

DELEGATED DECISION REPORT

HPK/2022/0345
Valid 01/08/2022

**40 MACCLESFIELD OLD
ROAD
BUXTON**

**PROPOSED TWO STOREY
SIDE EXTENSION INCLUDING
GARAGE WITH NEW
BEDROOM ABOVE**

(FULL - HOUSEHOLDER)

MAIN ISSUES

- Design, Character and Appearance
- Amenity
- Parking Provision and Highway Safety

DESCRIPTION OF SITE

The application relates to No.40 Macclesfield Old Road, Buxton, a two storey, three bedroom semi-detached property with a hipped roof and, like many properties in the street scene, finished in a peddle-dash render with fenestration finished in a white UPVC. The site benefits from a front garden and private driveway that leads to a single storey ancillary garage.

The site is bounded to the south-east by the public highway, and to the rear by the large curtilage associated with Brookfield Cottage, which due to a change in topography, is situated at a significantly lower level.

Residential development sits either side of the site. To the south-west lies No.42 Old Macclesfield Road which is the other half of the semi-detached block, whilst a short distance to the north-east is the neighbouring property of No.38 Macclesfield Old Road.

The site lies within the built-up area boundary and is not constrained by any statutory designation.

PROPOSAL

The application seeks consent for a two storey side extension that would replace the existing single storey garage. The extension would see the introduction of a fourth bedroom, with the ground floor being retained as a garage.

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

National Planning Policy Framework 2021

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: 13th September 2022
Neighbour consultation period ends: 1st September 2022
Press Advert: N/A

Public Comments

None

Town / Parish Comments

N/A

Derbyshire County Council Highways

The application will increase the amount of bedrooms from 3 to 4 without increasing the on-site parking area.

However, it is noted that other dwellings on Macclesfield Old Road have approval for similar applications, so it would be difficult to sustain a recommendation for refusal, therefore there are no highway objections to the proposals.

OFFICER COMMENTS

Principle of Development

The application seeks permission for extensions and alterations to an existing residential dwelling that lies within the built-up area boundary of Buxton; one of the larger Market Towns in the Borough that sit at the top of the settlement hierarchy under Local Plan (LP) Policy S2 and are the focus for new housing and economic growth. The site is not constrained by any sensitive statutory designation.

Given the nature of development and planning policy context set out above, the principle of development is acceptable subject to an assessment of all relevant planning 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, having regard to matters of scale, height, density, layout, appearance and materials.

The High Peak Residential Design Guide SPD (2005) and more recently adopted Design Guide SPD (2018) contains further design guidance for extending and altering domestic properties. Extensions and alterations should respect the scale and height of the parent building reading as a subordinate and secondary addition and respecting the character and appearance of the building through an appropriate choice of materials.

Paragraph 130 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.

The existing dwelling lies within a street scene that has a degree of uniformity with regards to the form, layout and appearance of dwellings, particularly on the northern side of the street, many of which have benefited from two storey side extensions, creating fourth bedrooms. The overall visual sensitivity of the site and wider street scene is considered to be low.

The proposed extension would include a hipped roof which is set below the ridgeline of the main house. Similarly, the principal elevation of the extension incorporates a small set back behind the principal elevation of the main house, both of which allows the extension to be read as a subordinate and secondary addition that respects the dominance of the main house.

The width of the proposed extension would be broadly consistent with the existing garage amounting to approximately 50% of the width of the main house, which is considered to amount to a balanced and proportionate extension. The use of peddle-dash render, whilst not considered to be a high quality material, is nevertheless appropriate in this case given its use within the main house and wider street scene.

Based on the above analysis, the proposed extension is considered to be of an appropriate scale, height, massing and visual appearance that aligns with the design principles set out under LP Policies S1 and EQ6, relevant Supplementary Design Guidance and relevant paragraphs under Chapter 12 of the NPPF.

Amenity

LP Policy EQ6 requires all new development to have a satisfactory relationship with existing land and buildings and protects the amenity of the area, which includes residential amenity of neighbouring properties. 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 extensions to preserve the residential amenity of neighbouring properties, having regard amongst other things to the relationship between existing and proposed development, the positioning of windows, and the change in land levels.

Paragraph 130 of the NPPF states that planning should create places with a high standard of amenity for existing and future users.

The application is surrounded on three sides by residential development. Given the significant change in land levels and the distance and spatial relationship between habitable elevations, it is not considered that the neighbouring property to the north Brookfield Cottage would be adversely affected by the proposed development.

Given the fact that the extension does not protrude beyond the front or rear elevation, there would not be any adverse impacts on the occupiers of No.42 Macclesfield Old Road.

The side extension would sit immediately opposite the side elevation of No.38 Macclesfield Old Road which benefits from a single storey side garage with an obscure glazed window serving a bathroom at first floor level. It is considered that the introduction of a second storey to No.40 would not result in any adverse overbearing impacts to this neighbouring property, and given the lack of any fenestration in the side elevation would not result in any overlooking, loss of privacy, or loss of sunlight.

As such, it is concluded that the proposed extension would preserve the residential amenity of all neighbouring properties in accordance with LP Policy EQ6, the High Peak Residential Design Guide SPD, and paragraph 130 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 and provides suitable off-street parking provision in accordance with guidelines set out under Appendix 1 of the Local Plan.

Paragraph 110 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. Paragraph 111 goes on to state that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

The current dwelling contains three bedrooms with the extension proposing a fourth bedroom. The adopted parking guidelines requires a three bedroom house to provide a minimum of 2no. off-street parking spaces whilst a four bedroom house should provide a minimum of 3no. parking spaces.

Like all properties on Macclesfield Old Road, No.40 is constrained by a small front garden and a short driveway, leading to a single garage. There are multiple examples of properties on the street being extended in a similar manner to provide a fourth bedroom, albeit under a previous Local Plan.

Whilst there would be conflict with LP Policy CF6 given the fact that 3no. parking spaces cannot be provided, it is considered that to refuse the application on the grounds of a lack of parking would be unreasonable given the local context, and the comments of the Highways Authority. Furthermore, in the event that revised plans were requested to show a different floor layout showing three bedrooms, there would be no means of restricting any changes to the layout in future, as it would not require planning permission in its own right. Moreover, the site lies within a sustainable location in the built-up area boundary of a Market Town, within close proximity to services, facilities and public transport links.

Therefore when taking all of the above into account, it is considered that whilst the proposed development would not provide sufficient off-street parking, a refusal on these grounds would not be sustainable at appeal, and therefore on balance the application is acceptable in connection with potential adverse impacts on highway 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 permission for a two storey side extension to create a fourth bedroom at No.40 Macclesfield Old Road, Buxton. The site lies within the built-up area boundary and is not constrained by any statutory designation.

An assessment of the application has been found to be of an acceptable design that responds well to the dwelling and wider street scene, would preserve residential amenity, and, on balance, does not result in a degree of harm to highway safety that would warrant a reason for refusal.

The application is thus found 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 September 2022

X 

Signed by: Ben Haywood

On behalf of High Peak Borough Council