

DELEGATED DECISION REPORT

HPK/2024/0174
Valid 24/04/2024

13 OLLERSETT AVENUE
NEW MILLS

LOFT CONVERSION INTO
BEDROOM. VELUX ROOF
LIGHTS TO FRONT AND
REAR. NEW WINDOW TO SIDE
ELEVATION

(FULL - HOUSEHOLDER)

MAIN ISSUES

- Design, Character and Appearance
- Amenity

DESCRIPTION OF SITE

The application relates to No.13 Ollersett Avenue, New Mills, a two storey semi-detached dwellinghouse located south of the public highway on a site that lies within the built-up area boundary not constrained by any sensitive designation.

PROPOSAL

The application seeks alterations to the existing dwellinghouse comprising an internal loft conversion, velux rooflights to front and rear, and the introduction of a new window to the side elevation. No other physical extensions are proposed.

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

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

None

CONSULTATIONS

Publicity

Site Notice expiry date: 11th June 2024

Neighbour consultation period ends: 22nd May 2024

Press Advert: N/A

Public Comments

None

Town / Parish Comments

No comments received

Derbyshire County Council Highways

No objections

OFFICER COMMENTS

Principle of Development

The application seeks alterations to an existing dwellinghouse that lies within the built-up area boundary of New Mills, one of the larger Market Towns within the Borough, on a site that is not constrained by any sensitive statutory designation. As such the principle of development can be supported subject to an 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 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.

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 proposal does not include any physical external extensions or alterations other than the introduction of velux roof lights to the front and rear elevation, and the introduction of a new window to the side elevation serving the stairwell serving the loft conversion.

As Permitted Development rights under Schedule 2, Part 1, Class A of the GPDO are intact for this property, the rooflights do not require permission. Likewise, neither the use of the loft space as an additional bedroom or the newly introduced side window do not require permission (the latter subject to a condition restricting the opening and glazing of the window).

Having regard to the above, the proposed development does not trigger the need to consider potential impacts on the character and appearance of the house or wider street scene by virtue of being permitted. In any event, no harm results from the proposal and as such the application is compliant with the relevant policy considerations set out above.

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.

Whilst the introduction of a side window does not require planning permission, this is subject to the condition that it be obscure glazed and non-opening, where the window is 1.7m above the floor room where it is installed.

The proposed plans do not include any annotation that sees the above conditions being met and therefore an assessment of potential harm to neighbouring amenity is required. In short, there would be no adverse impacts to the neighbouring property due to the fact that this window does not serve a habitable room. As such, no conditions are necessary and the application is compliant with LP Policy EQ6, the Residential Design Guide SPD, and paragraph 135 of the NPPF in this regard.

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 alterations to a domestic property that lies within the built-up area boundary and is not constrained by any statutory designation.

Most of the works proposed do not require planning permission by virtue of Schedule 2, Part 1, Class A of the GPDO, with the exception of the first floor side window that is not shown to be obscure glazed. An assessment of the potential impacts on neighbouring amenity have found that there would be no harm arising as a result of this window being obscure glazed and as a consequence, no conditions are necessary, and the application is compliant with all relevant local and national planning policy and other material considerations.

The application thus constitutes a sustainable form of development and in line with LP Policy S1a and paragraph 11 of the NPPF is recommended for approval.

OFFICER RECOMMENDATION : Approve

Case Officer: James Stannard

Recommendation Date: 13th June 2024

X 

Signed by: Ben Haywood

On behalf of High Peak Borough Council