

**HIGH PEAK BOROUGH COUNCIL
DEVELOPMENT CONTROL COMMITTEE**

12th July 2021

Application No:	HPK/2021/0282	
Location	5 Bagshawe Avenue, Chapel-En-Le-Frith, Derbyshire, SK23 9SE	
Proposal	Proposed Garage conversion with roof alteration and rear dormer to provide additional bedroom space	
Applicant	Ms Joanne Duxbury	
Agent	Bricks and Pieces Ltd	
Ward/Parish	Chapel West Ward	Date registered 12/05/2021
If you have a question about this report please contact: Owen Gore owen.gore@highpeak.gov.uk 01538 395400 ext 4133		

1. SUMMARY OF RECOMMENDATION

Approve with Conditions

2. REASON FOR COMMITTEE DETERMINATION

- 2.1 This application has been brought before the Development Control Committee as the applicant is a member of staff within the Councils Revenues and Benefits dept.

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 The application property is a semi-detached, 3 bedroom bungalow with a with accommodation in the roof space; the property features a pitched roof with a front extension and front facing gable; a single storey, flat-roofed garage to the side; and a rear, lean-to/cat-slide extension with sheltered patio. The existing walls of the property are finished in a mix of pebble dash render and stone cladding. The existing roof is finished with a grey, concrete interlocking tile and the garage roof is a flat roof finished with felt.
- 3.2 The site is bounded to the east by the attached property at No.3, to the west by the property at No.7 that links to the applications site via the attached garages, and to the south are the rears of the properties fronting onto Nearwell Close. There is a narrow path leading from Spencer Road separating the boundaries that allows access to the rear of the properties fronting onto Bagshawe Avenue and those fronting onto Nearwell Close.
- 3.3 For the purpose of the Local Development Plan, the site lies within the built-up area boundary and is not constrained by any sensitive statutory designation

4. DESCRIPTION OF THE PROPOSAL

- 3.1 The application seeks consent for the conversion of the garage space, including removing the front door of the dwelling, replacement of the garage door with the new front door and a window, extending the garage to the rear to infill the existing gap between the application dwelling and the neighbouring garage, and raising the roof by approx. 500mm. The proposal also includes the erection of a box dormer to the rear of the property.
- 3.2 The applicant has stated that the proposed walls of the garage conversion are to be finished with pebble dash render to match existing elevations of the front of the main dwelling, and the proposed dormer walls are to be finished with a grey cladding board. The proposed garage roof and flat dormer roofs are both to be finished in grey painted GRP. Windows and doors are to match existing.

<http://planning.highpeak.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=247715>

5. RELEVANT PLANNING HISTORY

There is no relevant planning history for this site.

6. PLANNING POLICIES RELEVANT TO THE DECISION

Adopted High Peak Local Plan 2016

- S1 Development Principles
- S1a Presumption in Favour of Sustainable Development
- EQ6 Design and Place Making

Supplementary Planning Guidance

- High Peak Design Guide 2018
- Residential Design Guide 2005

National Planning Policy Framework

- Section 12 -Achieving well-designed places

7. CONSULTATIONS CARRIED OUT

Site notice	Expiry date for comments: 29 June 2021
Neighbour letters	Expiry date for comments: 11 June 2021

Neighbours

None received.

Consultations

Consultee	Comment	Officer response
Town Parish Comments	/ No Objection to the application however should HPBC Planning Officers be minded to approve the application there should be provision for off street for two vehicles. (dated 15 June 2021)	
Derbyshire County Council Highways	No highway safety comments to make on additional, ancillary living accommodation for the existing dwelling. I assume your Authority will satisfy itself that sufficient residual on-site car parking arrangements are maintained, in line with your Authority's Local Plan requirements, given the loss of garage space proposed. (dated 25 May 2021)	

8. POLICY AND MATERIAL CONSIDERATIONS AND PLANNING BALANCE

Policy Context

- 7.1 The determination of a planning application should be made pursuant to section 38(6) of the Planning and Compulsory Purchase Act 2004, which is to be read in conjunction with section 70(2) of the Town and Country Planning Act 1990.
- 7.2 Section 38(6) requires the Local Planning Authority to determine planning applications in accordance with the development plan, unless there are material considerations which 'indicate otherwise'. Section 70(2) provides that in determining applications the Local planning Authority "shall have regard to the provisions of the Development Plan, so far as material to the application and to any other material considerations." The Development Plan consists of the High Peak Local Plan adopted in April 2016.
- 7.3 Other material considerations include the National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG). Paragraph 11 of the NPPF explains that at the heart of the Framework is the presumption in favour of sustainable development. For decision makers this means that when considering development proposals which accord with the development plan, they should be approved without delay, but where the development plan is absent, silent or relevant policies are out of date, grant planning permission unless any adverse impacts would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF taken as a whole.
- 7.4 Local Plan policy S1a establishes a presumption in favour of sustainable development as contained within the NPPF.

Principle of Development

- 7.5 The proposal is for the extension and alteration of a dwelling in a built-up, residential area. The principal is acceptable, subject to the considerations below.

Design, Character and Appearance

- 7.6 Policy EQ 6 'Design and Place Making' states that 'All development should be well designed and of a high quality that responds positively to both its environment and the challenge of climate change, whilst also contributing to local distinctiveness and sense of place'. This policy continues 'Requiring development to be well designed to respect the character, identity and context of High Peak's townscapes and landscapes' and 'Requiring that development contributes positively to an area's character, history and identity in terms of scale, height, density, layout, appearance, materials, and the relationship to adjacent buildings and landscape features'
- 7.7 The application seeks consent for the conversion of the garage space to create a new entrance hallway, study and utility room. The external changes include, replacement of the garage door with the new front door and a window, extending the garage to the rear to infill the existing gap between the application dwelling and the neighbouring garage, and raising the roof by approx. 500mm.
- 7.8 The overall impact to the external appearance of the property of these changes is minimal and the impact to the character and appearance of the area is unlikely to be significant. The majority of these works typically fall within permitted development rights granted under The Town and Country Planning (General Permitted Development) (England) Order 2015.
- 7.9 In character terms, the increase in the roof height is considered to be negligible in this instance and the rear extension infills an existing gap between the application dwelling and the neighbouring garage and cannot be reasonably seen from the public highway. The applicant has also confirmed that the detailing such as the external finishes and new windows and doors will match the existing dwelling.
- 7.11 The proposal also includes the erection of a box dormer to the rear of the property, which will create an additional 22.4 cubic metres of space. It will be finished in grey cladding board with a grey painted GRP roof.
- 7.10 The Council's Residential Design SPD, paragraph 9.4.2 states that '...They [Dormers] should be kept as small and simple as possible; they will often be unacceptable on the front elevation of houses, especially terraced properties'. Some views of the side cheeks of the dormer will be possible from the public highway; however, it is noted that there are a number of examples of other properties in the immediate vicinity that have similar dormers that are also visible from the public highway. Therefore, whilst the proposed dormer does not strictly comply with the advice within the SPD, given that such dormers are a feature of the surrounding area and that Such works typically fall within permitted

development, the proposal is considered not to have a significant, harmful impact on the character and appearance of the property or the surrounding area.

- 7.12 The development is therefore considered to be in accordance with Policies S1, and EQ6, the guidance contained within the Residential Design SPD, High Peak Design Guide, and Section 12 of the National Planning Policy Framework.

Neighbour Amenity

- 7.13 Policy EQ 6 'Design and Place Making' requires that '...development achieves a satisfactory relationship to adjacent development and does not cause unacceptable effects by reason of visual intrusion, overlooking, shadowing, overbearing effect, noise, light pollution or other adverse impacts on local character and amenity.
- 7.14 The site is bounded to the west by the property at No.7 that links to the applications site via the attached garages. The proposed rear extension to the garage will infill the existing gap between the application dwelling and the neighbouring garage; it will match the increased height of the roof. However, any impact that the extension would have had will be blocked by the existing structure.
- 7.15 The site is bounded to the east by the attached property at No.3; this neighbouring property features an existing dormer window, sited immediately adjacent to the shared party wall with the application property. Notwithstanding, the siting of this neighbouring dwelling to the east of the application property means that any overshadowing is likely to be minimal and only in the very late evenings.
- 7.16 The Council's Residential Design SPD, paragraph 9.4.2 states that 'Dormers pose difficulties in terms of design and overlooking'. There are five existing rooflights on the rear of the property, four of which form a bank stretching from floor level up to ridge. The properties to the south, fronting onto Nearwell Close are approx. 26.5m away from the and are unlikely to be significantly impacted by the proposal in terms of overlooking.
- 7.17 The proposal is therefore considered unlikely to have a significant, harmful impact on the amenity of the neighbouring properties. The development is therefore considered to be in accordance with Policies S1, and EQ6, the guidance contained within the Residential Design SPD, High Peak Design Guide, and Section 12 of the National Planning Policy Framework.

Parking and Access

- 7.18 Policy EQ 6 'Design and Place Making' requires that '...developments are easy to move through and around, incorporating well integrated car parking, pedestrian routes and, where appropriate, cycle routes and facilities'. Policy CF 6

‘Accessibility and Transport’ states that development should not ‘lead to an increase in on street parking to the detriment of the free and safe flow of traffic’.

- 7.19 The proposal includes the loss of the garage space, which is approx. 2.6m wide and 5.3m long internally. The existing driveway is approx. 3m wide and 9.1m long. At the time of visiting site the area in front of the dwelling was entirely hardstanding, which would allow additional parking; however, it is not clear if it has been designed specifically for this.
- 7.20 Appendix 1 – ‘Parking Guidance’ of the High Peak Local Plan provides the expected parking standards for different development types, for which in this case it recommends a 3 bed dwelling house (C3) has access to 2 spaces. This guidance also states that ‘Each application will be considered in the context of its need for parking and its impact on the local road network’.
- 7.21 A typical parking spaces is 2.4 metres wide by 4.8 metres long and therefore the length of the driveway falls short of providing 2 spaces by 500mm, which is also prior to taking into account the location and accessibility of the new front door, which will be located on the front elevation of the existing garage.
- 7.22 In this case the application site is located away from the local centre, within a spacious residential area, where off street parking on driveways is common; the overall pressure on on-street parking appears to be low. It is considered that the likely impact to the local road network will be minimal and any increase in on street parking is unlikely to be to the detriment of the free and safe flow of traffic. Therefore The proposal is considered to comply with local plan policy CF6 in this regard.

8. PLANNING BALANCE AND CONCLUSION

- 8.1 LP Policy S1a reflects the presumption in favour of sustainable development set out within the National Planning Policy Framework (NPPF).
- 8.2 Paragraph 11 of the NPPF sets out the presumption in favour of sustainable development. For decision taking, this means approving development proposals that accord with an up-to-date development plan without delay; or, where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission, unless:
- the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

- 8.3 The proposal is considered not to have a significant, harmful impact on the character and appearance of the property or the surrounding area, nor on the amenity of the neighbouring properties. It is considered that the likely impact to the local road network will be minimal and any increase in on street parking is unlikely to be to the detriment of the free and safe flow of traffic.
- 8.4 In accordance line with LP Policy S1a and paragraph 11 of the NPPF, the application is hereby recommended for approval..

9. RECOMMENDATIONS

A. APPROVE subject to the following Conditions;

Condition Number	Brief description	Comment
AP01	Approved plans	
	Materials to match the existing dwelling	

B. In the event of any changes being needed to the wording of the Committee’s decision (such as to delete, vary or add conditions/informatives/planning obligations or reasons for approval/refusal) prior to the decision being issued, the Head of Development Services has delegated authority to do so in consultation with the Chairman of the Committee, provided that the changes do not exceed the substantive nature of the Committee’s decision.

Site Plan
(Not to scale)

