

DELEGATED DECISION REPORT

HPK/2024/0476
Valid 19/11/2024

8 HOGSHAW VILLAS ROAD
BUXTON

VARIATION OF CONDITION 2
RELATING TO HPK/2023/0349

(FULL - MINOR)

MAIN ISSUES

- Impact upon Residential Amenity
- Design and Impact upon the Street Scene
- Highway safety
- Nutrient Neutrality

DESCRIPTION OF SITE

The application sites relates to a two storey end of terrace property located within a predominantly residential area. The site lies within the settlement boundary for Buxton as defined by the Local Plan Policies map. The dwelling as existing comprises a two storey outrigger and ground floor projection with a mono-pitched roof. The property also benefits from private amenity space to the rear which can be accessed via an alleyway to the rear. Parking is located on-street.

PROPOSAL

This application seeks to vary Condition 2 (Approved Plans) of the previously approved application HPK/2023/0349 via Section 73 of the Town and Country Planning Act 1990.

It is proposed to change the approved drawings to accommodate amendments to the design, the creation of an additional window to serve a first floor bathroom and amend the height of the existing kitchen previously misrepresented and with heights of the first floor bathroom window and drainage requirements.

The original Condition 2 wording is as follows:

“The development hereby approved shall be carried out in complete accordance with the submitted plans and specifications as follows:- Location Plan Site Plan Existing Floor Plans & Elevations Proposed Floor Plans & Elevations”

This application seeks to amend the wording of Condition 2, to as follows:

“The development hereby approved shall be carried out in complete accordance with the submitted plans and specifications as follows:- Location Plan Site Plan Existing Floor Plans & Elevations, Proposed Elevations and Floor Plans 03.01 Rev A”

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

High Peak Local Plan 2016

S 1 Sustainable Development Principles
S 1a Presumption in Favour of Sustainable Development
S 7 Buxton Sub-Area Strategy
EQ 6 Design and Place Making
CF 6 Accessibility and Transport

Supplementary Planning Guidance/Documents

Residential Design (2005)
High Peak Design Guide (2018)

National Planning Policy Framework

Section 12: Achieving Well-Designed Places

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

HPK/2022/0311: Rear three storey extension to provide a larger kitchen/diner to the ground floor, a larger bedroom to the first floor and an additional bedroom and bathroom to the second floor
Decision: Refused (23/09/22)

HPK/2023/0349: Rear two storey extension to provide a larger kitchen/diner to the ground floor, a larger bedroom to the first floor.
Decision: Approved subject to Conditions (09/11/2023)

CONSULTATIONS

Publicity

Site Notice expiry date: 31/12/2024
Neighbour consultation period ends: 21/11/2024
Press Advert: N/A

Public Comments

No comments received.

Town / Parish Comments.

N/A

Environmental Health

No comments received.

Derbyshire County Council Highways: (No Objection)

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

OFFICER COMMENTS

Principle of Development

The application proposes householder development to a property which is located within the settlement for Buxton as defined by the Local Plan Policies Map. Within such locations extensions to dwellings are acceptable, as a matter of principle. The main considerations in this instance whether the design is appropriate, whether an amenity issues would arise, and whether there would be an impact upon highway safety.

The principle of the proposal is considered acceptable and is consistent with the residential nature of the site.

Design

Policy S1 states that new development will be expected to make a positive contribution towards the sustainability of communities and where possible enhancing the environment which would be achieved by, inter alia, securing high quality and locally distinctive design. Policy EQ6 states that all development should be well designed and of a high quality and that this will be achieved by requiring development to be well designed to respect the character of the townscape, and requiring development to contribute positively to an areas character, identity and history in terms of scale, height, density, layout, appearance, materials and relationship with adjacent buildings.

Further guidance for extensions is contained within the High Peak Residential Design Guide SPD (2005), and the Design Guide SPD (2018).

The proposals would alter the existing ground floor lean-to pitched roof arrangement in favour of a flat roof design. The Design Guide does not support the use of flat roof extensions however in this instance given that the proposals are located entirely to the rear of the property and would not be visible within the street scene the proposed flat roof alteration is not considered to have an unacceptable impact upon the character of the existing dwelling and visual amenity and is deemed to be appropriate.

The proposed amendments to alter the previously misrepresented height information have been assessed to not have any unacceptable impacts upon design or visual amenity.

As a consequence, the proposed variation of condition 2 is found to be acceptable with regard to design, character and appearance in accordance with Local Plan policy EQ 6, Supplementary Planning Documents and the NPPF.

Residential Amenity

Policy EQ6 requires development achieve a satisfactory relationship to adjacent development and not cause unacceptable effects by reason of visual intrusion, overlooking, shadowing, overbearing effect, noise, light pollution or other adverse impacts on local character and amenity.

The application site is an end terraced property with existing rear projections. The proposals would not result in any additional built form adjacent to its attached neighbour, No.6. Therefore, there would be no amenity issues arising with this property.

The scheme proposes an additional window to the rear elevation which serves a bathroom, in addition to a window to serve a bedroom. It is not considered that the addition of this opening would result in a loss of privacy or any unacceptable impacts with regard to overlooking to the habitable rooms of the properties located opposite, as there is not a directly facing relationship.

The proposed alterations to ceiling height to correct previously inaccurate measurements are not deemed to have any adverse impacts upon residential amenity.

Highway Safety

Whilst the site as existing does not comprise any off-street parking, the proposal would not increase the number of bedrooms and the proposed alterations would not have any implications upon the highway network. DCC highways have confirmed that they have no objections to the proposed development. Consequently, the proposals are in accordance with Local Plan Policy EQ 6 and CF 6.

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 roof area and will therefore increase surface water run-off. However, given the very limited extent of the additional roof and the fact that the area is already hard surfaced 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.

CONCLUSION / PLANNING BALANCE

In conclusion the proposed variation of Condition 2 (Approved Plans) is considered acceptable in terms of design and amenity. Therefore the proposal is considered to comply with relevant local and national planning policy and is recommended for approval.

OFFICER RECOMMENDATION : Approve

Case Officer: Stuart Talbot

Recommendation Date: 22/01/2025

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Signed by: Jane Colley Signature

On behalf of High Peak Borough Council