

DELEGATED DECISION REPORT

HPK/2023/0538
Valid 20/12/2023

27 HEATH GROVE
BUXTON

REMOVE EXISTING
CONSERVATORY AND
REPLACE WITH SINGLE
STROEY EXTENSION.
RECONFIGURE EXISTING
KITCHEN, UTILITY & WC
WITH FLAT ROOF AS
EXTENSION

(FULL - HOUSEHOLDER)

MAIN ISSUES

- Design, Character and Appearance
- Amenity

DESCRIPTION OF SITE

The application relates to No.27 Heath Grove, Buxton. The existing property is a two storey semi-detached property situated within a residential area. The principal elevation fronts the highway to the south, with a garden to the rear.

The property has been the subject of a previously approved planning application for a side and rear single storey extension that has been implemented. The rear aspect amounts to a UVPC Conservatory whilst the side aspect comprises a simple lean-to extension.

PROPOSAL

The application seeks the removal of the existing UVPC Conservatory and the erection of a replacement single storey extension. The Proposed Plans show the proposed extension to have a broadly consistent footprint to the existing Conservatory that would be finished in coursed gritstone with flat roof.

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 Place Making

National Planning Policy Framework 2023

Achieving Sustainable Development Chapter 2
Achieving Well Designed Places Chapter 12

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

HPK/2002/0372 Single Storey Rear and Side Extension
(Approved 21/06/20002)

CONSULTATIONS

Publicity

Site Notice expiry date: 5th February 2024
Neighbour consultation period ends: 18th January 2024
Press Advert: N/A

Public Comments

None

Town / Parish Comments

N/A

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 Buxton, identified as one of the larger Market Towns that are situated at the top of the Settlement Hierarchy under Local Plan (LP) Policy S2, which are the focus for housing and economic growth. The site is not constrained by any sensitive statutory designations.

Given the nature of the proposed development, and having regard to the planning policy context above, the principle of development is acceptable subject to appropriate conditions.

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 135 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 application relates to a dwellinghouse that lies within the built-up area boundary of Buxton in a predominately residential area with no distinct character and is considered to depict a relatively low visual sensitivity overall.

The proposed extension seeks to replace an existing lean-to side extension and separate UPVC rear conservatory with a flat roof single storey side and rear extension that would be connected. The proposed extension is shown to have a consistent footprint and overall height with current extensions, with the noticeable change being the introduction of solid walls and a flat roof and lantern.

Whilst it is acknowledged that Supplementary Design Guidance discourages flat roofs in the High Peak, due to their unsympathetic appearance, it is the case that this extension would replace what is considered to be a rather unsympathetic addition in the form of the UPVC conservatory, in an area of relatively low sensitivity, that would have limited to no views from any public vantage point. Walls would be constructed in a material that is consistent with the existing dwelling.

Taking the above into consideration, it is judged on balance that in this specific location, having regard to the existing context, that the proposed extensions, whilst not amounting to a particularly high quality design, would not result in any form of development that would harm the character and appearance of the dwellinghouse or wider street scene to a degree that would warrant a credible and sustainable reason for refusal at appeal.

As such, it is considered that the application does not conflict with LP Policies S1 and EQ6, relevant Supplementary Design Guidance, and relevant paragraphs under

Chapter 12 of the NPPF, and is acceptable with regards to its design and appearance.

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

The site lies either side of residential properties to the east and west. To the east is No.29 Heath Grove, whilst to the west is the other semi-detached property No.25 Heath Grove,

Owing to the fact that the proposed development would be contained to the existing footprint of existing extensions, and when having regard to the modest scale and height of the proposed additions, and spatial and visual relationship with neighbouring properties and habitable windows, it is judged that the proposed extensions would not give rise to any harm to neighbouring residential amenity with regards to overlooking, overbearing impacts, loss of privacy, or loss of sunlight, and thus is compliant with LP Policy EQ6, the Residential Design Guide SPD and relevant paragraphs under Chapter 12 of the NPPF.

Other Matters

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, having regard to the fact that it replaces existing development of a similar scale and footprint. 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

LP Policy S1a reflects the presumption in favour of sustainable development contained within the National Planning Policy Framework.

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 and alterations to an existing residential property that lies within the built-up area boundary of Buxton on a site not constrained by any statutory designation. The principle of development is therefore supported.

An assessment of the application has concluded that the proposed extension, whilst not amounting to a high quality design, not does result in a degree of harm to the character and appearance of the dwellinghouse or indeed the wider street scene that warrants a credible or sustainable reason for refusal, and thus it is considered on balance that the application is acceptable in design terms. The proposed extension would continue to preserve the amenity of neighbouring residential properties.

In light of the above, the application is found to comply with all relevant Local Development Plan policies, Supplementary Planning Guidance and relevant paragraphs contained within the NPPF, and thus constitutes a sustainable form of development. In line with LP Policies 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: 14th February 2024

X *B.J. Haywood*

Signed by: Ben Haywood

On behalf of High Peak Borough Council