

DELEGATED DECISION REPORT

HPK/2024/0043
Valid 07/02/2024

3 RIPON GARDENS
HARPUR HILL
BUXTON

PROPOSED GARAGE
REBUILD AND EXTENSION TO
DWELLING

(FULL - HOUSEHOLDER)

MAIN ISSUES

- Design, Character and Appearance
- Amenity

DESCRIPTION OF SITE

The application relates to a two storey three bedroom detached dwellinghouse known as No.3 Ripon Gardens. The site lies within a relatively non-descript housing estate in the Harpur Hill area of Buxton, with a rear elevation and garden fronting the A515 and the principal elevation facing south-westwards.

The curtilage contains a single storey garage with a flat roof accessed by a short private driveway from the head of the small cu-de-sac.

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

PROPOSAL

The application seeks the replacement of the existing garage with a single storey side extension with a gabled pitched roof. The Plans show the extension to serve an area of storage and a home gym.

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
CF6 Accessibility and Transport

National Planning Policy Framework 2023

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

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

None

CONSULTATIONS

Publicity

Site Notice expiry date: 14th March 2024
Neighbour consultation period ends:
Press Advert: N/A

Public Comments

None

Town / Parish Comments

N/A

Severn Trent Water

No Objections subject to informative

Derbyshire County Council Highways

No Objections

OFFICER COMMENTS

Principle of Development

The application seeks permission for extensions and alterations of an existing residential dwellinghouse 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, and is not constrained by any statutory designation.

Given the nature of the proposed development and planning policy context set out above, the principle of development is acceptable subject to 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 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 site lies in a relatively non-descript area of Harpur Hill within the built-up area boundary of Buxton. Ripon Gardens comprises a cluster of dwellings that are understood to date from the 1970's/1980's and conveys little in the way of architectural value.

The existing dwellinghouse is served by a flat roof single storey ancillary garage which contributes negatively to the overall character and appearance of the dwellinghouse and wider street scene. Its replacement with an extension of a similar form and scale is therefore welcomed.

The proposed extension is shown to have a modest footprint, which together with its single storey scale and height fully respects the dominance of the parent building, reading as a subordinate and secondary addition. Moreover, the roof angles of the gable align with those in the main house, with the replacement extension constructed and finished in consistent materials.

In light of the above, it is considered that the proposed development is of an appropriate scale, height, massing and visual appearance that results in a visual enhancement of the site and contributes positively to the character and appearance of the street scene, thereby supporting the design principles set out under LP Policies S1 and EQ6, relevant Supplementary Design Guidance, and paragraphs set out 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 130 of the NPPF states that planning should create places with a high standard of amenity for existing and future users.

The site is bounded to the south-east by No.4 Rippon Gardens. Due to the small scale of the proposed extension and its location on the opposite side of the dwellinghouse the amenity of this neighbouring property would not be materially affected.

To the north on the opposite side of the cu-de-sac is No.2 Rippon Gardens, which stands some 18m distant from the proposed side extension. At this distance, given the modest scale and height and lack of fenestration in the side gable facing this property, the amenity of this neighbouring dwellinghouse would not be adversely affected.

Lastly, the property to the south-east is No.49 Amberley Drive, which has a side elevation that faces the dwellinghouse at a distance of some 16m. At this distance, given the modest scale and height and lack of fenestration in the side gable facing this property, the amenity of this neighbouring dwellinghouse would not be adversely affected.

In light of the above analysis, it is concluded that the proposed single storey side extension would not give rise to any harm to the residential amenity of any neighbouring residential dwellinghouse, in accordance with LP Policy EQ6, the Residential Design Guide SPD and paragraph 130 of the NPPF.

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 114 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 115 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 development does not contain any additional bedrooms and does not therefore trigger the need for any additional off-street parking provision. As such, and in light of the Highways Authority having no objections, it is judged that the proposed development would result in no material impacts to highway safety, in accordance with LP Policy CF6 and paragraph 114 of the NPPF.

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

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 full planning permission for a single storey side extension that would replace an existing ancillary detached flat roof garage at No.3 Ripon Gardens. The site lies within the built-up area boundary of Buxton and is not constrained by any statutory designation. As such the principle of development is supported.

An assessment of the application has found that the proposed development complies with all relevant Local Development Plan policies and all other material considerations, thereby constituting 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 standard planning conditions.

OFFICER RECOMMENDATION : Approve with Conditions

Case Officer: James Stannard

Recommendation Date: 26th March 2024

X *B.J. Haywood*

Signed by: Ben Haywood

On behalf of High Peak Borough Council