

DELEGATED DECISION REPORT

HPK/2021/0100
Valid 09/03/2021

9 BATHAM GATE ROAD
PEAK DALE

SINGLE STOREY REAR
EXTENSION

(FULL - HOUSEHOLDER)

MAIN ISSUES

- Principle of development and design
- Neighbour amenity and parking

DESCRIPTION OF SITE

The application dwelling is a mid-20th Century end terrace dwelling on the main road through Peak Dale. Its front elevation is a front gable matching the dwelling at the other end of the row. The whole terrace is faced in grey render.

There is a driveway and small garden to the front, while the rear garden is larger and contains a lawned area. An existing conservatory extends most of the way across the rear elevation.

The dwelling is within the Peak Dale built-up area boundary.

PROPOSAL

It is proposed to construct a single-storey rear extension in place of the current conservatory, to form new living space. It will extend the full width of the dwelling, have a pitched roof with rooflights, glazed doors to the rear, a door on the side elevation and a window on one side and to the rear.

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

Design SPD
Residential Design SPD

National Planning Policy Framework

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

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

N/A

CONSULTATIONS

Publicity

Site Notice expiry date: 14/4/2021
Neighbour consultation period ends: 7/4/2021
Press Advert: N/A

Public Comments

None

Town / Parish Comments

None

Derbyshire County Council Highways

No highway safety comments to make.

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, Peak Dale 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 is therefore acceptable.

Design

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 respects the dominance of the original building. The roof design accords with that of the dwelling. Matching materials are proposed, with matching pebbledash rendering, harmonising with the parent building. The extension would almost match in depth that of the extension to the adjacent dwelling, maintaining the character of the terrace. The design is consequently in accordance with Policy EQ6 and the Design SPD.

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.

The proposal is unlikely to affect neighbour amenity at number 11, although it would be positioned closer to this neighbour as it extends the entire width of the house. The extension is likely to have a better relationship with the unattached neighbouring dwelling than the current conservatory, as the extent of side glazing, and opportunity for overlooking, will be reduced. The neighbour also has a single storey rear extension with a side facing door, which the door and window will look towards. The extension will almost match the depth of the extension to the attached neighbour and will not extend beyond it. There will consequently be no issues surrounding loss of light or overbearing impact. The proposal accords with the Local Plan on amenity issues.

Highway Safety

Policy EQ6 and CF6 seek to ensure that all new development is served by safe and satisfactory access.

Access and parking will not be affected by this proposal. The Highway Authority have no objections. No extra parking provision is required as a result of the development. The proposal therefore raises no highway safety concerns and therefore accords with Policies EQ6 and CF6.

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 : APPROVE

Case Officer: Faye Plant

Recommendation Date: 29/4/2021

X *J. Colley*

Signed by: Jane Colley Signature

On behalf of High Peak Borough Council