

DELEGATED DECISION REPORT

HPK/2023/0516
Valid 29/11/2023

23 BACK LANE
CHARLESWORTH

PROPOSED FIRST FLOOR
REAR EXTENSION OVER
EXISTING REAR SINGLE
STOREY EXTENSION

(FULL - HOUSEHOLDER)

MAIN ISSUES

- Heritage (conservation area)
- Amenity
- Design

DESCRIPTION OF SITE

No. 23 Back Lane is a mid-terrace property located in the Charlesworth conservation area and Green Belt. The application site has a small garden area to the rear which is located significantly higher than the dwelling itself.

There is an existing single storey rear extension, of matching materials to the host dwelling with a dual pitched roof (approved HPK/2017/0090). The rear of the application site is accessed via the rear of nos 17 and 19. This access also provides rear access to no. 25.

PROPOSAL

Planning permission is sought for a first floor extension over the existing rear extension. The ground floor element will remain as is in situ. The roof will be removed and a first floor element constructed. This first floor element will be of the same footprint as existing, with a dual pitched roof. A single window will be placed in the rear elevation. A single conservation velux roof light is proposed in the existing roof. The proposed extension will enlarge the existing second bedroom.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

High Peak Local Plan 2016

S 1 Sustainable Development Principles
S 1a Presumption in Favour of Sustainable Development
S 2 Settlement Hierarchy
EQ 6 Design and Place Making
EQ 7 Built and Historic Environment
CF 6 Accessibility and Transport

National Planning Policy Framework

Section 4
Section 12
Section 16

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

HPK/2017/0090 – demolition of existing conservatory at the rear of the house and erection of new single storey extension in its place. APPROVED 18/04/2017

CONSULTATIONS

Publicity

Site Notice expiry date: 28/12/2023
Neighbour consultation period ends: 22/12/2023
Press Advert: 04/01/2024

Public Comments

Neither (1):
- Visible construction materials should be sympathetic
Objection (0)
Support (0)

Town / Parish Comments

Charlesworth PC - Charlesworth Parish Council has considered this application and resolved not to object. The Parish Council noted with regret that amenity to the rear of this and adjacent properties is already lost because of existing extensions, including a very large conservatory. The Parish Council requests that a condition is attached to the decision (if approved) requiring the use of coursed grit stone to match existing.

Environmental Health

N/A

Derbyshire County Council Highways

No highways objections

HPBC Conservation Officer

10/01/2024
Objection. Recommended refusal.

30/05/2024
No objection

'The new example shown only works where it is a gable, as the photographs they have provided show. It is more unusual to find something of that ilk in the centre of a row of houses. It would also have a substantial bearing on the neighbours.

In light of this it may be more feasible to return to the starting point and work with the original concept, ensuring high quality materials and finishes to allow some attempt at harmonisation. There may therefore be neutral impact in terms of harm, against something as obtrusive as the second option.'

OFFICER COMMENTS

Principle of Development

LP Policy S 2 states that moderate scale development which meets local needs should be allowed in large villages such as Charlesworth. However this site is within open countryside and therefore must be considered under the 'other rural areas category' which includes 'all other areas outside of the settlement boundary of settlements, including those villages, hamlets and isolated groups of buildings in the Green Belt and the Countryside which do not have a settlement boundary as defined on the Policies Maps, development will be strictly limited to that which has an essential need to be located in the countryside or comprises affordable housing in accordance with policies EQ3 and H5'.

The application site is within the Green Belt. Paragraph 154 of the National Planning Policy Framework (NPPF) states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. LP Policy EQ 4 states that within the Green Belt, planning permission will not be granted for development unless it is in accordance with national planning policy. As such must be determined if the proposal is considered appropriate development for within the Green Belt.

NPPF Paragraph 154 (c) states that the extension or alteration of a building is considered appropriated development provided that it does not result in disproportionate additions over and above the size of the original building.

The total volume of the original dwellinghouse is approx. 157.7 cubic metres. A previous ground floor extension added approx. 23.53 cubic metres. The proposed first floor extension, combined with the mass of this previous extension would create an approximate addition of 46 cubic metres. This is just less than a 30% addition (47.31 cubic metres). As such the proposed works, in combination with previous extensions will not lead to addition over and above the size of the original building. The proposed first floor extension is therefore acceptable in principle, subject compliance with the relative policies below.

Design and heritage

Paragraph 200 of the NPPF states that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

Paragraph 206 of the NPPF continues that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.

Paragraph 207 of the NPPF states where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

Section 12 Paragraph 135(c) of the NPPF states that development should be sympathetic to the character and history of the area, while not restricting change.

LP Policy EQ 6 states that all development should be well designed, of a high quality and respond to the areas character, history and scale.

LP Policy EQ 7 states that the council will conserve heritage assets in a manner appropriate to their significance.

The High Peak Design Guide (SPD) Paragraph 5.5 states that all extensions should harmonise with the parent building, it should be subordinate to it in terms of its size and massing. Paragraph 5.7 continues that the smaller the parent building, the fewer the options for extension.

The proposed first floor extension will be constructed above a previous rear extension, which is set in to be narrower than the host dwelling. The proposal will emulate the window design of the host dwelling, the ridge line of the roof will set significantly below that of the host dwelling. As such a subordinate effect is achieved.

Following a reconsultation and consideration of an alternative design the HPBC Conservation Officer has been able to support the original scheme, provided that high quality materials are used to minimise the visual impact.

The proposed existing ground floor extensions currently not visible from long range views due to the site topography. As the rear of the curtilage rises in ground level to such an extent that the proposed first floor extension will be most obscured from long range views, minimising impact on the conservation area.

Therefore it is recommended that an appropriate materials condition be included to overcome any potential harm and ensure that the scheme will maintain, rather than harm the heritage asset.

Amenity

LP Policy EQ 6 states that all development should achieve a satisfactory relationship to adjacent development and doesn't cause unacceptable effects by reason of vision intrusion, overlooking, shadowing, overbearing effect, noise, light pollution or other adverse impacts on local character and amenity.

The Adopted Residential (SPD) (2005) paragraph 8.6.1 states that there should be 21 metres between adjacent inhabitable windows to provide an acceptable level of amenity.

The proposed extension will face the rear garden of the dwellinghouse and fields beyond. As no properties are located to the rear the 21M guidance will not be impacted.

The rear of the row of terraces faces east. The property to the north no.19 (formerly no.s 21 and 19 but previously combined) has 2 first floor rear windows which would be effected by the first floor extension. The applicant (who also owns no.19) has confirmed that both of these windows serve a large rear bathroom. As a bathroom is not considered a room in which much time is spent there will be no amenity impact from the loss of light. The ground floor windows of no.19 will not be impacted by the proposal as the ground floor element of the extension is remaining unchanged.

The property to the south of the application site is no. 25. This dwelling benefits from its southern location and will full benefit from its orientation. While a single first floor window may be effected, however, again the applicant has claimed this to serve a bathroom. The rear of no.25 contains a large conservatory extension, which projects further to the rear than the ground floor extension of the application site. As such this and its beneficial orientation mitigate and potential amenity concerns.

As such there are no amenity concerns.

Highway Safety

No highways objections have been raised. The application site has no off-street parking, however the proposed extension will only extend the existing second bedroom. The demand for parking at the application site will not be increased, nor will the existing parking provision be altered. As such there are no highway safety concerns.

CONCLUSION / PLANNING BALANCE

The development is considered acceptable in terms of heritage and design, subject to appropriate conditions. The Scheme is also considered acceptable in terms of

amenity and highway safety. It is considered to be in accord with the relevant policies put forward in the Local Plan and the NPPF. Therefore this application is recommended for approval.

OFFICER RECOMMENDATION : Approval

Case Officer: Rachel Robinson

Recommendation Date: 30th May 2024

X *B.S. Haywood*

Signed by: Ben Haywood

On behalf of High Peak Borough Council