

DELEGATED DECISION REPORT

HPK/2023/0163
Valid 21/04/2023

3, YORKSHIRE WAY,
GLOSSOP, DERBYSHIRE,
SK13 8SB

PROPOSED ORANGERY TO
REAR OF PROPERTY

(FULL - HOUSEHOLDER)

MAIN ISSUES

- Impact on the character and appearance of the existing building and surrounding area
- Impact on neighbouring amenity

DESCRIPTION OF SITE

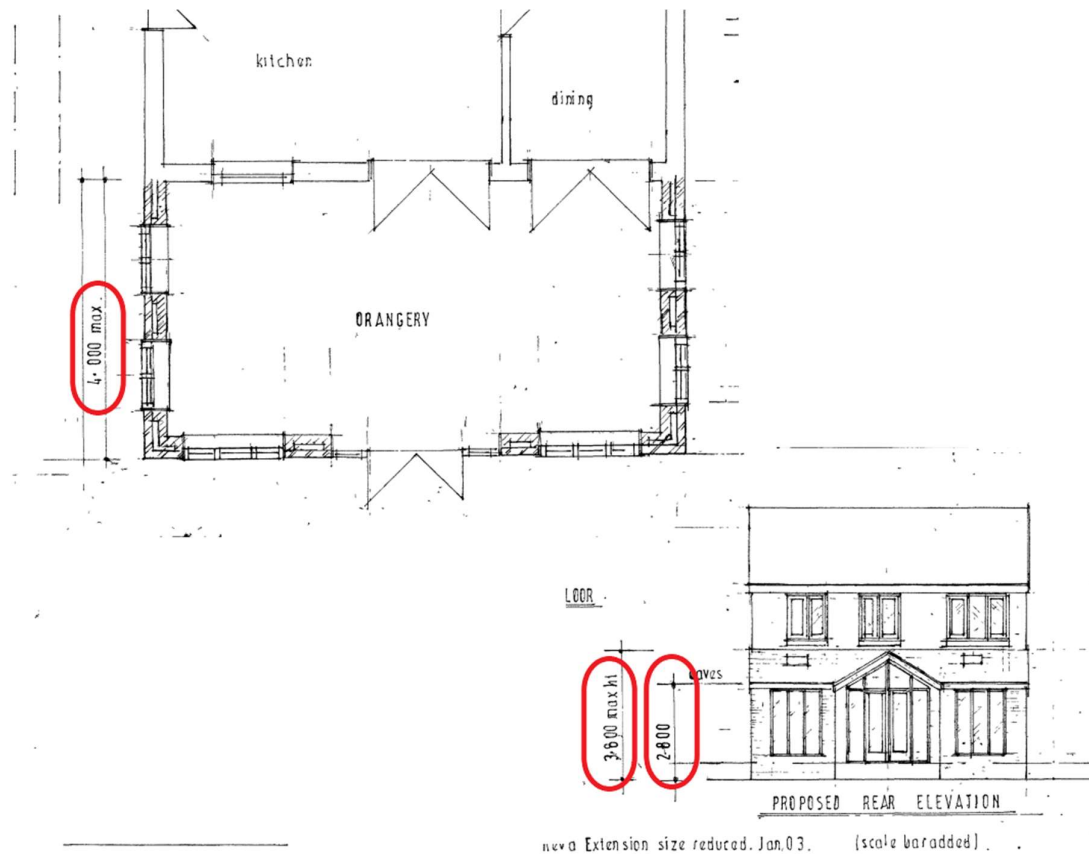
The site relates to a two storey detached property which is located within a residential area. The site is accessed via a long driveway from Yorkshire Way to the front and benefits from private amenity space to the rear.

The dwelling sits at a lower land level than No.1, and at a higher land level than No.5 Yorkshire Way.

The application site lies within the settlement boundary for Glossop as defined by the Local Plan policies map. For the purposes of planning policy consideration, the application site is located within the Corbar Ward, and it is not in a Conservation Area, there are no Listed buildings/structures or protected trees which need to be considered.



PROPOSAL



Full planning permission is sought to construct a single storey rear extension with lean-to roof with a central gable feature and two roof lights inserted to enlarge the ground floor living space.

The extension would project a maximum distance of 4m, be a maximum of 3.6 meters high, with eaves of 2.8 metres, and would be across the full width of the rear elevation of the property. It is proposed that the extension would be used as an orangery.

The proposed palette of material finishes will be sympathetic to the host dwelling and be brick and tiled roof to match.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

High Peak Local Plan (Adopted 2016)

S1 Sustainable Development Principles
S1a Presumption in Favour of Sustainable Development
S2 Settlement Hierarchy
S5 Glossopdale Sub-area Strategy
EQ6 Design and Place Making

Supplementary Planning Document

1. High Peak Design Guide Adopted 2018
2. Residential Design SPD2 Adopted 2005

National Planning Policy Framework (2021)

Including sections -

12: Achieving well-designed places

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

HPK/2023/0020 Lawful Development Certificate for an Existing Use - The land has been used as garden for 3 Yorkshire Way for a period of over 10 years. The certificate of lawfulness is being sought for this use - Withdrawn

HPK/2022/0434 Proposed orangery to rear of property – Refused

HPK/0002/6176 – First Floor Extensions – Approved – 12/01/88

Permitted Development Rights removed, hence the submission.

CONSULTATIONS

Publicity

Site Notice expiry date: 23/05/2023

Neighbour consultation period ends: 18/05/2023

Public Comments

Letter of objection received from occupants of No.5 Yorkshire Way, stating:
The proposal will result in overlooking and loss of privacy to the back of number 5's property. Their garden and conservatory sit lower than number 3 property and the side windows would be looking directly into our garden and property. We would request that either a permanent 6ft privacy wall be constructed, or the side windows removed. If either a privacy wall was to be constructed or the windows removed, then we would have no issue in removing our objection.

Further letter from 42 Hathersage Drive received – this representation expressed support for the comments lodged by No.5 and considers that this application does not address concerns lodged regarding previously refused application.

Town / Parish Comments

No comments received

Highways Authority

No objection

OFFICER COMMENTS

Principle of Development

Local Plan policy S2 identifies Glossop within the Glossopdale sub area where there is support in principle for a range of developments including housing and employment related proposals. Whilst there are no 'in principle' objections to the application, all other material planning considerations must be satisfied for the scheme to be supported. In this instance the considerations include design, visual impact, neighbour amenity, drainage, and parking provision.

Design & Visual Impact

There are no design objections to the proposal. Policy EQ6 refers to design and states that all development should be well designed and be of a high quality that responds positively to both its environment and the challenge of climate change, whilst contributing to local distinctiveness and sense of place. New development should be well designed to respect the character, identity and context of the High Peak's townscapes and landscapes. Development is expected to contribute positively to an area's character, history, and identity in terms of scale, height, density, layout, appearance, materials and the relationship to adjacent buildings and landscape features.

The NPPF requires the design of a development to add to the overall quality of an area, by being sympathetic to local character and by being visually attractive as a result of good architecture.

The Council's Design SPD outlines the Council's expectations in respect of design and states that 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.

The proposed single storey extension will be added to the rear elevation of the existing dwellinghouse. The extension will be constructed of materials to match and will have a lean-to pitched roof. The extension will be contained within the boundary of the site.

The rear siting, and single storey nature of the extension would mean the proposal would not cause adverse harm to the character and appearance of the streetscene.

This proposal is probably at the threshold of what the site can accommodate while retaining an appropriate level of amenity space to not result in an overdevelopment of the plot. On balance, the extension is therefore unlikely to cause such adverse harm to the character and appearance of the host property.

The design and materials of the proposed extension will complement the existing dwellinghouse and will not appear visually prominent within the street scene. It is for these reasons that the proposed extension will comply with policy EQ6 of the Local Plan and the spirit of the NPPF.

Amenity

High Peak Local Plan Policy EQ6 seeks to secure development that does not result in unacceptable effects on the amenity of the area by reason of visual intrusion,

overlooking, shadowing, overbearing effect, noise, light pollution or other adverse impacts on local character and amenity.

The application site is a detached two storey dwelling which is located within a row of properties on the southern side of Yorkshire Way. It is noted that an application in 2022 for a larger orangery was refused on the grounds of the impact on the neighbour at number 5. The orangery considered at that time had a depth of 4.2m extending to 5m beyond the rear wall.

With regard to the relationship with No.1 Yorkshire Way, these two properties are similarly positioned with a shared rear building line. The application site is located at a slightly lower land level than No.1. To the rear of No.1 is a conservatory which is sited at towards the eastern boundary of that property. A rear facing principal opening is located closer to the application site. Given the offset between the two properties, the proposed extension would not breach the vertical or horizontal plane from this window and would not have an adverse impact on the amenity of this property through overshadowing, overbearing or loss of daylight. The occupant of number one confirmed during the site visit, that he had no objection to the extension.

The shared boundary with No.5 is currently screened with some vegetation and a low fence. Whilst this is a barrier between the properties that currently secures privacy, the vegetation lies outside of the control of the application site, and it is necessary to acknowledge that removal would open up views into and out of the site towards the neighbouring property.

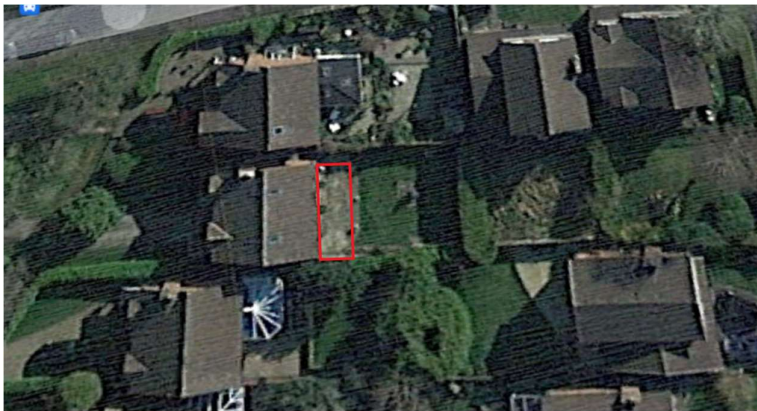
The application site and No.5 are juxtaposed insofar as No.5 is set further forward than the application site. Furthermore, there is a land level change between the two properties with the application site being set higher than No.5.



To the rear of No.5 is a conservatory that is screened by the brick gable end of No.3, this is the neighbour's current outlook. It is noted that the objection to the development is not based on the principal of the extension nor its size – the objection is to the insertion of two windows on the side elevation that may reduce the enjoyment of their garden and privacy.

The side windows will be conditioned to be obscure glazed to Pilkington level 5 standard and fixed, in perpetuity. This will serve in the same way, to prevent any perception of overlooking or loss of privacy, as the suggested mitigation measures of a privacy wall or the removal of windows suggested by the applicant.

When the 45 degree Code is applied from the neighbour's original window opening on the rear wall the gable wall of number 5 already contravenes it and the proposed extension does not exacerbate any loss of amenity, when taking into account the neighbour conservatory. It is also noted that the extension would be positioned to the east of the neighbour and therefore any loss of light would only be experienced in the morning with afternoon and evening sun unaffected. However the trees within the neighbour garden given their height will already cause some loss of light.



Overall, with the imposition of a condition securing the side facing window to be obscure glazed (to Pilkington grade 5) and fix, it is considered that the extension would not harm the amenities of the neighbouring dwelling at number 5.

CONCLUSION

It should be noted that the development (as detailed on the submitted drawings) would have been Permitted Development if rights hadn't been removed as it complies with the guidance set out in Class A Part 1 of the Town and Country Planning - General Permitted Development (England) Order 2015. Notwithstanding, it is considered that the extension has no impact on the public realm, and does not adversely harm the amenity of neighbours, and privacy will be protected by the condition requiring obscure glazing of the windows facing number 5 for the life of the development.

OFFICER RECOMMENDATION: APPROVE

Case Officer: P. Twigg

Recommendation Date: 2.8.2023

X 

Signed by: Jane Colley Signature

On behalf of High Peak Borough Council