

DELEGATED DECISION REPORT

HPK/2023/0082
Valid 06/03/2023

25 TEMPLE ROAD
BUXTON

SINGLE STOREY EXTENSION
TO THE SIDE OF THE
PROPERTY

(FULL - HOUSEHOLDER)

MAIN ISSUES

- Design & Conservation
- Amenity
- Nutrient Neutrality

DESCRIPTION OF SITE

The application relates to No.25 Temple Road, an attractive two storey semi-detached property constructed in a mixture of stone and red slip tiles, with small elements of render to the rear, which lies within the Buxton College Conservation Area.

The property is orientated with the northern principal elevation facing the public highway. To the east of the dwelling is an area of hard standing that leads to a detached ancillary stone garage with a dual pitched roof.

The site is bounded to the west by its neighbour No.27 Temple Road, whilst to the east is a narrow pedestrian passageway that provides access to Buxton Community School which lies a short distance to the south. Views of the side and rear elevations of the existing house are prominent from this footpath.

PROPOSAL

The application seeks permission for a single storey side extension which as the Floor Plan show introduces a small Hallway, Utility Room and Shower Room to the ground floor.

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

Supplementary Planning Documents

Residential Design Guide SPD (2005)
Design Guide SPD (2018)

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

HPK/0001/1492	Proposed Double Garage And Formation Of Porch With Cloaks And WC (Approved)
HPK/2004/0337	Remove Chimney Stack From Front Elevation Of Roof (Refused 28/05/2004)
HPK/2011/0172	Alterations To Bay Window At Front Of Property And New Rooflight (Approved 24/05/2011)
NMA/2011/0034	Non Material Amendment to HPK/2011/0172 to reduce size of window (Approved 28/09/2011)

CONSULTATIONS

Publicity

Site Notice expiry date: 27th April 2023
Neighbour consultation period ends: 30th March 2023
Press Advert: 6th April 2023

Public Comments

None

Town / Parish Comments

N/A

HPBC Conservation Officer

No objection.

Severn Trent Water

No objection – informative recommended relating to unmapped sewers

Derbyshire County Council Highways

No comments received at time of writing.

OFFICER COMMENTS

Principle of Development

The application seeks permission for extensions and alterations to an existing residential dwellinghouse that lies within the built-up area boundary of Buxton, on a site that lies within the Buxton College Conservation Area.

The application is therefore subject to Local Plan (LP) Policy EQ7 and relevant restrictive policies relating to heritage conservation contained within Chapter 16 of the NPPF, underpinned by Section 72(1) of the Town and Country Planning Act 1990. As such, the principle of development can only be supported where the application can demonstrate compliance with this policy context, notwithstanding all 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. Due to their often squat and ungainly appearance, the prevailing climate and ongoing maintenance problems, flat roofs should be avoided.

Chapter 12 of the NPPF contains national policies aimed at creating well designed places. 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.

Chapter 16 of the NPPF contains the relevant restrictive national policies relating to heritage conservation. Paragraphs 199-202 set 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 existing residential dwelling is reasonably attractive and is relatively prominent in the immediate vicinity particularly from Temple Road and the small pedestrian passageway to the east that heads southwards to Buxton Community School.

The proposed extension has a narrow width of approximately 2m that would be set a small distance behind the principal elevation having a depth consistent with the existing rear building line. The principal elevation would be characterised by a timber door, with walls finished in a stone to match the existing ground floor, with a stone parapet roof, and timber windows with attractive headers and sills.

The Conservation Officer has no comments to make regarding this application and provided further clarification to Officers that due to the property being set back a reasonable distance behind the public highway and the extension being set back and concealed to a degree from the frontage, the flat roof is acceptable in this setting.

Whilst it is acknowledged that a mono-pitched roof would be more desirable, particularly given the sensitivity of the site within the Conservation Area, it is considered that light of the comments provided by the Conservation Officer, there are no sustainable or substantive grounds for refusal on grounds of poor design or harm to the conservation area.

As such, it is considered that notwithstanding the introduction of an undesirable flat roof, the proposed development is of an acceptable design that does preserve the character and appearance of the dwellinghouse, street scene and the wider conservation area. Accordingly the development complies with LP Policies S1, EQ6 and EQ7, relevant Supplementary Design Guidance or relevant paragraphs under Chapters 12 and 16 of the NPPF.

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 west by the neighbouring semi-detached property, which would not in any way be adversely affected by the proposed side extension due to the fact that it does not protrude beyond the existing building line of the main dwellinghouse. Given that the site is not bounded on its southern or eastern side by any residential properties, the proposed extension is considered to preserve the residential amenity of all neighbouring properties, in accordance with LP Policy EQ6, the Residential Design Guide SPD, and paragraph 130 of the NPPF.

Other Matters

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 roof area and will therefore increase surface water run-off. However, given the very limited extent of the additional roof, beyond what is already present at the site, 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

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 modest single storey side extension relating to a property that lies within the Buxton College Conservation Area. Having regard to comments from the Council's Conservation Officer, it has been found that whilst the introduction of flat roof would be undesirable, the fact that the scale and height of the extension is very modest and set a considerable distance back from the public highway, would not result in any degree of harm to the character and appearance of the dwelling, the wider street scene, or the setting of the Conservation Area, that would warrant a substantive and sustainable reason for refusal that could be defended at appeal. The application is therefore on balance acceptable having regard to relevant local development plan policies, relevant supplementary design guidance, and relevant paragraphs within the NPPF.

As such, the application is considered to amount to a sustainable form of development and in line with LP Policy S1a and paragraph 11 of the NPPF is recommended for approval subject to appropriate conditions.

OFFICER RECOMMENDATION : Approve with Conditions

Case Officer: James Stannard

Recommendation Date: 2nd May 2023

X *J Colley*

Signed by: Jane Colley Signature

On behalf of High Peak Borough Council