

DELEGATED DECISION REPORT

HPK/2022/0507
Valid 07/11/2022

106 ST JOHNS ROAD
BUXTON

NEW HIPPED ROOF ON 2
STOREY SIDE EXTENSION TO
REPLACE FLAT ROOF AND
NEW SINGLE STOREY REAR
EXTENSION REPLACING
EXISTING CONSERVATORY
TO INCLUDE RETAINED
BALCONY

(FULL - HOUSEHOLDER)

MAIN ISSUES

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

DESCRIPTION OF SITE

The application relates to a semi-detached dwelling No.106 St Johns Road, Buxton situated within the built-up area boundary of Buxton. The dwelling like many on the northern side of the road, is set back from the highway with garden areas to the front and rear.

The dwelling is constructed from a natural stone painted at ground floor with render above. The property has previously been extended at the side and rear to create a wholly unsympathetic two storey side extension with a flat roof, and a single storey lean to extension at the rear with balcony above to create a roof terrace at the far northern corner.

Parking for 3no. vehicles is available in front of the existing garage.

The property has been the subject of a recently approved planning application under HPK/2019/0175 for similar development to that described on the Application Form accompanying this application.

PROPOSAL

The application seeks full planning permission for a "*new hipped roof on existing two storey side extension to replace flat roof, and new single storey rear extension to replace existing conservatory with balcony retained.*" The proposals are largely consistent with that approved under HPK/2019/0175.

The difference between this proposal and that previously approved is the retention of the existing first floor balcony on the side extension, with the single storey rear extension spanning the width of the main house, not including the rear elevation of the side extension.

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
- 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

- HPK/2019/0175 Single storey extension to the rear and new hipped roof construction to replace flat roof to side at first floor (Approved 18/06/2019)

CONSULTATIONS

Publicity

Site Notice expiry date: 12th January 2023
Neighbour consultation period ends: 7th December 2022
Press Advert: N/A

Public Comments

None

Town / Parish Comments

N/A

Derbyshire County Council Highways

No 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 Buxton, identified as one of the larger Market Towns within the settlement hierarchy under Local Plan (LP) Policy S2, which are the focus for housing and economic growth. The site is not constrained by any sensitive statutory designations.

Given the nature of development and the planning policy context set out above, the principle of development is acceptable subject to an assessment of all relevant 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 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 proposed alteration to the existing side extension to introduce a hipped roof replacing the flat roof, is considered to result in a significant visual enhancement to the dwelling and the wider street scene, due to the more sympathetic relationship between the roof of the main dwelling and side extension.

To the rear, the single storey rear extension is simple in its design, being of a balanced and proportionate depth and being constructed in materials that are consistent with those used in the main dwelling.

As such, it is considered that the proposed development is a welcome improvement to the overall character and appearance of the dwelling and wider street scene, and aligns fully with the design principles set out under LP Policies S1 and EQ6, relevant Supplementary Planning 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.

The proposed hipped roof will not harm the amenity of neighbouring properties as it amounts to a very modest increase in height of the existing extension. Although the existing extension is set slightly forward to the neighbour to the west, the new roof would not reduce the amount of light or overshadowing to this property to such a level that raises concerns.

To the rear, the rear extension projects a modest 3m beyond the original rear elevation and thus within the parameters of permitted development. As considered within the delegated report under the previous 2019 consent, the extension will reduce the amount of direct light received to the attached neighbouring conservatory, however the existing fence and hedge already significantly affects light received from the west. To the west there are no side facing windows in the neighbouring property which extends a significant way along the boundary and as such there is no impact on their amenity. The proposed side facing window is obscure glazed in any event.

The first floor balcony is already in situ and thus the retention of this aspect will not result in any further harm to residential amenity over and above the current context. Properties are over 21m to the rear and their amenity is therefore not affected by the proposals.

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.

The proposals do not involve the provision of additional bedrooms and thus there is no trigger for the applicant to demonstrate additional off-street parking provision. As such, the proposal does not adversely affect highway safety in accordance with LP Policy CF6 and paragraph 110 of the NPPF.

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 surface water run-off from the site. However, the proposal does involve 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 it 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). 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 consent for extensions and alterations to the existing dwellinghouse No.106 St Johns Road, Buxton, in a broadly similar manner to those approved previously under HPK/2019/0175, the notable difference being the retention of a first floor balcony.

An assessment of the application has found the proposals to be compliant with all relevant local development plan policies, supplementary planning guidance, and relevant paragraphs contained within the NPPF.

The application is thus considered to constitute 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: 16th January 2023

X 

Signed by: Ben Haywood

On behalf of High Peak Borough Council