

DELEGATED DECISION REPORT

HPK/2023/0128
Valid 12/04/23

123 NITHEN COTTAGE,
PARK ROAD, BUXTON,
DERBYSHIRE, SK17 6SP

PROPOSED SINGLE STOREY
EXTENSION, RESUBMISSION
OF HPK/2022/0480
(FULL - HOUSEHOLDER)

MAIN ISSUES

- Principle of Development
- Design Considerations (inc Heritage Assets)
- Impact upon Residential Amenity
- Impact upon Highway Safety and the Network
- Nutrient Neutrality

DESCRIPTION OF SITE

The application site lies within the settlement boundary for Buxton as defined by the Local Plan policies map. The site relates to a two-storey property which is located within a predominantly residential area. The site benefits from amenity space to the front and side, and parking space to the front. The site is located within the Buxton Conservation Area (The Park). The site is located on a corner plot at the junction of Park Road and Manchester Road. The site is at a lower land level than the Manchester Road.

PROPOSAL

This application seeks permission for the construction of a single-storey side extension. The extension would be a flat roofed construction of two heights, with the lower flat roof containing a roof lantern. A parapet roof is proposed to the taller flat roof extension. The extension would provide a conservatory/dining room extension and a studio/home cinema room.

The proposed extension would adjoin the Manchester Road and require the removal of part of the existing retaining wall and sloping land between to facilitate the extension.

The scheme also includes works to the front garden including new land levels, garden walls, railings, steps, areas of hardstanding and domestic features including hot tub, bench and water feature.

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
EQ9 Trees, Woodlands and Hedgerows
EQ10 Pollution Control and Unstable Land
CF6 Accessibility and Transport

Supplementary Planning Guidance/Documents

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

National Planning Policy Framework

Section 9: Promoting Sustainable Transport
Section 12: Achieving Well-designed Places
Section 16: Conserving and enhancing the historic environment

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

HPK/2022/0480 - Erection of two storey extension – Refused – 16/12/22

CONSULTATIONS

Publicity

Site Notice expiry date: 06/06/23
Neighbour consultation period ends: 25/05/23
Press Advert: 25/05/23

Public Comments

Two letters of public representation objecting to the development proposed:

- Although this revised design is better than the first one it still will have an impact on its surroundings.
- It is a modern design with a sebum roof which is completely out of keeping with the rest of the surrounding area.
- It will irreversibly alter the footprint of this classically designed house.
- The site is located within the Buxton Conservation area and this designated heritage protection was a significant influence when we purchased our property.
- The three properties around 123 Nithen Cottage were once the same dwelling and this alteration would have a knock-on effect for all surrounding properties and cause demonstrable harm to the character of the area.

Town / Parish Comments

None received

DCC Highways

It would seem that the latest application is the same as the previous (HPK/2022/0480); the description of the application does state “resubmission of HPK/2022/0480”. This would raise the same concerns about the retention of the highway on Manchester Road. The previous LHA response required details, as per the attached, on how the adjacent highway is to be retained. It would appear that there have been no structural details or design of the retaining wall adjacent to Manchester Road submitted, which, it is noted, was one of the reasons for refusal in the previous application. Therefore, I would refer you to the previous comments made to HPK/2022/0480 which are considered to remain valid for this latest application.

Previous comments submitted to HPK/2022/0480:

There are no highway safety objections to the above mentioned planning application in principle, however, the proposals indicate that a large retaining wall to support Manchester Road will be constructed in order to build the extension.

The Derbyshire County Council Structures Team have been consulted in relation to the proposal and have made the following comments:

Manchester Road is a classified A road with regular HGV and occasional abnormal load use.

Derbyshire County Council will need to grant technical approval for the proposed wall prior to work commencing. The wall will need to be designed and constructed in accordance with the requirements of the Design Manual for Road and Bridges & the Specification for Highway Works. A Eurocode compliant design will be required with loading in accordance with BS 8002:2015 (table 7), due to the width of footway an imposed load of 20kPa should be used.

It appears that the wall may retain 3 metres so this will mean it is a category 1 structure (as defined within DMRB code CG300), therefore an Approval in Principle (AIP) will be required followed by a design and check certificate.

In order to construct the proposed wall the applicant will likely need to either close the footway and possibly part of the road, in order to excavate out for the new wall, or they will need to temporarily support the highway (and footway).

Their proposals for this may also need to be technically approved if they are looking at temporary support due to the potential for members of the public and highway to be affected by the works. In accordance with CG300 and the DMRB this may require the submission of a formal temporary works AIP due to the consequences of any failure at this location. The applicant will need to submit all the above for approval.

Accordingly, I would be obliged if you could ask the applicant to submit revised plans/details in view of the above comments and in the meantime, please hold the application in abeyance until revised plans have been submitted.

HPBC Conservation Officer

Objection.

See drwg ref: Tickle 16 Rev A. The proposal appears to create what is possibly a flat roof box-like extension to the classic vernacular dwelling of Nithen Cottage. There lacks any artistic detail or decoration informed by the principle dwelling to attempt to create a relationship between the two structures. On this drawing showing 'elevation to Park Road' sees this stark contrast between the two structures, with an offset door, large gap between lintel and parapet and large void between the door and the corner of the wall. Unfortunately there are not many factors that could be understood to be contributing to the character of the Conservation Area nor Nithen Cottage itself.

See drwg ref: Tickle 14 Rev D. This drawing appears to show the inclusion of quite a large and ostentatious wall with lights, railings and steps. This is very much out of character for the principle dwelling and not something often found in the front garden, or frontage of a unassuming classic villa. The relationship between the dwelling and corner plot acknowledged. Though as mentioned previously, this was consciously designed to accommodate the corner plot at these intersecting roads, making the cottage the feature or marker point paired with its low lying set back siting, interesting roof pitches and fenestration pattern. The design concept at the time possibly almost a mock-lodge due to the prominent position on the corner. Consequently, additional paraphernalia now at the principle elevation, with now alterations to original boundary treatments at the street facing portion of the site, look to create really quite a cluttered and visually confusing frontage and main approach.

It is to be noted the current dwelling sees the provision of hardstanding for modern day parking requirements, original boundary street facing elements (minus a field gate at the entry), and boundary separation on site - to accommodate the fact there are separate dwellings on site. Due to this I am not confident there is as much space as envisaged for all of this. Additionally, notwithstanding the proposed alteration to the original floorplan of the house, the added landscaping elements look to begin to break up the identity of the site which to an extent remains well read. Again, as above this application looks to create quite a cluttered vicinity and therefore risks becoming visually obtrusive.

To conclude; I am struggling to see how this application provides any contribution to Nithen Cottage, its neighbours, the streetscene and therefore Conservation Area setting and character. I am not confident the setting and Conservation Area or historic vernacular has been thoroughly considered and explored in order to inform the design concept. In terms of harm on heritage, it is seen to impose a level of harm and therefore cannot be supported.

Severn Trent Water

Having reviewed our statutory sewer records, they do not currently demonstrate any public sewers on the property. However, due to a change in Legislation that came into force October 2011, there could be unmapped assets on the property that will enjoy the same protection as all our mapped assets.

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. Within such locations householder development is acceptable, as a matter of principle. The main considerations in this instance whether the design is appropriate, taking into consideration its location within a Conservation Area, whether an amenity issues would arise, whether there would be an impact upon highway safety or the network, and nutrient neutrality.

Design Considerations (Impact on Heritage Assets)

Policy S 1a states that all new development should contribute to sustaining communities and protected and/or enhance the environment. Policy EQ 6 states that all development should be well designed, of a high quality and respond to the areas character, history and scale. Policy EQ 7 states that the council will conserve heritage assets in a manner appropriate to their significance.

The High Peak Design Guide (2018), at paragraph 5.5 states that, *“All extensions should harmonise with the parent building. An extension should respect the dominance of the original building and be subordinate to it in terms of its size and massing. Setting back the new section from the building line and keeping the eaves and ridge lower than the parent building will normally help”*. The High Peak Residential Design SPD (2005), at 9.0 states that *“Extensions and alterations to existing houses can have a significant impact on the appearance of a house, neighbouring property and the street scene. It is important, on all types of houses, that domestic development is carefully designed”*, and at 9.1 that *“Extensions should be designed so as to subordinate to the main form of the house. It is important that the extension results in a dwelling that is well designed in itself”*.

The application site lies within The Park Conservation Area which is a designated heritage asset. The Conservation Area appraisal with reference to The Park sub area, identifies one of the main characteristics as being large detached and semi-detached villas set in large mature gardens. The dwellings and their setting contribute towards the significance of the heritage asset.

This application proposes the construction of a single-storey side extension which would project to the north of the dwelling, towards Manchester Road. The extension would project to the side by around 6.2m, at a depth of 10.8m. The extension includes a flat roof design of two heights. The overall heights of the extension to the top of the parapet walls would be 4m, and 3.2m respectively. The roof lantern would have a height of 4m from ground level.

The proposed extension would be set back from the Park Road building line, and have an overall height which is lower than that of the existing dwelling. Notwithstanding this, the dwelling is sited on a corner plot and is visible from both Park Lane and Manchester Road. The extension would be sited immediately adjacent to Manchester Road. This is at odds with the pattern and form of development in the area.

The proposed flat roof design of the extension draws little reference to the design of the existing building. The flat roof design would appear at odds with the design of the existing dwelling. The Park Road frontage includes one opening, which does not respect the proportions between stonework and openings within the main dwelling. Furthermore, the alignment of this opening is at odds with existing openings within the dwelling. This would be exacerbated by the very close proximity of the extension to Manchester Road. The plans show the extension to be hard up to the boundary of the public highway.

While the extension would be set below the land level of Manchester Road, it is not considered that this addresses the concern identified. The overall design of the extension fails to respect the character of the existing dwelling and would be an incongruous addition within the streetscene.

In addition to the extension, the proposals include works to the front garden. This includes the construction of a raised area behind a 2.1m high wall, on top of which would be railings with lamps on top. The raised area would include a hot tub and other domestic paraphernalia. These alterations, to the front of the dwelling and adjacent to the roadside junction would be prominent and would detract from the character and appearance of the dwelling and streetscene.

The Conservation Officer has also raised concerns that the proposed development would have an unacceptable effect on the Conservation Area. She identifies that the extension lacks any artistic detail or decoration informed by the principle dwelling to attempt to create a relationship between the two structures.

With regard to the proposed alterations within the curtilage, the Conservation Officer observes that the changes are *“very much out of character for the principle dwelling and not something often found in the front garden, or frontage of an unassuming classic villa. The relationship between the dwelling and corner plot is acknowledged. As mentioned previously, this was consciously designed to accommodate the corner plot at these intersecting roads, making the cottage the feature or marker point paired with its low lying set back siting, interesting roof pitches and fenestration pattern. The design concept at the time possibly almost a mock-lodge due to the prominent position on the corner. Consequently, additional paraphernalia now at the principle elevation, with now alterations to original boundary treatments at the street facing portion of the site, look to create really quite a cluttered and visually confusing frontage and main approach”*.

Furthermore, she observes that *“notwithstanding the proposed alteration to the original floorplan of the house, the added landscaping elements look to begin to break up the identity of the site which to an extent remains well read. Again, as*

above this application looks to create quite a cluttered vicinity and therefore risks becoming visually obtrusive”.

The character of the villas and their plots are elements which contribute towards the significance of the conservation area and the proposals, both in terms of the extensions and alterations within the curtilage, would therefore cause undue harm to the significance of the Conservation Area. 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.

While the scheme has been reduced from a two storey extension to a single storey extension, when compared to the earlier application, the extension remains unacceptable in design and heritage terms for the reasons highlighted above. In addition, the new proposals include further developments which add to the harm that would arise on these grounds.

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.”*

The scale, proximity and relationship with neighbouring dwellings is such that the proposed extension is unlikely to result in any adverse harm to the amenity of occupants of the neighbouring dwellings through loss of light, overbearing, overshadowing, privacy or overlooking.

Highway Safety

The proposal would not increase the number of bedrooms within the development and as such would not result in an increased demand for off street parking arising from the proposals.

The previous application was refused on the lack of information with regard to the potential impact on Manchester Road. The previous officer report observed that

“the proposed extension and works would be sited immediately adjacent to Manchester Road, and will require the removal of the existing banking and creation of a retaining wall. Given the proximity of the development to the Manchester Road, which is an A-road, it will be necessary to ensure that the development can be

carried out without causing undue harm to the structural stability of the road and the overall impact on the highway network.

At present there is insufficient information to determine the extent of impact or the works required to ensure that the highway network is not compromised. Any works are likely to be significant and DCC Highways have suggested that the application not be determined until such time that revised plans are received.

Based on the lack of information presented, this is a genuine planning concern of the proposed development and the proposals ought to be refused due to insufficient information in this regard.

The application is a revised proposal to that previously refused on insufficient information due to this matter. This latest submission includes an extension that would, again, be sited immediately adjacent to the Manchester Road and will require significant engineering operations. The submitted details provide no assurances, information or approvals from the Highway Authority to suggest that the development can be acceptable in this regard. DCC Highways have reiterated their earlier comments.

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 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: 07/06/2023

X 

Signed by: Jane Colley Signature

On behalf of High Peak Borough Council