

DELEGATED DECISION REPORT

HPK/2025/0497
Valid 18/12/2025

3 JUBILEE GARDENS
NEW MILLS

RETROSPECTIVE PLANNING
PERMISSION FOR REAR
DORMA ROOF EXTENSION

(FULL - HOUSEHOLDER)

MAIN ISSUES

- Principle
- Design
- Neighbour amenity

DESCRIPTION OF SITE

3 Jubilee Gardens is a two-storey mid-terrace dwelling situated on the west side of Jubilee Gardens in New Mills. The property is constructed in mixed brown brick and forms part of an established residential street.

The site lies within the defined built-up area boundary and is residential in character.

There are no heritage constraints affecting the property.

PROPOSAL

Retrospective planning permission is sought for the conversion of the roof space to habitable use to include the erection of a rear dormer and the installation of two front roof lights.

This application was submitted following an investigation by the enforcement team in November 2025, whereby at the time of the officers site visit the works were not complete. Below is a photograph taken at in November 2025:



RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

High Peak Local Plan 2016

S 1 Sustainable Development Principles
S 1a Presumption in Favour of Sustainable Development
S2 Settlement hierarchy
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 and Beautiful Places

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

HPK/0002/7947 – Housing development – Approved 02/06/1989

CONSULTATIONS

Publicity

Site Notice expiry date: 19/02/2026

Neighbour consultation period ends: 09/01/2026
Press Advert: N/A

Public Comments

No comment

Town / Parish Comments

No comment.

Derbyshire County Council Highways

The proposed extension will increase the number of bedrooms at the property; however, there appears to be no on site parking provision available for the property. DCC's parking guidance recommends that a minimum of three parking spaces are provided for four bedroom dwellings. If the property has no offstreet parking provision, clearly all parking requirements generated by the dwelling will be on street. A potential increase in on street parking is not ideal and may lead to some inconvenience for other highway users. However, in this instance, with no possibility for the creation of any parking spaces within the curtilage of the site and with some capacity for additional parking on the highway network in the vicinity of the site, it is considered that the lack of parking will not have an unacceptable impact on highway safety and would not justify a refusal on highway safety grounds.

OFFICER COMMENTS

Principle of Development

The application seeks full planning permission for an extension to an existing residential property that lies within the built up area boundary for New Mills, which is identified as a Market Town under Policy S2 of the High Peak Local Plan (2016). The 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

Paragraph 135 of the NPPF outlines that planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;

c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);

Paragraph 139 of the NPPF states that “Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes.”

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. Paragraph 9.4.2 of the Residential Design Guide states that *“Dormers pose difficulties in terms of design and overlooking. They should be kept as small and simple as possible; they will often be unacceptable on the front elevation of houses, especially terraced properties.”*

The application site is located on the west side of Jubilee Gardens. The street is characterised by a relatively uniform row of modern two-storey semi-detached and terraced dwellings. The houses are constructed predominantly from light coloured mixed brown brick, giving the street a consistent appearance. Roofs are pitched and finished in dark concrete tiles, creating a uniform roofscape with minimal variation. Dormer roof extensions are not common within the area. To the south on Bakehurst Close the street comprises a modern residential development characterised by two and three storey dwellings built using bright red brick.



Retrospective planning permission is sought for the conversion of the roof space to habitable use to include the erection of a rear dormer and the installation of two front roof lights. The dormer has a total volume of 16.3m³. Planning permission is required for the dormer extension because permitted development rights were removed under condition 6 of planning consent HPK/002/7947.

The rear dormer, as constructed, introduces a substantial mass to the rear roof slope which is highly visible from the west of Jubilee Gardens therefore design principles should be strictly upheld. It occupies a significant proportion of the rear roof slope, being barely set in from the sides and the existing roof slope and very marginally set down from the principal ridge line.



Moreover, the dormer is finished in materials that do not match the brick palette of the existing dwellinghouse or the wider row of neighbouring properties. This contrast results in an incongruous addition that appears visually apparent, disruptive and unrelated to the host building. The choice of bright red brick disrupts the uniformity of the row of terraces where dwellings exhibit a consistent use of paler brickwork and a recessive dark brown/grey roof tile. As an unsympathetic extension, it is contrary to guidance in the Design Guide SPDs and Policy EQ6.

Even if permitted development rights had not been removed, the applicant would not have benefitted from a fallback position under Class B of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Under Class B(a), “the materials used in any exterior work shall be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse.”

The Permitted development rights for householders – Technical Guidance 2019 provides a useful discussion on the materials to be used in dormer extensions. It states at B.2 (a) that:

“the face and sides of a dormer window should be finished using materials that give a similar visual appearance to existing house. So the materials used for facing a dormer should appear to be of similar colour and design to the materials used in the main roof of the house when viewed from ground level. Window frames should also be similar to those in the existing house in terms of their colour and overall shape.”

The side and rear facing dormer has been constructed using a bright red brick that is not of a similar appearance to either the paler brick on the elevations or the recessive colour of the roof tiles. The purpose of the Technical Guidance is to ensure that the visual appearance of dormer windows, constructed under permitted development rights, matches as closely as possible to the existing materials on the roofscape, to minimise its visual impact. In this case, the use of inappropriate materials emphasises the dominating scale of the dormer extension. Overall the dormer extension is an oversized and poorly designed addition, which is a visually harmful to the roof slope.

It is noted that the submitted plans do not show the proposed side elevation of the dormer extension, just a cross section. However, as this application is retrospective and the works almost complete, the Council has been able to determine this application.

Therefore, the development fails to respond to the character of the dwelling and its surrounding context and does not represent good design. The proposal is therefore contrary to Paragraphs 135 and 139 of the NPPF, Policy EQ6 of the High Peak Local Plan and the High Peak Residential Design Guide SPD (2005) and Design Guide SPD (2018).

Amenity

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.

Paragraph 9.4.2 of the High Peak Residential Design Guide SPD (2005) states that dormers pose difficulties in terms of design and overlooking. They should be kept as small and simple as possible; they will often be unacceptable on the front elevation of houses, especially terraced properties.

Given the location and nature of the works, it is considered unlikely that the development is causing undue harm to the amenity of the adjoining neighbouring

properties. The rear dormer faces towards the flank wall of No. 2 Bakehurst Close at a separation distance of approximately 23 metres. This distance is sufficient to ensure that the proposal maintains an acceptable relationship with this neighbouring dwelling and does not result in unacceptable levels of overlooking, loss of privacy or overbearing impact.

Highway Safety

As noted by the DCC Highway Authority, all parking for this property is on street and it is not possible for parking space to be created. Therefore, no highways objections were offered.

CONCLUSION / PLANNING BALANCE

The rear dormer, due to its size, scale and use of inappropriate materials is unduly prominent, visually incongruous and unsympathetic to the existing dwelling and wider street scene. This results in a detrimental impact to the character and appearance of the original dwelling and is out of keeping with the character and appearance of the immediate street scene and surrounding area. The proposal thereby fails to comply with the design principles set out in the NPPF, Policy EQ6 of the High Peak Local Plan and the High Peak Residential Design Guide SPD (2005) and Design Guide SPD (2018).

OFFICER RECOMMENDATION : REFUSE

Case Officer: Agatha Dutton

Recommendation Date: 26/02/2026

X 

Signed by: Jane Colley Signature

On behalf of High Peak Borough Council