

DELEGATED DECISION REPORT

HPK/2022/0563
Valid 04/01/23

**10, ROBERTSON ROAD,
BUXTON, DERBYSHIRE,
SK17 9DY**

**DEMOLITION OF EXISTING
OUTBUILDINGS AND THE
ADDITION OF A SINGLE
STOREY SIDE / REAR
EXTENSION WITH
ASSOCIATED INTERNAL
ALTERATIONS, TO INCLUDE
THE CONSTRUCTION OF
DETACHED ANCILLARY
ACCOMMODATION AND
ALTERATIONS TO THE
BOUNDARY WALL FRONTING
THE HIGHWAY (FULL -
HOUSEHOLDER)**

MAIN ISSUES

- **Principle of Development**
- **Design Considerations (including impact on Heritage Assets)**
- **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 site has a modest flat roof outbuilding located to its side and includes off street parking to the front and private amenity space to the rear. The site lies within the College area of the Buxton Conservation Area.

PROPOSAL

This application seeks permission for the demolition of the existing outbuilding and construction of a new ancillary outbuilding and extension to the dwelling. It is a resubmission of an earlier application re HPK/2022/0363, which was refused for the following reasons:

1. The proposed outbuilding, by reason of its significant scale, height and proximity to the site boundary, along with the change in land levels with No.8 Robertson Road would result in an unacceptable relationship with that property. The proposed relationship is considered to be un-

neighbourly and would give rise to adverse overshadowing, overbearing to that property and its private amenity space, along with an unacceptable loss of outlook. As such, the development would have a detrimental impact on the amenity enjoyed by residents of that property. The development proposals would therefore be contrary to Policies S1 and EQ6 of the High Peak Local Plan 2016, the High Peak Residential Design SPD (2005), and relevant paragraphs under chapter 12 of the NPPF.

2. The site is located within the Buxton Conservation Area, which is a designated heritage asset. The proposed outbuilding, by reason of its significant scale, height, design, materials along with its siting, would result in a prominent and incongruous form of development that would be at odds with its context, and would cause demonstrable harm to the character and appearance of the streetscene and Conservation Area. The proposals would cause less than substantial harm to the significance of the heritage asset, where no public benefits exist to outweigh the harm. The development proposals would therefore be contrary to Policies S1, EQ6 and EQ7 of the High Peak Local Plan 2016, the High Peak Residential Design SPD (2005), the adopted Buxton Conservation Areas Appraisal 2006 and relevant paragraphs under Chapter 12 and 16 of the NPPF.
3. The site is located within the Buxton Conservation Area, which is a designated heritage asset. The proposed extension, by reason of its inappropriate design would result in an incongruous form of development that would be at odds with the host dwelling, and would cause demonstrable harm to its character and appearance and that of the Conservation Area. The proposals would cause less than substantial harm to the significance of the heritage asset, where no public benefits exist to outweigh the harm. The development proposals would therefore be contrary to Policies S1, EQ6 and EQ7 of the High Peak Local Plan 2016, the High Peak Residential Design SPD (2005), and relevant paragraphs under Chapter 12 and 16 of the NPPF.
4. The proposed siting and inclusion of full height windows to the proposed outbuilding would cause direct overlooking to number 7 College Road and would result in loss of privacy and an unacceptable relationship with that property. As such, the development would have a detrimental impact on the amenity enjoyed by residents of that property. The development proposals would therefore be contrary to Policies S1 and EQ6 of the High Peak Local Plan 2016, the High Peak Residential Design SPD (2005), and relevant paragraphs under Chapter 12 of the NPPF.

The outbuilding would measure approximately 10m in length and 5.4m in width (according to the elevations), although floor plan details a wider development when scaled at 5.7m. Due to land level changes the outbuilding would be partially excavated into the slope with access steps down. Maximum eaves and ridge heights would measure 3.6m and 5.4m, according to the gable elevations. While the side elevation show differing eaves and ridge heights of 2.8m and 4.8m respectively. Materials would comprise stonework to match existing to the elevations and a plain tile roof. The plans purport to show a gym, study, shower w/c room, and a hallway.

The proposed rear extension would be part flat roofed and part dual pitched gable, and would project to the rear by a maximum depth of 3.6m. The maximum height of the extension would be 4.5m, with an eaves height of 3m, according to the side elevation, however the rear elevation measure a height of 6.2m with an eaves of 4.5m. The proposals materials would match the existing. Accommodation would include a dining room and utility.

The scheme also includes the widening of the existing access.

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
EQ7 Built and Historic Environment

Supplementary Planning Guidance/Documents

Residential Design (2005)
High Peak Design Guide (2018)
Buxton Conservation Areas Appraisal (2007)

National Planning Policy Framework

Section 12: Achieving Well-designed Places
Section 16: Conserving and enhancing the historic environment

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

HPK/2022/0383 - Demolition of existing outbuildings and the addition of a single storey side/rear extension with associated internal alterations to include the construction of detached ancillary accommodation and alterations to the boundary wall fronting the highway – Refused – 07/12/22, Appeal pending.

CONSULTATIONS

Publicity

Site Notice expiry date: 20/02/23
Neighbour consultation period ends: 02/02/23

Public Comments

4 letters of objection received. Salient points being:

- Garden and patio to No.8 about 2m below application site
- Encroachment of foundation trench

- No details of ground conditions
- Inaccurate plans
- Impact on trees
- Spacing standards
- Nutrient neutrality
- Overbearing impact
- Loss of sunlight
- Potential future COU
- Too large in proportions
- Overdevelopment of site
- Significant overshadowing and loss of outlook
- Impact on Conservation Area
- Prominent obstruction
- Concerns over drainage
- Not in keeping with the area
- Not sympathetic with the existing dwelling
- Intrusive to property to rear
- Impact upon privacy

Councillor Comments

Cllr Thrane - Please note that if this application is recommended for approval, then I request that it goes to Development Control Committee for the same reasons I set out in my email of 12 November 2022 in relation to the earlier unsuccessful application on the site HPK/2022/0383, i.e, size, location, impact on neighbours and conservation area issues.

Town / Parish Comments

None received

Conservation Officer

This scheme shows a revision of a former application previously refused: HPK/2022/0383.

Firstly, these revisions in this case show a thorough rethinking of the rear extension to house a dining room and small respective utility. See drwg ref: 7029_PL05. Previously in the former application it was a considerably large box like shape and now instead see drwg ref: 7029_PL06 it is seen to be a more modest addition of a domestic character. There seems to be some eaves detailing on the pitch roof which looks to note the principle dwelling more faithfully.

I have no issue with the dining room extension and am content with the revisions as discussed above.

However, despite this, there seems to remain some conflict between the proposed ancillary structure within the garden, and the context of the vicinity. See drwg ref:

7029_PL01, notwithstanding proposed materials appear to be revised, the scale and massing of the ancillary structure now look to be larger in footprint than the rear dining room extension. It is noted a portion of the elevations are shown to be set behind boundary walls, though its proximity to the principle dwelling shown in plan leaves a miniscule space between the two.

Further clarity on these proposed materials required, and justification for its size as it currently remains an odd addition.

DCC Highways

No objection subject to condition

Severn Trent Water

No mapped sewers at site

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, taking into consideration its siting within a Conservation Area, 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.

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. Garages and outbuildings should relate to the main dwelling in terms of size, proportion and

appearance. They should be subordinate in size and height and match the materials of the existing house.

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.

Policy EQ 7 states that the council will conserve heritage assets in a manner appropriate to their significance. The application site lies within The College area of the Buxton Conservation Area which is a designated heritage asset.

The Buxton Conservation Area Appraisal for the College area identifies some of the main characteristics of the area being a spacious setting in large gardens and glimpse views between streets laid out on different levels. The CAA identifies that *“the large gaps between the houses along College Road provides glimpses of properties at the rear on the raised land at Robertson Road”*, and goes on to state that *“Robertson Road has a generally more unusual mix of houses than either Spencer Road or Compton Road, and more individual variety within each pair of semis. The west side of Robertson Road overlooked College Road and there are interesting glimpses of buildings between the pairs of semi-detached houses”*.

The application proposes the construction of a large detached outbuilding, and a single storey rear extension.

The existing outbuilding is modest in height and scale, and as such is discreet and unobtrusive within the streetscene, and as such preserves views between the buildings towards the properties beyond. This would be replaced by an outbuilding of significant scale. The siting and scale of the building is such that it would represent a significant addition to the plot which consumes a large proportion of the garden and at odds with the general pattern of development in the area. The scale of the outbuilding would be visually prominent between the existing dwelling and the adjacent villa (No.8) to the north.

Furthermore, the proposals would be visible from the glimpse views, identified as being a characteristic of this part of the Conservation Area. Given the scale of the proposed outbuilding, it is considered that these views would be prejudiced and as such the development would cause harm to the character and appearance of the Conservation Area and impact upon its significance.

The siting, scale, and design of the proposed development is such that it would represent an incongruous and harmful addition to the Conservation Area, and character and appearance of the area generally. While the scale of the building has been marginally reduced compared to the scheme previously refused, it is not considered that these amendments would overcome the impact on the Conservation Area arising from the proposed development. Also, and as with the previous

application, there remain significant inconsistencies between the plans and, ultimately, the overall scale of the development.

The proposed rear extension now proposes a more traditional design compared to that previously refused. The design would be more sympathetic to the character and appearance of the host building and Conservation Area. There are no longer any concerns with regard to this part of the scheme.

It is considered that the proposed development would cause less than substantial harm to the significance of the heritage asset. The level of harm is considered to be less than substantial. In such circumstances, paragraph 202 of the NPPF confirms that this harm should be weighed against the public benefits of the proposal. In this instance it is not considered that the proposed development delivers any such public benefits to outweigh the harm caused to the Conservation Area.

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”*.

With regard to the proposed single storey rear extension, this would be sited sufficient distance from the boundaries with the adjoining properties, and windows to serve habitable rooms to not cause any undue harm through loss of daylight, overbearing, or overshadowing.

With regard to the proposed outbuilding, it is proposed that this would be sited along the site boundary with No.8 to the north. There is an existing modest flatroofed outbuilding located along this boundary which would be removed to facilitate the development. The proposed outbuilding is significant in scale measuring 10m in length. There is conflicting information with regard to the eaves and ridge heights, based on measurements from the submitted scale bars. The front and rear elevations suggest maximum eaves height of 3.6m and ridge height of 5.4m. While the side elevation show eaves and ridge heights of 2.8m and 4.8m respectively. Regardless of which measurement is correct the proposed development would represent a larger addition along the site boundary.

The curtilage of No.8 to the north, is located at a lower land level than that of the application site. This would exacerbate the significant scale of the proposed building. Given the scale of the proposals, its proximity to the site boundary, and orientation, it is considered that the proposed development would result in significant overshadowing on the private amenity space of that property. The proposals would be unneighbourly, resulting in a prominent and overbearing development to the detriment of the enjoyment of that neighbouring dwelling. Furthermore, the scale of the development is such that there would be an unacceptable impact on the outlook of residents of that property.

With regard to the relationship with No.7 College Road, the rear elevation of the outbuilding would contain bi fold doors which occupy the vast proportion of the elevation, serving a gym. As with the previous application, the low boundary stone wall which forms the common boundary, would not be sufficient to prevent overlooking towards this neighbour. Consequently, the development would cause undue overlooking to the detriment of the amenity of that property.

The scale of the development is wholly unnecessary and inappropriate which does not represent an ancillary addition to the host dwelling. The proposals would cause adverse harm to the amenity of neighbouring properties and is contrary to the relevant policies of the Development Plan.

Highway Safety

The proposed extension do not result in an increase in bedrooms at the property and as such there is no increased demand for off street parking. The application does include a large outbuilding and as such DCC Highways have recommended a condition on any permission for this to remain ancillary.

The widening of the existing access would have no detrimental impact on highway safety.

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 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 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 fail to comply with the policies contained within the Development Plan and guidance within the NPPF, and as such it is recommended that the application be refused.

OFFICER RECOMMENDATION: REFUSE

Case Officer: Declan Cleary

Recommendation Date: 28/02/2023

X 

Signed by: Jane Colley Signature

On behalf of High Peak Borough Council