling and the wider street scene. The proposal is consequently in accordance with Policy EQ 6 and the guidance within the High Peak Design SPD.

Amenity

Paragraph 127 f) of the NPPF seeks to secure a high standard of amenity for all existing and future occupants. Local Plan Policy EQ6 requires development to achieve a satisfactory relationship to adjacent development and to not cause unacceptable effects by reason of visual intrusion, overlooking, shadowing, overbearing effect, noise, light pollution or other adverse impacts on local character and amenity.

Section 8.6.1 of the High Peak residential design guide SPD 2005 states a distance of 21m between habitable room windows of adjacent properties will provide an acceptable level of amenity. Where there are changes in levels on site, distances should increase by 1m for every 0.5m difference in height between the smaller and taller building.

Properties along this section of Ash Grove are staggered with the neighbour to the east set forward of this dwelling by around 5.5m. The neighbour to the west is positioned at right angles to the site with its rear garden meeting the side (western) boundary of the host dwelling.

The existing staggered arrangement of properties to the east (no 42) means that the existing single storey development breaches the 45degree line when measured from no. 42, although an existing 1.8m boundary fence screens much of this. The

proposed first floor side extension will also breach the 45 degree line at the far north eastern corner for a section of around 2.2m and as such will impact upon the amenity of the neighbouring property to the east.

However, when assessing this impact it is considered that the breach is marginal and the revised plans reducing the width of the rearward part of the extension has reduced this impact from the originally submitted scheme. The rearward part of the extension which will be viewed from the neighbours rear windows is positioned 0.85m from the common boundary. The extension is also located to the north west of number 42 and as such will not result in a direct loss of light nor will it overshadow the rear habitable windows of the neighbouring property. There are no side facing windows proposed which would otherwise harm privacy.

Number 42 also has a side facing window which will be impacted upon by the proposed side extension which will come closer to this window. However, it is understood that this window does not serve a habitable room and so its requirement for natural daylight is somewhat reduced. There have been no objections from the neighbours.

In terms of all other neighbours to the north and west, subject to the imposition of a condition requiring obscure glazing to the first floor window (serving a bathroom), which would overlook the garden areas serving numbers 7 and 9 Stockton Drive the extension would have no direct impact on them.

In light of the above, the proposed extension is not considered to cause undue harm to the amenity of neighbouring occupiers and so complies with the requirements of local plan policy EQ6 and para 127 of the NPPF in this regard.

Highway Safety

Paragraph 102 of the NPPF states that patterns of movement, streets, parking and other transport considerations are integral to the design of schemes and contribute to making high quality places. Policy CF6 seeks to provide safe and sustainable access and ensure that development does not lead to an increase in on street parking.

The proposal does not result in the loss of on site parking and there is ample space to park 3 vehicles on this site. The proposal meets the maximum parking standard for a 5 bed dwelling as outlined within the local plan and is therefore considered to be acceptable and in accordance with local plan policy CF6 and section 9 of the NPPF.

CONCLUSION / PLANNING BALANCE

This application is considered to accord with the relevant policies contained in the High Peak Local Plan and the National Planning Policy Framework. As such a recommendation of approval is provided.

OFFICER RECOMMENDATION : APPROVAL

Case Officer: Faye Plant

Recommendation Date: 20/04/2021

X 

Signed by: Jane Colley Signature

On behalf of High Peak Borough Council