

DELEGATED DECISION REPORT

HPK/2023/0291
Valid 04/09/2023

4, PARK ROAD, BUXTON,
DERBYSHIRE, SK17 6SG

PROPOSED EXTENSION OF
DROPPED KERB (SECTION
184) IN LINE WITH APPROVAL
HPK/2019/0176 AND TO
ALTER DRIVE TO ALLOW
ACCESS TO NEW GARAGE
(FULL - HOUSEHOLDER)

MAIN ISSUES

- Principle of Development
- Design Considerations (inc Heritage Assets)
- Impact upon Residential Amenity
- 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 detached property which is located within a predominantly residential area. The site benefits from private amenity space to the rear and parking to its front. The dwelling has been extended previously including the conversion of its garage, along with the construction of a new garage. The site is located within The Park area of the Buxton Conservation Area.

PROPOSAL

This application proposes the extension of an existing dropped kerb, and alterations to the front access driveway. In respect of the driveway alterations the proposals are retrospective.

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

Supplementary Planning Guidance/Documents

Residential Design (2005)

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

National Planning Policy Framework

Section 12: Achieving Well-designed Places
Section 16: Conserving and enhancing the historic environment

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

HPK/2019/0176 - Extension and conversion of existing garage to side to form extended kitchen and sun room and construction of new detached garage to other side of dwelling – Approved – 28/06/19

HPK/2011/0096 - Replacement of existing windows with double glazed hardwood windows of the same design with exception to lounge bay window which is to be returned to its original design – Approved – 10/05/11

CONSULTATIONS

Publicity

Site Notice expiry date: 18/10/23
Neighbour consultation period ends: 19/10/23
Press Advert: 19/10/23

Public Comments

None received

Town / Parish Comments

None received

DCC Highways

There are no highway authority objections to the application to extend the width of the existing access to Park Road; the applicant refers to an application made to Derbyshire County Council under S184 of the Highways Act 1980 to construct the widened access. If an application under S184 has not been submitted by the applicant, one will be required and approved before works can commence to widen the access. Recommend informative.

HPBC Conservation Officer

Objection. I suggest a revision of the Heritage Statement to include the relevant information regarding the Buxton; The Park Conservation Area, as currently the supporting information provided does not satisfy NPPF paragraph 194. Setting and

character has not been taken into account and nor has the correct Conservation Area been identified.

I understand the house has been regarded as a heritage asset though this is incorrect as it is not listed. The location of the property is within a designated heritage asset, the two aren't to be confused.

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, 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 application site lies within The Park Conservation Area which is a designated heritage asset. The significance of the heritage asset, insofar as it relates to the application proposals, derives from its historic plan form, design and detailing of its buildings, and the verdant character of the area.

The application proposes the realignment of a front driveway and the widening of an existing dropped kerb for vehicular access to the site.

Planning permission was granted for a new garage to the side of the dwelling, this was approved with a driveway positioned closer to the dwelling than that which has been constructed. Part of that driveway was approved as being tarmac with stone flags in part. The constructed driveway has a slightly greater coverage of the front garden, albeit an area of lawn is retained. The extent of hardstanding is not significantly greater than that approved and, as such, would not erode the character or appearance of the Conservation Area to any harmful degree.

The proposed tarmac has a starker appearance than which would have occurred if the flag stones had been implemented. The approved flagstones were approved to cover the part of the driveway closest to the dwelling. Nonetheless, the stone sett edging helps to soften the effect of the development on the Conservation Area. Furthermore, the retained boundary hedge ensures that the driveway is only appreciated from the vehicular entrance. The surrounding area comprises a mix of surfacing materials for driveways and hardstandings. In such circumstances it is considered the revised driveway is not harmful to the character or appearance of the Conservation Area.

The proposed widening of the dropped kerb does not represent a significant alteration. While it would be visible from the public realm, the extent of change is limited and would not cause harm to the character and appearance of the Conservation Area.

It is acknowledged that the Conservation Officer has raised an objection to the scheme due to the Heritage Statement being inadequate. It is acknowledged that the Framework requires applications to be supported by proportionate information to understand the potential impact of the proposal on the significance of Heritage Assets. In this instance, the scheme is very minor and, in part, retrospective. The effects of the development on the significance of the heritage asset can therefore be understood. Therefore, it is not considered reasonable or proportionate insist on further detailed information.

The proposals are considered to be compliant with the Policies of the Development Plan and national planning guidance, and would not result in harm to the significance of heritage assets.

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 relationship between the application proposals and neighbouring properties would largely be as existing and would not result in any uplift of amenity concerns above and beyond the existing relationships.

Highway Safety

The proposal would not increase the number of bedrooms within the development with the proposals. The proposal seeks to widen the existing dropped kerb which requires approval under the Highways Act. DCC Highways have raised no concerns with regard to the proposed development and suggest an informative on any approval.

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 hard surfacing and will therefore increase surface water run-off. However, given the very limited extent of the additional hardstanding 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, including the recently implemented development at the site, and therefore it is not necessary to carry out an Appropriate Assessment.

CONCLUSION / PLANNING BALANCE

It is considered that the proposals would comply with the policies contained within the Development Plan and guidance within the NPPF, and as such it is recommended that the application be approved.

OFFICER RECOMMENDATION: APPROVE

Case Officer: Declan Cleary

Recommendation Date: 20/10/2023

X 

Signed by: Ben Haywood

On behalf of High Peak Borough Council