

DELEGATED DECISION REPORT

HPK/2023/0079
Valid 07/03/2023

77 PARK ROAD
BUXTON

**TWO STOREY SIDE
EXTENSION TO REPLACE
EXISTING GARAGE AND
CREATE A SELF CONTAINED
ANNEX..**

(FULL - HOUSEHOLDER)

MAIN ISSUES

- Design and Conservation
- Amenity
- Parking Provision and Highway Safety

DESCRIPTION OF SITE

The application relates to No.77 Park Road, Buxton; a two storey detached property that fronts the public highway on its south-eastern side. The domestic curtilage includes a front and rear garden, together with a single storey ancillary garage attached to its south-western gable.

The site is bounded by the local Ambulance Station to the rear (west) and its access road immediately to the south, with the blank side elevation of No.73 Park Road situated beyond. To the north is No.79 Park Road.

The site lies within the built-up area boundary of Buxton and within the Park Conservation Area.

PROPOSAL

The application seeks full planning permission for a two storey side extension replacing the existing garage to facilitate the conversion of the existing garage to a Living Room and a Bedroom above, which is described as a self contained annex.

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
EQ6	Design and Place Making
EQ7	Built and Historic Environment
EQ9	Trees, Woodland and Hedgerow
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
Conserving and Enhancing the Historic Environment	Chapter 16

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

HPK/0003/9813 Conservatory to Rear (Approved 02/04/2001)

CONSULTATIONS

Publicity

Site Notice expiry date: 27th April 2023
Neighbour consultation period ends: 4th April 2023
Press Advert: 13th April 2023

Public Comments

None

Town / Parish Comments

N.A

HPBC Conservation Officer

No objection.

Derbyshire County Council Highways

It is considered that the application will have no detrimental highway impact and on that basis there are no highway objections to the application.

OFFICER COMMENTS

Principle of Development

The application seeks permission for extensions and alterations to an existing residential property that lies within the built-up area boundary of Buxton, and within the Park Conservation Area.

As such, the application is subject to Local Plan (LP) Policy EQ7 and national restrictive planning policies contained under Chapter 16 of the NPPF underpinned by Section 72(1) of the Act 1990.

The application can thus only be supported in principle where the application can demonstrate that the character and appearance of the dwelling and wider conservation area will be either preserved or enhanced, in accordance with the above policy context, notwithstanding all other planning considerations.

Design & Conservation

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 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.

Paragraphs 199-202 of the NPPF sets out how a local planning authority should assess the significance of a heritage asset and the potential impact 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 site lies within the Park Conservation Area and as such, any extensions or alterations to residential properties should be handled in a sensitive manner. The existing property has a relatively simple form constructed from a traditional stone and is characterised by an ancillary garage on its southern elevation that has a flat roof, and a UPVC conservatory to the rear.

The proposed extension would replace the existing garage which is set to be demolished, broadly following the same footprint, which already introduces a small set back behind the principal elevation, in accordance with supplementary design guidance. The proposed extension is shown to be set down below the ridgeline of the main roof with consistent roof angles and has a resultant width that falls considerably below what equates to half the width of the main house.

The extension is shown to be constructed from materials and contains fenestration detailing that would be consistent with those present in the existing house which in turn is characteristic of the wider street scene.

In light of the above, and having regard to comments from the Conservation Officer, it is concluded that the proposed extension is of a high quality design which contributes positively to the character and appearance of the main dwelling, wider street scene, and setting of the Conservation Area, in accordance with LP Policies S1, EQ6 and EQ7, relevant Supplementary Design Guidance and relevant paragraphs contained under Chapters 12 and 16 of the NPPF, the latter 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 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 site is bounded to the north by No.79 Park Road. Due to the orientation of these properties, and that the proposed extension would be located on the opposite side of the house, this neighbouring property would not be adversely affected with regards to any overbearing impacts, overlooking, loss of privacy, or loss of sunlight.

Turning to the property to the south, No.73 Park Road, this is situated south of the access serving the Ambulance Station to the west. It has a blank side gable facing northwards, located some 15m distant, and positioned slightly further forward towards the public highway. As such, the proposed replacement two storey side

extension would not give rise to any adverse impacts to the amenity of this neighbouring property.

The users of the Ambulance Station to the rear would not be adversely affected, due to the operational nature of this facility and the intermittent screening present at the rear of the site.

A condition is recommended that ensures the use of the self-contained annex is ancillary to the existing dwellinghouse known as No.77 Park Road, in the interests of controlling the intensification of the site. Moreover no assessment has been made in respect of whether the floor space would be acceptable for an independent dwelling for future occupiers, against the NDSS, and wider amenity matters.

For the reasons set out above, the proposed extension would not result in any adverse harm to the residential amenity of any neighbouring residential property, in accordance with LP Policy EQ6, the High Peak Residential Design Guide SPD, and paragraph 130 of the NPPF.

Parking Provision and 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 proposed extensions and alterations include the demolition of the garage and the erection of a two storey side extension containing a living room and bedroom above, taking the total number of bedrooms within the property to four.

Parking Guidance contained under Appendix 1 states that properties with bedrooms of 4 or more is required to provide a minimum of 3no. off-street parking spaces within the domestic curtilage.

Even with the loss of the garage, the property benefits from a large private drive, parking and turning area that can comfortably accommodate 3no. vehicles. In light of this fact and having regard to comments received from the Highways Authority, it is concluded that the proposed development will not result in any adverse harm to highway safety, in accordance with LP Policy CF6 and paragraph 110 of the NPPF.

Other Matters

Trees

The site is covered by a blanket Tree Preservation Order (TPO), but in any event trees are protected being located within a Conservation Area.

At the time of writing, no comments have been received from the Tree Officer. However, it is clear that due to the fact that the replacement extension would be situated broadly on the same footprint as the existing garage and would not encroach any further towards the root protection areas of any nearby trees there will not be any adverse impacts to any protected trees, or any need for any conditions, in accordance with LP Policy EQ9 and relevant paragraphs under Chapter 15 of the NPPF.

Nutrient Neutrality

Introduction

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 full planning permission for a two storey side extension that would replace an existing single storey garage to create an contained annex.

An assessment of the application has concluded that the proposals are of a high quality design that contributes positively to the character and appearance of the existing dwelling and the wider street scene, and setting of the Park Conservation Area, which subject to appropriate conditions, would preserve the amenity of neighbouring properties and highway safety.

The application is therefore found to comply with all relevant local development plan policies and other material considerations including relevant paragraphs within the NPPF, and constitutes 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: 2nd May 2023

X 

Signed by: Jane Colley Signature

On behalf of High Peak Borough Council