

Planning Committee 10th October 2023

APPLICATION NUMBER		23/00759/FUL	
SITE ADDRESS:		31 Bank Road, Matlock, Derbyshire,	
DESCRIPTION OF DEVELOPMENT		Conversion and alteration of attached outbuilding and installation of new and replacement roof lights.	
CASE OFFICER	G Huffen	APPLICANT	Mr B Parker & Ms H Birch
PARISH/TOWN	Matlock West	AGENT	Mr Dave Richards – GRT Architecture
WARD MEMBER(S)	Cllr S Burfoot Cllr M Burfoot Cllr S Wain	DETERMINATION TARGET	08.09.2023
REASON FOR DETERMINATION BY COMMITTEE	Called in by Ward Member	REASON FOR SITE VISIT (IF APPLICABLE)	To enable Members to appreciate the site and context.

MATERIAL PLANNING ISSUES

- The impact of the works upon the character and appearance of the property and the impact upon the wider Conservation Area.
- Impact on the amenity of neighbouring properties.

RECOMMENDATION

That the application be approved subject to planning conditions set out in section 8.0 of the report.

1.0 THE SITE AND SURROUNDINGS

- 1.1 The application property dates from the early 20th century and is part of a row of houses to the west side of Bank Road, Matlock. The property is faced in stone to the front with brickwork to the rear. The property is located within the Matlock Bank Conservation Area and within the Matlock Settlement Boundary.



2.0 DETAILS OF THE APPLICATION

- 2.1 Planning permission is sought to convert and alter the attached outbuilding to the rear of the property to provide a sitting area for the kitchen. The main alteration is the replacement of the existing lean-to roof with a flat roof to provide additional headroom. Approximately 70cm of lean-to roof is to be retained to the north-east side of the outbuilding, which sits adjacent to an outside wall of the neighbouring property (No. 33). Glazed doors will also be installed to the north-west and south-west elevations of the outbuilding.
- 2.2 It is also proposed to install one replacement and one new roof light to the south-east facing (front) roof and to install two new rooflights to the north-west facing (rear) roof. As the roof lights are not to be installed within a side facing roof, subject that they do not protrude more than 150mm from the roof plane they would be considered Permitted Development by virtue of the Town and Country Planning (General Permitted Development) Order 2015, Schedule 2, Part 1, Class C.

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
PD2 Protecting the Historic Environment
HC10 Extensions to Dwellings
- 3.2 National Planning Policy Framework (2019)
National Planning Practice Guidance

4.0 RELEVANT PLANNING HISTORY:

- 4.1 None

5.0 CONSULTATION RESPONSES

Derbyshire Dales District Council – Conservation

- 5.1 The property dates from the early 20th century and forms part of a row of houses on the west side of Bank Road. The property is within the Matlock Bank Conservation Area. The property is stone faced with brickwork to the rear.

The proposed development is to the rear of the property and includes the conversion and alteration of an attached outbuilding.

The current outbuilding is original to the build of the property and has a mono-pitched roof (slated) and a door and window to the south-facing elevation. The proposal is to retain the same footprint of the existing outbuilding but raise part of it (south-west corner) to form a new Sitting Area (interconnected internally to the kitchen). The raised section is to be flat roofed (retaining part of the existing mono-pitch roof adjacent to No. 33 and formed in matching red brickwork but with the section over the corner glazed window being of grey painted timber cladding.

The proposal is a relatively diminutive development and is 'contemporary' in its general design & concept. It is considered that the use of matching brickwork will harmonise it with the host building, to which it will extend from. With regard to the proposed sections of painted (grey) timber boarding this will introduce a new building material/cladding and it is considered that this could be of matching brickwork (subject to appropriate steel lintels etc. over the corner glazed window frames). The use of matching red brick would harmonise the entire development with the rear of the house and adjoining houses. The proposed corner glazing element is considered to be acceptable as glazed additions (as neighbouring property) are part of the evolution of the rear elevations to the row.

Subject to the above, it is considered that the proposed development is of a scale and presence that would not be out of context or over-whelming to the host building. In this regard, it is considered that the proposed, diminutive, development would not be harmful to the host building or to the character and appearance of the Conservation Area.

Councillor Martin Burfoot

- 5.2 Requested that the application be considered at Planning Committee if recommended for approval, due to design concerns and the impact of the development on the residential amenity of the neighbouring property.

Matlock Town Council

- 5.3 No Objection.

6.0 REPRESENTATIONS RECEIVED

- 6.1 A number of concerns with the proposal have been raised by the neighbours residing at 33 Bank Road. Objections that relate to material planning considerations include:
- Overlooking/ loss of privacy.
 - Impact on residential amenity.
 - Loss of light and overshadowing affect.
 - The height/ design of the new flat roof.
 - Impact on the Conservation Area.

Concerns were also raised about future development within the garden of 31 Bank Road, however this application only relates to the alterations to the outbuilding, so is being considered on the basis of what has been provided.

7.0 OFFICER APPRAISAL

Principle

- 7.1 The site is located within the Matlock Settlement Boundary where policies permit extensions and alterations to existing dwellings provided that they are in-keeping with the character and appearance of the property and conserve the significance of the Conservation Area in accordance with policies PD1, PD2 and S3. Regard should also be given to Policy HC10 (Extensions to Dwellings) which requires extensions/ enlargements to have a height, scale, form and design that is in keeping with the scale and character of the original dwelling and the site's wider setting and location.

Impact on the character and appearance of the building and the wider Conservation Area

- 7.2 Policy PD1 requires all development to be of a high quality that respects the character, identity and context of the townscape and that 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 without resulting in an overdeveloped site and that the scale, height, form and design of the extension is in keeping with the scale and character of the original dwelling and the site's wider setting and location.
- 7.3 Policy PD2 states that the District Council will conserve heritage assets in a manner appropriate to their significance. The application property dates from the early 20th century and is located within the Matlock Bank Conservation Area. The proposed development is to the rear (north-west elevation) of the property. The current outbuilding has a mono-pitched slated and a door and window to the south-west facing elevation.
- 7.4 The proposed development retains the same footprint, but the roof is to be raised (in-part) allowing for a new interconnected sitting room to be created. The raised section is to have a flat roof, while a section of mono-pitched roof is to be retained adjacent to 33 Bank Road. The raised section is to be formed of matching red brick with a membrane roof. A contrasting section of material is proposed to the upper part of the outbuilding. This was originally proposed to be (grey) timber boarding. Following discussions with the agent an alternative material option of vertically hanging slate was also put forward by the agent.
- 7.5 In terms of materials, although the Local Planning Authority would prefer for matching red brick to be used in place of the contrasting material section, the use of either timber boarding

or vertically hanging slate for the upper section would not be considered an unduly harmful addition to the host building or the wider Conservation Area.

- 7.6 Subject to final agreement of the exterior materials via planning condition, it is considered that the proposal is of a scale and presence that would not appear out of context or overwhelming to the host building or to be considered harmful to the character and appearance of the Matlock Bank Conservation Area.

Impact on the amenity of neighbouring properties

- 7.7 The property sits to the west side of Bank Road within a row of six attached properties. It sits between 29 Bank Road to the south-west and 33 Bank Road to the north-east. To the rear (north-west) there is a detached property (1 Edge Road).
- 7.8 The existing outbuilding is original to the property and has a mono pitch roof, which sits directly adjacent to an outside wall at 33 Bank Road which separates its external yard area from its rear garden. Although the footprint of the outbuilding remains the same, the roof is to be raised/ altered to become a flat roof, to provide additional head height within the outbuilding. The existing eaves height (when measured from the highest part of ground next to the building) is 2.13 metres. When altered to a flat roof the eaves height will be increased to approximately 3.3 metres (when measured from the same point). A section of the roof adjacent 33 Bank Road is to be retained as mono-pitch.
- 7.9 A bifold door is to be installed in the north-west elevation of the outbuilding facing the garden and the existing solid door to the side would be replaced with a fully glazed door. Given the orientation and intervening distance and as there is already a window and door within the south-west elevation it is not considered that the development will result in any significant loss of light or privacy to the occupiers of 29 Bank Road. Due to the distance between the rear of the outbuilding and the garden of 1 Edge Road, it is not considered that the development will result in a significant loss of light or privacy to the occupiers of that property.
- 7.10 As the outbuilding is built up to the boundary with 33 Bank Road there are no windows and doors within this elevation, however the alteration to the roof will be visible from parts of the property, due to its layout and the exterior yard area of No.33 sitting directly next the outbuilding. Although the development may result in some loss of light to this yard area, due to the footprint remaining the same and outbuilding remaining single storey it is not considered that the development will result in any significant loss of light to the occupiers of 33 Bank Road, or any significant loss of light within their wider garden area. Although the addition of a bifold door within the north-west elevation may result in some potential overlooking to the neighbouring property, it is considered due to the existing wall separating the outbuilding from the garden, that any potential overlooking to neighbouring properties would not be considered significant.
- 7.11 Notwithstanding the above if the proposal was revised to have an eaves height of less than 3 metres (a reduction of 0.3m from the proposed development) and the proposed cladding was removed, subject to the relevant conditions the development would be considered permitted development by virtue of Part 1, Class A of Schedule 2 of the Town and Country (General Permitted Development) (England) Order 2015. This represents a fallback position available to the applicant which should be given some weight in the consideration of this application.
- 7.12 As noted earlier in the report the proposed roof lights are permitted development.

Conclusion

7.13 The development is considered to be acceptable in terms of design and scale, and the potential impact of the development on the residential amenity of neighbouring properties would not be considered significant enough to justify a recommendation of refusal. The application is therefore considered to be in accordance with policies S3, PD1, PD2 and HC10 of the adopted Derbyshire Dales Local Plan and is recommended for approval on this basis.

8.0 RECOMMENDATION

That planning permission be permitted 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. The development hereby approved shall not be carried out other than in accordance with the following approved plans, except insofar as may otherwise be required by other conditions to which this planning permission is subject:

01 - Site Location Plan and Block Plan, Drawing No. 003 (received 14.07.2023)

02 - Proposed Plans and Elevations, Drawing No. 002 (received 14.07.2023)

Reason:

For the avoidance of doubt and to ensure the satisfactory external appearance of the development.

3. Notwithstanding the approved plans and documents, details of the proposed facing material to the upper section of the outbuilding, shall be submitted to and approved in writing by the Local Planning Authority prior to installation. The development shall not be carried out other than in accordance with the approved details.

Reason:

To ensure a satisfactory external appearance of the development in accordance with policy PD1 and PD2 of the Adopted Derbyshire Dales Local Plan (2017).

4. The roof lights shall not protrude more than 150mm beyond the plane of the roof slope when measured from the perpendicular with the external surface of the original roof.

Reason:

To ensure a satisfactory external appearance of the development in accordance with policy PD1 and PD2 of the Adopted Derbyshire Dales Local Plan (2017).

9.0 NOTES TO APPLICANT:

1. The Local Planning Authority have during the consideration of this application engaged in a positive and proactive dialogue with the agent which has resulted in an additional option for the proposed exterior materials of the development.
2. The Town and Country Planning (Fees for Applications, Deemed Applications and Site Visits) (England) Regulations 2012 as amended stipulate that a fee will henceforth be payable where a written request is received in accordance with Article 27 of the Development Management Procedure Order 2015 for the discharge of conditions attached to any planning permission. 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 £34 per householder request and £116 per request in any other case. The fee must be paid when the request is made and cannot be required retrospectively.
- . The Local Planning Authority considered the application as submitted to be acceptable. On this basis, there was no need to engage with the applicant in a positive and proactive manner to resolve any planning problems and permission was granted without negotiation.