

DELEGATED DECISION REPORT

HPK/2022/0480
Valid 21/10/2022

123 NITHEN COTTAGE,
PARK ROAD, BUXTON,
DERBYSHIRE, SK17 6SP

ERECTION OF TWO STOREY
EXTENSION (FULL -
HOUSEHOLDER)

MAIN ISSUES

- Principle of Development
- Design Considerations (inc Heritage Assets)
- Impact upon Residential Amenity
- Impact upon Highway Safety and the Network
- Nutrient Neutrality

DESCRIPTION OF SITE

The application site lies within the settlement boundary for Buxton as defined by the Local Plan policies map. The site relates to a two storey property which is located within a predominantly residential area. The site benefits from amenity space to the front and side, and parking space to the front. The site is located within the Buxton Conservation Area (The Park). The site is located on a corner plot at the junction of Park Road and Manchester Road. The site is at a lower land level than the Manchester Road.

PROPOSAL

This application seeks permission for the construction of a two storey side extension. The extension would create a reception room at ground floor level and bathroom at first floor level.

The proposed extension would adjoin the Manchester Road and require the removal of part of the existing retaining wall and sloping land between to facilitate the extension.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

High Peak Local Plan (Adopted 2016)

- S1 Sustainable Development Principles
- S1a Presumption in Favour of Sustainable Development
- S7 Buxton Sub-area Strategy
- EQ6 Design and Place Making
- EQ7 Built and Historic Environment
- EQ9 Trees, Woodlands and Hedgerows
- EQ10 Pollution Control and Unstable Land
- CF6 Accessibility and Transport

Supplementary Planning Guidance/Documents

Residential Design (2005)
High Peak Design Guide (2018)
Buxton Conservation Areas Appraisal (2007)

National Planning Policy Framework

Section 9: Promoting Sustainable Transport
Section 12: Achieving Well-designed Places
Section 16: Conserving and enhancing the historic environment

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

None relevant

CONSULTATIONS

Publicity

Site Notice expiry date: 24/11/22
Neighbour consultation period ends: 24/11/22
Press Advert: N/A

Public Comments

One letter of public representation objecting to the development received:

Large extension would be unsympathetic in prominent corner position in conservation area
Only property to extend to the footpath.
Not be built in same hand patterned dressed stone and will dominate the corner and its own plot.
loss of natural light to three of our windows.
The main source of our kitchen natural light comes from a Velux at the end of the single storey room.
Our outside view would be a wall instead of the sky and trees.
I propose putting solar panels on the garage roof but this extension would block the light from this roof.
This proposal would have a dominating impact on the area and especially our property.
There is no safe parking on the road outside this property
Visitors now park illegally near the junction or worse illegally on the footpath. It is very dangerous for pedestrians, pushchair and mobility scooters as they have to move on to the road to get round vehicles.
More parking space would be an advantage to this property

Town / Parish Comments

None received

DCC Highways

There are no highway safety objections to the above mentioned planning application in principle, however, the proposals indicate that a large retaining wall to support Manchester Road will be constructed in order to build the extension.

The Derbyshire County Council Structures Team have been consulted in relation to the proposal and have made the following comments:

Manchester Road is a classified A road with regular HGV and occasional abnormal load use.

Derbyshire County Council will need to grant technical approval for the proposed wall prior to work commencing. The wall will need to be designed and constructed in accordance with the requirements of the Design Manual for Road and Bridges & the Specification for Highway Works. A Eurocode compliant design will be required with loading in accordance with BS 8002:2015 (table 7), due to the width of footway an imposed load of 20kPa should be used.

It appears that the wall may retain 3 metres so this will mean it is a category 1 structure (as defined within DMRB code CG300), therefore an Approval in Principle (AIP) will be required followed by a design and check certificate.

In order to construct the proposed wall the applicant will likely need to either close the footway and possibly part of the road, in order to excavate out for the new wall, or they will need to temporarily support the highway (and footway).

Their proposals for this may also need to be technically approved if they are looking at temporary support due to the potential for members of the public and highway to be affected by the works. In accordance with CG300 and the DMRB this may require the submission of a formal temporary works AIP due to the consequences of any failure at this location. The applicant will need to submit all the above for approval.

Accordingly, I would be obliged if you could ask the applicant to submit revised plans/details in view of the above comments and in the meantime, please hold the application in abeyance until revised plans have been submitted.

HPBC Conservation Officer

The Conservation Area appraisal specifically notes the historic footprints of dwellings and pattern of development along Park Road reflecting an 18th century estate plan drawn up by the Devonshire Estate. The relationship between the views out across the town, and proximity to trees and greenery remains. It is also recognised that a quite specific design was devised for the dwellings along Park Road and Manchester

Road, that saw the landscaping play an important role in the setting of these classic dwellings.

The scheme shows a large extension to a prominent street facing elevation of 123 Nithen Cottage. It is noted the materials are proposed to be similar to that of the principle dwelling, but this is fairly vague and there is little information to accurately outline what these materials are. Any new material/s replicating historic fabric must be carefully considered so as not to create stark contrasts between new sections or extensions in buildings.

I am concerned this extension seems to become quite obtrusive for this north facing elevation, and the footprint of this classic villa will be irreversibly altered. On approach from the northwest, the extension will be very visually prominent and fragment the character of the corner plot. There is also no mention of what will happen to the chimney of which is an interesting element, further contributing to the historic uniformity and characteristics of the Conservation Area.

To conclude, the scheme is seen to cause harm on Buxton Conservation Area and cannot be supported.

OFFICER COMMENTS

Principle of Development

The application proposes householder development to a property which is located within the settlement of Buxton as defined by the Local Plan Policies Map. Within such locations householder development is acceptable, as a matter of principle. The main considerations in this instance whether the design is appropriate, taking into consideration its location within a Conservation Area, whether an amenity issues would arise, whether there would be an impact upon highway safety or the network, and nutrient neutrality.

Design Considerations (Impact on Heritage Assets)

Policy S 1a states that all new development should contribute to sustaining communities and protected and/or enhance the environment. Policy EQ 6 states that all development should be well designed, of a high quality and respond to the areas character, history and scale. Policy EQ 7 states that the council will conserve heritage assets in a manner appropriate to their significance.

The High Peak Design Guide (2018), at paragraph 5.5 states that, *“All 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. Setting back the new section from the building line and keeping the eaves and ridge lower than the parent building will normally help”*. The High Peak Residential Design SPD (2005), at 9.0 states that *“Extensions and alterations to existing houses can have a significant impact on the appearance of a house, neighbouring property and the street scene. It is important, on all types of houses, that domestic development is carefully designed”*, and at 9.1 that *“Extensions should*

be designed so as to subordinate to the main form of the house. It is important that the extension results in a dwelling that is well designed in itself”.

The application site lies within The Park Conservation Area which is a designated heritage asset. The Conservation Area appraisal with reference to The Park sub area, identifies one of the main characteristics as being large detached and semi-detached villas set in large mature gardens.

This application proposes the construction of a two storey side extension which would project to the north of the dwelling, towards Manchester Road. The extension would project to the side by 6m, with a height of eaves of 6.8m and ridge height of 8.8m.

The proposed extension would be set back from the Park Road building line, and have a ridge height which is lower than that of the existing dwelling. Notwithstanding this, as the dwelling is sited on a corner plot, the proposed extension would result in a two storey projection which would be sited immediately adjacent to Manchester Road. This is at odds with the pattern and form of development in the area. The proposals would therefore result in a prominent and incongruous form of development which would fail to respect the character and appearance of the host property or surrounding streetscene.

The proposed extension would have blank elevations to its northern and western elevations, while two windows are proposed to the eastern elevation. These openings do not appear to reflect the design, proportionality and positioning of existing openings, adding further harm to the development.

The Conservation Officer has also raised concerns that the proposed development would result in a form of development which would fragment the corner plot by reason of its visual prominence and that the classic footprint of the villa would be irreversibly altered. The character of the villas and their plots are elements which contribute towards the significance of the conservation area, and the proposals would therefore cause undue harm to the significance of the Conservation Area. The level of harm is considered to be less than substantial. In such circumstances, paragraph 202 of the NPPF confirms that this harm should be weighed against the public benefits of the proposal. In this instance it is not considered that the proposed development delivers any such public benefits to outweigh the harm caused to the Conservation Area.

Amenity

Policy EQ6 requires development achieve a satisfactory relationship to adjacent development and not cause unacceptable effects by reason of visual intrusion, overlooking, shadowing, overbearing effect, noise, light pollution or other adverse impacts on local character and amenity.

The Residential Design SPD states, at 9.2, that extensions should *“be of a scale and be designed and positioned to avoid undue harm to the amenity of neighbouring properties. They must have regard to the orientation of adjacent homes, the number and position of windows and land levels. Excessive overshadowing of neighbouring*

habitable rooms windows, glazed doors and private garden/amenity areas should be avoided.”

Concern has been raised with regard to the impact that the development would have on the neighbouring property, no. 39A, particularly a rooflight. While these concerns are noted, the extension would be positioned nearly 9m from the neighbours single storey projection towards Manchester Road, and therefore it is considered that the proximity of the proposed extension, nature of opening and orientation is such that the proposed development is unlikely to cause adverse additional harm to the amenity of that property.

Highway Safety

The proposal would not increase the number of bedrooms within the development and as such would not result in an increased demand for off street parking arising from the proposals.

Notwithstanding the above, the proposed extension would project immediately adjacent to Manchester Road, and will require the removal of the existing banking and the creation of a retaining wall. Given the proximity of the development to the Manchester Road, which is an A-road, it will be necessary to ensure that the development can be carried out without causing undue harm to the structural stability of the road and the overall impact on the highway network.

At present there is insufficient information to determine the extent of impact or the works required to ensure that the highway network is not compromised. Any works are likely to be significant and DCC Highways have suggested that the application not be determined until such time that revised plans are received.

Based on the lack of information presented, this is a genuine planning concern of the proposed development and the proposals ought to be refused due to insufficient information in this regard.

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

It is considered that the proposals would fail to comply with the policies contained within the Development Plan and guidance within the NPPF, and as such it is recommended that the application be refused.

OFFICER RECOMMENDATION: REFUSE

Case Officer: Declan Cleary

Recommendation Date: 14/12/2022

X 

Signed by: Jane Colley Signature

On behalf of High Peak Borough Council