

DELEGATED DECISION REPORT

HPK/2024/0350
Valid 14/08/2024

TOWNFIELD FARM 47
TOWN LANE
CHARLESWORTH

PROPOSED CONVERSION OF
EXISTING REAR GLASS
CONSERVATORY ROOF INTO
A BALCONY

(FULL - HOUSEHOLDER)

MAIN ISSUES

- Design
- Amenity
- Conservation Area

DESCRIPTION OF SITE

The application relates to a site within the urban boundary of Charlesworth and within the Charlesworth Conservation Area. The building is a two storey farmhouse that has recently been extended which sits within a large plot of land in the control of the owner. Some of this land extends beyond the urban boundary into land designated as countryside and Green Belt for the purposes of the Adopted High Peak Local Plan.

47 Town Lane has two principal elevations one facing eastwards (primary access) and one facing westwards into an inner shared courtyard area (not used) where there is a right of access through the courtyard. When the recent extension was constructed a large unsympathetic rosewood conservatory was removed from the eastern elevation. The cottage has been landscaped to a high standard and given its discrete position within the plot and the presence of an electric timber gate, the whole is not visible from the highway.

PROPOSAL

The application is for a proposed conversion of the existing rear glass conservatory roof into a balcony. The resultant balcony to the rear conservatory will have glass railings, which will be 900mm in height on the north and east elevations, and translucent frosted screening on the western side elevation, this will be 1800mm in height. There will also be a 1st storey door installed on the north elevation to allow access to the balcony from the master bedroom. The balcony itself will be 14.15m². This will provide a new external amenity space for outdoor recreation and relaxation, thereby enhancing the living environment of the dwelling.

Throughout the consultation period, revised plans have been sought to reduce the height of the frosted privacy screen from 2.1m to 1.8m.

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
EQ 7 Built & Historic environment
CF 6 Accessibility and Transport

National Planning Policy Framework

Chapter 2: Achieving Sustainable Development
Chapter 12: Achieving well-designed and beautiful places
Chapter 15: Conserving and enhancing the natural environment

Supplementary Planning Documents

High Peak Residential Design Guide
Charlesworth Conservation Area Character Appraisal

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

- HPK/2014/0542 - Proposed Two Storey Extension, Removal of Conservatory & W.C Extension on East Elevation & Associated Alterations – Withdrawn.
- HPK/2015/0317 - Proposed Two Storey Extension, Removal of Conservatory & WC Extension on East Elevation & Associated Alterations – Approved 2015
- HPK/2018/0573 - Construct conservatory to rear elevation of existing property as per attached plans – Approved 2019.

CONSULTATIONS

Publicity

Site Notice expiry date: 14/10/2024
Neighbour consultation period ends: 14/10/2024
Press Advert: 19/09/2024

Public Comments

1x neighbour representation supporting the proposal.

Town / Parish Comments

Charlesworth Parish Council expressed concern regarding the impact the proposal may have on the amenity of the adjacent property but they resolved to make no comment

Environmental Health

None

Derbyshire County Council Highways

No objections

OFFICER COMMENTS

Principle of Development

The property lies within the built up area boundary of Charlesworth, which is identified as a Larger Village 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 & Impact on Conservation Area

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.

Section 16 Paragraph 205 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act also requires special attention to be paid to the desirability of preserving listed buildings and their settings. Substantial harm to or loss of designated heritage assets, including Grade II* registered parks and gardens should be wholly exceptional. The site borders the Serpentine Grade II* historic park and gardens to the south.

LP Policy EQ 6 states that all development should be well designed, of a high quality and responds positively to the areas character, history and scale.

LP Policy EQ 7 states that the council will conserve heritage assets in a manner appropriate to their significance and ensure that development proposals contribute positively to the character of the built and historic environment.

The Adopted Residential (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 site is located within the Charlesworth Conservation Area, which is characterised by residential and agricultural stone buildings. Whilst a glass balcony on a solid flat roof is certainly not characteristic of the Conservation Area, given the simple design

of the proposal, the discrete siting of the balcony, and its position on the more contemporary designed conservatory, it will not impact unduly upon the character of the existing dwelling house. The proposal will not be visible from Town Lane, and will be partially obscured by the existing outbuilding to the north, which will help prevent long range views from open countryside, preventing harm being caused to the conservation area.

The balcony includes a glass balustrade with a height of 0.9m with the exception of the 1.8m high frosted privacy screen to the west. The proposal will result in a predominantly glass structure, due to the transparent and translucent nature of the structure, the materials will be similar to the existing conservatory roof, and the balcony would not be adversely prominent in comparison to the existing protruding glass roof.

The existing conservatory currently sits to the rear of the property and fits discreetly within the small courtyard area at the rear of the property, as such the conversion to a balcony would appear discreet and would not be visible from the street scene, with the existing frontage of the property retained. Officers have noted, the balcony element isn't particularly in keeping with the conservation area. However, on balance, for the reasons set out above, it is considered to be acceptable.

It has been noted a public right of way to the north runs adjacent to the site, following a site visit it became apparent the balcony would be heavily concealed from this vantage point, with adequate boundary treatment, consisting of a dry stone wall, a fence and intermittent mature trees and shrubs providing satisfactory screening between the PROW and application site.

Given the above, it is not considered the proposed balcony would cause harm to the street scene or conservation area. As such, the siting, scale and proposed materials are considered appropriate and accord with the requirements of policies S1, EQ6, EQ7 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 proposed increase in floorspace would be entirely contained within the existing parameters of the conservatory roof. Very limited additional bulk or mass would arise from the balustrade and privacy screen which would not result in overshadowing on neighbouring properties.

The balcony is to be sensitively sited away from existing adjacent development and where it abuts the boundary with the shared space to the west a frosted glass privacy screen is proposed on the west elevation to overcome overlooking concerns and visual

intrusion, protecting the amenity of the neighbour whilst using the shared garden access space.

Whilst balconies are not normally encouraged due to concerns about overlooking (actual and perceived) as well as general noise, disturbance and activity at an elevated level feeling overbearing for neighbours, in this instance, the scheme is judged to be acceptable. The proposed screen will mitigate actual overlooking, and to some degree noise, but exceptionally in this case, given the communal nature of the adjoining garden area, the level of private amenity enjoyed by the occupants is lower than would normally be the case with an entirely private garden space. On this basis, the balcony is found to be acceptable in principle.

As mentioned, an amendment was sought to the plans to reduce the height of the privacy screen from 2.1m down to 1.8m as the high frosted screen appeared over bearing and 'un-neighbourly', creating the impression of blocking out the neighbours. However, a reduction to 1.8m results in a sufficient height to prevent overlooking into the shared garden space, but is considered to be less over bearing than the original 2.1m screen, the reduction in height results in a less 'un-neighbourly' feature and maintains privacy for both parties. On balance, it is not considered the proposal could be refused on these amenity grounds.

The balcony overlooks open countryside to the north, there is a distance of over 15m to the boundary with the neighbour to the east, No. 49 Town Lane. Due to the forward positioning of the application site in comparison to this neighbour, views from the balcony to the east would also be onto the open countryside, in addition to significant existing boundary treatment negating overlooking concerns to this neighbour.

As such, 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.

Highway Safety

The property has a large driveway with parking for at least 3 cars, 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 not considered to cause harm to the conservation area and is 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: 01/11/2024

X *B.J. Haywood*

Signed by: Ben Haywood

On behalf of High Peak Borough Council