

DELEGATED DECISION REPORT

HPK/2021/0061
Valid 11/03/2021

158 LIGHTWOOD ROAD
BUXTON

REAR, SINGLE STOREY
EXTENSION WITH LEAN-TO
ROOF TO CREATE A
KITCHEN/DINING AREA, A
NEW BACK DOOR TO A REAR
LOBBY AND WC.

(FULL - HOUSEHOLDER)

MAIN ISSUES

- Principle of development and design
- Amenity and highways

DESCRIPTION OF SITE

The application site comprises a 1930s semi-detached dwellinghouse on Lightwood Road, opposite the junction with Corbar Road. The plot has a garden to the front and a driveway leading to a detached garage located to the side of the dwelling and set back from its front elevation.

The front of the plot is bounded by a low traditional stone wall and hedges mark the side boundaries. To the rear is further garden space which adjoins open land and woodland.

The site falls within the Buxton built-up area boundary but adjoins open countryside to the rear.

PROPOSAL

This application seeks full consent for a single storey rear extension. It is proposed to demolish the existing detached garage. It is then proposed to construct a single-storey rear extension to form a new kitchen/dining area, with a lean-to roof form that wraps around a rear corner and forms a pitched roof element to the side elevation. Rooflights are proposed in the new rear roof slope. A door is proposed on the side. External steps along the side elevation are proposed as a response to the change in ground level.

Revised plans were received during the course of the application as the applicant sought to overcome a neighbour's concerns. A section of the extension facing the neighbouring attached property has been 'cut' back to a depth of 3.3m, following discussions with the neighbour regarding light and amenity. Neighbouring properties have been reconsulted.

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
S7 Buxton Sub Area Strategy
EQ 6 Design and Place Making
CF 6 Accessibility and Transport

Design Guide SPD
Residential Design Guide 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: 14/04/2021
Neighbour consultation period ends: 06/05/2021
Press Advert: N/A

Public Comments

Objections (1) received in relation to original plans.

I object to the 4.35m projection from the existing building making it like a tunnel and blocking my light, I have spoken the applicant and he has agreed to reduce this to 3m on the wall closest to my property, this is an acknowledgment to that agreement

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, Buxton is regarded as a 'Market town' 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 of residential development is 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 is subordinate to the original dwelling and harmonises with its design. Its location largely to the rear means it will not significantly alter the character of the dwelling when viewed from Lightwood Road.

The design is considered to accord with the Local Plan 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 original proposals would have had an overbearing effect on the attached neighbouring dwelling and caused some loss of light to its occupants. Following discussions, the proposal has been reduced on the party wall side. This reduction will ensure that there will be no loss of light nor any overbearing impacts to the adjoining neighbour.

The alteration has resulted in a slightly larger side extension, taking the development closer to the detached dwelling on the other side. However, due to the existence of significant planting on the boundary between the plots, it is not considered that a single-storey extension will be detrimental to the amenity of occupants of this dwelling. Moreover, the existing garage which is positioned along the boundary with the neighbour to the south will be removed resulting in an improved relationship to this neighbour. Two side facing windows are proposed serving a kitchen and WC. Whilst these would ordinarily require obscure glazing the substantial boundary treatment, including a mature hedge within the neighbour's boundary would ensure that there is no overlooking. In addition the windows would face directly towards the

side elevation of this neighbour. The proposal is now considered acceptable in amenity terms.

The proposal is therefore considered to comply with the requirements of local plan EQ6 and section 12 of the NPPF in this regard.

Highway Safety

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

The proposals would result in the loss of a garage. No first floor plans are provided, resulting in lack of information on the number of bedrooms in the property. However, given the size of the dwelling it is unlikely to contain more than three bedrooms. The parking requirement, therefore, according to guidance in the Local Plan is two off-road parking spaces. Despite the loss of the garage this can be achieved on the driveway to the front of the dwelling.

No highways safety issues are raised by the proposal which is in accordance with Policies EQ 6 and CF 6.

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: 06/05/2021

X 

Signed by: Jane Colley Signature

On behalf of High Peak Borough Council