

## DELEGATED DECISION REPORT

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HPK/2022/0403  
Valid 12/10/2022

85, WHALEY LANE,  
WHALEY BRIDGE,  
DERBYSHIRE, SK23 7BA

4M BY 4M DECKING AREA.  
(FULL - HOUSEHOLDER)

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### MAIN ISSUES

- Principle of development
- Design
- Residential amenity

### DESCRIPTION OF SITE

The application relates to no. 85 Whaley Lane, a detached property located in the Whaley Bridge area of Derbyshire. The property is two storey and complete in a natural stone finish. The application site benefits from a generous plot with outdoor amenity space surrounding the property. The property is sited adjacent to no. 83a to the south west, no. 6 and 8 Meadow Close to the north east and no. 2 Meadow Brow to the north west.

### PROPOSAL

Planning permission is sought for the installation of an elevated decked area with wooden balustrade surround to the east facing side elevation of the dwelling. The proposed decking will project 4m from the side elevation of the property with a depth of 4m when measured against the side elevation. The proposed decking would facilitate a raised platform to utilise this area of the garden which features a gradual slope away from the property with the dwelling being to an elevated position compared to land to the east. The proposed decking would have a maximum height of 1m above the natural ground level at the point furthest away from the dwelling while the balustrade would have a height of approximately 1m. The decking would be complete in a composite decking while the balustrade will be complete in timber.

### RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

#### High Peak Local Plan 2016

S 1 Sustainable Development Principles  
S 1a Presumption in Favour of Sustainable Development  
S2 Settlement Hierarchy  
EQ6 Design and Place Making

#### National Planning Policy Framework (2021)

Paragraph 11 The Presumption in Favour of Sustainable Development  
Section 4 Decision-making

## Section 12 Achieving well-designed places

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

None at this location

### **CONSULTATIONS**

#### **Publicity**

Site Notice expiry date: 02/11/2022

Neighbour consultation period ends: 02/11/2022

Press Advert: N/A

#### **Public Comments**

One letter of support received.

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

None received

#### **Highways**

No objection.

### **OFFICER COMMENTS**

#### **Principle of Development**

The application site located within a built-up area boundary, where new development will be directed in accordance with Policy S2. Accordingly, the general principle of development is considered to be acceptable, subject to design and amenity policies.

#### **Design**

Local Plan Policy EQ6 requires developments to be well designed and delivered to a high quality. This reflects section 12 of the NPPF – achieving well designed places.

With regards to visual impact, the proposed raised decking area is acknowledged to have an impact over the existing appearance of the property. Owing to the generally large proportions of this detached dwelling which includes a significant set back from the highway as well as the siting of the proposed raised decking away from the public realm the appearance and siting of the proposal is considered acceptable. In the context of the original property the 4m projection and 4m depth of this area is also considered to be an appropriate size for this form of development. The raised position, a maximum of 1m from the sloping ground level away from the property is an acceptable height that will not result in an overbearing form of development against the existing dwelling.

The decking will not be visible from the street scene or wider area, given the mature landscaping which surrounds the property on all boundaries.

Accordingly the proposal is considered to be acceptable in design terms and to satisfy EQ6.

### **Amenity**

Local Plan Policy EQ6 requires that all development achieves a satisfactory relationship with adjacent properties. It must 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. Part 9 of the High Peak Residential Design SPD sets out the parameters against which residential extensions will be assessed.

It is acknowledged that raised decking can have the potential to create scenarios in which neighbouring occupiers may feel overlooked or an undue overbearing impact from an intensification of a particular area benefiting from a raised platform. With regards to overlooking, the proposed structure would be located nearest to the boundaries shared with no. 83a to the south west, no. 6 and 8 Meadow Close to the north east.

Projecting with a maximum height of 1m and remaining a distance of 11m and 16m from the south west and north east mutual boundaries respectively the proposal is not considered to result in an adverse effect for occupiers of adjacent properties over the existing arrangement which already includes habitable room windows to the east facing side elevation of the dwelling and a limited garden area at the height at which the proposed decking would be constructed at. Moreover, mature landscaping forms the boundary with the neighbouring properties, including hedgerows within neighbouring gardens which will act as a sufficient screen to prevent overlooking,

In conclusion the proposal would have no overbearing impact on the amenity of neighbouring occupiers over the existing arrangement and is considered acceptable.

### **CONCLUSION / PLANNING BALANCE**

Overall, this planning application is considered to represent an appropriate form of development in this location. The design is considered to be both subservient and complementary given the use of form, scale and materials. There are not considered to be any negative impacts on the amenity of existing neighbours. As such the application is recommended for approval subject to the conditions previously mentioned.

**OFFICER RECOMMENDATION :     Approve subject to conditions**

**Case Officer: John Van Eker**

**Recommendation Date: 06/02/2023**

X *J. Colley*

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Signed by: Jane Colley Signature

**On behalf of High Peak Borough Council**