

DELEGATED DECISION REPORT

HPK/2022/0417
Valid 13/09/2022

31 BUXTON ROAD
DOVE HOLES

EXTERNAL ALTERATIONS TO
INCLUDE REMOVAL OF SIDE
AND REAR EXTENSIONS,
NEW REAR EXTENSION AND
REMOVAL OF DILAPIDATED
GARAGE AT THE REAR TO BE
REPLACED WITH NEW
GARAGE

(FULL - HOUSEHOLDER)

MAIN ISSUES

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

DESCRIPTION OF SITE

The application relates to No.31 Buxton Road, Dove Holes. The existing property is a semi-detached two storey three bedroom house with hipped roof, with direct access from Buxton Road (A6) to the west via private driveway.

The side (northern) elevation is characterised by an unsympathetic lean to structure serving a utility room which a similarly unsympathetic conservatory to the rear, beyond which is a large rear garden which contains two further outbuildings – an annex, and a timber shed.

The front of the site borders No.29 to the north which is sited significantly further forward immediately adjacent to the highway. Open fields border the rear garden to the north and east, with the other part of the semi-detached block No.33 Buxton Road being situated to the south.

PROPOSAL

The application seeks permission for various alterations and extensions that are summarised as follows:

- Demolition of existing utility room
- Demolition of existing conservatory and replacement single storey rear extension
- Demolition of existing annex building and creation of a large 'shed'
- Creation of new driveway to side of dwelling with parking and turning area to the rear

The single storey rear extension that is set to replace the conservatory is shown to have a hipped roof which would be constructed from a reconstituted brick and finished in render, with slate tiles to match the dwellinghouse.

The Planning Statement notes that the proposed new shed is to serve a “hobby space” for use by the occupier and would not be for commercial purposes. At the request of Officers seeking further clarification on the proposed ancillary use, the agent has confirmed that the applicant is retired, and has vehicles that he wishes to restore.

This proposed shed (essentially a garage) is shown to have a depth of some 12.2m and width of 5.5m (67.1sqm) with a rear elevation that abuts the rear boundary of the site.

Following concerns from Officers in connection with the scale and massing of the proposed ‘shed’ to the rear of the site, revised plans have been submitted for consideration, which are the subject of assessment within this report.

The revised plans show the proposed shed (garage) to be re-orientated showing a wider front elevation and shorter depth, with three roller shutter garage doors evenly spaced. The description of development has been amended slightly to more accurately describe the use of this outbuilding.

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 Chapel-en-le-Frith Neighbourhood Plan (2015), 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
- 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: 27th October 2022

Neighbour consultation period ends: 13th October 2022

Press Advert: N/A

Public Comments

None

Chapel-en-le-Frith Town Council Comments

No objections – committee supports application

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 dwelling that lies within the built-up area boundary of Dove Holes, which is identified as a Larger Village within the settlement hierarchy under Local Plan (LP) Policy S2, which is stated as being able to accommodate development of a modest scale. The site is not constrained by any statutory designation.

Given the nature of proposed development and the planning policy context set out above, the principle of development is supported subject to an assessment of all 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 alterations to the main dwellinghouse, which includes the removal of a dilapidated unsympathetic side porch would enhance the visual aesthetics of the site.

With regards to the proposed 'shed' (garage), Officers raised concerns in connection with original plans submitted, as set out in an email to the agent dated 14/10/22:

"Having visited the site and reviewed the submission associated with the above application, I am fully supportive of the external alterations and remodelling of the driveway. However, I do have significant concerns regarding the scale of the proposed 'shed' and the proposed 'hobby' (non-commercial) use of it.

The 'shed' is akin to the scale of a small industrial unit, and I would be keen to understand why a floor area of some 60 square metres is required. I don't think I would have an objection if the proposed length of the shed was reduced by half."

The applicant's agent subsequently argued that there was a Permitted Development fall-back position. Officers responded as follows:

"PD Rights would allow for an outbuilding under Class E, only where the building has a flat roof with a height of 2.5m where it falls within 2m of the boundary of the curtilage. We cannot control what can be achieved under PD. Where planning permission is required, proposals are required to be acceptable with regards to local and national policies, and supplementary guidance. In its current form, this garage has an extensive depth that in our view does not read as a subordinate and secondary outbuilding by virtue of its scale and massing, contrary to LP Policies S1 and EQ6, Chapter 5 of the Design Guide SPD, and relevant paragraphs under Chapter 12 of the NPPF.

I do understand the clients desire for a space to store vehicles. Perhaps a balance can be struck where we agree a reduction in the depth to 7m, which would still allow for 2/3 vehicles at any one time to be stored securely."

In response to the above, revised plans have been submitted which shows the shed (garage) to be positioned at the very rear of the site, with the rear elevation running parallel with the rear boundary, having a width of 8.4m and depth of 7.0m.

A mono-pitch roof extends from front to rear, with walls shown to be constructed in a lightly coloured brick. The front elevation is characterised by three proportionate balanced roller shutter doors, with three velux rooflights above.

This revised proposal for this outbuilding is considered to represent a significant improvement on the original proposals and addresses the concerns raised by Officers. The outbuilding now reads as a proportionate, balanced and subordinate ancillary structure comparable to the main house, in accordance with the Council's Supplementary Design Guidance.

As such, in its revised form, the application is considered to amount to high quality design that accords with the design principles set out under LP Policies S1 and EQ6, relevant Supplementary Design Guidance, and paragraph 130 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 proposed alterations to the main dwelling would see the existing rear conservatory replaced with a single storey rear extension of a similar scale and height with no windows facing the garden of the neighbouring property. It is also located to the north of the attached property so no overshadowing will occur. Sufficient distance will be maintained to the neighbour to the over side to avoid adverse impacts. The proposed garage is set back a considerable distance within the plot and would not be used for any habitable purposes. As such, it is considered that the proposed development in its revised form would not give rise to any adverse harm to neighbouring amenity, in line with LP Policy EQ6, the 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 site benefits from direct access to Buxton Road and a private driveway. As a result of the proposed extensions and alterations, a driveway would be created adjacent to the side elevation that extends to the rear where a turning area is also provided. The Highways Authority have raised no objections.

It is considered that the proposed development would preserve highway safety in accordance with LP Policy CF6 and paragraph 110 of the NPPF.

Other Matters

Nutrient Neutrality

The site lies within the catchment of the River Wye which forms the Peak District Dales Special Area of Conservation (SAC). The Council has been notified that action must be taken to address exceedances of phosphorus in the River. As such, the Council cannot grant consent for development unless it can rule out “likely significant effects” on the SAC. A Habitats Regulations Assessment (HRA) will be required when the plan or project creates a source of water pollution or has an impact on water quality and when it is within the catchment of the SAC. Initially, a screening assessment will be required to consider if “likely significant effects” (alone or in combination) on the SAC can be ruled out. If not, this will be followed by an “Appropriate Assessment” where the impact of the plan or project is considered in detail.

Screening Assessment

The proposal is not directly connected with or necessary for the conservation management of a European site. The proposal will not increase overnight stays. However, the proposal does involve additional roof area and will therefore increase surface water run-off. However, given the very limited extent of the additional roof it will not significantly increase run-off from the site and in turn will not risk having a significant negative effect on the SAC either on its own or in combination with other proposals and therefore it is not necessary to carry out an Appropriate Assessment.

CONCLUSION / PLANNING BALANCE

LP Policy S1a reflects the presumption in favour of sustainable development set out within the National Planning Policy Framework (NPPF).

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 extensions and alterations to an existing residential dwelling and other development within the residential curtilage, on a site that lies within the built-up area boundary that is not constrained by any sensitive statutory designation. The principle of development is therefore accepted.

Following concerns raised by Officers in relation to the scale, massing and design of the 'shed' (which is essentially a garage and thus the description of development amended accordingly) revised plans have been found to address initial concerns, and as such, the application in its revised form is considered to accord with the design principles set out within the Local Plan and would not give rise to any adverse harm to residential amenity or highway safety.

As such, the application is found to amount to 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 November 2022

X 

Signed by: Ben Haywood

On behalf of High Peak Borough Council