

DELEGATED DECISION REPORT

HPK/2023/0168
Valid 17/05/2023

26 LINGLONGS AVENUE
WHALEY BRIDGE

PROPOSED SINGLE STOREY
REAR EXTENSION WITH 3 NO
ROOFLIGHTS, PROPOSED
FIRST FLOOR SIDE
EXTENSION TO REPLACE
PREVIOUS DORMER,
PROPOSED DRIVEWAY AND
DROPPED KERB WIDENING,
PROPOSED RAISED REAR
PATIO EXTENSION.

(FULL - HOUSEHOLDER)

MAIN ISSUES

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

DESCRIPTION OF SITE

The application relates to No.26 Linglongs Avenue, Whaley Bridge, a two storey detached property that is situated within a linear form of development which does not have a consistent building line. The principal elevation is orientated to the south-west overlooking a private driveway and front garden, with a garden to the rear and dense vegetation beyond.

The northern side elevation of the property has been subject to a side extension which was approved under HPK/0001/2590 which comprises an extended cat-slide roof with a rather unsympathetic flat roof dormer window positioned relatively centrally.

The site is bounded to the south by No.24 Linglongs Avenue, and to the north by No.28 Linglongs Avenue. The former has a rear elevation building line that extends further eastwards, whilst the latter has a broadly consistent line.

PROPOSAL

The application is seeking full planning permission for a first floor side extension to replace the existing dormer, a single storey rear extension, a raised patio at the rear, and works to the front garden to create driveway, with associated kerb widening.

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 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/0001/2590	Proposed extension over kitchen and garage to form two bedrooms (Approved)
HPK/0003/3948	Extension of porch along front elevation (Approved 12/10/1994)

CONSULTATIONS

Publicity

Site Notice expiry date: 29th June 2023
Neighbour consultation period ends: 7th June 2023
Press Advert: N/A

Public Comments

None

Whaley Bridge Town Council Comments

No comments at time of writing

Derbyshire County Council Highways

No objections

OFFICER COMMENTS

Principle of Development

The application seeks permission for extensions and alterations to an existing dwellinghouse that lies within the built-up area boundary of Whaley Bridge, identified as one of the larger Market Towns that stands at the top of the settlement hierarchy and are the focus for housing and economic growth. The site is not constrained by any sensitive statutory designations.

As such, the principle of development is considered to be acceptable subject to an assessment of all relevant planning considerations.

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 dwelling and the surrounding street scene is urban in character and does not depict any architectural merit or sensitivity, with all properties having broadly the same character, albeit with small variations and an inconsistent building line.

The striking characteristic of this property (No.26) comparable to the other properties in the vicinity, is the side extension with its unsympathetic flat roof dormer. Any proposals that are judged to enhance the character and appearance of the property by virtue of removing this dormer should be supported.

The proposed side extension would see the 'building up' of the existing cat slide roof to create a more orthodox two storey side extension with a standard window, with the principal elevation standing flush with the existing. This proposal has been

carried out to some degree of success at the neighbouring property to the north, and as such would not look out of place in the street scene. It is considered that there is a sufficient gap between the host property and No.28 Linglongs Avenue to ensure that no 'terracing' effect would occur as a result of 'building up' the external walls to create a more 'textbook' two storey side extension.

The materials would be chosen to match that in the existing dwelling. As such, it is considered that this element of the application would result in a modest visual enhancement of the site and the wider street scene, and is acceptable in design terms.

Turning to the proposed single storey rear extension, this has a depth of 3.6m spanning the width of the existing property, reaching an eaves height of 2.1m and an overall ridge height of 3.5m. With regards to its scale, massing and height, this extension is consistent with the size permitted under Schedule 2, Part 1, Class A of the GPDO, as is therefore acceptable. Materials would match the existing which is welcome. Whilst the fenestration is unusual and could be seen as being excessive with regards to the amount of glazing, it would nevertheless be sited at the rear of the property with no views from public vantage points and therefore no impact on the street scene. As such, it is considered that this aspect of development is acceptable in design terms.

The minor engineering operations which would see a small part of the garden raised by up to 1.1m to create a rear patio beyond the extension is considered to be acceptable in design terms, but needs to be fully considered with regards to potential impacts on neighbouring amenity.

Lastly with regards to minor works to the front garden, and the proposed dropped kerb, these works could be carried out under Schedule 2, Part 1, Class F and Part 2, Class B respectively, and would in any event have no material impact on the character and appearance of the site or wider street scene.

Taking all aspects of the application together, it is considered that the extensions alterations and other domestic works amount to high quality design that contributes positively to the dwellinghouse and wider street scene, in accordance with LP Policies S1 and EQ6, relevant Supplementary Design Guidance, and relevant paragraphs under 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 bounded to the north by No.28 Linglongs Avenue and to the south by No.24 Linglongs Avenue.

Due to the staggered nature of the rear building line of all three properties, with the host property at the centre, the introduction of the proposed single storey rear extension would not result in any adverse overbearing impacts, loss of privacy or loss of sunlight, with no breach of the 45 degree line from neighbouring habitable windows occurring. A number of new ground floor windows are proposed in the existing side elevation facing toward number 24, which can be installed under permitted development rights. In any event the widows face towards a blank side elevation to this neighbour.

With regards to the potential impacts of the side extension, No.24 would not be affected in any way due to its siting and relationship with the host property. The blank gable of No.28 and staggered building line to the rear, means that the side extension would not give rise to any adverse impacts to this property.

Lastly with regards to the minor engineering works that would see the floor levels of the sloping rear garden raised to facilitate the construction of a rear patio by 1.1m at its highest point, the applicant was asked to submit Section drawings showing the property in the context with the neighbouring land and boundary treatment, to fully assess the potential impact.

The drawing (Ref: 829-5.02) shows the existing boundary treatment to sit some 2.1m above the proposed finished floor level of the patio and rear extension. This satisfactorily demonstrates that the proposed minor engineering operation and provision of the patio area would not result in any adverse harm to either neighbouring property with regards to overlooking or loss of privacy.

In light of the above analysis it is concluded that any aspect of proposed development will not impact on the residential amenity of any neighbouring property in accordance with LP Policy EQ6, the Residential Design Guide SPD and paragraph 130 of the NPPF.

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 works to the front of the property which comprise the widening of the existing dropped kerb and a driveway extension, would enhance the level of off-street parking provision for the property, which accords with the parking guidelines set out under Appendix 1 of the Local Plan. The Highways Authority have not raised any objections to the proposals, and therefore subject to adding an advisory note as recommended by the Highways Authority, there are not considered to be any adverse harm arising from the development, in accordance with LP Policy CF6 and paragraph 110 of the NPPF.

CONCLUSION / PLANNING BALANCE

LP Policy S1a reflects the presumption in favour of sustainable development contained within the National Planning Policy Framework. 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 extensions alterations and other domestic development relating to a property that lies within the built-up area boundary and not constrained by any sensitive statutory designation. The principle of development is thus supported.

In light of an additional section drawing submitted by the applicant, this report has concluded that the proposed development results in a modest visual enhancement to the character and appearance of the property and would not result in adverse harm to residential amenity of highway safety.

The application thus complies with all local and national planning policies 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: 18th July 2023

X 

Signed by: Jane Colley Signature

On behalf of High Peak Borough Council