

## DELEGATED DECISION REPORT

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HPK/2023/0067  
Valid 14/02/2023

73 75 KINDER ROAD  
HAYFIELD

SINGLE STOREY REAR  
EXTENSION TO REPLACE  
EXISTING

(FULL - HOUSEHOLDER)

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### MAIN ISSUES

- Design & Conservation
- Amenity

### DESCRIPTION OF SITE

The application relates to Nos. 73-75 Kinder Road, a two storey end of terrace dwellinghouse constructed from a traditional stone. The house is orientated with the principal elevation facing south-westwards towards the public highway.

The rear of the site is characterised by a small yard area split on two levels, which is well contained by a high boundary stone wall on its eastern side, adjoining No.77 Kinder Road, and a modest single storey rear extension that sits to the side of and subservient to a two storey outrigger.

The western boundary is defined by a small side gate, with No.71 Kinder Road set back behind the building line of the host property and to the side, with the blank gable overlooking the yard area.

The site lies within the built-up area boundary of Hayfield village and within the Hayfield Conservation Area.

### PROPOSAL

The application seeks full planning permission for the demolition of the existing rear extension and erection of a replacement single storey rear 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
- EQ7 Built and Historic Environment

## **National Planning Policy Framework 2021**

- Achieving Sustainable Development Chapter 2
- Achieving Well Designed Places Chapter 12
- Conserving and Enhancing the Historic Environment Chapter 16

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

None

## **CONSULTATIONS**

### **Publicity**

Site Notice expiry date: 3<sup>rd</sup> April 2023  
Neighbour consultation period ends: 14<sup>th</sup> March 2023  
Press Advert: 23<sup>rd</sup> March 2023

### **Public Comments**

None

### **Hayfield Parish Council Comments**

None received.

### **HPBC Conservation Officer**

No objection.

### **Derbyshire County Council Highways**

No highway objections.

## **OFFICER COMMENTS**

### **Principle of Development**

The application seeks permission for an extensions to an existing residential property that lies within the built-up area boundary of Hayfield, identified as a Larger

Village under the settlement hierarchy under Local Plan (LP) Policy S2. Within larger villages a modest scale of development will be permitted.

The site lies within the Hayfield Conservation Area and as such any development proposal must, in order to be supported in principle, demonstrate compliance with LP Policy EQ7, and relevant restrictive policies relating to heritage conservation contained under Chapter 16 of the NPPF, underpinned by Section 72 of the Act 1990, notwithstanding any other material planning considerations.

## **Design & Conservation**

Section 72(1) of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 states that with respect to any buildings or land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character and appearance of that area

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.

LP Policy EQ7 has regard to the Built and Historic Environment. It states that the Council will conserve heritage assets in a manner appropriate to their significance. This will take into account the desirability of sustaining and enhancing their significance and will ensure that development proposals contribute positively to the character of the built and historic environment.

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 of the NPPF states amongst other matters that developments should add to the overall quality of the area, be visually attractive as a result of good architecture and sympathetic to the surrounding built environment.

Chapter 16 of the NPPF contains the relevant restrictive national planning policies relating to the conservation and enhancement of the historic environment. Paragraphs 199-202 of the NPPF sets out a local planning authority should assess the significance of a heritage asset and the potential impacts of a development proposal upon that asset. Where a proposal will lead to substantial harm or total loss of a designated heritage asset, local planning authorities should refuse consent unless there are substantial public benefits that outweigh that harm. Where a

development proposal will lead to less than substantial harm, this harm should be weighed against the public benefits.

The existing property is of a largely traditional appearance although the two storey rear outrigger, likely to have been added at a later date to the original building, is constructed from a dark brick, which is at odds with the main house and, together with the use of UPVC in the rear extension, reduces the significance and sensitivity of the building.

The proposed replacement extension would involve a slightly increased footprint consistent with the building line of the two storey outrigger, and constructed in a traditional stone with tiled roof. The proposed extension is considered to result in a visual betterment compared to what is currently in situ and would continue to be subordinate and secondary to the main dwellinghouse.

The Conservation Officer has no objections to the proposal. As such, and in light of the above, it is considered that the proposed extension would sustain and enhance the character and appearance of the building and wider setting of the Hayfield Conservation Area. The extension represents a high quality design which complies with LP Policies S1, EQ6 and EQ7, relevant Supplementary Planning Guidance, and relevant restrictive policies contained under Chapter 16 of the NPPF, underpinned by Section 72(1) of the Act 1990.

### **Amenity**

LP Policy EQ6 requires all new development to have a satisfactory relationship with existing land and buildings to protect the amenity of the area, which includes the 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.

Due to the presence of a large high stone boundary wall, the occupiers of No.77 to the east will not be adversely affected by the proposed extension, which has a similar height and marginally larger footprint. Similarly, No.71 which sits a short distance to the north, has a blank gable that overlooks the yard, and has no habitable windows that would directly face the proposed extension.

For these reasons, the proposed development would not result in any adverse harm to the residential amenity of any neighbouring property in line with LP Policy EQ6, the Residential Design Guide SPD, and paragraph 130 of the NPPF.

### **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 permission for a replacement extension to an existing residential dwelling within the Hayfield Conservation Area.

An assessment of the proposed development has concluded that by virtue of its high quality design, including its proportionate scale and height and use of traditional materials, the extension would preserve the character and appearance of the building and wider Conservation Area. No residential property would be adversely impacted by the proposal.

The application has therefore been found to comply with all relevant Local Development Plan policies and other material considerations which includes the NPPF and therefore amounts to a sustainable form of development. In line with LP Policy S1a and paragraph 11 of the NPPF, the application is recommended for approval subject to appropriate conditions.

**OFFICER RECOMMENDATION :     Approve with Conditions**

**Case Officer: James Stannard**

**Recommendation Date: 4<sup>th</sup> April 2023**

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Signed by: Jane Colley Signature

**On behalf of High Peak Borough Council**

