

DELEGATED DECISION REPORT

HPK/2024/0487
Valid 27/11/2024

15 LEVEL LANE
BUXTON

REPLACEMENT OF SINGLE
STOREY REAR EXTENSION
ON ENLARGED FOOTPRINT
AND DECKING AREA TO THE
REAR.

(FULL - HOUSEHOLDER)

MAIN ISSUES

- Design, character and appearance.
- Impact upon residential amenity.
- Nutrient neutrality

DESCRIPTION OF SITE

The application site refers to a two storey detached property located on Level Lane within the defined built up area boundary of Buxton. The site as existing comprises a single storey rear extension with a flat roof. Due to the existing site topography the garden area is located notably lower than the ground level of the dwelling. The surrounding area comprises a mix of semi-detached and detached dwellings which are similar in their form. The properties along Level Lane are set back from the highway but do not follow a strict building line.

PROPOSAL

The proposal seeks to replace an existing flat roof single storey extension with a larger flat roof extension. The proposed extension would project 3.85m from the original rear elevation and would measure 7.95m in width, 1.15m deeper and 0.2m wider than the existing extension. The proposed extension would measure 4m to the eaves and 4.5m to the top of the proposed rooflight and additional 1.5m in height over the existing extension. Additionally, the application proposes a decked area with a stepped access into the garden. An amended plan has been submitted to reduce the depth of the proposed decked area from 1.3m to 0.9m.

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

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 and Beautiful Places

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

Whilst it is noted that there is an existing single storey rear extension there is no planning history available for the site.

CONSULTATIONS

Publicity

Site Notice expiry date: 13/01/2025
Neighbour consultation period ends: 01/01/2025
Press Advert: N/A

Public Comments

No public comment received.

Town / Parish Comments

No comments received.

Derbyshire County Council Highways (No Objection)

There appears to be no material impact upon the public highway and therefore the Local Highway Authority has no further comments to make.

OFFICER COMMENTS

Principle of Development

This application seeks full planning permission for an extension and alterations to an existing residential property that lies within the built-up area boundary for Buxton, which is identified as a Market Town under the High Peak Local Plan (2016).

The site is not constrained by any sensitive statutory designations and given the nature of the proposed development is deemed to be acceptable in principle subject to an assessment of material considerations such as design and residential amenity which are discussed in greater detail below.

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.

The High Peak Residential Design Guide SPD (2005) and more recently adopted Design Guide SPD (2018) contains further design guidance for extending and altering domestic properties. Extensions and alterations should respect the scale and height of the parent building reading as a subordinate and secondary addition and respecting the character and appearance of the building through an appropriate choice of materials.

The proposals would comprise the removal of the existing extension and its replacement with the proposed marginally larger extension. The proposed works would remain subservient to the original building and would not appear out of character with the existing dwelling. The proposals do feature a flat roof and rooflight. Amended details have been submitted by the applicant to change the proposed roof from a fiberglass construction to a rubber construction. Whilst the 2005 and 2018 Design Guide's do not support flat roof extensions given that the site as existing comprises a flat roof and the proposals would rejuvenate the existing extension the proposed works are considered to be an improvement over the existing arrangement and as such the proposed flat roof is deemed to be acceptable in this instance.

With regard to the materials, the existing timber cladding extension is in need of repair and renovation. The proposed materials would comprise reconstituted stone and render to match that of the existing dwelling and as such it is judged that the proposed extension would improve the design of the existing dwelling. The use of stone and render is judged to be appropriate as the property as existing is rendered.

The proposals include the provision of a decked area which would comprise a steel frame and galvanised deck. The proposed decked area has been reduced in its scale from 1.3m to 0.9m and is not judged to have any adverse impacts upon visual amenity or the character of the existing dwelling.

With regards to the above it is considered that the proposals would be of an appropriate design, would not have any harmful impacts upon visual amenity of the character of the existing dwelling in accordance with Local Plan Policy EQ 6, Supplementary Planning Documents and the NPPF.

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.

The proposed extension would comply with the 45 degree rule to the adjacent neighbouring properties and therefore would not have an unacceptable impact upon overshadowing and would not be overbearing in its nature. There are no properties located to the rear of the site, so it is judged that the proposed extension would have no unacceptable impacts upon privacy or overlooking in this regard. With consideration to the land levels onsite there is potential for overlooking from the decked area and side facing window towards the adjacent property of no.17 Level Ln. Amended plans have been submitted which would reduce the projection of the decking area from 1.3m to 0.9m. This would prevent the space being used as a recreation area but would still provide the required access. With Respect to the window, again this would be in a similar position to a window on the existing rear extension. Whilst overlooking would occur, it is not considered to be any more harmful than the existing position. Moreover, it appears that the window already overlooks the rear parking area associated with this property. With consideration to this it is therefore deemed that the proposals would not have an unacceptable impact upon privacy or overlooking towards no. 17.

With respect to number 13 to the north, which has its own single storey rear extension, it is noted that the new extension will have high level windows facing towards this neighbour. This would ensure that there is no overlooking toward this property.

Consequently, the proposed works are not judged to have any unacceptable impacts upon residential amenity in accordance with Local Plan Policy EQ 6, Supplementary Planning Documents 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 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 development is considered acceptable principle, would be of an acceptable design and will not result in any adverse impacts upon visual or residential amenity. The proposals are in accordance with the relevant policies of the High Peak Local Plan, Supplementary Planning Documents and the National Planning Policy Framework. Therefore, the application is recommended for approval subject to conditions.

OFFICER RECOMMENDATION : Approve

Case Officer: Stuart Talbot

Recommendation Date: 21/01/2025

X 

Signed by: Jane Colley Signature

On behalf of High Peak Borough Council