

DELEGATED DECISION REPORT

HPK/2021/0052 Valid 19/02/2021	3 NEWSTEAD COURT OTTERHOLE CLOSE BUXTON	SINGLE STOREY REAR EXTENSION (FULL - HOUSEHOLDER)
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MAIN ISSUES

- Design, Character and Appearance
- Amenity
- Highway Safety

DESCRIPTION OF SITE

The application relates to No.3 Newstead Court, a detached two storey three bedroom residential property that forms part of a small cul-de-sac which contains four properties accessed from Otterhole Close, Buxton.

The curtilage comprises a single ancillary garage off the south-western side elevation, and a large garden to the south east. The eastern boundary is shared with No.2 Newstead Court, whilst 108A St Johns Road lies beyond the southern boundary some 35m distant. To the south-west stands a cluster of three terraced properties Nos.62, 64 and 66 Otterclose Close.

The rear elevation is characterised by a two storey gable that extends outwards by some 4.5m beyond the main form of the house.

The site lies within the built-up area boundary Buxton and is not constrained by any sensitive statutory designation.

PROPOSAL

The application seeks consent for a modest single storey rear extension that effectively 'fills in' the gap between the side of the rear gable and the rear elevation of the main body of the house to create an enlarged kitchen.

The extension would have a side elevation flush with that of the main house and a rear elevation flush with the existing two storey rear gable, and is shown to have a flat roof with a lantern light. The extension is to be constructed from coursed gritstone and have fenestration finished in timber consistent with the main dwelling.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Section 38(6) of the Planning and Compulsory Act 2004 requires proposals to be determined in accordance with the Development Plan taking into consideration any material considerations relevant to the determination of the application.

The Local Development Plan for this site comprises the High Peak Local Plan (2016). Adopted Supplementary Planning Guidance documents and the National Planning Policy Framework (NPPF) are also material considerations in determining applications.

High Peak Local Plan 2016

- S1 Sustainable Development Principles
- S1a Presumption in Favour of Sustainable Development
- S2 Settlement Hierarchy
- S7 Buxton Sub-area Strategy
- EQ6 Design and Place Making
- CF6 Accessibility and Transport

National Planning Policy Framework

Achieving Sustainable Development	Chapter 2
Promoting Sustainable Transport	Chapter 9
Achieving Well Designed Places	Chapter 12

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

HPK/2013/0668	Proposed development of plot for 4 new properties comprising of two semi-detached and two detached dwellings. Retention of existing caravan during works for both storage and accommodation (Approved 12/03/2014)
HPK/2014/0337	Proposed development of 4 detached houses (Approved 26/11/2014)
NMA/2015/0018	Non Material Amendment to HPK/2014/0337- Change garage to Plot 02 to a study / living room, update parking layout to suit (Approved 30/09/2015)

CONSULTATIONS

Publicity

Site Notice expiry date: 19th April 2021
Neighbour consultation period ends: 23rd March 2021
Press Advert: N/A

Public Comments

None

Town / Parish Comments

N/A

HPBC Tree Officer

No objections to the proposals but there are protected trees in the garden that require protection during any construction works.

Advisory Note / Informative

There are protected trees within the vicinity of the proposal. The roots of these trees will be growing within the garden area. It is important that the trees including the roots are not damaged during the construction activity at the property. All construction activity should therefore be excluded within at least 10m of the trees, in particular the following activities should not occur.

- any changes in soil level including storing of soil or excavation,
- the storage of materials,
- parking of vehicles or storage of machinery. (unless it is on existing hardstanding)
- no burning of fires within 10m of the branches of these trees.

We recommend that you erect some type of fencing indicating the protected zone around the trees. Any damage to the trees or other unauthorised works may lead to a prosecution or fine.

Derbyshire County Council Highways

No Objections

OFFICER COMMENTS

Principle of Development

The application seeks consent for extensions and alterations to an existing dwellinghouse that lies within the built-up area boundary of Buxton; one of the larger Market Towns identified under the settlement hierarchy set out under Local Plan (LP) Policy S2, that are the focus for housing and economic growth. The application is not constrained by any sensitive statutory designation.

Given the nature of proposed development and the planning policy context set out above, the principle of development is acceptable subject to all relevant material considerations.

Design Character and Appearance

LP Policy S1 sets out a number of sustainability principles which all new development proposals should incorporate in order to make a positive contribution towards the sustainability of communities and to protect, and where possible enhance the environment.

LP Policy EQ6 states that all development should be well designed to respect and contribute positively to the character, identity and context of High Peak's townscapes, in terms of scale, height, density, and layout.

The High Peak Residential Design Guide SPD (2005) and more recently adopted Design Guide SPD (2018) provides further guidance for domestic extensions and alterations. The former advises that generally flat roofs will be resisted due to its unsympathetic design. Extensions and alterations are required to be subordinate and secondary comparable to the main dwelling, allowing it to dominate, and respect its existing character and appearance, including an appropriate choice of materials.

Paragraph 127 of the NPPF states amongst other things that decisions should ensure that developments will add to the overall quality of the area; are visually attractive as a result of good architecture; and are sympathetic to the surrounding built environment.

The proposed extension essentially aims to 'fill in' the gap between the side elevation of the rear two storey gable and rear elevation of the main part of the house, being characterised with a flat roof with a lantern light above, spanning a width of approximately 3.5m, flush with the existing side elevation, and a depth of 4.5m, similarly flush with the rear elevation of the gable.

Whilst flat roofs are generally not supported in the High Peak, particularly in prominent locations easily visible from the public highway, it is considered in this case that the introduction of a flat roof to the rear of this property will not result in any harm to either the character and appearance of the house or the wider street scene.

The extension is considered to be of an appropriate scale, height and appearance that respects the parent building which is cemented by the choice of matching materials.

In summary, the application is considered to comply with LP Policies S1 and EQ6, the High Peak Residential Design Guide SPD and Design Guide SPD and paragraph 127 of the NPPF.

Amenity

LP Policy EQ6 requires all new development to have a satisfactory relationship with existing land and buildings and protects the amenity of the area, which includes residential amenity of neighbouring properties. Aspects of residential amenity include impacts such as a loss of sunlight, overshadowing and overbearing impacts, loss of outlook, and loss of privacy.

Paragraph 127 of the NPPF states that planning should create places with a high standard of amenity for existing and future users.

The proposed development is a single storey rear extension, Due to the extension not protruding beyond the existing gable, the occupiers of No.2 Newstead Court would not be adversely affected in any way.

The terraced properties that lie to the west are situated in excess of 21m from the proposed extension and due to its modest scale and height would not be adversely affected with regards to any overbearing impacts, loss of privacy, or loss of sunlight. Similarly, the detached property No.108A St Johns Road would not be affected due to the sizeable distance between existing and proposed development and intermittent boundary treatment.

The application will therefore not result in any harm to residential amenity in accordance with LP Policy EQ6 and paragraph 127 of the NPPF.

Highway Safety

LP Policy CF6 seeks to ensure that development can be safely accessed in a sustainable manner and that all new development is located where it can be satisfactorily accommodated within the existing highway network.

Paragraph 108 of the NPPF states that in assessing applications for development, it should be ensured that safe and suitable access to the site can be achieved for all users.

The proposed extension does not introduce any new bedrooms to the property and therefore there is no requirement to provide any additional off-street parking provision within the domestic curtilage. As such, and having regard to the comments of the Highways Authority, there are not considered to be any adverse highway safety impacts arising from the proposed development, in line with LP Policy CF6 and paragraph 108 of the NPPF.

CONCLUSION / PLANNING BALANCE

LP Policy S1a reflects the presumption in favour of sustainable development set out within the National Planning Policy Framework (NPPF). It states that planning applications that accord with relevant policies in the Local Plan will be approved without delay.

Paragraph 11 of the NPPF sets out the presumption in favour of sustainable development. For decision taking, this means approving development proposals that accord with an up-to-date development plan without delay; or, where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission, unless:

- the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

An assessment of the application has concluded that the application complies with all relevant local development plan policies and other material considerations including the NPPF, and thus constitutes a sustainable form of development.

In line with LP Policy S1a and paragraph 11 of the NPPF the application is recommended for approval subject to appropriate conditions.

OFFICER RECOMMENDATION : Approve with Conditions

Case Officer: James Stannard

Recommendation Date: 20th April 2021

X *B.J. Haywood*

Signed by: Ben Haywood

On behalf of High Peak Borough Council