

DELEGATED DECISION REPORT

HPK/2024/0233
Valid 03/06/2024

41 LEEK ROAD
BUXTON

PROPOSED 2 STOREY REAR
EXTENSION DROPPING
DOWN TO A SINGLE STOREY
ELEMENT ADJACENT TO
NEIGHBOUR

(FULL - HOUSEHOLDER)

MAIN ISSUES

- Design
- Residential Amenity
- Parking provision
- Nutrient Neutrality Catchment Area

DESCRIPTION OF SITE

The application site relates to 41 Leek Road, which comprises a two-storey semi-detached property on Leek Road. The property is elevated from the road.

The front principal elevation faces the public highway, whilst the rear elevation faces on to the field beyond the rear garden. The site is bounded by two residential properties, to the east is No. 39 which forms the other half of the semi-detached block, to the west is No. 43 which sits approximately 5m from the adjoining boundary. The site sits within the built up area boundary of Buxton.

PROPOSAL

The proposed application is for a two-storey rear extension which drops down to a single storey element adjacent to the neighbouring property (no.39). The proposed extension will enlarge the downstairs living area to create a large kitchen diner, and enlarge the existing 3 bedrooms and bathroom on the first floor. The proposed materials are render and grey slate tiles for the roof to match the existing with the inclusion of two sky lights in the two storey element and one skylight in the single storey element.

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

National Planning Policy Framework

Chapter 2: Achieving Sustainable Development

Chapter 12: Achieving Well Designed Places

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

None

CONSULTATIONS

Publicity

Site Notice expiry date: 29/07/2024

Neighbour consultation period ends: 29/07/2024

Press Advert: N/A

Public Comments

None

Town / Parish Comments

None

Environmental Health

None

Derbyshire County Council Highways

The proposed extension will have no highway impact, therefore, there are no highway authority objections to the application.

Severn Trent Water

Having reviewed our statutory sewer records, they do not currently demonstrate any public sewers on the property. However, due to a change in Legislation that came into force October 2011, there could be unmapped assets on the property that will enjoy the same protection as all our mapped assets.

OFFICER COMMENTS

Principle of Development

The property lies within the built up area boundary of Buxton, which is identified as a Market Town in the settlement hierarchy under Local Plan Policy S2 in recognition of it being a moderately sustainable location with access to services and facilities.

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

Design

Policy S1 of the Local Plan 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.

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. Policy EQ6 of the Local Plan states all development should be well designed and of a high quality that respects local distinctiveness and sense of place.

The Adopted Residential Design Guide (SPD) (2005) chapter 9 states that “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 houses, that domestic development is carefully designed.”

The scheme proposes a two storey rear extension dropping down to a single storey extension adjacent, the two storey element extends approximately 3.6m from the rear elevation of the property and 3.6m in width, before it drops down to the adjacent single storey element 2m in width.

The two storey element has a pitched roof which sits below that of the main dwelling house, subservient to the host dwelling. The proposed fenestration is in keeping with the character of the area and the surrounding properties. The proposed materials are grey slate tiles for the roof to match the existing and render to brick to match the host dwelling. Therefore, the design and materials will complement the existing house. The extension would not be visible from the wider street scene, and therefore would have no adverse impact on the visual character of the street scene.

Accordingly, the siting, scale and proposed materials are considered appropriate and accord with the requirements of policies S1 and EQ6, the Residential Design Guide SPD and the NPPF.

Amenity

Section 12 Paragraph 135(f) of the NPPF states that development should create places with a high standard of amenity for existing and future users.

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 site is bound on two sides by residential properties, No. 39 to the east and No. 43 to the West. The proposed extension includes, ground floor French doors, a first floor rear facing window and a skylight in the single storey element. Replacement windows are proposed on the side and front elevation, the windows on the side elevation (west) are to be obscured glass, additionally, these are replacement windows and there are no amenity concerns regarding the neighbouring property of No. 43.

The single storey element of the extension sits adjacent to the conservatory of the neighbouring property (No. 39) separated by the adjoining boundary and a gap of approximately 0.55m. Given the modest scale of the proposed extension (including the single storey extension) there are not considered to be any adverse overbearing impacts. The two storey element would not encroach into the 45 degree line, measured from the centre of the neighbours closest window to the extensions. Although the single storey extension would be marginally deeper than the neighbours conservatory and would cause some loss of light to the conservatory, this is not considered to be significant enough to warrant refusing this application. The extension would be positioned to the south of the conservatory, and therefore afternoon/evening sun could be affected, however with its light weight roof, sufficient sun and daylight would be retained.

The proposed French doors on the rear elevation of the property front on to the large rear garden. Additionally there are no properties to the rear (south) of the house, therefore, no privacy or overlooking concerns are associated with the first floor window.

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.

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. However, the proposal does involve additional roof area and will therefore increase

surface water run-off. However, given the very limited extent of the additional roof it will not significantly increase run-off from the site and in turn 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.

Highway Safety

There is currently no provision for off-street parking, however, there is ample on-street parking along Leek Road, in addition to two bus stops less than 100ft away from the property.

The proposal will not lead to an increase in bedrooms at the application site, and therefore, will not increase demand for on-street parking beyond the existing situation. Furthermore, the existing provision for on-street parking will not be impacted by the proposal. As such, there are no highway safety concerns and the proposal complies with Local Plan policy CF6.

CONCLUSION / PLANNING BALANCE

The proposal is considered acceptable in terms of design and amenity and will not result in any adverse amenity impacts and is of acceptable design and is considered to be in accordance with the relevant policies put forward in the Local Plan and NPPF. Therefore, the application is recommended for approval.

OFFICER RECOMMENDATION : Approve

Case Officer: Jennifer Robb

Recommendation Date: 29/07/2024

X 

Signed by: Jane Colley Signature

On behalf of High Peak Borough Council