

## DELEGATED DECISION REPORT

---

HPK/2021/0101  
Valid 08/03/2021

49 BROSSCROFT  
HADFIELD  
GLOSSOP

DEMOLITION OF EXISTING  
CONSERVATORY AND  
ADDITION OF SINGLE  
STOREY EXTENSION AND  
TIMBER DECKING

(FULL - HOUSEHOLDER)

---

### MAIN ISSUES

- Design Character and Appearance
- Amenity
- Highway Safety

### DESCRIPTION OF SITE

The application relates to No.49 Brosscroft; a two storey mid-terraced property which lies to the west of the public highway with a small area of amenity space to the rear. The dwelling is constructed of a traditional stone with tiled roof and has a rear elevation that is characterised by a modest single storey conservatory.

The site is bounded to the south and north by residential properties with the boundaries defined by a low stone wall with clear open views in to and out of neighbouring gardens.

For the purposes of the development plan, the site lies within the built-up area boundary of Hadfield and is not constrained by any sensitive statutory designation.

### PROPOSAL

The application seeks planning permission to demolish the existing conservatory and construct a single storey rear extension with a mono-pitch roof which is shown to contain 3 x velux rooflights. The plans also show the introduction of a small amount of timber decking which extends outwards from the extension by 1.4m together with a small flight of steps leading to the rear amenity space some 400mm below ground floor level of the extension.

The original description of development did not refer to the timber decking and as such as been amended to reflect this aspect of development.

### 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  
S5 Glossopdale Sub-area Strategy  
EQ6 Design and Place Making  
CF6 Accessibility and Transport

### **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**

None

### **CONSULTATIONS**

#### **Publicity**

Site Notice expiry date: 20<sup>th</sup> April 2021  
Neighbour consultation period ends: 6<sup>th</sup> April 2021  
Press Advert: N/A

#### **Public Comments**

None

#### **Town / Parish Comments**

N/A

### **Derbyshire County Council Highways**

No Objections

## **OFFICER COMMENTS**

### **Principle of Development**

This application seeks permission for an extension to a residential property that lies within the built-up area boundary of Hadfield; identified as a Larger Village under the settlement hierarchy set out under Local Plan (LP) Policy S2. Within larger villages new development will be supported where it supports local housing needs and economic growth. The site is not constrained by any sensitive statutory designation.

Given the nature of the proposed development and the planning policy context set out above, the principle of development is considered to be acceptable subject to all 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 the design of domestic extensions and alterations. Extensions should be subordinate and secondary in nature comparable to the parent building with regards to its scale and height, and respect the existing character and appearance of the building with regards to the choice of materials.

Paragraph 127 of the NPPF states amongst other matters that new development should add to the overall quality of the area, be visually attractive as a result of good architecture and sympathetic to the surrounding built environment.

The existing dwelling is a typical of a terraced dwelling within the High Peak, with the rear elevation characterised by a single storey conservatory which spans a width of 4m and protrudes outwards by 2.6m. The ground floor level of this extension is set 440mm above the small rear amenity area and is accessed via a small flight of steps via a set of French Doors. The conservatory is finished in a rather unsympathetic brown UPVC.

The proposed replacement extension is shown to have an increased width of 4.7m and maintains a consistent depth of 2.7m, shown to be constructed of a matching stone, with a mono-pitch natural slate roof, also consistent with the existing house.

The proposed extension is considered to continue to read as a secondary and subordinate structure and of an appropriate scale, form height and layout. The

choice of matching materials allows the extension to relate to the existing dwelling thereby preserving its character and appearance.

The timber decking is, in design terms, a very modest aspect of development which would not be visible from any public vantage point and as such is not considered to result in any adverse harm to either the character and appearance of the dwelling or the wider street scene.

The application is therefore considered to comply with LP Policies S1 and EQ6, relevant Supplementary Planning 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 requires domestic extensions and alterations to preserve the residential amenity of neighbouring properties having regard to the relationship between existing and proposed development, positioning of windows, and changes in land levels.

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

Before assessing the impacts of the proposed development, it is important to note that permitted development rights for this property are fully intact and therefore offers a 'fall back' position with regards to the implementation of a rear extension and also any raised decking area. Permitted Development rights allow for a single storey extension with a maximum depth of 3m and maximum height of 4m for a terraced property, and any raised platform with a maximum height of 0.30m above ground floor level.

The property is flanked on its northern and southern sides by neighbouring residential properties, which have little in the way of boundary treatment. Having regard to Permitted Development rights, and that the proposed replacement extension does not propose any increase in depth, this aspect of development is not considered to result in any adverse harm to the amenity of neighbouring properties over and above the current context, with regards to overlooking, overbearing impacts, loss of sunlight or loss of privacy.

The application proposes a section of timber decking that extends outwards by 1.4m which stands 0.44m above the ground floor level of the amenity area to the rear of the extension. When considering the current open relationship between the rear amenity areas of the row of terraced properties and lack of boundary treatment, together with the fact that decking with a height of 0.30m could be erected without planning permission, it is considered that this aspect of development would lead to potential overlooking into neighbouring properties, and the loss of privacy. At the present time the use of the rear amenity space causes overlooking to both

neighbours. However, it would not lead to a degree of harm over and above the existing context, and what can be implemented under permitted development rights to warrant a sustainable and substantive reason for refusal.

Therefore, on balance, when considering all material considerations, it is concluded that the proposed development does not result in any conflict with LP Policy EQ6, the Residential Design Guide SPD 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 development comprises the replacement of an existing conservatory with a single storey extension and a small amount of timber decking, it does not provide any additional bedrooms for the property. As such, there is no requirement to provide any additional off-street parking provision and when having regard to the Highways Authority comments, there are no considered to be any adverse highway safety impacts arising from the 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.

The application has been assessed against and – on balance - found to comply with all relevant local development plan policies and all other material considerations including supplementary planning guidance and the NPPF.

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: 4<sup>th</sup> May 2021**

X 

---

Signed by: Jane Colley Signature

**On behalf of High Peak Borough Council**