

## DELEGATED DECISION REPORT

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HPK/2022/0490  
Valid 26/10/2022

37, BATHAM GATE ROAD,  
PEAK DALE, DERBYSHIRE,  
SK17 8AH

DEMOLITION OF EXISTING  
FLAT ROOF GARAGE TO BE  
REPLACED WITH SLIGHTLY  
LARGER GARAGE WITH  
PITCHED ROOF (FULL -  
HOUSEHOLDER)

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### MAIN ISSUES

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

### DESCRIPTION OF SITE

The application site lies within the settlement boundary for Peak Dale as defined by the Local Plan policies map. Peak Dale is identified as a larger village within the Settlement Hierarchy. The site relates to a detached bungalow which is located within a residential area although Open Countryside is located to the rear and opposite. The site benefits from a driveway to front and side and garage to the rear. Part of the private amenity space is set at a lower land level, with steps down, due to the topography of the area. Land levels drop from west to east. 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 proposes the replacement of the existing garage. The existing garage has a single pitched roof with overall height of 2.8m and is 5.6m in depth and 5.6m in width. The proposed replacement garage would have a dual pitched roof with overall height of 3.6m and a height to eaves of 2.35m. The width of the garage would be 5.6m, while the depth of the garage would be 8m. The garage would be sited in the same location as existing. Facing materials would match existing while roof materials would match the main dwelling.

### RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

#### High Peak Local Plan (Adopted 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  
EQ9 Trees, Woodlands and Hedgerows

### **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

### **CONSULTATIONS**

#### **Publicity**

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

#### **Public Comments**

None received

#### **Town / Parish Comments**

No objection

#### **DCC Highways**

No highway safety comments to make

### **OFFICER COMMENTS**

#### **Principle of Development**

The application proposes householder development to a property which is located within the settlement of Peak Dale 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 S1 states that new development will be expected to make a positive contribution towards the sustainability of communities and where possible enhancing the environment which would be achieved by, inter alia, securing high quality and locally distinctive design. Policy EQ6 states that all development should be well designed and of a high quality and that this will be achieved by requiring development to be well designed to respect the character of the townscape, and requiring development to contribute positively to an areas character, identity and history in terms of scale, height, density, layout, appearance, materials and relationship with adjacent buildings.

The existing garage has a shallow single pitched roof, and appears flat roofed from the public highway. The siting of the garage is in the rear corner of the site behind the existing dwelling and as such is not prominent in the streetscene. The proposal seeks to include a dual pitched roof which would increase the overall height of the structure by 0.8m from 2.8m to 3.6m to ridge. The rear siting of the garage, along with its modest overall ridge height would ensure that the proposals would not cause undue harm to the character and appearance of the streetscene.

The use of a dual pitched roof is considered to be acceptable and would reflect the design of the host dwelling. The overall height would remain subservient to the host dwelling and those dwellings adjacent. The design and appearance of the development is 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.

In terms of the relationship with the adjacent neighbour, No.45, this property is oriented perpendicular to the application site, and has been extended with a two storey side extension and a single storey conservatory beyond. There are existing openings within the front of this property which face towards the application site. Existing openings predominantly face towards the side elevation of the application site, although the application proposals would be visible from these openings and also the private amenity space.

The proposals seek to increase the scale of the existing garage which is largely screened from No.45 by existing vegetation, and the change in land levels between the two properties. The application site being set at a lower land level than No.45 by about 1.25m.

The existing building has a shallow pitched roof with total height of 2.8m and is sited along the boundary at a length of 5.6m. The application proposes a building which would be larger in terms of depth, at 8m and would have eaves and ridge heights of 2.3m, and 3.6m respectively.

The change in scale of the garage is not considered to be significant in terms of the relationship with No.45, particularly given the eaves height, change in land levels, and existing vegetation along the boundary. Furthermore, this juxtaposition would ensure that no adverse impacts through loss of daylight to habitable rooms, nor overshadowing or overbearing on private amenity spaces would arise.

With regard to the relationship with No.35, the distance between the proposed development and the scale of the proposals is such that no amenity issues would arise.

### **Highway Safety**

The proposal would not increase the number of bedrooms within the development while existing off street parking would be retained. No highway safety implications would arise from the proposed development.

### **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 and the fact that the area is already hard surfaced 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 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: 05/01/2023**

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Signed by: Jane Colley Signature

**On behalf of High Peak Borough Council**