

DELEGATED DECISION REPORT

HPK/2024/0427 113 LEEK ROAD
Valid 14/10/2024 BUXTON

**PROPOSED SINGLE STOREY
REAR EXTENSION TO
EXTEND KITCHEN/DINING**

(FULL - HOUSEHOLDER)

MAIN ISSUES

- Design
- Amenity
- Nutrient Neutrality Catchment Area

DESCRIPTION OF SITE

The application site lies within the settlement boundary for Buxton as defined by the Local Plan policies map. The site relates to a two-storey semi-detached property which is located within a residential area at the southern edge of Buxton. The wider area is open countryside. The site benefits from private amenity space to the rear and a front garden. Off street parking is located to the rear, accessed via a track from Stable Lane to the north. The dwelling is sited at a higher land level to Leek Road and has stepped access from the front.

PROPOSAL

The application proposes a single storey rear extension with a roof lantern, to extend the existing kitchen/dining area.

The plans also show an additional first floor window to the rear elevation.

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

HPK/2020/0386 - Extended area of existing stone outbuilding into rear yard to form domestic garden room for home office/guest room. Approved 04/12/2020

HPK/2024/0138 - Construction of 2 storey side extension. Approved 12/06/2024

CONSULTATIONS

Publicity

Site Notice expiry date: 18/11/2024

Neighbour consultation period ends: 06/11/2024

Press Advert: N/A

Public Comments

None

Town / Parish Comments

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

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 (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.”*

chapter 9.4.1 states that:

- *“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 by way of its single storey nature, extending just under 3m from the rear elevation of the host dwelling, remaining subservient to the main dwellinghouse.

Notwithstanding the fact that the Residential Design SPD states flat roofs should be avoided, this type of roof is required to host the roof lantern element. Whilst it is noted the flat roof makes the extension appear somewhat bulky, due to the rear location it would not be visible from any public vantage points. As such, no harm would be caused to the street scene and in this instance the flat roof is considered to be acceptable.

The proposed materials are coursed gritstone, and glass reinforced plastic for the flat roof with top coping stone and a central frameless glass roof lantern. Whilst the rear of the property is rendered the coursed gritstone will match the front and side elevation, gritstone is generally a good quality natural material and is typical of the High Peak.

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 bounded to the south by No.113 Leek Road, and by No.111 to the North. Due to the generous gap of some 9m between the side elevations of the host property and No.111, and the fact there are no windows proposed in the north elevation, there

are not considered to be any overbearing, overlooking, loss of privacy or loss of sunlight impacts to this property as a result of the proposed single storey extension.

Turning to No.115, the 45 degree rule has been assessed, from the central point of their closest ground floor window in the rear elevation which is a lounge window. It has been established that the 45 degree rule would be breached, with 1.3m of the top corner of the extension sitting within the 45 degree angle. However, there are two other windows which serve the lounge, providing an alternative light source. Moreover, the application site sits to the north of No.115, and due to the east to west sunlight trajectory loss of sunlight would be insignificant. Given the height of the proposed extension is some 3.05m from ground level, only approx. 5cm above what can be constructed under permitted development rights. Therefore it is considered that the impact on the neighbour will be no more significant than that which would be built under Permitted Development. Given this position, it cannot be considered appropriate to refuse the application on this basis.

It has been noted, the neighbouring property No.115 has planning consent under application HPK/2022/0142 for a two storey rear extension, dropping down to a single storey element in which case the 45 degree line would not be breached. Though, given that works have not yet commenced, this point carries little weight.

An additional window is proposed to the rear elevation at first floor level, with parking and open fields to the rear, as such there are no concerns regarding loss of privacy. Moreover, a first floor window on the rear elevation can be installed without the need for planning permission.

For the reasons 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 not increase overnight stays. However, the proposal does involve additional hard surfacing and 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

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.

OFFICER RECOMMENDATION : Approve

Case Officer: Jennifer Robb

Recommendation Date: 09/12/2024

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Signed by: Jane Colley Signature

On behalf of High Peak Borough Council