

## DELEGATED DECISION REPORT

---

**HPK/2022/0469**  
**Valid 27/10/2022**

**38, MACCLESFIELD OLD  
ROAD, BUXTON,  
DERBYSHIRE, SK17 6TY**

**PROPOSED TWO STOREY  
SIDE EXTENSION FORMING  
GARAGE, UTILITY AND  
BEDROOM, AND SINGLE  
STOREY REAR KITCHEN  
EXTENSION WITH GARDEN  
ROOM AT LOWER GROUND  
LEVEL (FULL -  
HOUSEHOLDER)**

---

### MAIN ISSUES

- **Principle of Development**
- **Design Considerations**
- **Impact upon Residential Amenity**
- **Highway Safety**
- **Nutrient Neutrality**

### DESCRIPTION OF SITE

The application site lies within the development boundary for Buxton as defined by the Local Plan policies map. The application site relates to a two storey semi-detached dwelling which is located within an area that is predominantly residential in character. The dwelling has off street parking to the front and raised patio and lower garden area to the rear. There are significant land level changes between the dwelling and garden, and also with the adjacent dwelling No.40. To the rear of the garden is a PROW, Buxton 36. The site lies within a Ground Source Protection Zone and within the catchment of the River Wye which forms the Peak District Dales Special Area of Conservation (SAC).

### PROPOSAL

This application seeks permission for the erection of a two storey side extension, single storey rear extension, raised patio area with garden room below. The proposals would deliver a replacement garage, shower room and extended kitchen/dining area at ground floor and an additional bedroom with en-suite at first floor. The new lower ground floor would include a garden room.

1.8m high privacy fencing is proposed on the side boundaries of the raised patio with a new spiral staircase down to the garden also proposed.

To facilitate the development, the existing single storey side garage, rear conservatory and existing raised patio would be demolished or altered.

## **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

### **Supplementary Planning Guidance/Documents**

Residential Design (2005)  
High Peak Design Guide (2018)

### **National Planning Policy Framework**

Section 12: Achieving Well-designed Places

## **SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS**

None on site

Adjacent site:

HPK/2022/0345 - Proposed two storey side extension including garage with new bedroom above – Approved – 26/09/22

## **CONSULTATIONS**

### **Publicity**

Site Notice expiry date: 15/12/22  
Neighbour consultation period ends: 02/12/22  
Press Advert: N/A

### **Public Comments**

None

### **Town / Parish Comments**

None received

### **DCC Highways**

Whilst the new garage appears to smaller than the existing garage with the potential that the garage will not be able to accommodate a car, the existing parking space fronting the garage will remain. The proposal may result in additional on street parking; however, in this instance, this is not considered to warrant an objection on highway safety grounds.

## **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, which lies within the Buxton Sub Area. Within such locations extensions to dwellings are acceptable, as a matter of principle. The main considerations in this instance whether the design is appropriate, whether an amenity issues would arise, whether there would be an impact upon highway safety, and the impact upon the Peak District Dales Special Area of Conservation.

### **Design Considerations**

Policy EQ 6 requires that all development should be well designed and be of high quality which responds positively to its environment while contributing to local distinctiveness and sense of place.

The application relates to the construction of a two storey side extension, single storey rear extension, new raised patio and a garden room below the proposed new patio.

The proposed two storey side extension includes a small set back and lower ridge height than the existing dwelling. While the set back and lower ridge are not significant the extent is sufficient to ensure a degree of subservience and as such the original dwelling would remain the dominant element.

No.40 has been granted planning permission for a two storey side extension which would be of similar appearance to that proposed. If both permissions were implemented then there would be a degree of terracing occurring. However, the harm in this regard is lessened by the prevalence of similar relationships and, furthermore, the change in land levels between No.40 and the application site. It is not considered that the proposals would cause unacceptable harm to the character and appearance of the streetscene.

Two storey side extensions are common within the streetscene. The semi detached pairing has a two storey side extension which is set back by some distance from the front building line. Given the prevalence of varying styles of two storey side extensions, it is not considered that the proposals would imbalance the two properties in a manner which would cause harm to the character and appearance of the streetscene.

The proposed single storey rear extension is of an appropriate scale and projection so that it would be subservient to the host dwelling. The scheme also includes a garden room which would be located under the proposed patio area. Due to the existing land level changes there is, at present, a tall stone wall with patio above. The creation of a garden room at garden level would not cause harm to the character and appearance of the host dwelling or surrounding area, given the existing site condition.

A public right of way passes the rear boundary, and there would be clear views of the proposed extensions. Notwithstanding this, it is considered that the proposals would not appear unduly prominent or incongruous when viewed from the PROW network.

The use of materials, which would match existing, are considered to be acceptable.

### **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.

With regard to the relationship with No. 40, the proposed two storey extension would project closer to this property. Within the side elevation of No.40 is a first floor window, however this serves a landing which is not a habitable room. There is also a rear openings to No.40 which serves garage. The proposed single storey rear extension would not have a detrimental impact on this opening, even considering the land level changes. Furthermore, it is considered that the proposed extension would not be unduly overbearing on the private amenity space of that neighbouring property. It is acknowledged that planning permission has been granted for a two storey side extension to No.40, should this be implemented there would be no greater amenity issues arising.

With regard to the relationship with No.36, there is an existing conservatory along this boundary (within the application site) at present. The proposed extension would be of lesser projection than the existing conservatory and it is not considered that the proposed single storey projection would result in any adverse harm to amenity through loss of daylight or overshadowing, given the existing context. The proposed privacy screen which would be along the boundary adjacent to the patio would assist in improving overlooking, as no screen exists at present. Such fencing is a feature of this row of properties, given the change in land levels.

No amenity issues through loss of privacy or overlooking would arise as all windows face the front public highway or rear garden space.

The proposals would retain a satisfactory level of amenity for future occupants of the development.

### **Highway Safety**

The proposed extension would result in an increase of bedrooms at the property from 3 to 4 bed. Furthermore, the proposal would result in a garage which would be slightly smaller than the existing, and as such is unlikely to be a feasible option as an off street parking space.

The existing parking to the front would remain. There would be potential for some on street parking to arise as a result of the development. However, in this instance, on

street parking would not appear to be a major issue on this road and as such it is not considered that this would give rise to any significant impacts on highway safety to sustain a refusal on these grounds. DCC Highways have raised no objection to the proposed development on this basis.

### **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 involve additional hard surfacing / and roof area and will therefore increase surface water run-off. However, given the very limited extent of the additional roof and hardstanding, and the fact that the area is already hard surfaced it will not significantly increase run-off from the site. The proposal also involves an additional bedroom accommodation but the application relates to an existing dwelling. On the basis, of an average occupancy rate of 2.4 persons per dwelling, however, there will be no increase in waste water generated by the proposals. Therefore in terms of both foul and ground water it is not considered that the proposal will 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 comply with the policies contained within the Development Plan and guidance within the NPPF, and as such it is recommended that the application be approved.

**OFFICER RECOMMENDATION :    APPROVE**

**Case Officer: Declan Cleary**  
**Recommendation Date: 16/12/2022**

X *J. Colley*

---

Signed by: Jane Colley Signature

**On behalf of High Peak Borough Council**