

DELEGATED DECISION REPORT

HPK/2024/0230
Valid 29/05/2024

2 KINNAIRD GARDENS
BUXTON

REAR SINGLE STOREY
EXTENSION

(FULL - HOUSEHOLDER)

MAIN ISSUES

- Principle
- Design
- Residential Amenity

DESCRIPTION OF SITE

The property is situated in Kinnaird Gardens, an infill development, situated to the rear of 20 and 22 Macclesfield Road. The development of 4 detached houses were built in the early 2010s. All the properties have a render externally and a stone brick plinth. The application relates to 2 Kinnard Gardens which situated in the north east corner and backs onto the River Wye.

The site is just outside the Buxton College Conservation Area and the northern end of the garden is within flood zone 2. It is also in the groundwater source protection zone which covers a large area of Buxton.

PROPOSAL

The application seeks a single storey rear extension to the rear of the garage and store area. It measures 2.35m deep and 5.9m deep. The extension together with the existing store area would facilitate a room which would be used as a study. The extension would have a pitched roof 3.9m high to pitch and 2.2m to eaves. The materials would be stone to match the existing.

Planning permission is required for this extension as permitted development rights were removed in respect of Classes A, B, C and E under planning approval HPK/2009/0734.

The application originally included the creation of a car parking space but this was deleted from the application at officers request.

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

Supplementary Planning Documents

Residential Design Guide SPD (2005)
Design Guide SPD (2018)

National Planning Policy Framework

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

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

HPK/2018/0326: Retrospective application for a single storey garden store to rear of garage- Approved 29.08.24

HPK/2009/0734 – Resubmission of HPK/2008/0781 for construction of four detached dwellings with associated garages – Approved 29.08.18

CONSULTATIONS

Publicity

Site Notice expiry date: 04.07.24
Neighbour consultation period ends: 04.07.24

Public Comments

None received.

Derbyshire County Council Highways

DCC were originally consulted when the application included a car parking space. They confirmed no objection and noted the Kinnard Gardens is a non adopted highway (i.e. private drive).

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 moderately sustainable location with access to services and facilities. Therefore, the principle of development is acceptable subject to a detailed assessment of planning considerations.

Design

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.

Chapter 9 of the Residential Design Guide SPD contains the following guidance relating to domestic extensions and alterations that are relevant 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 so as to be subordinate to the main form of the house. It is important that the extension results in a dwelling that is well designed in itself.

Chapter 5 of the more recently adopted Design Guide SPD contains further guidance in connection with proposed residential extensions and alterations, with the following paragraphs considered to be relevant:

5.5 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.

Paragraph 135 of the NPPF states amongst other things that decisions should ensure that developments will add to the overall quality of the area; are visually attractive as a result of good architecture; and are sympathetic to the surrounding built environment.

The proposed extension is modest in size and is considered subservient to the main dwelling house. It adds additional space to another single storey extension which was approved under HPK/2018/0326. The proposed walling material is stone. The majority of the existing elevation is render but there is a stone plinth. The proposed extension being in stone will add contrast to the main dwelling house which is considered appropriate.

The design and appearance of the extension is considered appropriate to the site and its surroundings and therefore satisfies the considerations of policy EQ6.

Amenity

LP Policy EQ6 requires all new development to have a satisfactory relationship with existing land and buildings and protects the amenity of the area, which includes residential amenity of neighbouring properties. Aspects of residential amenity include impacts such as a loss of sunlight, overshadowing and overbearing impacts, loss of outlook, and loss of privacy.

The High Peak Residential Design Guide SPD requires extensions to preserve the residential amenity of neighbouring properties, having regard amongst other things to

the relationship between existing and proposed development, the positioning of windows, and the change in land levels. Paragraph 135 of the NPPF states that planning should create places with a high standard of amenity for existing and future users.

8 and 8a Wye Grove are the nearest neighbours to the rear of the property. The rear of 8a is approximately 14m from the rear of the proposed extension but there is an intervening fenced boundary. There are no windows on the rear elevation only on the northern side which faces the applicant's own garden. 8 Wye Gardens has a spacious garden and there are approx. 30m between properties.

Accordingly, 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 proposal would change the number of car parking spaces available at the site as the garage is unaffected by the proposals. Nor is there a requirement for further car parking spaces.

The application originally proposed to create a new car parking space on a 'grass verge' within the development. Officers considered that this was unacceptable as the land was purposely provided as landscaping with the development which otherwise has little open space and is occupied by a mature monkey puzzle tree. The area was included in the redline application boundary and certificate A was completed by the agent but is unclear if the applicant actually owns this land.

The application is therefore considered to be acceptable having regard to LP Policy CF6 and paragraph 110 of 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 or surface water run-off from the site. Therefore it 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.

CONCLUSION / PLANNING BALANCE

The proposed extension and alterations are considered appropriate to the site and its surroundings. The proposals will not result in any adverse amenity impacts and is an acceptable design. Accordingly the application is recommended for approval.

OFFICER RECOMMENDATION : Approve

Case Officer: Rosie Dinnen

Recommendation Date: 19.12.24

X *B.J. Haywood*

Signed by: Ben Haywood

On behalf of High Peak Borough Council