



Appeal Decision

Site visit made on 7 March 2022

by Alison Partington BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14th March 2022

Appeal Ref: APP/H1033/D/22/3290870

8 Level Lane, Buxton, SK17 6TU

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Mellor against the decision of High Peak Borough Council.
 - The application Ref HPK/2021/0517, dated 1 September 2021, was refused by notice dated 29 November 2021.
 - The development proposed is a two storey extension to side and rear.
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Decision

1. The appeal is allowed and planning permission is granted for a two storey extension to side and rear at 8 Level Lane, Buxton, SK17 6TU in accordance with the terms of the application, Ref HPK/2021/0517, dated 1 September 2021, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Existing Site Plan dated 27-09-2021; Existing Elevation East Scale 1:100; Existing Elevation West Scale 1:100; Existing Elevation South Scale 1:100; Existing Elevation North Scale 1:100; Existing Ground Floor Plan Scale 1:100; Existing First Floor Plan Scale 1:100; Existing Roof Elevation Scale 1:100; Proposed Site Plan dated 27-9-2021; Proposed Elevation East dated 9-8-2021; Proposed Elevation West dated 9-8-2021; Proposed Elevation South and North dated 9-8-2021; Proposed Ground Floor and First Floor Plans dated 9-8-2021; Proposed Roof Plan dated 9-8-2021; .
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
 - 4) The rear boundary treatment with No 10 Level Lane shall be maintained at a minimum height of 1.8m.

Main Issues

2. The main issues in the appeal are the effect of the proposed extension on:
 - The character and appearance of the host property and the surrounding area; and
 - The living conditions of the occupiers of No 6 Level Lane with particular regard to light and outlook.

Reasons

Character and appearance

3. The appeal property is a modest semi-detached house. Level Lane comprises a mixture of semi-detached and detached properties of varying designs, many of which have been extended by 2 storey side and rear extensions.
4. Guidance on domestic extensions is provided in both the *High Peak Design Guide (adopted February 2018)* (DG) and the *Residential Design Guide Supplementary Planning Document (adopted December 2005)* (SPD). These indicate that extensions should be designed to be subordinate to the main dwelling and to harmonise with it.
5. Whilst the proposed extension would be more than half the width of the original house, the ridge height of the extension would be set down from that on the existing house and the first floor would also be set back slightly from the front elevation. As such, it would maintain a degree of subservience to the host property.
6. Moreover, I observed that many of the other side extensions on houses in the vicinity had ridge heights the same as the main dwelling, were not set back from the front elevation and were also more than half the width of the host property. Given this, an extension of this scale and mass would not appear an excessive size or an incongruous feature in the street scene.
7. Unlike some of the other extensions in the locality, the hipped roof on the extension would match the roof on the existing house. Whilst the angle of the hip would not be identical to that of the main roof, the vegetation in the front gardens of Nos 4 and 6 would screen much of the view of the side elevation of the extension and so this would not be readily apparent.
8. The rear extension would be a similar size, and a similar design, to that on No 6. Unlike the 2 storey rear extensions on the properties opposite which are located either side of the junction with Anncroft Road, there would be no visibility of this in the street scene. Nor are there any properties at the rear from which it would be seen. As such, it would have no impact on the character and appearance of the area.
9. The attached property, No 10, has not been extended to the side. As a result, the Council have argued that the proposal would 'unbalance' the pair of houses. However, a similar situation exists on Nos 3 and 5 where the former has not been extended, whereas the latter has. In addition, the side extensions on both Nos 4 and 6, and Nos 14 and 16, vary significantly in their design and yet were not considered to have a detrimental impact on the character and appearance of the area. Similarly, I am satisfied the appeal proposal would not have an adverse visual impact, despite No 10 not being extended at the side.
10. All in all, I consider the proposal would not have a detrimental impact on the character and appearance of the area. Therefore, it would not conflict with Policies S1, S7 and EQ6 of the *High Peak Local Plan (adopted April 2016)* (HPLP) which, amongst other things, require that developments should be well designed to respect, and respond positively to, the distinct character and context of an area. Nor would it conflict with the advice outlined above in the DG and SPD, or with the *National Planning Policy Framework* (the Framework) which requires that developments are sympathetic to the local character.

Living Conditions

11. The side elevation of the extension would be about 1m from the common boundary with No 6, which is itself set a similar distance from the boundary. The side elevation of No 6 contains a window and a door at ground floor level and a window at first floor level. At ground floor level the window and door are secondary windows for a room that has its main window on the front elevation. Given this, although the proposed extension would reduce the light and outlook for the windows on the side, I consider the room would still have acceptable levels of light and outlook.
12. I understand that the first floor window is the only window serving a bedroom. However, No 6 is set at a higher level than No 8, and so the midpoint of this window would be around the height of the eaves on the extension. In addition, the hipped roof design, means the roof would slope away from the window. As such, I am satisfied that the extension would not dominate the outlook from this window and that the room would still have adequate levels of light.
13. Consequently, I consider that the proposal would not harm the living conditions of the occupiers of No 6 Level Lane with particular regard to light and outlook. Accordingly, it would not conflict with Policy EQ6 of the HPLP or advice in the SPD which, amongst other things, requires developments to achieve a satisfactory relationship to adjacent developments and not to cause unacceptable effects on amenity. Nor would it be contrary to the Framework which seeks to ensure developments have a high standard of amenity for existing and future users.

Conclusion and Conditions

14. For the reasons set out above, I conclude the appeal should be allowed. In addition to the standard implementation condition, to provide certainty it is necessary to define the plans with which the scheme should accord. In the interests of the character and appearance of the area a condition is required to control the external appearance of the extensions. To ensure the privacy of the occupiers of No 10, a condition to control the height of the boundary treatment with this property is necessary as there is a ground floor window that directly faces this boundary.

Alison Partington

INSPECTOR