

DELEGATED DECISION REPORT

HPK/2023/0012
Valid 16/01/2023

27A PARK CRESCENT
FURNESS VALE

TWO STOREY SIDE AND
REAR EXTENSION, WITH
INTERNAL REMODELLING

(FULL - HOUSEHOLDER)

MAIN ISSUES

- Design Character and Appearance
- Amenity
- Parking Provision and Highway Safety

DESCRIPTION OF SITE

The application relates to No.27A Park Crescent, Furness Vale; a two storey semi-detached block, which was constructed in the late 1980's, its immediate neighbour to the south benefiting from a two storey side extension, and a large single storey rear conservatory.

To the north of the site lies No.27 Park Crescent whilst to the west beyond the rear stands No.68 Yeadsley Lane, a large detached property with a large rear garden that stands some 50m from the existing rear elevation of the host property.

The block of semis is constructed in a light coloured brick with concrete tiled roof. The wider street scene is home to a varied palate of materials including render, and overall is considered to have a low visual sensitivity.

For the purposes of the Local Development Plan the site lies within the built-up area boundary of Furness Vale and is not constrained by any sensitive statutory designation.

PROPOSAL

The application seeks permission for extensions and alterations to the existing dwelling. The proposal has undergone a number of revisions, and in its final form, amounts to a two storey side and rear extension and 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
- S6 Central Sub-area Strategy
- EQ6 Design and Place Making
- 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

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

- HPK/0002/4098 Residential Development of One Pair of semi-detached Dwellings (Approved 17/03/1986)
- HPK/0002/4882 One pair of semi-detached houses (Approved 08/01/1987)

CONSULTATIONS

Publicity

Site Notice expiry date: 28th February 2023
Neighbour consultation period ends: 7th February 2023
Neighbour re-consultation period ends: 11th May 2023
Press Advert: N/A

Public Comments

1no. objection has been received from the occupants of the neighbouring property No.27B Park Crescent in connection with the plans originally submitted with the application. The sole material grounds for objection relate to the harm to their residential amenity by virtue of a loss of sunlight caused to habitable windows.

As a result of a 14 day re-consultation triggered due to the submission of revised plans, no further comments have been received.

Whaley Bridge Town Council Comments

No comments received

Derbyshire County Council Highways

The proposed side extension will remove access to the existing garage and it appears that the garage is to be removed altogether, which will reduce the available on site parking provision for the dwelling. However, some space is to remain to the side and front of the dwelling. Whilst a potential increase in roadside parking is not ideal and may be inconvenient to other residents this is not considered to warrant an objection on highway safety grounds.

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 Whaley Bridge; identified as one of the larger Market Towns at the top of the settlement hierarchy under Local Plan (LP) S2, which are the focus for housing and economic growth. The site is not constrained by any sensitive statutory designations.

In light of the planning policy context above, the general principle of development is supported, subject to a detailed assessment of all relevant planning considerations which in this case amount to (i) Design, Character and Appearance (ii) Amenity, and (iii) Highway Safety.

Design Character and Appearance

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.

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.

The existing property is a relatively uninspiring semi-detached two storey property constructed of a light brick with concrete tiled roof that sits within a street scene that is considered to have a relatively low sensitivity.

As originally submitted, the proposed extension attracted a number of design concerns from Officers, as set out in an email dated 15th February 2023, an extract of which is set out as follows:

I have concerns regarding the design of the proposed extensions in their current form as follows:

- 1. The side extension is very narrow which by virtue of a cat slide roof, adjoins the rear extension in an odd and contrived manner. The proportions between the eaves height and the ridge height of the side extension to facilitate the en-suite bathroom results in a poorly designed extension. In order to address this issue, the side extension should be reduced to a simple single storey extension with a dual pitched roof that extends outwards from the side elevation of the main house. Another option may be to increase the width of the side extension to the boundary, and create a traditional two storey side extension with an eaves height consistent with the existing dwelling and the ridgeline set down below that of the main house.*
- 2. The proposed rear extension is wholly inappropriate and requires a rethink in design terms. The secondary ridgeline created by the cat slide roof results in an extension that competes and dominates the original rear elevation, failing to respect the dominance of the main dwelling. The introduction of a further gable towards the rear garden introduces a further roof form which together amount to a clash/discord of various roof forms which together, fail to respect the simple character and appearance of the dwelling, and results in a poor form of design. In order to address this issue, I would suggest amending the two storey rear to read as a simple dual pitched gable that extends outwards from the main dwelling (not the side extension) with a width that equates to no more than 50% of the width of the existing rear elevation. I would not object to the side and rear extension being connected at ground floor level, subject to a review of revised plans.*

In response to these comments, revised plans were received, that whilst demonstrating a noticeable improvement compared to the original submission, still fell short of the requirement to be development of a high quality design that respects the character and appearance of the main house resulting in a dwelling that is well designed in itself.

In order to assist the applicant in making amendments that would be supported, Officers made available a rough sketch to the applicant in order to inform further revised plans for consideration.

The final revised plans (Rev D) have incorporated the changes as requested by Officers. The side extension, which is set back a considerable distance behind the principal elevation, now has an eaves height that is consistent with the main dwelling with a ridge height set down from the main ridge line with a consistent roof angle.

The proposed two storey rear extension has a modest proportionate depth with a width equating to 50% of the rear of the resultant dwelling, supplemented by a single storey lean-to extension on the side nearest to No.27B.

In this final revised form, the proposed extensions are considered to read as subordinate and secondary additions that respects the dominance of the main dwelling, and, by virtue of the design of fenestration and choice of materials, responds positively to the character and appearance of the dwelling and wider street scene.

Officers did request that a ground floor window be added to the side extension in the interests of symmetry, proportionality and good design. However the applicant has declined to do so. Whilst undesirable, it is considered that the lack of the ground floor window does not result in a degree of harm to the character of the property or wider street scene that justifies or warrants a reason for refusal.

As such, in its final revised form, the proposed development is considered to comply with LP Policies S1 and EQ6, relevant Supplementary Design Guidance, and relevant paragraphs contained within Chapter 12 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 surrounded by residential development. Properties on the opposite side of the street would not be adversely affected given the significant setback incorporated to the side extension. Similarly, due to a significant distance between habitable windows and intermittent boundary treatment, the property that stands beyond the rear boundary to the west would not be adversely affected.

No.27B is the other semi-detached property that forms part of the same block, and benefits from a single storey rear conservatory that extends some 4.8m beyond the original rear elevation, and 1m beyond the rear elevation of the proposed single storey rear extension that sits immediately adjacent to the boundary.

The two storey rear extension is located a sufficient distance from the boundary of No.27B to not result in any overbearing impacts, and given the neighbouring conservatory extends further than the proposed single storey rear extension, there

are not considered to be any adverse impacts relating to loss of sunlight. There are no windows shown on the side elevation of either extension that faces this property and thus no loss of privacy would occur.

It is accepted that the single storey rear extension would be built up to the boundary and in close proximity to the existing neighbouring rear conservatory. However, given that the conservatory at No.27B extends further outwards than the proposed single storey rear extension, and that an extension with a similar depth of 3m could be implemented without planning permission, there are not considered to be any adverse impacts to the amenity of this neighbouring property.

The objection from this neighbouring property submitted in connection with the original plans raises concerns regarding the loss of light to their living room. It is clear that the existing conservatory has a solid wall, with the proposed single storey extension also having a solid wall, and as such there would not have any greater impact to sunlight beyond the present situation. Moreover, the neighbouring conservatory already affects the light into their living room and the proposed extension is orientated to the north of this adjoining property, thus not resulting in any greater impact in terms of sunlight.

Finally the proposed extension would be to the north of no.27b and therefore would not affect morning, mid-day or afternoon direct sunlight.

Turning to the neighbouring property to the north, No.27 Park Crescent, the side extension would be located some 5.5m from the side gable of this property which does contain a first floor window. In the absence of any planning history, it is not known whether this window serves a habitable bedroom.

A recent appeal decision issued in January 2018 at No.5 Meadow Close, Whaley Bridge concerning a first floor side extension which had a shorter distance of approximately 1m between the side elevation and habitable window, refused under HPK/2017/0277 due to the harm to neighbouring amenity as a result of a loss of sunlight to a habitable window, was allowed. This is considered to be an important material consideration.

In light of this appeal decision, any identified harm to the amenity of No.27 by virtue of the presence of the side extension and potential loss of sunlight to the first floor window is not considered to hold sufficient weight to warrant a reason for refusal given the Appeal Decision at No.5 Meadow Close, which was determined under the same Local Plan.

In light of the above, it is considered that on balance, in its final revised form, taking into account all material considerations, which includes a relatively recent appeal decision, there are no sufficient grounds to refuse the application having regard to any adverse impacts to neighbouring property.

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. Paragraph 111 goes on to state that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

The application results in the loss of a small single storey garage that sits towards the rear of the plot, and would result in the loss of a portion of driveway to the side of the house, taken up by the side extension. As a result of the proposed extensions, the dwelling would contain 3no. bedrooms, which in line with the Council's parking guidelines requires a minimum of 2no. off-street parking spaces to be provided.

Notwithstanding comments from the Highways Authority which state that even with the loss of parking provision there are no substantive grounds for refusal, a site visit has confirmed that the remaining driveway can accommodate 2no. parking spaces, and as such there would not be any harm to highway safety, in accordance with LP Policy CF6 and paragraph 110 of the NPPF.

Other Matters

The objector raises concerns relating to sewerage and drainage. These matters are fully covered by legislation including Building Control that fall outside of the planning system and as such are not material to the determination of this application.

CONCLUSION / PLANNING BALANCE

LP Policy S1a reflects the presumption in favour of sustainable development set out within the National Planning Policy Framework (NPPF).

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 extensions and alterations in connection with an existing dwellinghouse that lies within the built-up area boundary on a site not constrained by any statutory designation. The principle is therefore acceptable.

Further to extensive discussion with the applicant, the final revised plans (Rev D) have been found on balance, to be acceptable with regards to its design, character and appearance and its relationship with both the street scene and neighbouring properties.

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

OFFICER RECOMMENDATION : Approve with Conditions

Case Officer: James Stannard

Recommendation Date: 12th May 2023

X *B.S. Haywood*

Signed by: Ben Haywood

On behalf of High Peak Borough Council