

DELEGATED DECISION REPORT

HPK/2021/0064
Valid 02/03/2021

2 BROOKHOUSE COURT
HAYFIELD

RE-SUBMISSION OF
PREVIOUSLY APPROVED
HPK/2015/0521 FOR A SINGLE
STOREY REAR EXTENSION

(FULL - HOUSEHOLDER)

MAIN ISSUES

- Design, Character and Appearance
- Residential Amenity
- Trees
- Highway Safety

DESCRIPTION OF SITE

The application relates to No.2 Brookhouse Court, Hayfield, a large two storey dwelling with a large rear garden that is partially within a wider area subject to a Tree Preservation Order (TPO). The property has been subject to previous extensions approved in 1999 and 2009, and a more recent application for a single storey extension approved under HPK/2015/0521 however this has not been implemented.

The property sits to the east of the small cu-de-sac which is accessed from Wood Lane to the south, with No.1 Brookhouse Court standing to the south, and No.3 Brookhouse Court lying to the west.

PROPOSAL

The application seeks permission for a single storey rear extension that has characteristics that are identical to that approved under HPK/2015/0521. The extension would extend to a width of 5.7m, a depth of 3.7m, reaching a ridge height of 3.6m. The extension features bi-fold doors with two larger windows finished in UVPC and is shown to be constructed from materials that are consistent with the main house.

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
- S6 Central Sub-area Strategy
- EQ6 Design and Place Making
- EQ9 Trees, Hedgerow and Woodland
- CF6 Accessibility and Transport

National Planning Policy Framework

Achieving Sustainable Development	Chapter 2
Promoting Sustainable Transport	Chapter 9
Achieving Well Designed Places	Chapter 12
Conserving and Enhancing the Natural Environment	Chapter 15

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

HPK/0003/3806	86 Dwellings. (Approved 23/02/1995)
HPK/0003/8270	Conservatory (Approved 27/08/1999)
HPK/2009/0525	Proposed Extension To Provide Extension To Kitchen & Sitting Room In Place Of Conservatory & Extension Above Garage To Provide Master Bedroom & Ensuite (Approved 13/11/2009)
HPK/2015/0326	Proposed Single Storey Rear Extension (Withdrawn)
HPK/2015/0521	Proposed single storey rear extension (Approved 16/11/2015)
HPK/2016/0321	Variation of condition 4 (Gas Protection) Proposed single storey rear extension HPK/2015/0521 (Approved 12/08/2016)

CONSULTATIONS

Publicity

Site Notice expiry date: 15th April 2021
Neighbour consultation period ends: 30th March 2021
Press Advert: N/A

Public Comments

None

Town / Parish Comments

No objection.

Flood Risk Management Team

No comments to make.

Derbyshire County Council Highways

No comments received.

OFFICER COMMENTS

Principle of Development

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

Having regard to the nature of the proposed development, the planning policy context, and the relatively recent decision by the Council to approve an identical development, albeit under a previous Local Plan, 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 useful guidance for domestic extensions and alterations. Extensions should be subordinate and secondary in scale comparable to the parent building and respect the character and appearance of the main building and surrounding area with regards to the 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.

In line with previous conclusions by Officers in considering the previous application for an identical single storey extension under the previous Local Plan, it is judged that the proposed extension is relatively modest in scale and height, and as such would continue to read as a subordinate and secondary addition comparable to the main house, constructed of matching materials that complement the main building.

The proposed extension is therefore considered to align with the design principles contained under 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 Design Guide SPD requires extensions to preserve the residential amenity of neighbouring properties, having regard to the relationship between existing and proposed development, the positioning of windows and changes in land levels.

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

The two residential dwellings that have the potential to be affected by the proposed development are No.1 Brookhouse Court, which lies to the south, and No.3 Brookhouse Court which stands to the west. Given the siting of the proposed extension, and the orientation and spatial relationship between the two properties, it is not considered that the amenity of No.1 would be adversely affected.

The proposed extension is single storey and would not result in any overbearing impacts to the occupiers of No.3. Given the boundary treatment, characterised by a timber fence and mature hedgerow, there are not considered to be any adverse impacts regarding any overlooking, loss of privacy or loss of sunlight.

In light of the above, and in accordance with conclusions reached by Officers in considering the previous scheme in 2015, the application is not considered to result in any adverse impacts relating to residential amenity, in accordance with LP Policy EQ6, relevant supplementary planning guidance and paragraph 127 of the NPPF.

Trees

LP Policy EQ9 seeks to protect existing trees, woodland and hedgerow and requires new development proposals where appropriate to provide tree planting and soft landscaping. Chapter 15 of the NPPF provides the national planning policy context for conserving and enhancing the natural environment.

The application is accompanied by a Tree Report that was submitted as part of the previously approved application for similar development in 2015. In responding to the

previous application, the Council's Tree Officer stated that she had no objections subject to a pre-cautionary tree protection measures during the construction phase of the development.

It is standard practice to require a technical report to be up-to-date which in most case means less than 24 months old. However, given that a tree protection scheme, as required by Condition 6 relating HPK/2015/0521, was submitted and approved under DOC/2016/0057, it is concluded that matters relating to trees can be addressed by way of a compliance condition that requires the development to be implemented in line with this scheme.

Therefore, subject to appropriate conditions, the proposed development is considered to preserve protected trees within the wider TPO in accordance with LP Policy EQ9 and relevant paragraphs under Chapter 15 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 would not create any additional bedrooms and therefore no additional off-street parking provision is required. As such, and when having regard to comments from the Highway Authority that raise no objections to the proposals, there are not considered to be any adverse highway safety impacts arising from the development, in line with LP Policy CF6 and paragraph 108 of the NPPF.

Other Matters

The previous application was subject to comments and subsequent pre-commencement conditions that relates to the presence of landfill gas. These matters have been addressed within the application to vary Condition 4 relating to HPK/2015/0521, which imposed a condition requiring compliance with the gas protection scheme. It is recommended that the same condition is also imposed on any grant of consent, in the interest of public safety.

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 consent for a single storey rear extension that is identical with regards to its scale, height, and visual characteristics to that which was approved under HPK/2015/0521, albeit under a previous Local Plan.

An assessment of the application has concluded that the proposed development would subject to appropriate conditions, continue to comply with all adopted local development plan policies, supplementary guidance and the NPPF.

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: 5th May 2021

X 

Signed by: Jane Colley Signature

On behalf of High Peak Borough Council