

DELEGATED DECISION REPORT

HPK/2022/0533
Valid 28/11/2022

26, WOOD GARDENS,
HAYFIELD, DERBYSHIRE,
SK22 2HQ

TWO STOREY EXTENSION
OVER EXISTING AND
CONVERSION OF GARAGE
(FULL - HOUSEHOLDER)

MAIN ISSUES

- Principle of Development
- Design Considerations
- Impact upon Residential Amenity
- Impact on Highway Safety
- Impact on Trees

DESCRIPTION OF SITE

The application site lies within the settlement boundary for Hayfield as defined by the Local Plan policies map. The site relates to a two storey detached property which is located within a predominantly residential area. The site is accessed via a driveway from Wood Gardens to the front and benefits from private amenity space to the rear. An Area TPO (153) covers the site area while a small part of the site is located within Flood Zone 2 and 3.

PROPOSAL

The description of development relates to the construction of a two storey extension over the existing garage to the side and the conversion of that garage, although the plans show a first floor extension above the existing garage. The extension would create a bedroom and bathroom at first floor level and sitting room, and utility at ground floor.

Revised plans have been received annotating the 45 degree line from the neighbours rear windows and highlighting the location of tree protection fencing.

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
- S5 Glossopdale Sub-area Strategy
- EQ6 Design and Place Making
- EQ9 Trees, woodland 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

HPK/0000/9547 – Proposed Erection of 36 Houses and Garages – Approved

CONSULTATIONS

Publicity

Site Notice expiry date: 16/01/23
Neighbour consultation period ends: 28/12/22
Press Advert: N/A

Public Comments

None received

Town / Parish Comments

None received

DCC Highways

No highway safety comments to make

DCC Countryside Services

The proposed development lies within DCC TPO 153/A1, which was confirmed in 1975. There are a number of mature trees to the rear of the house that are likely protected by the TPO, however no information has been provided to outline what measures will be required and undertaken to protect trees and their root protection areas. Therefore can I request that the applicant provides an Arboricultural Report to accompany this application

Canal and River Trust

This application falls outside the notified area for its application scale. We are therefore returning this application to you as there is no requirement for you to consult us in our capacity as a Statutory Consultee.

OFFICER COMMENTS

Principle of Development

The application proposes householder development to a property which is located within the settlement of Hayfield as defined by the Local Plan Policies Map which lies within the Glossopdale sub area. Within such locations, under Policy S2, extensions to dwellings are acceptable, as a matter of principle. The main considerations in this instance whether the design is appropriate, whether any amenity issues would arise, whether there would be an impact upon highway safety, and whether there would be an impact upon protected trees.

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.

Further guidance for extensions is contained within the High Peak Residential Design Guide SPD (2005), and the Design Guide SPD (2018).

The Residential Design Guide (2005) provides guidance in section 9, and states that extensions should be designed to be subordinate to the main house and that an extension results in a dwelling which is well designed in itself.

The Design Guide SPD (2018) at 5.5 states that extensions should harmonise with the parent building and should respect the dominance of the original building, being subordinate to it in terms of size and massing.

The NPPF also seeks to deliver high quality design in development and, at paragraph 134, states that development which is not well designed should be refused.

The application proposes the conversion of the existing garage to the side of the property which is located within a single storey projection. The scheme also includes a first floor extension to create a two storey wide projection. The extension proposes a gabled roof design which is perpendicular to the host dwelling which has a roadside fronting gable. The extension would have a lower ridge height to the host roof and would appear as a subservient element with the host dwelling remaining dominant.

Due to the alignment of dwellings and gaps between dwellings, views of the extension would be visible from the public highway to the north. However, it would be set against the existing built form and would not appear unduly prominent or incongruous from this vantage point. Additionally, from the front the extension would not appear out of character with the surrounding streetscene.

The proposed openings would be sympathetic to that of the host dwelling in terms of their proportions and design, which is appropriate. It would be necessary to ensure that materials to match the existing are used so that the extension appropriately harmonises with the dwelling.

It is considered that the extension could be carried out without causing harm to the character and appearance of the host dwelling, or streetscene.

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.”*

At 9.3.1 the SPD states *“an extension should not unduly reduce outlook from a main habitable room window or produce a tunnelling affect. To prevent this, extensions affecting neighbouring property should not normally extend more than 2.5 m from the rear of the affected home”*.

The application site is a detached two storey dwelling which is located within a row of properties on the eastern side of Wood Gardens. With regard to the relationship with No.25 to the south, the positioning of the extension, on the northern side of the host dwelling, would mean that no issues would arise through overshadowing, overbearing or loss of daylight.

However, the relationship with No.27 Wood Gardens is noticeably different. The application site and No.27 are juxtaposed insofar as No.27 is set further forward than the application site. To the rear of No.27 are windows to habitable rooms at ground floor and first floor, while the private amenity space of that property is located to the rear. Given the juxtaposition between the two properties, the positioning of openings to the rear of No.27, and the two storey nature of the extension, which would be sited close to the boundary, it is considered that the proposals would be prominent and result in an overbearing impact on the neighbouring property, resulting in loss of light to habitable rooms, and overshadowing on its private amenity space.

The orientation of the properties, with the application site being located to the south, would exacerbate this relationship in terms of loss of sun light and day light. The photograph below demonstrates the existing situation and the shadowing effect to the neighbours.



The proposed extension would be positioned much closer to the neighbour's ground and first floor window's and given its height would increase the level of shadowing to these windows. Moreover, it would increase the shadowing effect on the neighbours rear amenity space.

Furthermore, it is considered that the proposals would have a detrimental impact on the outlook enjoyed by residents of that neighbouring dwelling to an unacceptable degree. This relationship is considered to be unneighbourly and would have an adverse impact on the amenity enjoyed by residents of that property.

The applicants have highlighted a number of other extensions which have been carried out in Wood Gardens, however it is considered that these are not directly comparable or present the same relationship as this application. Furthermore, the applicant has detailed a 45degree line from the rear of No.27 which shows the existing dwelling breaching the line, with extension encroaching onto the this 45 degree line, but with the extension sited much closer to the neighbours windows. The side extension would bring built development, at two storey scale, closer to that property which would exacerbate the relationship.

It is considered that the application presents an unacceptable impact on amenity for neighbouring dwellings, and as such would be contrary to EQ6, the Residential Guide SPD and guidance within the NPPF.

Highway Safety

The proposal would result in the loss of a garage and would also increase the number of bedrooms within the property. The site benefits from a generous driveway which would be sufficient to provide the appropriate level of off site parking to serve the dwelling as extended. No objections have been raised by DCC Highways in this regard.

Impact on Trees

Policy EQ9 seeks to protect trees, woodlands, and hedgerows from new development. An Area TPO covers Wood Gardens and the site includes a number of trees within the rear garden which would be covered by this order. This includes trees on the rear boundary and also on the site boundary close to the proposed extension. DCC Countryside Services have advised that a Tree Report would be necessary. Such a report would establish the location of trees, and their RPA's, and would determine the impact of the development upon trees, along with any future pressures, and also set out any mitigation that may be required during construction.

The applicants agent have provided a tree fencing plan. While fencing will be required, without this being informed by a tree report the LPA cannot be satisfied that the impact upon trees has been appropriately addressed.

CONCLUSION / PLANNING BALANCE

For the reasons set out in this report, it is considered that the proposed development would have an unacceptable impact on the amenity of No.27 Wood Gardens due to loss of light, overbearing, overshadowing and loss of outlook. There is also insufficient information to determine the impact of the development upon protected trees. The proposals would be contrary to S1, EQ6 and EQ9 of the Local Plan,

guidance contained within the Residential Design SPD, and the advice contained within the NPPF, and as such it is recommended that the application be refused.

OFFICER RECOMMENDATION: REFUSE

Case Officer: Declan Cleary

Recommendation Date: 23/01/23

X 

Signed by: Jane Colley Signature

On behalf of High Peak Borough Council