

DELEGATED DECISION REPORT

HPK/2024/0261
Valid 20/06/2024

8 WILLIAMSON AVENUE
BUXTON

TWO STOREY REAR
EXTENSION

(FULL - HOUSEHOLDER)

MAIN ISSUES

- Design
- Residential Amenity
- Nutrient Neutrality Catchment Area

DESCRIPTION OF SITE

The application site relates to 8 Williamson Avenue, a cul-de-sac access from Brown Edge Road. The site contains a tall chalet style semi-detached dwelling house, sharing its boundary with No.7 Williamson Avenue. The house has a large driveway to the front and a generous rear garden. The property is a chalet style dwelling with a steep pitched roof.

PROPOSAL

The application seeks consent for a two storey rear extension to create a kitchen/ sun lounge on the ground floor and increased bedroom size on the first floor with an additional bathroom. Bi-folding doors are proposed to serve the patio from the existing rear elevation and additional windows are proposed to the rear and side elevation of the extension, as well as a first floor Juliette balcony to the rear to serve the master bedroom.

Revised plans were received during the course of the application, removing a side facing window towards the neighbour at number 7.

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

Supporting Documents

Residential Design Guide 2005
High Peak Design Guide

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

HNT/2019/0001 – Proposed orangery - Withdrawn

CONSULTATIONS

Publicity

Site Notice expiry date: 13/08/2024
Neighbour consultation period ends: 13/08/2024
Press Advert: N/A

Public Comments

One neighbour objection has been received raising concerns over the change in elevation, and this causing overlooking into the garden and orangery. Loss of privacy and devaluation of property.

Town / Parish Comments

N/A

Environmental Health

None

Derbyshire County Council Highways

No objection.

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

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 which extends 4m from the rear elevation of the property and 5.95m in width. The proposed extension has a pitched roof which sits well below the roofline of the main dwelling house, remaining subservient to the host dwelling.

The proposed materials are brick and render, with concrete tiles for the roof to match existing and Upvc for the additional fenestration. As the extension would not be visible from the street scene, there would be no harm the visual character of Williamson Avenue.

It has been noted the proposed fenestration on the extension has a horizontal emphasis, rather than vertical, the latter of which is more characteristic of the High Peak. However, the windows to the front elevation and existing rear elevation are more horizontal in design, as such it is considered the proposal reflects the character of the host dwelling.

The extension would be visible in long distance views, specifically from Lightwood Road, due to its elevated position. The extension would occupy just over 50% of the width of the rear elevation, and a change would appear apparent, due to the first floor windows occupying an area which is currently a steep sloping roof. However, it is noted that the adjoining neighbour has a flat roof rear dormer window, which is visually poor. The proposed extension is of much better design and sits significantly lower on the roof plane than the neighbouring dormer. Therefore, on balance it is considered that the extension is acceptable.

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 property is semi-detached, sharing an adjoining boundary with No.7 Williamson Avenue, separated by a fence and mature shrubs. Throughout the consultation period amended plans were sought to remove the proposed patio doors to this side (west) elevation, to prevent direct overlooking into the neighbouring garden and protect the privacy of No.7, as the patio doors would only be some 3.3m from the common boundary. It is noted there is an existing fence, however it is too low to effectively screen the patio doors that were initially proposed.

Additionally, revisions also show the ground floor shower room window to the west elevation to be obscure glazed, again to prevent overlooking into No.7, and to comply with the Residential Design Guide which recommends bathroom/ shower room windows be obscure glazed. Therefore, a condition will be imposed to ensure this is retained for the lifetime of the development. These amendments are considered sufficient to offset the initial amenity concerns with regards to loss of privacy to No.7 Williamsons Avenue. There is already some mutual overlooking between the two gardens and it is considered this will not be exacerbated by the amended proposal.

The extension proposes sliding doors to the east elevation, this boundary is heavily screened by a stone wall and mature hedgerow. Additionally, due to the elevated position and orientation of No. 9 Williamson Avenue there will be no direct views or loss of privacy to this property.

It has been noted an objection has been received from the property to the rear. The devaluation of property is not a material planning consideration and has not been considered as part of this process. Turning to the concerns raised, the extension will overlook towards the garden and orangery of No.9 Hogshaw Drive. Detailed site visits have been undertaken to both the subject property and objector's property to observe these matters and assess the impacts of the change in elevation.

It has been noted by officers that there is a dramatic change in ground level, the application site is significantly elevated above No.9 Hogshaw Drive. It was observed that the dormer at the neighbouring property of No.7 Williamson Avenue (built under permitted development rights) could result in some overlooking into the garden of No.9 Hogshaw Drive. Notwithstanding this, the proposed extension at the application site would sit significantly lower than the neighbouring dormer, with the first floor rear window in the proposed extension sitting approx. 2.8m lower than the highest window in the neighbouring dormer at No.7. Moreover, there is a distance of some 44m between the proposed development and the orangery at No.9 Hogshaw, which is well in excess of the Council's privacy standards, even when accounting for the elevation change.

The roof of No.9 Hogshaw Drive is visible from the eastern outlook from the application site, however, there is existing boundary treatment in the form of a timber fence, mature trees and shrubs which provides some screening, preventing any direct overlooking into the orangery and garden space. There is approximately 23m between the positioning of the proposed first floor window and the rear garden boundary at No.9 Hogshaw Dr. It is noted that the rear part of this garden is unusable due to the steep elevation. The garden space is not visible from the application site, even when standing directly at the rear boundary, as evident in the photos below.





When looking up towards the application site from No.9 Hogshaw Drive, the proposed Juliette balcony on the first floor rear elevation would be sat partially below the existing fence line (see photo above), as such the roof of the orangery is only likely to be glimpsed at best from the balcony and the first floor window this serves, however with a distance of approximately 44m between the two it is considered that no adverse overlooking would occur. Even when taking into account the change in elevation, this distance is sufficient to maintain the privacy of No. 9 Hogshaw Drive, when using their orangery.

The Juliette balcony will serve the master bedroom. Views from this balcony would not be directly overlooking the neighbouring garden of No. 7, and views from this vantage point would be directed towards the rear of the garden, as mentioned there is already some mutual overlooking between the two gardens from existing rear elevation windows. Therefore, it is not considered that the inclusion of a Juliette balcony to the rear will have any adverse impacts with regards to residential amenity on No.7 or any other property.

Turning to the issue of overshadowing, the 45 degree rule has been assessed, from the central point of No.7 closest fenestration in the rear elevation. It has been established that the proposal would not breach the 45 degree angle, furthermore, the application site sits to the northeast of No.7 and due to the east to west sunlight trajectory there are no concerns regarding overshadowing or loss of light.

Given the above, 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 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 house has a large driveway with parking for three cars, 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 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: 24/10/2024

X *J. Colley*

Signed by: Jane Colley Signature

On behalf of High Peak Borough Council