

DELEGATED DECISION REPORT

HPK/2024/0007
Valid 08/01/2024

MOOR EDGE NEW MILLS
ROAD
BIRCH VALE

TWO STOREY REAR
EXTENSION

(FULL - HOUSEHOLDER)

MAIN ISSUES

- Design, Character and Appearance
- Amenity
- Trees

DESCRIPTION OF SITE

The site comprises a detached traditional two storey property which is set behind properties on the southern side of New Mills Road. A leant-to extension with a corrugated roof has been added to rear. The site is subject a Tree Preservation Order (2024/315) which was made on 6 February 2024 and there is evidence of recent tree removal. The application site boundary as identified on the site location plan indicates that the applicant owns land extending to the west to the rear of 93-119 New Mills Road and eastward to the rear of 69-91 New Mills Road, which is covered by the TPO.

PROPOSAL

The application proposed the erection of a two storey rear extension. It is 11m wide and 4m deep. The extension comprises a double pile roof (two parallel gable extensions) and is 6.8m to gable ridge and 5m to the eaves and valley. The extensions would facilitate more living accommodation downstairs and two bedrooms above. The proposed materials would be stone and render and slate to match the existing materials.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

High Peak Local Plan 2016

S 1 Sustainable Development Principles
S 1a Presumption in Favour of Sustainable Development
EQ 6 Design and Place Making
CF 6 Accessibility and Transport

Supplementary Planning Documents

Residential Design Guide SPD (2005)
Design Guide SPD (2018)

National Planning Policy Framework

Chapter 2: Achieving Sustainable Development

Chapter 9: Promoting Sustainable Transport

Chapter 12: Achieving Well Designed Places

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

None

CONSULTATIONS

Publicity

Site Notice expiry date: 05.02.24

Neighbour consultation period ends: 05.02.24

Public Comments

Three letters/emails have been received from local residents which raise the following concerns:

- There is limited access to this property, the size of the intended extension to Moor Edge will inevitably lead to disruption to local residents due to vehicles and materials required for this build.
- impact on local wildlife, a large number of well established trees have already been felled on the property which has directly led to a reduction in the birdlife in and around the property. There is in addition a local badger sett from which both adults and their young visited nightly, since the removal of trees and the subsequent disturbance no badgers have been observed.
- The ground where Moor Edge is sited becomes saturated during heavy rainfall, this leads to a huge amount of water running off the property, down the only access route and onto New Mills Road. The fear would be that any extensive building on the property will have a further negative impact in this regard, this in addition to the wholesale removal of the trees can only have a further detrimental impact.
- the work is only undertaken between the hours of 8.30 and 5.30 pm Monday to Friday due to the noise involved.
- the ash tree to the front of the house needs to be entirely removed, rather than cut back, as it is not an appropriate tree to be bordering other people's gardens, given the large size. It appears to be dying and has caused damage to residents' sheds/outbuildings over the past few years, with larger branches falling off. The previous owners were again notified of this problem but did not provide a solution. The tree is positioned directly behind my house and would destroy it if it was to fall.

Derbyshire County Council Highways

No objection

OFFICER COMMENTS

Principle of Development

The application seeks permission for extensions and alterations within the curtilage of a residential property that lies within the built-up area boundary of Birch Vale, which is classified as a smaller village in Local Plan Policy S2. Development proposals within settlement boundaries are largely accepted so long as the scale is considered appropriate.

As such, the principle of development is acceptable, subject to a detailed assessment of all relevant planning considerations.

Design

LP Policy S1 sets out a number of sustainability principles which all new development proposals should incorporate in order 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.

Chapter 9 of the Residential Design Guide SPD contains the following guidance relating to domestic extensions and alterations that are relevant to the assessment and determination of this application:

- 9.0 *Extensions and alterations to existing houses can have a significant impact on the appearance of a house, neighbouring property and the street scene. It is important, on all types of house, the domestic development is carefully designed.*
- 9.1 *Extensions should be designed so as to be subordinate to the main form of the house. It is important that the extension results in a dwelling that is well designed in itself.*

Chapter 5 of the Design Guide SPD contains further guidance regarding residential extensions and alterations:

- 5.5 *All extension should harmonise with the parent building. An extension should respect the dominance of the original building and be subordinate to it in terms of its size and massing.*

The two storey rear extension would have a double pile roof (two parallel gable extensions) which is 6.8m to gable ridge and 5m to the eaves and valley. New fenestration is proposed in the form of patio doors and casement windows.

The extension is large and is practically full width at ground floor level (excluding lean-to addition). The form and bulk of the extension is broken down by the use of two gable

ends which reduces any potential dominance by using a traditional roof form which is considered to appropriate in scale and subservient to the main dwelling house.

The materials would match the existing stonework, render and slate roof tiles.

The proposed extensions and alterations are considered an appropriate size and scale and is subordinate to the original dwelling house. The proposals therefore comply with policies S1 and EQ6, the Residential Design Guide SPD and 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.

The site benefits from being detached property which is located to the rear of other properties therefore the potential for overlooking is reduced. The extension is to the rear of the property and all the windows in the extension are sited on the rear elevation. There are no other properties to the rear of immediately adjacent to the property and therefore the proposal will not have any adverse impact on residential amenity.

It is noted that the proposed plans indicate two new windows are proposed on both of the side elevations of the existing dwelling house (one for a bathroom and one for study) and both are noted to be obscured.

The application is considered to be compliant with Local Plan Policy EQ6, the Residential Design Guide SPD, and the NPPF, with regards to potential impacts on neighbouring residential amenity.

Trees

Since the application was submitted a Tree Preservation Order (2024/315) was served on 6 February 2024. At the office's site visit in mid January there was evidence of tree removal.

A tree report was submitted during the determination of the application but this was undertaken in December 2023 before the tree works took place. Any works which took place prior to the TPO being made in February were lawful and outside the control of the Council.

The tree plan submitted with the application shows the extension located outside the crown spreads and root protection area of the trees on site. The submitted plans show the extension going very close to Downy Birch tree (T19) which could have put it under pressure for future removal. However, photographs taken at the site visit indicate that this tree has been removed. It is not considered that the relationship between the extension and any other retained trees would result in undue pressure for pruning or removal from an amenity perspective.

The TPO will protect the remaining trees at the site and therefore the proposal is considered acceptable in terms of local plan policy EQ9 regarding trees.

Highway Safety

The property has an existing parking and turning area to the side of the property. The extension will create a 4 bedroom property and car parking standards require 3 car parking spaces. There is sufficient space to park and manoeuvre 3 vehicles. Highways have been consulted and raise no objection on highway safety grounds.

The application is therefore considered to be acceptable having regard to LP Policy CF6 and paragraphs 110 and 111 of the NPPF.

Other matters.

Concern has been raised about access for construction vehicles. However, in the absence of any highway objection a refusal on these grounds would not be sustainable.

With regard to ecology the area of the site where the extension is to be located, is immediately adjacent to the house and clearly domestic garden and existing extension. The ground is disturbed and could be used for planting / patio etc without consent. Therefore a refusal on ecology grounds could also not be sustained. This does not take away from the fact that badgers are a legally protected species and any disturbance to them is a criminal offence.

With regard to drainage, whilst there would be a marginal increase in run off arising from the additional roof area, drainage would need to comply with Building Regs and the majority of the substantial curtilage would remain as soft landscaping. The proposal is therefore unlikely to exacerbate flooding on or off site.

Whilst some disturbance is inevitable from any construction work, given the small scale of this domestic proposal a condition relating to construction times would seem unreasonable.

The safety of the Ash tree to the front of the house is not a material planning consideration.

CONCLUSION / PLANNING BALANCE

For the reasons set out in this report, it is considered that the proposal is an acceptable design and will not result in any adverse amenity impacts. Accordingly the application is recommended for approval.

OFFICER RECOMMENDATION : **Approve**

Case Officer: Rosie Dinnen

Recommendation Date: 09.04.24

X *B.J. Haywood*

Signed by: Ben Haywood

On behalf of High Peak Borough Council