

DELEGATED DECISION REPORT

HPK/2023/0517
Valid 29/11/2023

40 DOVEDALE CRESCENT
BUXTON

SINGLE STOREY REAR
EXTENSION AND INTERNAL
ALTERATIONS TO AN
EXISTING DWELLING.

(FULL - HOUSEHOLDER)

MAIN ISSUES

- Design, Character and Appearance
- Amenity

DESCRIPTION OF SITE

The application relates to the existing two storey semi-detached residential property No.40 Dovedale Crescent, Buxton. The property benefits from a small driveway to the front and garden to the rear.

The property shares a partition wall with its neighbour No.38 Dovedale Crescent to the east, whilst No.42 sits to the west, separated by a reasonably sized gap. The rear boundary is shared with the very large garden associated with No.49 Macclesfield Road.

The site lies within the built-up area boundary and is not constrained by any statutory designation.

PROPOSAL

The application seeks full planning permission for a single storey rear extension that has a simple rectangular form with a mono-pitch lean to roof that extends outwards by 3.8m, serving an open plan Kitchen and Dining Area.

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 and Beautiful Places Chapter 12

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

None

CONSULTATIONS

Publicity

Site Notice expiry date: 5th February 2024
Neighbour consultation period ends: 21st December 2023
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 residential property that lies within the built-up area boundary of Buxton, one of the larger Market Towns that sits at the top of the settlement hierarchy under Local Plan (LP) Policy S2 which are the focus for housing and economic growth, on a site not constrained by any statutory designation. As such the principle of development is acceptable subject to an assessment of all relevant planning 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 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 existing residential dwelling is situated in a large residential estate which has a relatively non-descript character and is not constrained by any sensitive statutory designation. The sensitivity of the site is therefore considered to be low.

The proposed extension is of a modest scale and height which respects the dominance of the parent building, and by virtue of its depth respects the existing proportions of the dwelling reading as a secondary and subordinate addition. Moreover, the simple roof form and use of matching materials is further evidence that the character and appearance of the existing dwelling is respected.

For the above reasons the proposed extension is considered to be of an appropriate scale, height, massing and visual appearance that aligns with the design principles set out under 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.

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

Due to the modest scale and height of the proposed extension, and the distance to the neighbour at no.42, the only property that has the potential to be impacted by the development is the neighbouring property No.38 Dovedale Crescent. This property benefits from an existing single storey rear extension, which extends approximately 3.9m outwards from the rear elevation of the main house.

The proposed extension has a depth consistent with this neighbouring extension, thereby not resulting in any breach of the 45 degree angle, is of a modest scale and height, and does not contain any habitable windows in its side elevation. As a consequence, the proposed extension by virtue of its modest scale and height, relationship with neighbouring properties, and presence of boundary treatment, is not considered to result in any harm to the residential amenity of any neighbouring property with regards to potential overbearing impacts, overlooking, loss of sunlight, and loss of privacy, in accordance with LP Policies S1 and EQ6, the High Peak 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 surface water run-off from the site. However, the proposal does involve additional accommodation but the application relates to an existing dwelling. On the basis, of an average occupancy rate of 2.4 persons per dwelling, however, there will be no increase in waste water generated by the proposals. 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. 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 simple extension to a domestic 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 thus supported.

An assessment of the application has confirmed that the proposed development is of an appropriate design and appearance that will preserve the amenity of all neighbouring properties and therefore accords with all relevant Local Development Plan policies and other material considerations including the NPPF.

The application thus constitutes a sustainable form of development and in line with LP Policy 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: 21st February 2024

X *B.S. Haywood*

Signed by: Ben Haywood

On behalf of High Peak Borough Council