

Planning Committee 24th January 2023

APPLICATION NUMBER		22/00910/FUL	
SITE ADDRESS:		11 King Street, Ashbourne	
DESCRIPTION OF DEVELOPMENT		Single storey rear extension	
CASE OFFICER	Sarah Arbon	APPLICANT	Mr and Mrs King
PARISH/TOWN	Ashbourne	AGENT	Darren Archer
WARD MEMBER(S)	Cllr S Bull Cllr S Lees	DETERMINATION TARGET	30 th September 2022
REASON FOR DETERMINATION BY COMMITTEE	Called in by Cllr Lees	REASON FOR SITE VISIT (IF APPLICABLE)	For Members to appreciate the site and context.

MATERIAL PLANNING ISSUES

- Impact on street scene and character
- Impact on the amenity of neighbouring occupants.

RECOMMENDATION

To grant permission with conditions

1.0 THE SITE AND SURROUNDINGS

1.1 The site is located just north east of the centre of Ashbourne with the Conservation Area boundary opposite the site in the centre of King Street. The dwelling is the end property on a Victorian terrace with identical three and a half storey properties with double height bay windows. The lower bay window serves a basement area and is screened by the existing raised front garden enclosed by a 2m stone wall adjacent to the pavement. There is a gated access with steps up to the front door and an alleyway between properties provides access to the rear of properties. Vehicle access is via Auction Close to the rear where properties have single garages. Adjacent to the south western boundary is a jewellery and watch workshop that has some frontage parking and a main car park to the rear. Ashbourne Baptist Church is visible adjacent to the rear boundary.



2.0 DETAILS OF THE APPLICATION

2.1 Planning permission is sought for a single storey flat roof extension to the rear of the property measuring 6.36m x 6.1m with a height of 3.37m. The dormer in the rear roof slope, dropped kerb and parking space to the front have been removed from the application as shown on the amended plans.

3.0 PLANNING POLICY AND LEGISLATIVE FRAMEWORK

3.1 Adopted Derbyshire Dales Local Plan 2017
S3 Development within Defined Settlement Boundaries
PD1 Design and Place Making
HC10 Extensions to Dwellings

Ashbourne Neighbourhood Plan 2021

3.2 DES1 – Design

- 3.3 Other:
The National Planning Policy Framework (2021)
National Planning Practice Guide

4.0 RELEVANT PLANNING HISTORY:

None

5.0 CONSULTATION RESPONSES

5.1 Highways Authority

King Street is a classified road and in order to construct the access significant land would need to be removed from the frontage of the property. The property already benefits from off road parking, served from a service road at the rear of the property, the service road is also accessed from a non-classified road rather than the classified nature of King Street. In view of this the Highway Authority would recommend that off road parking remain from the service road and the access be removed from the proposed scheme. They advocate that access were possible is taken from the lower classification road. It is also not clear whether the required visibility sightlines of 2.4m x 43m could be achieved onto King Street and there is insufficient space to provide any manoeuvring space to enable vehicles to enter and exit the classified highway in a forward gear. As submitted the application is open to highway objections, should the access and parking onto King Street be removed from the scheme there are no highway objections to the property extensions.

5.2 Ashbourne Town Council

Members feel that this is not in-keeping with the street scene and character. The dropped kerb will result in loss of street parking and the property has a parking space to the rear. No objection to the dormer extension to the attic bedroom.

Cllr S Lees

- 5.3 Requested the application be brought to the committee due to the size of the extension and the impact on the street scene with the access.

6.0 REPRESENTATIONS RECEIVED

6.1 Five representations have been received and are summarised below:-

- a) The proposal is out of character and not in keeping with the rest of the properties in the Victorian Terrace built in 1881 or the street.
- b) The access and egress of vehicles using the front proposed drive-in would be a potential high risk hazard.
- c) The drive-in would be very close to a blind bend on a very busy street.
- d) Pedestrian visibility from the parking space is limited and may be dangerous.
- e) King Street has a high volume of traffic with HGV and school traffic.
- f) Existing garages are provided for the terraced properties off Auction Close.
- g) The rear extension is very large and the flat roof is not in keeping.
- h) The dormer is very large and is not in keeping with the rest of the terrace.
- i) The front parking area is not in keeping with the terrace and would ruin the character.
- j) Aesthetically, it would spell the end of this lovely terrace of nineteenth century town houses, with their original front retaining wall, steps and pretty gardens.
- k) The loss of the old stone wall fronting King Street would be detrimental to the whole of the street.
- l) The boundary wall is a historic part of Ashbourne and such be retained.

7.0 OFFICER APPRAISAL

7.1 The following material planning issues are relevant to this application:

- Impact on street scene and character
- Impact on the amenity of neighbouring occupants.

Impact on street scene and character

- 7.2 Policy PD1 requires all development to be of high quality that respects the character, identity and context of the townscape, contributes positively to an area's character in terms of scale, height, density, layout, appearance, materials and relationship to adjacent buildings. Policy HC10 supports extensions to residential properties provided that the plot size is large enough to accommodate the extension, the height, scale, form and design of the extension is in keeping with the scale and character of the original dwelling (taking into account any cumulative additions), and the site's wider setting and location. Together with provision of sufficient space for parking that would not detract from the character of the area.
- 7.3 The removal of the majority of the front garden in order to provide a car parking space on the frontage was not considered to respect the character of this historic terrace and would be harmful to the street scene on a street where properties opposite are within the Conservation Area. The removal of the wall and creation of parking would therefore harm the character of the property and the area. On this basis, this element of the scheme is not considered acceptable and has been removed from the application. The dormer window to the rear elevation has also been removed from the application.
- 7.4 The rear of the properties sit at a much lower land level than the rear gardens, outbuildings and Auction Lane and as such they are not visible from public vantage points. The proposed extension therefore would only have a limited impact upon public vantage points and would not harm the setting of the Conservation Area. The plot size is large enough to accommodate the extension and there are no concerns about the height or scale of the extension in design terms. There are some concerns about the proposed flat roof form, however, the portion of the extension to the rear and use of matching materials would mitigate this to a degree. The first floor windows would be retained and the side elevations would appear subordinate in terms of height and scale.
- 7.5 The proposed rear extension would be slightly larger than allowed without planning permission under permitted development regulations which allow single storey rear extensions within the parameters of 6m in length and 3m subject to a prior notification process where the Local Planning Authority can only consider impact of the development upon amenity of adjoining properties, if objections are received in writing. This is a material consideration as a fall-back position available to the applicant subject to consideration of impact upon amenity.

Impact on the amenity of neighbouring properties

- 7.6 The rear gardens of the terrace are open with no boundary treatments demarking ownership. The adjoining property is No.13 to the north east. The closest openings to the proposed extension at this property are the back door and a window to a non-habitable room adjacent to the central alleyway. No windows are proposed on the side elevation of the extension and the extension would not be within the 45 degree angle from the patio doors serving the lounge of No.13. The proposed extension therefore would not be overbearing or result in any significant loss of light or privacy to any neighbouring property.

- 7.7 There is a commercial premises to the south west with the extension replacing the existing 2m high boundary wall which is considered an acceptable relationship.
- 7.8 To conclude, through negotiation the frontage parking element of the scheme was removed due to the Highway Authority's objection together with its detrimental impact on the character of the street. The rear dormer was removed at the applicant's request. The proposed single storey extension is considered to be acceptable in terms of its design and scale and would not cause any significant adverse impact on the residential amenity of the neighbouring properties.
- 7.9 The application therefore is in accordance with policies S3, PD1, PD2 and HC10 of the Adopted Derbyshire Dales Local Plan and policies DES1 and AH1 of the Adopted Ashbourne Neighbourhood Plan. In the absence of any further material considerations the application is recommended for approval, subject to conditions.

8.0 RECOMMENDATION

That planning permission be granted subject to the following conditions.

1. The development hereby permitted must be begun before the expiration of three years from the date of this permission.

Reason:

This is a statutory period which is specified in Section 91 of the Town and Country Planning Act 1990.

2. This development hereby permitted shall not be carried out other than in accordance with amended plans 02F and 03B received by the Local Planning Authority on the 15.12.2022, subject to the following condition.

Reason:

For the avoidance of doubt and in the interests of the proper planning of the area.

3. The development hereby permitted shall be constructed of facing materials to match in terms of colour, texture, size and material those used in the construction of the existing building.

Reason:

To ensure the use of appropriate materials in accordance with Policies PD1 and HC10 of the Adopted Derbyshire Dales Local Plan (2017).

9.0 NOTES TO APPLICANT:

The Local Planning Authority prior to the submission of the application engaged in a positive and proactive dialogue with the applicant which resulted in the submission of a scheme that overcame initial concerns relating to the frontage parking and dormer addition.

The Town and Country Planning (Fees for Applications and Deemed Applications, Requests and Site Visits) (England) Regulations 2012 (SI 2012/2920) stipulate that a fee will henceforth be payable where a written request is received in accordance with Article 30 of the Town and Country Planning (Development Management Procedure) Order 2010. Where written confirmation is required that one or more Conditions imposed on the same permission have been complied with, the fee chargeable by the Authority is £97 per request. The fee must be paid when the request is made and cannot be required

retrospectively. Further advice in regard to these provisions is contained in DCLG Circular 04/2008.

This permission relates solely to the application plans 01B, 02F, 03B.