

PLANNING COMMITTEE – 30th September 2025

Reference Number: 25/00522/FLH

Application expiry: 02/10/2025

Application Type: Householder

Proposal Description: Part retrospective single storey rear extensions, two storey side extension and alterations to existing openings (resubmission of previously approved application 24/00766/FLH (Amended title and Amended plans) (Further Amended plans)

At: 62 Hilltop Road, Dronfield, S18 1UL

For: Ms Julia Mawbey

Third Party Reps: 13 objections

Parish: Dronfield

Ward: Dronfield South

Report Author: Kerry Wright

Date of Report: September 2025

MAIN RECOMMENDATION: Grant permission, subject to conditions

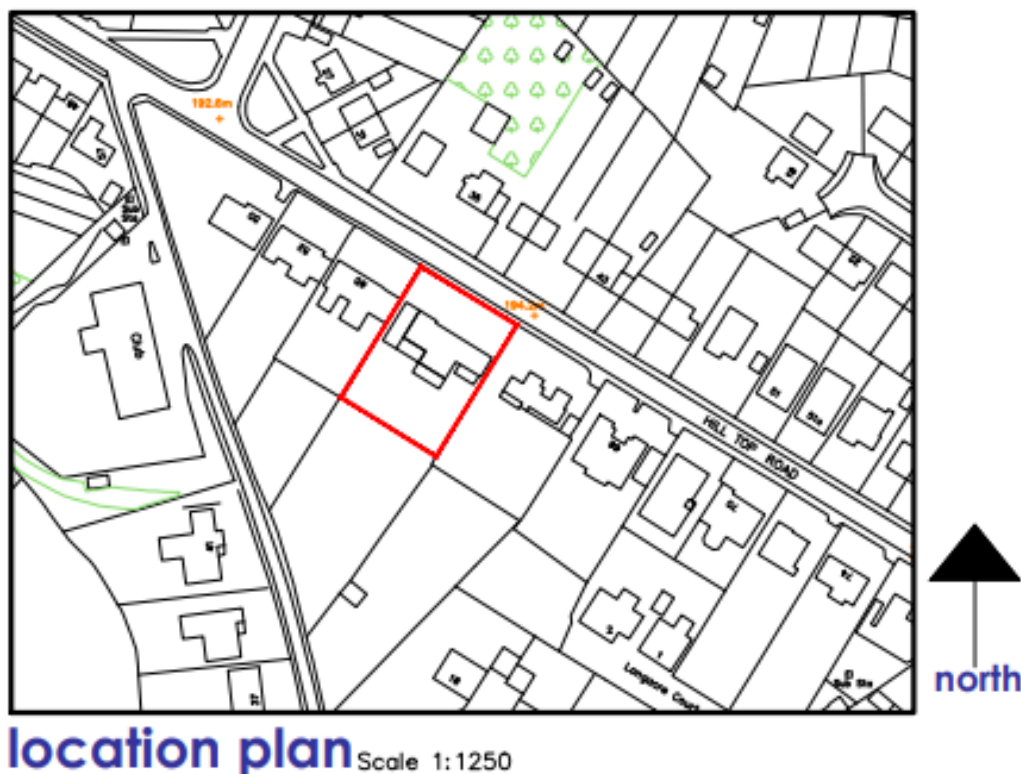


Figure 1: Location plan, with site edged in red

1.0 Reason for Report

1.1 Cllr Jones requested that the application be considered by members of planning committee for the following reasons:

- Significant loss of privacy and amenity of neighbouring properties as referenced to by Policy LC5, para.1c of the Local Plan together with para 135(f) of the NPPF.
- Failure to meet the “good design” requirements of Policy SDC12, para, C.
- Failure to comply with para’s 3.11,12,13 & 14 of the Successful Places Interim Planning Guidance.

2.0 Proposal and Background

Site Description

- 2.1 The application site is a detached bungalow located on the southwestern side of Hilltop Road.
- 2.2 The site benefits from off street parking at the front of the dwelling with two accesses off Hilltop Road.
- 2.3 Residential properties adjoin the site to the east and west. To the rear, beyond the residential garden, is a paddock area which is subject to a current application for three detached bungalows (25/00337/FL).
- 2.4 The site is located within the settlement development limits for Dronfield.

Proposal

- 2.5 The proposals is a part retrospective application for single storey rear extensions, two storey side extension and alterations to existing openings (resubmission of previously approved application 24/00766/FLH).
- 2.6 This application seeks permission for extensions to the dwelling, incorporating elements previously approved under planning reference 24/00766/FLH. The current proposal includes modifications to the approved scheme, specifically: alterations to the two-storey extension, an enlarged store, an expanded patio area, and revised land levels as shown on the submitted plans.

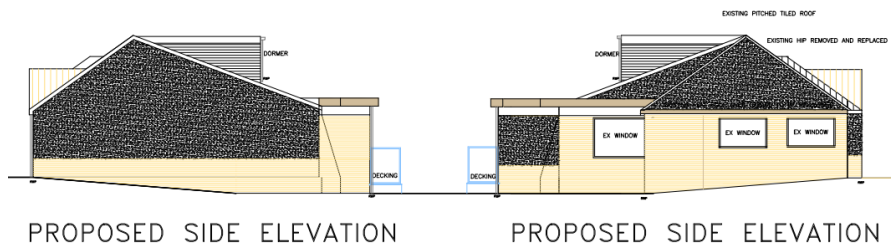
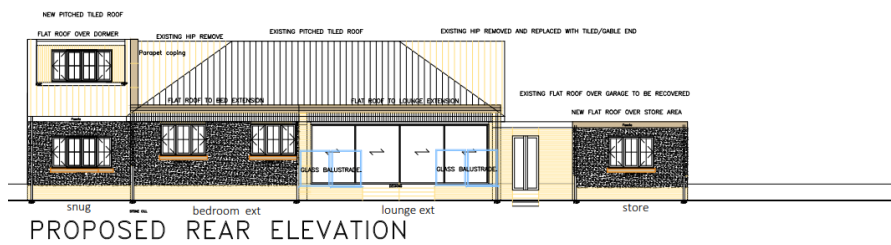
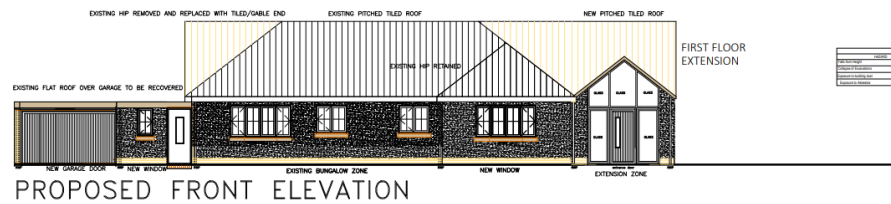


Figure 2 – Approved elevations under 24/00766/FLH

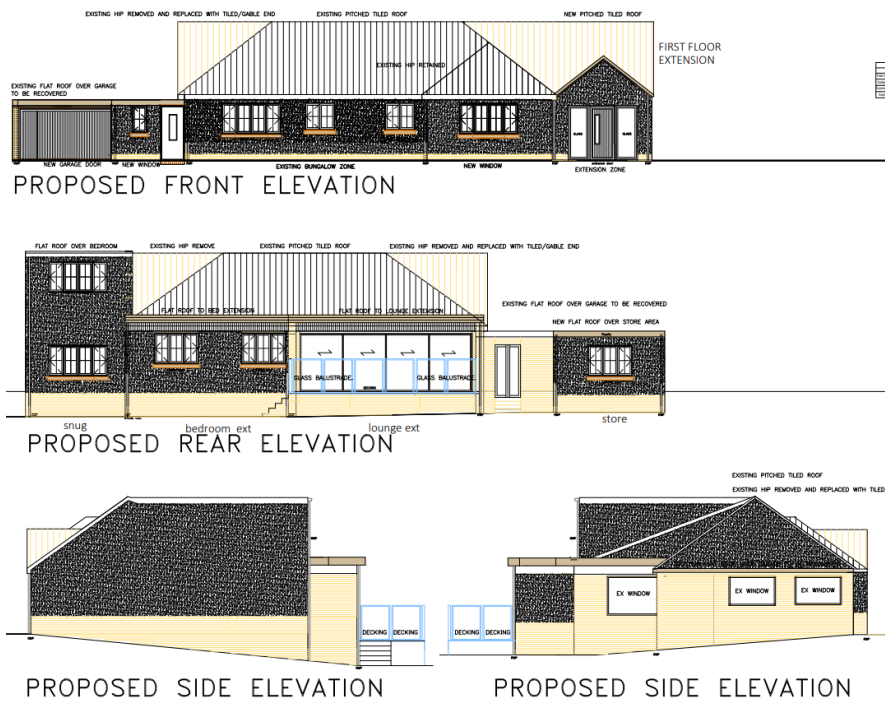


Figure 3 - Proposed elevations (25/00522/FLH)

Amendments

- 2.7 The plans have been amended throughout the application to accurately reflect the development that has been constructed on site.

3.0 Relevant Planning History

- 3.1 23/00788/FL - Demolition of existing bungalow and proposed construction of 5no two storey residential dwellings with garages and creation of new access (Amended Plans) (Further Amended Plans) – Withdrawn
- 3.2 24/00058/FL - Demolition of existing bungalow and proposed 4no. dormer bungalows with garages and 1no. two-storey detached house with integral garage - plots 1-5 (Revised scheme of 23/00788/FL) (Further amended plans) – Refused
- 3.3 24/00766/FLH - Proposed single storey rear extensions, two storey side extension and alterations to existing openings (Amended Plans) (Amended Title) – Approved
- 3.4 25/00337/FL - Proposed x3 residential single storey bungalows with detached garage (Amended Plans) – Pending consideration

4.0 Consultation Responses

- 4.1 **Ward members – Cllr Jones – Objection (Summarised below)**
- The previous application was amended following concerns over the design and scale of the proposed and the revised (approved) plans showed a reduction in the extent of the dormer. Condition 2 required the development to be built in accordance with the approved (revised) plans.
 - The variation from the approved plans was brought to the attention of the Enforcement team and a retrospective application was then submitted.
 - In the context of the dormer, construction appears to have been undertaken generally in accord with the original superseded drg. No. IM/HR/24/06 and the material issues which militated against the superseded drg. No. IM/HR/24/06 are still relevant and applicable at today's date.
 - Significant loss of privacy to the garden of No. 60 and loss of light to the roof lantern in No. 60, as referenced to by Policy LC 5, para.1c of the Local Plan together with para 135f of the NPPF.
 - Extension of the dormer to two storey extension increases the massing by 120% which affects the form, massing, scale and roofline of the gable end of the building. Failure to meet the "good design" requirements of Policy SDC 12, para, C.
 - Errors on the retrospective application drgs. and in the Planning Application itself – described as works not started when the structural element of the dormer is more or less complete ready for glazing and associated finishing works, i.e. roofing, external rendering + cladding, internal skim + plaster, first and second electrical fix, decorating, etc

- Failure to comply with para's 3.11,12,13 +14 of the Successful Places Interim Planning Guidance.

(Officer Comment: Paragraphs 3.11.11-3.11.14 of Successful Places sets out a place making principle and the accompanying text. The place making principle states 'Proposals should not cause a loss of daylight, over-shadowing or create overbearing relationships between buildings where this would be detrimental to residential amenity'. An assessment of the impact of the extension on neighbouring properties has been made in the assessment below.)

4.2 **Dronfield Town Council – Objection** (Summarised below)

- Retrospective planning application submitted for the property referenced in application 25/00522/FLH, significantly deviates from the previously approved plans under application 24/00766/FLH (Drawing IM/HR/24/06 Rev. E) which the previous decision clearly referred to as per the NPPF para. 140.
- The original approval was granted on the basis of a revised dormer design, which reduced its scale to approximately two-thirds of the roof width, set back from the rear wall and aligned with the ridge line. Condition 2 of the approval for application 24/00766/FLH clearly stipulated that the development must be carried out in accordance with this drawing
- Construction undertaken does not reflect the approved design and appears to disregard the conditioned status of the original planning approval. The proposed dormer now spans the full half-width of the roof, extending from ridge to rear wall, and significantly alters the building's appearance and impact.
- Contrary to LC5 - The retrospective dormer design does not respect the scale and proportions of the existing property, causes harm to the street scene as it is not in keeping with the character of the other properties and significantly affects the loss of privacy from residents in neighbouring properties.
- Contrary to SDC12 - The retrospective application fails to meet the criteria for good design as outlined in Policy SDC12 of the Local Plan. The increased massing disrupts the form, scale, and roofline of the building. These concerns are also reflected in paragraph 21 of the National Design Guide, which states that the form and scale of the building should be taken into consideration. The retrospective application contains misleading information. In the section titled Description of Proposed Works, the applicant states that the works had not commenced without consent. However, to the best of our knowledge, the structural elements of the dormer are largely complete prior to the submission, with only glazing and finishing works remaining. This misrepresentation undermines the integrity of the planning process. Given the significant departure from the approved planning conditions, the adverse impact on neighbouring properties, and the failure to comply with local planning policies and guidance, we respectfully request that this retrospective application be refused. It is essential to uphold the integrity of the planning system and ensure that developments are carried out in accordance with approved designs

4.3 **DCC Highways** – No objection.

5.0 **Representations**

5.1 This application was publicised by way of neighbour letters and the display of a site notice. A site notice was placed adjacent to the application site on a telegraph pole, which expired on 24th July 2025.

5.2 13 local residents have made representations raising the following comments objecting to the proposed development:

- Deviated from originally approved scheme and conditioned plans
- Substantially bigger in size and mass to the previously approved scheme
- Extension visible from the street, at odds and not in keeping with the character of the street scene
- Not in keeping with neighbouring properties
- Overbearing nature
- Described as a dormer but it's a two storey extension
- Application form states no works have commenced but that's not the case
- Changes undermine the planning process, changes indicate intention to proceed whatever and could set a precedent for building works on neighbouring sites to be altered from what has been agreed.
- Massing would lead to a loss of light and outlook for adjacent properties
- Does not appear to be a subordinate addition and does not respect the character and scale of the area
- It affects not only the appearance of the building itself but also compromises the overall appearance of the rear building line of the whole row of dwellings as seen from the rear on Longacre Road.
- Overbearing impact to dining room that will have a significant loss of privacy and amenity – contrary to Local Plan Policy LC5(1c) and paragraph 135(f) of the NPPF.
- As a result of its form, height, massing, scale, elevational treatment, material and rooflines, fails to meet 'good design' required by Policy SDC12(c)
- The original area of the sloped roof design of the 2nd story room (IM/HR/24/06 Rev E) at the rear of the extension was approx. 10 m2. The proposed full rectangular area of the 2nd story room is approx. 17.4 m2, an increase of approx. 75%. The area of the side elevation associated with the 2nd story room is greater than that of the original design that was withdrawn.
- Reference is drawn in the context of over-shadowing and the impact on amenity value, to clauses 3.11.11,12,13 + 14 of the Successful Places Interim Planning Guidance.

- Dormer bungalows have been agreed on the site below No. 62 Hilltop and those dwellings will be devoid of any privacy, overlooked and overshadowed

(Officer Comment: The application for 3 bungalows on the parcel of land at the rear of No. 62 is still pending consideration. Notwithstanding that, an assessment of the impact on these dwellings has been considered in the assessment below)

6.0 Relevant Policy and Strategic Context

North East Derbyshire Local Plan 2014-2034 (LP)

- 6.1 The following policies of the LP are material to the determination of this application:

SS1 Sustainable Development
 SS2 Spatial Strategy and the Distribution of Development
 SS7 Development on Unallocated Land within Settlement with defined Settlement Development Limits
 LC5 Residential Extensions
 SDC4 Biodiversity and Geodiversity
 SDC11 Flood Risk and Drainage
 SDC12 High Quality Design and Place Making
 SDC14 Land potentially affected by Contamination or Instability
 ID3 Sustainable Travel

National Planning Policy Framework (NPPF)

- 6.2 The overarching aims of the National Planning Policy Framework (NPPF) have been considered in the assessment of this application.

Dronfield Neighbourhood Plan (2016-2023)

- 6.3 D3 - Good Design
 T&A2 – Car Parking

Other Material Planning Considerations

- 6.4 Successful Places Interim Planning Guidance, adopted December 2013
 6.5 DCC - Parking Guidance for New Developments (September 2024)

7.0 Planning Issues

Principle of Development

- 7.1 The application site is situated within the defined Settlement Development Limits for Dronfield. Policy SS7 relates to development on Unallocated Land within Settlements (as here) with defined Settlement Development Limits and is therefore applicable in the assessment of this application. The Policy states that all development proposals on sites within Settlement Development Limits that are not allocated in the Local Plan or in a Neighbourhood Plan, will be permitted, provided that the proposed development: a. Is appropriate in scale, design and location to the character and function of the settlement; and b. Does not result in the loss of a valued facility or service unless it can be demonstrated that it is no longer viable, or is not the subject of a Community Right to Bid; and c. Is compatible with, and does not prejudice any use of adjacent sites and intended land uses; and d. Accords with other policies of the plan.
- 7.2 Policy LC5: Residential Extensions states that Extensions and alterations to dwellings or outbuildings which are ancillary to the main residential use, will be permitted provided that the proposals: a) Respect the scale, proportions, materials and overall design and character of the existing property, b) Do not harm the street scene or local area, including the loss of characteristic boundary features and landscaping, c). Avoid significant loss of privacy and amenity for the residents of neighbouring properties; and d) Do not significantly and demonstrably harm highway safety.
- 7.3 Local Plan Policy SDC12 relates to High Quality Design and Place-Making. The Policy states that all new development should be of a high quality design and make a positive contribution to the quality of the local environment. Similarly, policy D3 of the Dronfield NP covers design.
- 7.4 In view of the above, the principle of development is considered acceptable in this case subject to an assessment against the various strands of planning policy as outlined above.

Design & Impact on surrounding area

- 7.5 Local Plan Policy LC5 supports extensions and alterations to dwellings or outbuildings which are ancillary to the main residential use provided that the proposals: a. Respect the scale, proportions, materials and overall design and character of the existing property; b. Do not harm the street scene or local area, including the loss of characteristic boundary features and landscaping; c. Avoid significant loss of privacy and amenity for the residents of neighbouring properties; and d. Do not significantly and demonstrably harm highway safety. Local Plan Policy SDC12 relates to High Quality Design and Place-Making. The Policy states that all new development should be of a high quality design and make a positive contribution to the quality of the local environment. This is echoed in the Dronfield Neighbourhood Plan policy D3.

- 7.6 The proposal is for single storey rear extensions, a two storey side extension and alterations to the existing openings.
- 7.7 The side of Hilltop Road where the application site is located is made up largely of bungalows. The dwellings on Hilltop have a mixture of hipped and gable ended properties. The hip to gable extension on the eastern elevation of the dwelling and flat roof rear extension are as approved under the previous application. The store and decked area are larger than previously approved, however these elements are located at the rear of the dwelling and screened from public viewpoints on Hilltop Road. Officers are of the view that these elements are acceptable and would not result in harm to the character and appearance of the host dwelling or street scene.
- 7.8 The side extension has been constructed differently to previously approved. The extension has been constructed as a two storey, flat roof extension, with the pitched roofed design limited to the front elevation, where the roof slope would mirror the roof of the host building. The ridge of the host dwelling is slightly higher than the neighbouring property and therefore there are views of the extension from the north west along Hilltop Road. Whilst the extension is visible, it is largely screened by No. 66 and the host dwelling (shown in figure 4 below). Views of the flat roof element are limited and would not appear as a prominent feature within the street scene.



Figure 4 - View towards the application site from the north west

- 7.9 The ridge line of the proposed extension matches that of the existing dwelling and the flat roofed element of the extension does not extend above the existing ridge line. Given the size of the site, Officers are of the view that the extension would not

be disproportionate or an overdevelopment of the site. The extension is to be finished in render to match the original dwelling.

- 7.10 The rear of the dwelling is partially visible from Longacre Road. However, the views from public viewpoints would be from over 60m away and would be viewed in context of the existing built form.
- 7.11 In conclusion on this issue, Officers are of the view that the extensions are considered to be acceptable and respect the scale, proportions, materials and overall design and character of the existing property and do not result in significant harm to the character and appearance of the street scene, as required by Local Plan Policies LC5 and SDC12 and Neighbourhood plan policy D3.

Privacy and Amenity Considerations

- 7.12 Policy LC5(c) and Policy SDC12(e) sets out the requirement for new developments to protect the amenity of existing occupiers and create a good quality of amenity for future occupants of land or buildings including in relation to privacy, overlooking, overshadowing and/or any overbearing impacts. In addition, *Successful Places: Planning Guidance*, sets out that proposals should not cause a loss of daylight, overshadowing or create overbearing relationships between buildings where this would be detrimental to residential amenity.
- 7.13 No. 60 Hilltop Road is a detached bungalow located to the north west of the application site and benefits from a single storey rear extension. The proposed side extension is sited approximately 1.6m from the shared boundary with No. 60 Hilltop Road. The proposed extension does not extend beyond the front or rear elevation of No. 60. No. 60 benefits from a roof lantern in the single storey extension which serves a dining room. The proposed extension is visible from the roof light and would cause a loss of sunlight, however given the extension is sited to the east, the loss of sunlight would be mainly limited to the morning. It is also noted that the extension is set off the shared boundary by approximately 1.6m.
- 7.14 Additionally, it is noted that the dining room of that neighbouring property is served by bifold doors which open out onto the decked area at the rear and therefore the roof lantern is not the sole light source to the room. It is acknowledged that the extension is visible from within No. 60 and there would be a loss of sunlight to the dining room, however Officers are of the view that the loss of sunlight and overbearing impact would not be so significant to warrant a refusal on these grounds.
- 7.15 No. 60 also benefits from a window in the side elevation facing the application site, however this is high level and appears to serve a garage. The two storey extension would introduce a first floor window that could result in an increase in overlooking to No. 60 over and above the existing situation. However, views would be angled away from the private amenity space immediately at the rear of the dwelling and would

directed towards the bottom of the garden. Officers are of the view that it would not result in significant overlooking which would be so harmful to warrant a refusal on these grounds.

- 7.16 No windows are proposed in the proposed side elevation of the extension facing No. 60, to ensure no windows are inserted at a later date, it is considered necessary to restrict the insertion of windows in the side elevation facing No. 60 through a planning condition.
- 7.17 No. 64 Hilltop Road adjoins the application site to the southeast. Given the size and positioning of the extensions at No. 64 along with the size, siting and scale of the proposed extensions, Officers are of the view that the proposal would not result in a significant overbearing impact or loss of light to the rear of No. 64. The size of the store has been increased since the previous application, however this increase is not considered to be harmful. The windows proposed in the proposed extensions are not considered to result in overlooking concerns to No. 64.
- 7.18 The proposed extensions would be visible from the properties on the opposite side of Hilltop Road, however given the size, scale and design of the extensions, Officers are of the view that there would be no significant increase in overlooking, overbearing impact or loss of light to occupiers opposite the application site.
- 7.19 The proposed extensions are sited over 60m away from the properties on Longacre Road. Given the separation distance, Officers are of the view that the windows in the rear of the extensions and the decked area, would not result in overlooking concerns or loss of privacy to properties on Longacre.
- 7.20 The land to the rear of the application site is subject to an application for the erection of three detached dwelling houses. The application is pending consideration, however, it is necessary to consider the impact on these dwellings, should the application be approved. The windows in the rear elevation of the proposed extensions are sited approximately 17.1m from the rear boundary and the raised patio sited approximately 14.2m away. This distance meets the separation distance set out in *Successful Places* which outlines that first-floor habitable room windows directly facing a rear boundary should not normally be sited closer than 10.5m to the boundary of an adjoining residential garden.
- 7.21 Overall, it is considered that the extensions to the dwelling represent acceptable development that is not significantly harmful to the privacy and amenity of neighbouring residents and therefore comply with paragraph 135(f) of the NPPF, adopted Local Plan policies LC5 and SDC12, and Dronfield Neighbourhood Plan Policy D3.

Highway Safety Considerations

- 7.22 Paragraph 116 of the NPPF, Policy ID3 of the North East Derbyshire Local Plan and Policy T&A2 of the Dronfield Neighbourhood Plan state that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. Local Plan Policy SDC12 states provision should be made for vehicle parking and safe vehicular access to the site.
- 7.23 The proposed extensions to the dwelling increase the number of bedrooms from three to four. Whilst the increase in number of bedrooms, could result in an increase in comings and goings, Officers note that the extensions do not impact on existing parking arrangements and there is sufficient space at the front of the dwelling for the parking of 3 cars which would be in accordance with Derbyshire County Council guidance – Parking Guidance for New Developments (September 2024).
- 7.24 Derbyshire County Council as the Highway Authority, have commented on the application raising no objection.
- 7.25 Officers are of the view that the proposals would not result in unacceptable harm to highway safety and would be compliant with the above stated policies.

Drainage Considerations

- 7.26 The site falls in Flood Zone 1 with the lowest probability of flooding.

Land Contamination/Land Stability Considerations

- 7.27 The site is located within the high risk area for past coal mining activity. This can be addressed with a note to applicant on any decision.

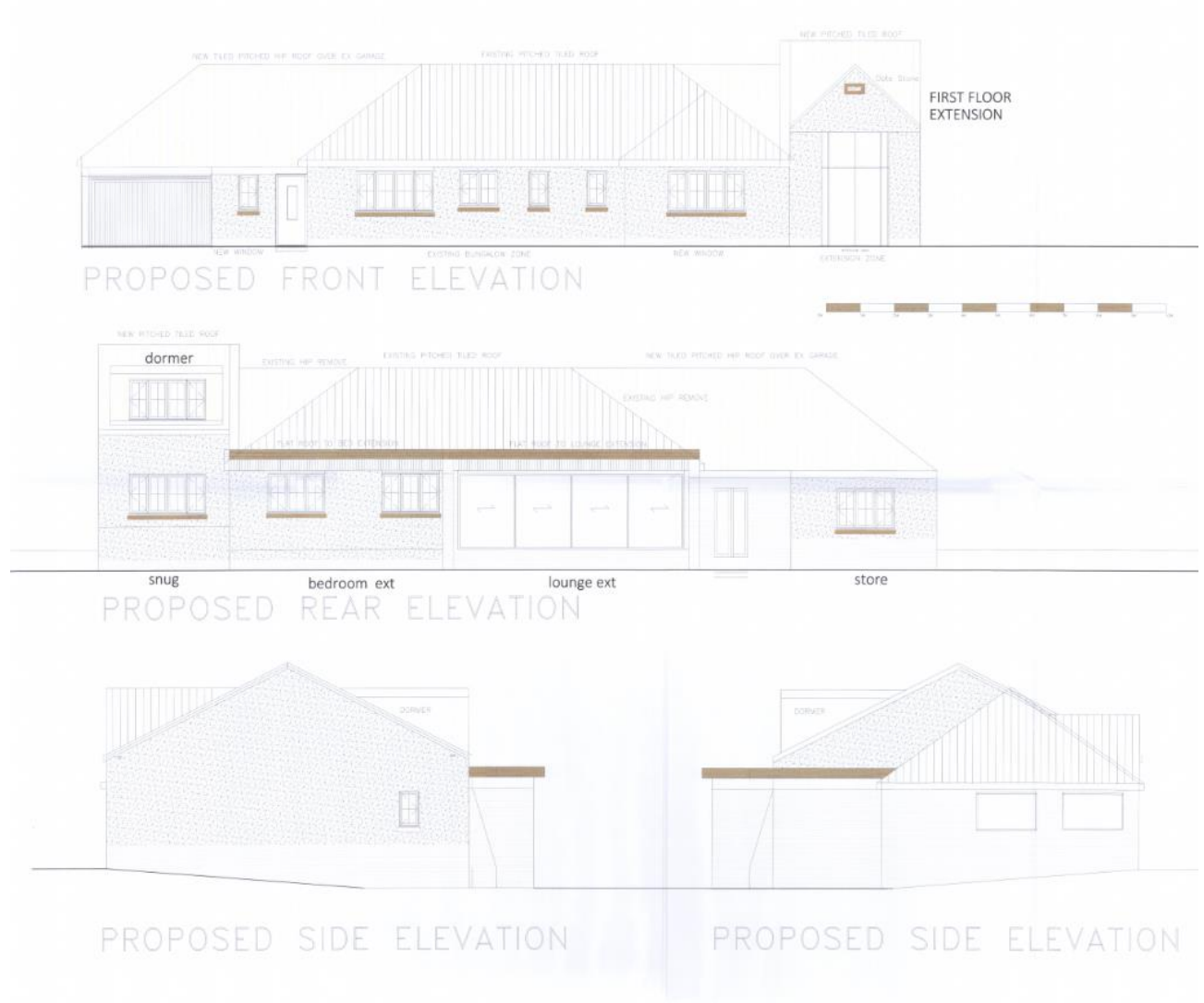
Ecological Considerations

- 7.28 The previous approved application was supported by a Preliminary Ecological Appraisal & Preliminary Roost Assessment (Arbtech, February 2024), Bat Emergence and Re-entry Surveys Report (Arbtech, May 2024) and a Great Crested Newt Survey Report (Arbtech, April 2024). Derbyshire Wildlife Trust commented on the previous application, raising no objection. The single nocturnal survey previously carried out concluded that no bats were recorded to emerge from the dwelling and no evidence of nesting birds was recorded during the roost assessment or subsequent nocturnal survey.
- 7.29 Officers are of the view that the proposal would not result in impacts to protected species and measurable gains to biodiversity via the implementation of appropriate species enhancements can be attached with suitably worded condition should the application be approved.

- 7.30 The applicant has confirmed that the proposal would qualify for the de minimis exemption for biodiversity net gain as it is a householder application. Officers accept the proposal qualifies as exempt from biodiversity net gain and no ecological issues are likely to arise as a result of the development.
- 7.31 Officers are of the view that the proposals would be acceptable in terms of ecological impact and biodiversity enhancement can be achieved through the imposition of a planning condition.

Other matters

- 7.31 A number of objections have been raised regarding the retrospective nature of the development and how this is a deviation from the previously approved plans (reference 24/00766/FLH). Whilst the development is largely retrospective, the planning process does allow for applications to be submitted retrospectively for the retention of the development and whether a development has commenced or not is not material to the assessment of the planning merits. Any works carried out without obtaining planning permission is at the applicant's risk.
- 7.32 Concerns have also been raised regarding the description of development and annotation of the plans describing the rear element as a dormer. Whilst Officers note an annotation on the plans as a dormer, the description of development does describe this part of the extension as a two storey side extension. Following the site visit, Officers sought clarification on the plans as they did not correctly reflect what has been built on site. Subsequently, amended plans have been submitted to accurately reflect the proposals.
- 7.33 Comments have been made stating that the construction of the dormer appears to have been undertaken generally in accord with the original superseded drg. No. IM/HR/24/06. The plans originally submitted under 24/00766/FLH (shown in figure 5 below) proposed a different scheme to what has been constructed on site.



(Figure 5 – Plan originally submitted under 24/00766/FLH)

- 7.34 The plans originally submitted under 24/00766/FLH proposed a two storey side extension that was higher than the original dwelling at both the ridge and eaves, had a larger gable width and a large vertical glazed opening on the front elevation. Following discussions with the agent during the previous application, the design was amended to as shown in figure 2.

8.0 Summary and Conclusion

- 8.1 The proposal is considered acceptable in terms of its design, impact on neighbouring amenity and highways matters.
- 8.2 Matters relating to ecology can be dealt with via planning conditions. Furthermore there are no other unresolved technical issues with the submitted application.

- 8.3 In conclusion, the application site is located within the urban environment of Dronfield and so the proposed development would accord with policies of the North East Derbyshire Local Plan, Dronfield Neighbourhood Plan and National Planning Policy Framework.

9.0 Recommendation

- 9.1 That planning permission is **CONDITIONALLY APPROVED subject to the following conditions**, with the final wording delegated to the Planning Manager (Development Management):-

Conditions

1. The development hereby approved shall be carried out in accordance with the submitted location plan and floor plans (IM/HR/24/04 Rev H) and proposed elevations (IM/HR/24/06 Rev I) received 20th August 2025; unless otherwise specifically agreed in writing by the Local Planning Authority or otherwise required by any other condition in this decision notice.

Reason - For clarity and the avoidance of doubt.

2. The extensions hereby approved shall be finished in render to match the existing building as closely as possible.

Reason - In the interests of the appearance of the area and in accordance with Policies LC5 and SDC12 of the North East Derbyshire Local Plan and policy D3 of the Dronfield Neighbourhood Plan

3. Notwithstanding the provisions of Article 3(1) of the Town and Country Planning (General Permitted Development) (England) Order 2015, (or any Order revoking and re-enacting that Order), no side facing windows or glazed doors shall be installed in the western elevation at first floor level.

Reason - To protect the amenity of adjacent residential occupiers in accordance with Policies LC5 and SDC12 of the North East Derbyshire Local Plan.

4. Prior to occupation of the extensions hereby approved, a bird box (Eco Nest Box) shall be installed on the eastern elevation of the dwelling and a bat box (Beaumaris Woodstone) on the western elevation of the dwelling. Once installed, the approved measures shall be maintained as such thereafter.

Within 28 days of the measures being implemented, a statement of good practice including photographs shall be submitted to the local planning authority to demonstrate that the enhancements have been installed in accordance with the approved details.

Reason - In the interests of providing biodiversity enhancements.

Informatives:

- a) BNG
- b) Coal
- c) NMA