

DELEGATED DECISION REPORT

HPK/2022/0380
Valid 18/08/2022

104 BROWN EDGE ROAD
BUXTON

SINGLE STOREY FRONT
EXTENSION EXISTING PORCH
DEMOLISHED AND
REPLACED A NEW GROUND
FLOOR
BATHROOM/WETROOM.
EXISTING CONSERVATORY
TO BE PARTIALLY
DEMOLISHED AND
CONSTRUCTED WITH A
TIMBER ROOF.

(FULL - HOUSEHOLDER)

MAIN ISSUES

- Design, Character and Appearance
- Amenity

DESCRIPTION OF SITE

The application relates to No.104 Brown Edge Road, Buxton, a two storey semi-detached hipped property which is finished in an cream render. The principal elevation is characterised by a small porch, with a larger porch present on the principal elevation of the immediate neighbour No.102 Brown Edge that was approved under HPK/2021/0281.

The rear elevation is characterised by a split-level outrigger which extends into the garden, and a modest conservatory on a brick base that was added following the granting of planning permission under HPK/2003/0535.

The property is fairly typical of those dwellings that sit to the east of Brown Edge Road, which is defined as a ribbon form of development that extends northwards, and characterised by semi-detached hipped properties finished in various shades of render including pebbledash.

The site is bounded to the west by the public highway and to the east by open agricultural land. To the south is the other part of the semi-detached block No.102 Brown Edge Road, whilst to the north is No.106 Brown Edge Road.

PROPOSAL

The application seeks full planning permission to replace the existing porch with a new front extension serving a small WC and entrance hall, and to replace the

existing conservatory with a single storey rear extension which would be built on the same footprint.

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
EQ6 Design and Place Making

National Planning Policy Framework 2021

Achieving Sustainable Development	Chapter 2
Achieving Well Designed Places	Chapter 12

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

HPK/2003/0535 Conservatory (Approved 15/08/2003)

CONSULTATIONS

Publicity

Site Notice expiry date: 27th October 2022
Neighbour consultation period ends: 29th September 2022
Press Advert: N/A

Public Comments

None

Town / Parish Comments

N/A

Severn Trent Water

Having reviewed our statutory sewer records, they do not currently demonstrate any public sewers on the property. However, due to a change in Legislation that came

into force October 2011, there could be unmapped assets on the property that will enjoy the same protection as all our mapped assets.

Protective strips:

100mm to 225mm diameter sewers – 3m either side of the pipe, thus providing 6m protection zone across the diameter of the pipe.

300mm to 999mm diameter sewers – 5m either side of the pipe and providing 10m protective strip, across the diameter of the pipe.

Any sewers greater than 999mm diameter, enjoy a protective strip of 7.5m either side of the pipe (15m across the diameter).

Further information about the transfer, along with guidance to determine whether they're served by a public sewer can be found on our website:

<https://www.stwater.co.uk/my-supply/waste-water/looking-after-your-sewers/sewer-pipe-responsibility/>

If your client believes they're served by an unmapped public sewer, please advise them to contact us for further guidance on this matter
(building.over@severntrent.co.uk – Tel: 0345 266 7930).

Derbyshire County Council Highways

No highway safety comments to make.

OFFICER COMMENTS

Principle of Development

The application seeks permission for extensions and alterations to an existing residential property on a site that lies within the built-up area boundary of Buxton, one of the larger Market Towns that sit at the top of the settlement hierarchy under Local Plan (LP) Policy S2. Buxton is an area that is identified as being a location suitable for new housing and economic growth. The site is not constrained by any statutory designation. As such the principle of development is considered to be acceptable subject to other relevant policies.

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) contain 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 new developments 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.

Brown Edge Road is characterised by a linear ribbon development of interwar housing that are characterised by hipped roofs and finished in various shades of render.

The proposed alterations to the front elevation to introduce a larger porch would read as a proportionate and subordinate extension, owing to its hipped roof, and choice of proposed materials. It would respect the existing character and appearance of the main dwelling, along with the adjoining neighbour and the wider street scene.

Turning to the proposed extensions to the rear elevation, the existing conservatory, together with the split-level outrigger are considered to contribute negatively to the overall character and appearance of the site, particularly given the disproportionate scale and length of the outrigger. The proposed replacement of the UVPC Conservatory with a single storey built extension of a similar footprint, with hipped roof, is considered to be in keeping with the existing dwelling and would not give rise to any harm to the character of the dwelling or indeed the wider street scene.

As such, it is considered that the proposed extensions and alterations to the property align with the design principles set out under LP Policy 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.

Due to the modest scale of the proposed enlarged porch, its functionality, and its spatial and visual relationship with neighbouring properties, one of which (No.102) benefits from a large porch, there are not considered to be any adverse impacts to neighbouring residential amenity, subject to an appropriate condition that requires the small window serving the WC to be obscure glazed.

Turning to the proposed rear extension, the conservatory that currently exists was approved in 2003, and is shown to have a depth of 3.9m and height of 3.2m. Condition 4 of this decision requires the southward facing wall to be obscure glazed in the interests of preserving residential amenity of this neighbouring property.

The proposed extension would maintain the same depth as the existing conservatory and is shown to have both a vertical and horizontal window in the south elevation facing No.102 Brown Edge Road. In line with the decision relating to the conservatory, it is recommended that a condition be applied which secures obscure glazing in these windows. Although there is a partial close boarded fence along the common boundary it would not completely alleviate overlooking.

Whilst there may be a breach of the 45 degree angle taken from the centre point of the nearest habitable window at No.102 Brown Edge Road, the presence of an existing timber fence and the side elevation of the existing conservatory already results in a breach, and therefore it is considered that a reason for refusal on the grounds of loss of sunlight to this neighbouring property would not be sustainable at appeal. No objections have been received from this neighbouring property.

Having regard to the above, it is concluded that when taking account of the existing context, the proposed extensions and alterations to No.104 Brown Edge Road would not give rise to any adverse harm to neighbouring residential amenity, in accordance with LP Policy EQ6, the Residential Design Guide SPD, and relevant paragraphs under Chapter 12 of the NPPF.

The development does not give rise to any highway safety concerns.

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 extensions and alterations to an existing residential property that lies within the built-up area boundary of Buxton on a site not constrained by any statutory designation. The principle of development is therefore acceptable.

A detailed assessment of the application has concluded that the proposed extensions and alterations would not give rise to any adverse harm to the character and appearance of the property or wider street scene, and, when having regard to the existing context, would not result in any harm to residential amenity that would be sustainable at appeal.

As such, the application is considered to comply with all relevant Local Development Plan policies and other material considerations including the NPPF and thereby constitutes a sustainable form of development. 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: 1st November 2022

X 

Signed by: Jane Colley Signature

On behalf of High Peak Borough Council