

7. FULL APPLICATION – SINGLE STOREY EXTENSION AND ALTERATIONS TO WINDOWS AT 1 SUNNYSIDE VILLAS, BUXTON ROAD, CASTLETON (NP/HPK/1019/1108, CW)

APPLICANT: EMMA JANE ELLIOT VULNERABLE BENEFICIAIRY TRUST

Summary

1. The application seeks to regularise an extension to the rear of the property which has been largely completed, as well as alterations to the windows at second storey level. Subject to conditions, the development would not cause any adverse effects to the valued characteristics of the National Park, in line with Core Strategy policy L1. Accordingly, the application is recommended for approval.

Site and surroundings

2. The site is located at 1 Sunnyside Villas, north of the Buxton Road travelling west out of Castleton. 1 Sunnyside Villas is a semi-detached property and is attached to 2 Sunnyside Villas on its west side. To the east side is a detached property 'Springfield'.
3. The site is not located within a Conservation Area and does not affect any listed buildings.

Proposal

4. Retrospective planning permission is sought to regularise the ground floor extension to the rear of the property, which is largely completed and to approve alterations to windows at the second storey level.

RECOMMENDATION:

That the application be APPROVED subject to the following conditions:

1. **Development to be carried out in accordance with specified approved plans.**
2. **The design, external finish and recess of the new window frames and door shall match the existing.**
3. **The rooflights shall be fitted flush with the roofslope.**

Key Issues

- Whether the alterations are in keeping with the character and appearance of the building and its surrounding area, including the landscape and any valued characteristics
- Amenity, privacy and security of the development and surrounding properties.

History

NP/HPK/1019/1108 – Extension to garage approved with conditions in 1999

ENQ/20337 – Applicant was advised that the extension at that time (no plans on file) fell under permitted development in 2014

Consultations

5. Highway Authority – No highway objection
6. Castleton Parish Council – *“Castleton Parish Council has reviewed this application and would like to raise an objection to the plans as submitted. The Council would like to make the following points: 1) All the exterior work contained in the plans has been completed and worked commenced long before January this year as stated in the planning application. To the best of our knowledge planning consent has been neither sought nor obtained previously. 2) The upper east facing windows overlook the neighbouring property, Springfield, including bedrooms. These windows need to be made opaque to maintain the privacy of the neighbours. 3) If the windows are fitted with opaque glass, the Council has no other objections to the proposals.”*

On a request to clarify their response the following was received: *“there are no bedrooms on the overlooked wall. However the photos taken from W1 and W2 on the planning Statement are clearly wrongly labelled. They are the wrong way round and the angle of each photograph does not truly represent the extent to which the neighbouring property is overlooked. This is clear from the position of the neighbouring property’s chimney on each photograph. To clarify: The first photograph labelled ‘View from Window 1’ appears to be a view from window 2 which to genuinely demonstrate how it overlooks the neighbouring property and its garden to the rear should have been taken aiming north with the camera, not south. The second photograph labelled ‘View from window 2’ is in fact a view from window 1, which to demonstrate the view into the neighbouring property and its front garden should have been taken aiming south, not north. The photographs do not therefore accurately address how overlooked the neighbouring property is, for example, the conservatory of the neighbouring property can be seen from the windows of the extension.*

The councillors wish to omit ‘including bedrooms’ from the original objection, and are happy to submit all other comments.”

7. High Peak Borough Council – No response to date.

Representations

8. One representation has been received from Springfield, the property next door: *“We were lead to believe when work on our next door neighbours building commenced several years ago was within permitted development. The Planning Permission now applied for were completed some time ago with the exception of the window glass. If planning is being considered for approval, we ask that the windows on the east elevation be fitted with Obscure Glass to protect our privacy. The views from these windows would overlook our garden and part of our conservatory except the area to the east of our house.”*

Main policies

National Planning Policy Framework

9. The National Planning Policy Framework (NPPF) 2019 should be considered as a material consideration and carry particular weight where a development plan is absent, silent or relevant policies are out of date. In particular Paragraph 172 states that great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, which have the highest status of protection in relation to these issues.

10. In the National Park the development plan comprises the Authority's Core Strategy 2011 and the Adopted Development Management Policies 2019. Policies in the Development Plan provide a clear starting point consistent with the National Park's statutory purposes for the determination of this application. It is considered that in this case there is no significant conflict between prevailing policies in the Development Plan and government guidance in the NPPF with regard to the issues that are raised.

Core Strategy

11. Policy GSP1 sets out the broad strategy for achieving the National Park's objectives having regard to the Sandford Principle, (that is, where there are conflicting desired outcomes in achieving national park purposes, greater priority must be given to the conservation of the natural beauty, wildlife and cultural heritage of the area, even at the cost of socio-economic benefits). GSP1 also sets out the need for sustainable development and to avoid major development unless it is essential, and the need to mitigate localised harm where essential major development is allowed.
12. Policy GSP3 sets out development management principles and states that all development must respect, conserve and enhance all valued characteristics of the site and buildings, paying particular attention to, amongst other elements, impact on the character and setting of buildings, scale of the development appropriate to the character and appearance of the National Park, design in accordance with the National Park Authority Design Guide and impact on living conditions of communities.
13. Policy DS1 outlines the various development that is acceptable in all settlements and in the countryside, outside of the Natural Zone, one of which relates to extensions to existing buildings.
14. Policy L1 identifies that development must conserve and enhance valued landscape character and valued characteristics, and other than in exceptional circumstances, proposals in the Natural Zone will not be permitted.
15. Policy CC1 sets out options for climate change mitigation and adaptation, along with CC5 regarding flood risk and water conservation.

Development Management Policies

16. Development Management Policy DMC3 requires development to be of a high standard that respects, protects, and where possible enhances the natural beauty, quality and visual amenity of the landscape, including the wildlife and cultural heritage that contribute to the distinctive sense of place. It also provides further detailed criteria to assess design and landscaping, as well as requiring development to conserve the amenity of other properties.
17. Policy DMH7 allows for extensions and alterations to existing dwellings, provided that they do not detract from the character, appearance or amenity of the original building, its setting or neighbouring buildings; dominate the original dwelling; amounts to the creation of a separate independent dwelling; or create an adverse effect on the landscape or valued characteristic. The text relating to this policy notes that applicants should refer to the Authority's Design Guide and Alterations and Extensions SPD (see below).

Alterations and Extensions SPD

18. Further guidance has been produced in the Detailed Design Guide Supplementary Planning Document for Alterations and Extensions. Section 3 sets out the design

principles of massing, materials and detailing. Section 3.4 explains that massing relates to the size, shape and location of an extension. Para 3.6 outlines that rear extensions are often the easiest to accommodate. However, the smaller the original building the smaller the rear extension ought to be.

Assessment

Principle

19. Policy DMH7 allows for alterations and extensions to existing buildings. The principle of the development is acceptable and therefore the main issue is the consideration of whether the proposal is in accordance with the character, appearance and amenity of the main building and the surrounding area, as outlined by DMH7 and DMC3.

Design

20. Policies DMC3 and DMH7 outline the design criteria required for alterations and extension, with further details given in the Alterations and Extensions SPD. The house is being adapted to make it suitable for disabled adults and their carers.
21. It is considered that as required by DMC3, the scale, form, mass, levels, height and orientation of the rear extension in relation to the existing building is appropriate. The existing coal shed at the back of the house has been extended by 3m x 3.7m to provide an accessible wet room and sitting room. The existing kitchen has been extended by a lean-to style extension to the side, measuring 2.5m x 3m to provide a dining space. As required by policy DMH7 it is considered that these extensions do not dominate the original building.
22. With regards to the design, detail, materials and finishes of the extension, as required by DMC3 it is considered that these features match the existing property. The extension is constructed in random limestone, with gritstone sills and lintels. The roof is constructed in blue slate and the windows and doors are to be timber painted white; these materials and details match the existing property. The black bargeboards are generally not in keeping with what the Authority would propose, however, they match the existing property and are therefore considered to be acceptable in this case.
23. It is considered that the design is acceptable and in accordance with DMH7 the extension does not detract from the character and appearance of the main building and its setting.

Landscape

24. Core Strategy policy L1 states that development must conserve and enhance valued landscape character. Due to the village location and small scale nature of this proposal it is not considered that this will have any wider landscape impacts.

Amenity

25. There are various windows and rooflights proposed.
26. With regards to the east facing elevation of the property, this original blank wall has had five new windows fitted, two at ground floor, one at first floor and a further two at second floor. All of these windows have been put in under permitted development rights, which states that upper floor windows on a side elevation should be obscure-glazing and non-opening (unless they are 1.7m above floor level).

27. However, to improve the quality of light in the upper two bedrooms the applicant would now like to replace the obscure glazing with clear glass. The Parish Council and adjacent property owner (Springfield) have raised objection stating that these windows will overlook the front and rear gardens, including the conservatory, at Springfield.
28. The Parish Council raised concerns that the photographs supplied with the application were not accurately reflecting the outlook from these windows. I have therefore examined the view from these windows and taken pictures from them when opened to allow the camera to angle towards the gardens of the next door properties. These photographs show that a small part of the private rear garden can indeed be seen from window W2 (rear of the property) along with part of the conservatory roof. This is however only possible at an acute angle with the normal viewing angle being onto the blank gable. The front garden can also be seen from window W2 (front window) but this is already the public frontage of the house facing the street and again the main view is of the gable end.
29. It is therefore concluded that the general outlook from both of these windows is of the blank gable wall of Springfield and that clear glazing in these windows would substantially improve the living conditions of these two bedrooms. The overlook from these windows to the neighbour's property is acceptable and does not adversely affect their amenity.

Highways

30. There are no highway issues to be considered.

Other issues

31. It is noted that the extent of residential curtilage is not as marked by the red line on the submitted plan and will be considered/followed up separately.

Conclusion

32. The proposed extension is of an appropriate design, an acceptable size and scale for the dwelling. It will not result in an unacceptable impact on the amenities of the locality or the quiet enjoyment of the nearest neighbouring properties. The addition of clear glazing on the upper floor windows does not result in any significant amenity issues for the neighbouring property and is also considered acceptable. The proposal is in accordance with the relevant policies and guidance, and is therefore recommended for approval subject to conditions securing compliance with the plans.

Human Rights

Any human rights issues have been considered and addressed in the preparation of this report.

List of Background Papers (not previously published)

Nil

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