

DELEGATED DECISION REPORT

HPK/2024/0296
Valid 09/07/2024

158 GREEN LANE
BUXTON

DEMOLITION OF EXISTING
SIDE EXTENSION AND
REBUILD NEW 2 STOREY
SIDE EXTENSION WITH
HIPPED ROOF

(FULL - HOUSEHOLDER)

MAIN ISSUES

- Design
- Amenity
- Nutrient Neutrality Catchment Area
- Parking

DESCRIPTION OF SITE

The application site of 158 Green Lane, comprises of a two-storey semi-detached dwelling house with an existing flat-roofed side extension. The property has a generous rear garden and front driveway and shares a boundary with the adjoining property No. 160 Green Lane to the west and No.156 to the east.

The site lies within the built-up area boundary of Buxton and is within the Nutrient Neutrality catchment area. The site is not in a Conservation Area, there are no listed buildings/structures or protected trees which need to be considered.

PROPOSAL

The application proposes the demolition of the existing side extension and the erection of a new two storey side extension with a hipped roof.

The proposed extension extends 4.12m from the side elevation of the property, sharing a boundary with No. 156 Green Lane to the east.

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 9: Promoting Sustainable Transport

Chapter 12: Achieving Well Designed Places

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

None

CONSULTATIONS

Publicity

Site Notice expiry date: 03/09/2024

Neighbour consultation period ends: 03/09/2024

Press Advert: N/A

Public Comments

None

Town / Parish Comments

None

Environmental Health

None

Derbyshire County Council Highways

It is considered that the application will have no detrimental highway impact and on that basis there are no highway authority objections to the application.

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 S 2 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:

- *“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.”*
- *9.4.1 “appropriate extensions to the roofline can be made by extending the main roof to the side (a ‘catslide’ roof) or by creating a secondary gabled roof at right angles. In view of their often squat and ungainly appearance, the prevailing climate and ongoing maintenance problems, flat roofs should be avoided.”*

The proposed extension is modest in size, extending 4.12m from the side elevation of the host dwelling, with a hipped roof. The roof line is stepped down and the extension is stepped in from the principal elevation, making it appear subordinate to the main dwelling house. It is considered the proposed hipped roof harmonises more sympathetically with the host dwelling than the existing flat roofed extension, which appears to be a somewhat contrived addition to the dwelling.

The proposed materials are red brick to match the brick plinth on the lower quarter of the existing dwelling house and clay tiles to mimic the existing roof.

Considering the subject property is cream pebbledash (with the exception of the red brick plinth), the entirety of the extension constructed from red brick would not be deemed appropriate. In addition, Green Lane is characterised by pebble dash and rendered properties, recessive in colour. As such, the proposed materials would result in harm to the character and appearance of the host dwelling and the street scene. Therefore, the application shall be conditioned to ensure the materials match those of the existing dwelling house, with the continuation of the red brick plinth line at the same level as existing only.

Accordingly, the siting, scale and proposed materials are considered appropriate and accord with the requirements of policies S 1 and EQ 6, the Residential Design Guide 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 Design Guide (SPD) (2005) paragraph 8.6.1 states that there should be 21 metres between adjacent habitable windows to provide an acceptable level of amenity.

With regards to the proposed rear windows, No.29 Cavendish Avenue sits to the rear of the application site, there is a distance of 16.2m between the proposed extension and the boundary with this property. Due to the orientation of No.29 Cavendish Avenue, no direct overlooking would occur, additionally, the application site is heavily screened along this boundary by mature trees and high level hedgerows which prevents any over looking into the rear garden of this property.

The proposed extension sits approximately 2m from the shared boundary with No.156 Green Lane to the east, separated by a garden path and high level mature hedge along the entirety of the boundary.

The application proposes two first floor windows on the east elevation of the extension, one to serve the master bedroom and one to serve the en-suite which is to be obscure glazed. The neighbouring property of No. 156 has a first floor landing window on the west elevation of their property. However, due to the placement of the master bedroom window on the subject property (No.158), in addition to the application site being slightly set back compared to No.156, this prevents any direct views and overlooking into this landing window. Additionally, this would not be considered a habitable room, given these reasons, the distance of 3.9m between the proposed extension and the first floor landing window in No.156 is considered acceptable.

However, due to the staggered nature of the properties and it's elevated position relative to the level of the rear gardens, there is potential for overlooking into the rear garden area of no.156. On this basis it is considered appropriate to apply an obscured glazing condition to the windows in the side elevation, all of which are secondary windows.

Turning to the matter of overshadowing, although the extension extends beyond the existing rear elevation, due to the distance to the boundary there would be no breach of the 45 degree line from principal windows in the rear elevation of the attached property. The proposed extension projects a significant distance beyond the rear elevation of 156, and will also bring 2 storey built form closer to the boundary. Nevertheless, partly due to the intervening footpath, sufficient separation will be maintained from the new side elevation to the nearest principal window in the rear elevation of 156 to avoid any overshadowing or overbearing impacts.

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 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. The proposal also involves additional bedroom / bathroom accommodation but the application relates to an existing dwelling. On the basis, of an average occupancy rate of 2.4 persons per dwelling, however, there will be no increase in waste water generated by the proposals. Therefore in terms of both foul and ground water it is not considered that the proposal will 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

The proposal will not lead to an increase in bedrooms at the application site, therefore will not increase demand for off-street parking. Furthermore, the existing provision for off-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 CF 6.

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 with conditions.

OFFICER RECOMMENDATION : Approve with conditions

Case Officer: Jennifer Robb

Recommendation Date: 26/09/2024

X *B.S. Haywood*

Signed by: Ben Haywood

On behalf of High Peak Borough Council