

DELEGATED DECISION REPORT

HPK/2023/0386
Valid 08/09/2023

THE OLD COACH HOUSE
ADJACENT TO 182 GREEN
LANE
BUXTON

CHANGE OF USE FROM
WORKSHOP/STORAGE TO
PRIVATE OFFICE USE WITH
SMALL EXTENSION TO REAR.
THE APPLICATION IS A
RESUBMISSION OF THAT
PREVIOUSLY APPROVED
UNDER: HPK/2017/0329

(FULL - MINOR)

MAIN ISSUES

- Design
- Amenity
- Highway safety

DESCRIPTION OF SITE

The old coach house is located in the Buxton built-up area boundary, in an area of predominantly residential character. The building adjoins no. 182 Green Lane and is of stone construction. The building has a dule pitched roof with the gable end facing on to the street scene at odds with the remainder of the street.

PROPOSAL

Planning permission is sought for a resubmission of previously approved HPK/2017/0329. It is proposed to convert the use from the existing storage use to office use (class E (g)(i)).

It is further proposed to add a small extension to the rear of the existing building. This will replace a previous extension approved in 1998. this extension will be of a single storey, extending 3.5M from the rear elevation. This will have a pitched roof, matching that of the host building. Roof lights will be added to the existing roof and the proposed extension. 2 windows will be located on the side elevation. It is proposed to be finished in render.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

High Peak Local Plan 2016

S 1 Sustainable Development Principles

S 1a Presumption in Favour of Sustainable Development

S 2 Settlement Hierarchy
EQ 6 Design and Place Making
CF 6 Accessibility and Transport

National Planning Policy Framework

Section 4
Section 12

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

HPK/0003/7168 – extension APPROVED 16/06/1998

HPK/2017/0329 – Change of use from workshop/storage to private office use with small extension to rear APPROVE 28/03/2018

CONSULTATIONS

Publicity

Site Notice expiry date: 07/11/2023
Neighbour consultation period ends: 05/10/2023
Press Advert: N/A

Public Comments

Objection (1):

The small extension will be overbearing on the grounds that it breaks the 45 degree rule from my kitchen window and French doors. This leads to a lack of privacy and restriction of light. My home will be overlooked despite frosted glass & also by roof windows. An increase footfall to the side of the extension is also an increased safety risk to my property. An office in this residential area will increase the number of vehicles needing to park where residents already struggle to park near their homes. This increase in traffic also poses a risk to the many primary and secondary schoolchildren who walk along this road to attend school as well as residents.

Neither (1):

I would like to say that I am fully in support of the building being renovated and turned into an office space. As it is, the building is a bit of an eye sore and looks dilapidated. Carrying out the work will improve the look of the building and give it a more meaningful purpose. The only thing I would like to ask concerns the area to the side. There is what looks like a loading bay hatch with a wooden door. If this is to be glazed, please could it be done so with frosted glass - it looks into my property (kitchen, bedroom and dining room) and also onto my rear garden. If it is glazed with clear glass I will not have any privacy - frosted glass will give me privacy, and I believe there are legal frameworks in place for a commercial building window directly looking onto and into a private dwelling. If it is not to be glazed at all, then I ask that it is painted or renovated to a standard that it no longer looks scruffy and dilapidated

Support (0)

Town / Parish Comments

N/A

Environmental Health

This looks very low risk from public health/ nuisance perspective, involving an existing residential outbuilding converted into residential space. You may want to consider model construction conditions (CD STANDARD) as you see appropriate (attached). If you have any specific concerns not otherwise addressed, please let me know.

Derbyshire County Council Highways

There are no highway safety objections to the above mentioned planning application, subject to all use remaining private and ancillary to the main dwelling.

OFFICER COMMENTS

Principle of Development

LP Policy S 2, which states that development should be directed towards sustainable locations, including Market Towns such as Buxton. The site is situated within this built-up area boundary. Therefore the principle of the development is acceptable subject to consideration of the following policy.

Furthermore, LP Policy S1 and S1a outline how the Council will work with applicants to facilitate development that improves the economic, social and environmental conditions of the High Peak.

Design

LP Policy EQ 6 states that all development should be well designed, of a high quality and respond to the areas character, history and scale.

The application site is a stone built storage building, with previous rendered rear extension. It is proposed to replace this existing rear extension with a larger addition. The surrounding area is predominantly residential, however the proposed extension will be to the rear with limited to no visibility from the street scene. This proposed extension will be finished in render to match that of the extension being replaced. Render is also commonly found to the rear of surrounding properties. As such there are no design concerns with the proposed extension and alterations.

Amenity

LP Policy EQ 6 states that all development should achieve a satisfactory relationship to adjacent development and doesn't cause unacceptable effects by reason of vision

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

The application site is located on Green Lane, a street of residential use and character. The wide surrounding area is also prominently residential in character. Class E is a general commercial use class, in which the use of a building or space can be interchanged without planning permission. Planning permission was previously granted for a B1 (office) use of the application site (HPK/2017/0329). B1 has since been abolished as a use class and absorbed into the wider Class E use class.

It was previously considered acceptable to approve the B1 use as it was by definition appropriate in residential area. It was determined that the existing non-residential use of the building and the scale and nature of the proposed development was considered unlikely to lead to harm to the amenity of nearby properties. There have been no changes in the local area, or local plan policy to cause any concerns which may change this view point.

However, Class E is a broad use class, encompassing uses which may not be suitable for such a residential area. As such it is proposed to limit the use to Class (g) (i) – Offices via condition. Planning permission would be required to change to an alternative Class E sub-class.

A side window and door are proposed, which may overlook the rear/side of nos 17 – 19 Duke Street. Such concerns have been raised by the occupants of no. 17 Duke St. However, the amenity of these dwellings can be preserved through the addition of obscured glass via condition.

The proposal will not extend beyond the rear elevation of the adjacent dwelling and therefore no overshadowing of principal windows in the rear elevation will occur. The occupant of no 17 has expressed concern that the extension breaks the 45 degree rule from his kitchen window and French doors. This leads to a lack of privacy and restriction of light. The correct application of the 45 degree rule is between properties which sit alongside each other rather than perpendicular as is the case here. Given the single storey nature of the proposal and the fact that it will project no closer to the rear of the dwellings to the other side than the existing side elevation of the premises no additional overshadowing to this side is anticipated either. Obscured glazing to the side windows and doors will avoid any overlooking issues to this property.

The neighbour has also stated that an increased footfall to the side of the extension is also an increased safety risk to his property, although he does not elaborate on how this would be the case. As noted above an office use is appropriate within a residential area and is not regarded as incompatible..

As such there are no amenity concerns subject to conditions.

Highway Safety

There is unrestricted on-street parking available along Green Lane and in the surrounding area. DCC highways have suggested an ancillary condition be included, however, there is no dwelling associated with the application site, by which to attach this condition. Highways have not otherwise objected to the application. There were likewise no highway objection to the previous 2017 application

The objector has stated that an office in this residential area will increase the number of vehicles needing to park where residents already struggle to park near their homes. This increase in traffic also poses a risk to the many primary and secondary schoolchildren who walk along this road to attend school as well as residents. However, in the absence of any objection from DCC and as the highway conditions in the surrounding area have not changed it is considered that there is no sustainable highway reason for refusal.

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 or surface water run-off from the site. Therefore it 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

In conclusion, the proposed change of use and extension is acceptable in terms of design, amenity and highways. The application has been found to comply with the relevant policies of the NPPF and High Peak Local Plan. As such the application is recommended for approval, subject to conditions.

OFFICER RECOMMENDATION : Approval

Case Officer: Rachel Robinson

Recommendation Date: 13th November 2023

X *B.J. Haywood*

Signed by: Ben Haywood

On behalf of High Peak Borough Council