

DELEGATED DECISION REPORT

HPK/2021/0049
Valid 15/02/2021

63 MILLDALE AVENUE
BUXTON

RESUBMISSION OF
PREVIOUS APPLICATION
HPK/2016/0341 FOR
PROPOSED TWO STOREY
SIDE EXTENSION FOLLOWING
DEMOLITION OF EXISTING
GARAGE AND ASSOCIATED
SINGLE STOREY REAR
EXTENSION. ALTERATION TO
FRONT PORCH DETAIL AND
REMOVAL OF TILE HANGING
FOR TIMBER BOARDING
DETAIL.

(FULL - HOUSEHOLDER)

MAIN ISSUES

- Design, Character and Appearance
- Amenity
- Highway Safety

DESCRIPTION OF SITE

The application site comprises a detached dwelling situated within the built up area boundary of Buxton. Properties in the vicinity of the site are a varied design and house types set within relatively narrow plots with very little space between dwellings.

The property occupies a slightly elevated position, set above the highway with an original single storey flat roof extension on the western (side) elevation which runs the full depth of the dwelling, sitting forward of the main front elevation by 2.4m. There is an existing conservatory to the rear with steps up to the garden area at the rear. There is driveway parking for 2 cars to the front of the dwelling.

The property is constructed from brown facing brick, with a concrete tile hung detailing over the majority of the front elevation, with the remainder being painted render.

PROPOSAL

This application follows a previous application for similar development approved under HPK/2016/0341 that comprised a two storey side extension following demolition of the existing garage, a single storey rear extension and a front porch.

The proposed two storey extension would project 2.7m from the side of the dwelling towards No. 65 Milldale Avenue and would extend along the entire side elevation with the single storey garage projecting forward of the building line. Overall the two storey extension would have an eaves height of 5m and a ridge height of 6.7m.

The single storey extension would project 3.4m from the rear, spans a width of 6.4m, and reaches an eaves height of 2.2m, and a ridge height of 3.3m. Materials used in construction would comprise brickwork and concrete tiles to match the existing.

The noticeable difference between the previously approved permission and this proposal is the design of the roof on both the front porch and the rear extension. The previously approved extension was shown to have a lean-to roof extending outwards from the front and rear elevations respectively. This revised proposal shows the front porch and rear extension to have a dual pitched roof with minor modifications to the fenestration.

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

Revised National Planning Policy Framework 2019

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

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

HPK/0000/8579 Kitchen Extension (Approved)

HPK/2012/0342	Proposed First Floor Side Extension over Existing Garage & Kitchen. Replace Tile Hanging to Front Elevation with Rendered Blockwork (Refused 06/08/2012)
HPK/2013/0341	Proposed first floor extension over existing garage & kitchen & Replace tile hanging to front elevation with rounded blockwork (Approved 16/08/2013)
HPK/2016/0341	Proposed two storey side extension following demolition of existing garage and associated single storey rear extension (Approved 03/08/2016)

CONSULTATIONS

Publicity

Site Notice expiry date: 19th April 2021
 Neighbour consultation period ends: 15th March 2021
 Press Advert: N/A

Public Comments

None

Town / Parish Comments

None

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 Milldale Ave, or part on its footway, situations considered against the best interests of safe operation of the public highway. In order to meet current recommendations, off-street parking spaces should be of 2.4m x 5.5m minimum dimension with an additional 0.5m of width to any side adjacent to a physical barrier e.g. wall, hedge, fence, etc.

OFFICER COMMENTS

Principle of Development

This application seeks permission for an extensions an existing residential property that lies within the built-up area boundary of Buxton; one of the larger Market Towns that sit at the top of the settlement hierarchy under Local Plan (LP) Policy S2. Within the Buxton new development will be permitted where it is required for local housing needs and to support economic growth. The site is not constrained by any sensitive statutory designation.

Given the nature of the proposed development, the planning policy context set out above, and that a similar development was previously approved under the current

Local Development Plan, the principle of development is considered to be 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) requires extensions and alterations to be subordinate and secondary in nature comparable to the main dwelling with regards to its scale and height, and respect the existing character and appearance of both the dwelling and wider street scene, particularly through an appropriate choice of materials.

In line with the analysis undertaken by Officers in accordance with HPK/2016/0341, the proposed two storey extension is considered to be of an appropriate scale, height, form and design. Although the dwelling will be a significant size on this relatively small plot, tightly built development is characteristic of this locality and will not harm the appearance or character of the surrounding area.

The proposed single storey rear extension is positioned where its visual impact would be minimal. The scale and design of this aspect of development are also considered sympathetic to the property. Although the single storey rear extension includes fenestration which would not match or reflect the character of the host dwelling, its impact would be limited to the immediate neighbours. Materials used in construction would match existing and this can be ensured by way of condition.

This revised proposal displays a minor variation comparable to the extensions and alterations previously approved with regards to the design of the roof design and fenestration associated with the front porch and rear extension. The roof design on both aspects show a change from the approved mono-pitch lean to roof to a dual pitched roof.

It is considered that this change in roof design will continue to respect the character and appearance of the main house, given that the angle of the dual pitched roof is consistent with the main house, whose principal elevation is a gable. The change in fenestration to the front porch is not considered to materially alter the character and appearance of the street scene comparable to that previously approved. Similarly, the change to the fenestration in the rear extension – although not ideal and not consistent with that in the existing house – are not considered to harm the character and appearance of the dwelling to the extent that it would warrant a reason for refusal. Overall the proposed extensions would not harm the character and

appearance of the street scene due to there being no public views of the rear elevation.

This revised application is therefore considered to comply with LP Policies S1 and EQ6, relevant Supplementary Design Guidance, and paragraph 127 of the NPPF.

Amenity

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

The High Peak Residential Design Guide SPD (2005) requires proposed extensions to preserve residential amenity by having regard to the relationship between existing and proposed development, and the positioning of windows amongst other matters.

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

Given the siting of the proposed extension, the main impact would be on residential properties that sit either side of the site.

The proposed extensions are not considered to impact significantly on the amenities of neighbouring dwellings by loss of light or overbearing impact. No. 65 Milldale Avenue does not contain any windows to the gable end facing the application site.

The scale and layout of the proposed single storey rear and two storey side extensions is consistent with that previously approved under HPK/2016/0341 which was accompanied by plan that demonstrated that it would not infringe on a 45 degree line drawn from the rear elevation of No. 65 Milldale Avenue. Therefore this revised proposal would continue to preserve the residential amenity of this neighbour. New window openings have been positioned sensitively to avoid intrusive overlooking of the neighbouring properties. With respect to number 61, as with the earlier approval, the proposed single storey rear extension will include a set of patio doors which will face towards the common boundary with this neighbour. A close boarded fence is positioned along the common boundary which will ensure that privacy will be maintained for both parties.

It is therefore concluded that the proposal would result in a satisfactory relationship with adjacent development and complies with LP Policy EQ6, the Residential Design Guide SPD (2005) 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. Appropriate levels

of off-street parking should be provided in accordance with parking guideline under Appendix 1.

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 Highway Officer has raised no objection to the proposed development, subject to the applicant demonstrating and maintaining 3 no. off street parking spaces of 2.4m by 5.5m minimum dimension clear of any obstruction to their designated use. The proposals include a new single garage and a driveway where two further cars can be parked. It is therefore considered that the application does not raise any highway safety concerns and the proposal accords with Local Plan 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.

The application seeks permission for extensions and alterations to No.63 Milldale Avenue, Buxton that are broadly consistent with those approved under HPK/2016/0341. The principle of development has therefore been established.

An assessment of the application has found that the proposed changes to the roof design and fenestration comparable to the previously approved scheme would not harm the character and appearance of the dwelling or wider street scene to the extent that it could warrant reasonable ground for refusal. Moreover the extensions would continue to preserve residential amenity and highway safety.

As such, the application is considered to constitute a sustainable form of development and in line with LP Policy S1a and paragraph 11 of the NPPF is recommended for approval subject to appropriate conditions.

OFFICER RECOMMENDATION : Approve with Conditions

Case Officer: James Stannard

Recommendation Date: 22nd April 2021

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Signed by: Jane Colley Signature

On behalf of High Peak Borough Council