

DELEGATED DECISION REPORT

HPK/2023/0426
Valid 04/10/2023

45 BOWDEN LANE
CHAPEL-EN-LE-FRITH

SINGLE STOREY REAR
EXTENSION

(FULL - HOUSEHOLDER)

MAIN ISSUES

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

DESCRIPTION OF SITE

The application relates to No.45 Bowden Lane, Chapel-en-le-Frith, a single storey residential dwellinghouse with a considerable width (18.4m), that is situated south-west of and fronts the public highway. The domestic curtilage associated with the property comprises a driveway leading to ancillary garage, a front garden and a yard area to the rear.

The rear elevation of the existing property is characterised by two separate rear extensions – a Utility Room and Conservatory. Both have a flat roof and due to their unsympathetic appearance, are considered to contribute negatively to the overall character and appearance of the site.

The site is bounded to the east by the public highway, with No.49 Bowden Lane situated to the north. Beyond the rear boundary to the west is No.26 Burnside Avenue that is the end terrace is a row, orientated with their principal elevations facing southwards.

PROPOSAL

The application seeks permission to demolish the existing single storey rear conservatory and utility room and replace this with a single storey rear extension.

The plans show that the replacement extension would span a width of 10.3m and protrude outwards from the main rear elevation by 3.0m. The extension is shown to have an eaves height of some 2.6m reaching an overall ridge height of 4.7m, consistent with that of the main house.

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 Chapel-en-le-Frith Neighbourhood Plan (2015) and 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.

Chapel-en-le-Frith Neighbourhood Plan 2015

No relevant policies

High Peak Local Plan 2016

S1 Sustainable Development Principles
S1a Presumption in Favour of Sustainable Development
S2 Settlement Hierarchy
EQ6 Design and Place Making
CF6 Accessibility and Transport

National Planning Policy Framework 2023

Achieving Sustainable Development	Chapter 2
Promoting Sustainable Transport	Chapter 9
Achieving Well Designed Places	Chapter 12

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

HPK/0000/9699	Proposed Ground Floor Extension (Approved)
HPK/0003/7590	Single Storey Side Extension (Approved 11/11/1998)

CONSULTATIONS

Publicity

Site Notice expiry date: 2nd January 2024
Neighbour consultation period ends: 25th October 2023
Press Advert: N/A

Public Comments

None

Chapel Town Council Comments

No objections

DCC Archaeology

The redline boundary of the application area over lies part of the postulated route of the Buxton to Melandra (Glossop) Roman Road (MDR11199; MDR498). However I

do not believe that there will be any archaeological impact from these proposals and I have no objection.

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 Chapel-en-le-Frith, one of the larger Market Towns that lies at the top of the settlement hierarchy under Local Plan (LP) Policy S2, and on a site which is not constrained by any statutory designation.

As such, the principle of development is acceptable subject to a detailed assessment regarding matter of Design and Residential Amenity, having regard to all relevant Local Development Plan policies and other material 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 dwellinghouse is located in a street scene which lies a short distance from a large industrial estate, and has a moderate degree of sensitivity. The dwelling itself is relatively non-descript.

The rear elevation is characterised by unsympathetic extensions that contribute negatively to the overall character and appearance of the dwellinghouse and therefore proposals to enhance the visual aesthetics of this elevation should be welcomed and encouraged.

The proposed extension has a large width but is proportionate given the significant and considerable width of the main dwellinghouse, and similarly is also proportionate with regard to its modest depth. The dual pitched gable extension constructed of high quality matching materials is considered to represent a significant enhancement comparable to what currently exists.

For the reasons set out above, the proposed development is considered to be of an appropriate scale, height, massing and visual appearance that enhances the character and appearance of the dwellinghouse and the wider street scene, in line 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. A minimum of 21m should be achieved between existing and proposed habitable windows.

Paragraph 135 of the NPPF states that planning should create places with a high standard of amenity for existing and future users.

The proposed extension is very modest in scale and height, and as such, is not considered to result in any adverse overbearing impacts to neighbouring properties. Due to the spatial relationship between this property and its neighbours, the introduction of this rear extension would not breach the 45 degree line from the centre point of any neighbouring property and as such would not result in any loss of natural light. Lastly, the proposed extension is shown to contain habitable windows in its rear elevation with a secondary kitchen window in the eastern side elevation.

Due to the existing boundary treatment present on the western and southern boundaries, in addition to an intervening ancillary garage preventing any views from the side elevation window to gardens associated with properties to the south, it is considered that the proposed extension would not result in any loss of privacy or overlooking.

As such, it is considered that the proposed extension would preserve the residential amenity of all neighbouring residential properties, in accordance with LP Policy EQ6 and paragraph 135 of the NPPF.

Parking Provision and 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.

Paragraph 111 of the NPPF goes on to state that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

The proposed extension does not result in the addition of any bedrooms and as such there is no requirement for any additional off-street parking to be provided. As such, it is judged that the proposed extension would not result in any harm to highway safety, 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 a modest extension replacing existing smaller extensions on a dwelling that lies within the built-up area boundary of Chapel and not constrained by any sensitive statutory designation.

An assessment of this application has found the proposed extension to be of a high quality design that preserves residential amenity and highway safety, thereby demonstrating compliance with all relevant local development plan policies, supplementary design guidance and the NPPF.

The application is therefore considered to amount to a sustainable form of development and in line with LP Policy S1a and paragraph 11 of the NPPF is recommended for approval subject to appropriate conditions.

OFFICER RECOMMENDATION : Approve with Conditions

Case Officer: James Stannard

Recommendation Date: 9th January 2024

X *B.J. Haywood*

Signed by: Ben Haywood

On behalf of High Peak Borough Council