

DELEGATED DECISION REPORT

HPK/2024/0327
Valid 29/07/2024

4 HASLIN ROAD
HARPUR HILL
BUXTON

DEMOLITION OF REAR STORE
AND ERECTION OF SINGLE
STOREY REAR EXTENSION

(FULL - HOUSEHOLDER)

MAIN ISSUES

- Design
- Amenity
- Nutrient Neutrality Catchment Area
- Parking

DESCRIPTION OF SITE

4 Haslin Road is a semi-detached property of pebble dash and a slate roof. The property is a 2 bedroom dwelling, with a small rear garden and a shared boundary with No.2 Haslin Road. The property has a driveway and parking to the side.

PROPOSAL

The application proposes the demolition of the existing single storey extension, which is currently used as a store and the erection of a single storey rear extension with a lantern roof light to create a large kitchen/ diner.

The extension proposes a glass door and double window on the south elevation and a window the western.

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

Residential Design Guide 2005
Design Guide 2018

National Planning Policy Framework

Chapter 2: Achieving Sustainable Development
Chapter 12: Achieving Well Designed Places

Supplementary Planning Documents

Residential Design Guide SPD (2005)

Design Guide SPD (2018)

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

HPK/2006/0055 – detached garage approved 17/03/2006

CONSULTATIONS

Publicity

Site Notice expiry date: 27/09/2024

Neighbour consultation period ends: 27/09/2024

Press Advert: N/A

Public Comments

2x neighbour objections from the same property has been received stating:

- Concerns over restriction of light into kitchen and porch

Town / Parish Comments

None

Environmental Health

None

Derbyshire County Council Highways

There would appear to be no material impact on the public highway and therefore the Local Highway Authority has no comments to make.

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 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

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.

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.

Chapter 9 of the High Peak Residential Design Guide SPD (2005) relates to Domestic Extensions. The following guidance is pertinent 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 houses, that domestic development is carefully designed."*
- 9.1 *Extensions should be designed to be subordinate to the main form of the house. It is important that the extension results in a dwelling that it is well designed in itself.*
- 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."*

Chapter 5 of the more recently adopted Design Guide SPD (2018) provides further design guidance in connection with domestic extensions and alterations, relevant guidance of which is set out below:

- 5.1 *All extensions 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...*

When considering the wider visual impact, the proposed extension will be to the rear of the property and will not be readily visible from the public street-scene. It is single storey and as such, subordinate to the existing dwellinghouse.

Throughout the consultation period amended plans were sought to reduce the size of the extension, which was originally proposed to extend 6m from the rear elevation of the host dwelling, exceeding 50% of the depth of the main dwelling house. Revised plans have since been received, with the proposal now extending some 4.85m from the rear elevation and approximately 5m in width, the amended plans have moved the extension approx. 1.5m to the south to create a space of approx 1.85m between the proposed extension and shared boundary with No.2, to offset the breach of the 45 degree rule.

A flat roof is proposed supporting a roof lantern, this conflicts the prevailing angle of the original roof, making the extension look somewhat contrived. This in addition to the increase of 2.5m in width and 1m increase in length in comparison to the existing extension, makes the proposal appear large and boxy with regards to its scale, resulting in harm to the appearance of the host dwelling. The rear location is noted, as such harm would not be caused to the street scene, however, the extension would be visible from Burlow Cottages and the rear gardens of No.64-No.74 Burlow Road.

In terms of proposed materials, it will be using pebbledash to match the existing dwellinghouse and a flat roof membrane. These materials would be sympathetic to the dwelling and surrounding area and would be visually acceptable.

Given the points discussed above, the siting and scale paired with the flat roof are not considered appropriate and would be harmful to the appearance of the host dwelling, which does not accord with the requirements of policy EQ 6, 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.

Paragraph 9.3 states:

- *'if the centre of a main habitable room window is affected by the heavily shaded area, i.e. overshadowed on both a vertical and horizontal plane, then the extension may well cause a significant reduction in the skylight received by the window'.*
- 9.3.1 *'Similarly an extension should not unduly reduce outlook from a main habitable room window or produce a tunnelling affect. To prevent this, extensions affecting neighbouring property should not normally extend more than 2.5 m from the rear of the affected home. All planning applications for domestic development should be careful to include scaled plans indicating the position of neighbouring property.'*

The proposed window to the rear elevation of the extension would result in some overlooking into the garden area of No. 74 Burlow Road, the proposed extension would be only some 3.5m from the shared boundary with this property. However, there is already mutual overlooking between these two gardens when using the garden space at the subject property. Furthermore, due to the nature of the terrace properties

along Burlow Road, and the low stone wall boundaries, mutual overlooking occurs between all the gardens along this stretch.

With regard to the relationship with No.2 Haslin Road, these two properties are similar positioned with a shared boundary. Throughout the consultation process amended plans were sought to address the amenity impacts on the neighbouring property of No.2 Haslin Road, as the proposed extension breached the 45 degree rule.

Revised plans have been received and assessed, and the amendments are not considered sufficient to address concerns. The 45 degree rule has been assessed, from the central point of their closest ground floor window in the original rear elevation, which is a kitchen window. It has been established that the 45 degree rule would still be breached, with 1.4m of the top corner of the extension still sitting within the 45 degree angle. Additionally, the application site sits to the south of No.2 and due to the east to west sunlight trajectory this would cause an unacceptable loss of day light to the ground floor rear window at No.2, which is considered to be a habitable room. Moreover a tunnelling effect would be created, which would be contrary to the guidance contained at paragraph 9.3.1 of the adopted Residential Design Guide.

Whilst officers have noted that No.2 has previously been extended, this property sits to the north of No.4, as such impact regarding loss of light is minimal.

Whilst the proposed extension is lower than the apex of the existing extension, the height of the proposed extension is 3m, approx. 0.75m higher than the existing eaves and positioned just 1.85m from the shared boundary. This compares to the existing extension which has an eaves height of just 2.25m and positioned approx. 3.5m from the common boundary.

Due to the increase in height and width of the proposal in comparison to the existing extension and the addition of the flat roof, the revised plans are still considered to bring the mass of the extension significantly closer to the neighbouring property which would be overbearing and cause a detrimental loss of light to an unacceptable degree, creating a tunnelling effect for the ground floor kitchen window.

With respect to the neighbours existing windows which would face onto the extension, with the extension being just 1.85m from the common boundary and with a height of 3m, the outlook from these window would be significantly reduced. An appropriate fallback position would be for the applicant to explore what can be achieved under Permitted Development.

For the reasons given above, it is not considered that the amenity of No. 2 is protected, conflicting with Policy EQ 6 and the NPPF.

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, when compared to the existing extension and surrounding hardsurfacing 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

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

For the reasons set out in this report, it is considered that the proposed development would have an unacceptable impact on the residential amenities of No.2 Haslin Road due to its overbearing, overshadowing, loss of outlook and the creation of a tunnelling effect. The proposals would be contrary to S1 and EQ6 of the Local Plan, guidance contained within the Residential Design SPD, Design Guide and the advice contained within the NPPF, and as such it is recommended that the application be refused.

OFFICER RECOMMENDATION : Refuse

Case Officer: Jennifer Robb

Recommendation Date: 15/10/2024

X *J Colley*

Signed by: Jane Colley Signature

On behalf of High Peak Borough Council