

**HIGH PEAK BOROUGH COUNCIL  
DEVELOPMENT CONTROL COMMITTEE**

**Date: 03 October 2022**

<b>Application No:</b>	HPK/2022/0329	
<b>Location</b>	15 Hollin Drive Chapel-En-Le-Frith SK23 0NA	
<b>Proposal</b>	<i>Demolition of existing garage and construction of two storey side extension including garage.</i>	
<b>Applicant</b>	Mr & Mrs Mellor	
<b>Agent</b>	Amy Hubble - High Peak Architects Limited	
<b>Parish/ward</b>	Chapel West Ward	<b>Date registered</b> 18/07/2022
<b>If you have a question about this report please contact:</b> Owen Gore <a href="mailto:owen.gore@highpeak.gov.uk">owen.gore@highpeak.gov.uk</a> Tel: 01538 395400 Ext: 4133		

### 1. REFERRAL

1.1 This application has been brought before the Development Control Committee because of the personal relationship between the applicants and an elected member.

### 2. SUMMARY OF RECOMMENDATION

<b>APPROVE</b> , subject to recommended conditions.
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### 3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 The application property is a two storey, semi-detached dwellinghouse, which is finished in a light coloured brick and concrete roof tiles. The property sits in a corner plot on a cul-de-sac in a residential area of Chapel-en-le-Frith.
- 3.2 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

- 4.1 The application seeks consent for the demolition of the existing garage and construction of two storey side extension, attaching to the existing utility room. The new accommodation will create a fourth bedroom on the first floor, along with a dressing room, ensuite and sitting area on the landing, and on the ground floor is a new, larger garage.
- 4.2 The plans show that the extension will sit on the north elevation and follow the angle of the boundary with No.14. The front (east) elevation of the extension will be set back from the elevation of the main dwelling by

approx. 2.7m and the ridge of the property is set down by approx. 600mm; it will feature a 3.92m wide frontage, the 'side' elevation will follow the angle of the boundary for approx. 5m, remaining 1m away and then continue 3.24m backwards to meet the rear elevation. The rear elevation of the two storey element is 5.2m wide where it adjoins the existing single storey element and 1.5m where it adjoins the existing two storey element.

4.3 The proposed extension will be finished in render, which is also proposed for the remainder of the building, and concrete roof tiles to match existing.

4.4 The original submission included a Juliet balcony and apex window above that have since been removed from the proposal following negotiation.

## **5. RELEVANT PLANNING HISTORY**

5.1 No recent or relevant site history observed.

## **6. PLANNING POLICIES RELEVANT TO THE DECISION**

6.1 Section 38(6) of the Planning and Compulsory Act 2004 requires proposals to be determined in accordance with the Development Plan taking into consideration any material considerations relevant to the determination of the application.

6.2 The Local Development Plan for this site comprises the High Peak Local Plan (2016). Adopted Supplementary Planning Guidance documents and the National Planning Policy Framework (NPPF) are also material considerations in determining applications.

### **High Peak Local Plan 2016**

Policy S 1 Sustainable Development Principles  
Policy S 1a Presumption in Favour of Sustainable Development  
Policy S 6 Central Sub-area Strategy  
Policy EQ 6 Design and Place Making  
Policy CF 6 Accessibility and Transport

### **National Planning Policy Framework**

Section 2 - Achieving sustainable development  
Section 12 - Achieving well-designed places

### **Neighbourhood Plan**

Chapel en-le Frith Neighbourhood Development Plan

### **Supplementary Planning Documents and Guidance**

Residential Design SPD (2005)  
High Peak Borough Council Design Guide SPD (2018)

## 7. CONSULTATIONS CARRIED OUT

<b>Site notice</b>	Expiry date: 23/08/2022
<b>Neighbour letters</b>	Neighbour consultation period ends: 17/08/2022
<b>Press Notice</b>	N/A

### Public Comments

No comments at the time of writing.

### Town / Parish Comments

No comments at the time of writing.

### Derbyshire County Council Highways

'The proposed garage appears to be difficult to access; however, the appears to be sufficient space to the front of the garage on the existing drive to accommodate two vehicles. Based on the submitted details, there are no highway safety comments to make.' (dated 02 August 2022)

## 8. POLICY, MATERIAL CONSIDERATIONS AND PLANNING BALANCE

### Principle of Development

8.1 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

8.2 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'.

8.3 Policy H3 'Design Criteria' of the Chapel en-le Frith Neighbourhood Development Plan states that 'New housing development in the

Neighbourhood Plan Area must be of a high quality. The design and density should seek to reflect and distinguish the attractive characteristics of Chapel en-le-Frith and other settlements within the Parish. Proposals must demonstrate how they have taken into account the following where appropriate and subject to viability:...Character, Development should seek to create a place with a locally inspired or otherwise distinctive character.

- 8.4 The council's Residential Design SPD, chapter 9 states that 'Extensions and alterations to existing houses can have a significant impact on the appearance of a house, neighbouring property and the street scene. It is important, on all types of houses, that domestic development is carefully designed'. It continues 'Extensions should be designed so as to subordinate to the main form of the house. It is important that the extension results in a dwelling that is well designed in itself'.
- 8.5 The High Peak Borough Council Design Guide SPD, chapter 5, paragraph 5.5 states that 'All extensions should harmonise with the parent building. An extension should respect the dominance of the original building and be subordinate to it in terms of its size and massing. Setting back the new section from the building line and keeping the eaves and ridge lower than the parent building will normally help'.
- 8.6 The application property is not of a traditional design and is more akin to a late 20<sup>th</sup> century dwellinghouse. The proposed extension is considered to meet the guidance in creating a sense of subordination to the main dwellinghouse by setting the roof down and the front elevation back.
- 8.7 In this case the overall impact in terms of character is considered relatively minor. The proposed rear extension is comparatively large, being similar to the footprint of the main dwelling itself; however, due the significant setting back of the front elevation, the proposal will be sufficiently hidden from view from vantage points on Hollins Drive from the south.
- 8.8 The proposed extension will be finished in render, which is also proposed for the remainder of the building. This is not strictly in keeping with the original building or its immediate neighbours; however, the agent has identified several properties in the streetscene that were brick but have since been painted or rendered, as well as some other properties that appear to have been originally finished in pebbledash. The existing finishes for the application building appear to have been altered where hanging tiles have been removed and replaced with a brick that doesn't match the rest of the building.
- 8.9 On balance, the application property sits at the very end of the cul-de-sac, facing onto the turning circle and therefore the overall impact of this alterations would not be prominent outside of the immediate character of this relatively modern estate. There is no indication that the permitted development right to paint the building has been removed so the change in colour at least is a fallback position; it is also considered that

replacement of mismatched materials with a uniform finish would be a betterment in this instance.

8.10 The proposal is therefore considered not to have a significant, harmful impact on the character and appearance of the property or the surrounding area. The development is therefore considered to be in accordance with Policies S1, and EQ6 of the High Peak Local Plan, the guidance contained within the Residential Design SPD, High Peak Design Guide, and Section 12 of the National Planning Policy Framework.

### **Amenity**

8.11 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.

8.12 The council's Residential Design SPD, paragraph 9.2 states that 'Domestic extensions should be of a scale and be designed and positioned to avoid undue harm to the amenity of neighbouring properties. They must have regard to the orientation of adjacent homes, the number and position of windows and land levels'.

8.13 Paragraph 9.3 states that 'If the centre of a main habitable room window is affected by the heavily shaded area, i.e. overshadowed on both a vertical and horizontal plane, then the extension may well cause a significant reduction in the skylight received by the window. It continues in paragraph 9.3.1 stating 'Similarly an extension should not unduly reduce outlook from a main habitable room window or produce a tunnelling affect. To prevent this, extensions affecting neighbouring property should not normally extend more than 2.5 m from the rear of the affected home. All planning applications for domestic development should be careful to include scaled plans indicating the position of neighbouring property'.

8.14 The council's Residential Design SPD, paragraph 8.6.1 states that 'As a guide a distance of 21 metres between habitable room windows of adjacent properties will provide an acceptable level of amenity. Where changes in levels on site are evident or where taller buildings are present, these distances should increase by 1 metre for every 0.5 metre difference in height between the smaller to the taller building'. It continues however, stating 'Strict application of these standards can however restrict a creative response to site layout and frustrate designers; the Council is therefore open to applicants with a more flexible approach based upon design principles rather than standards'.

8.15 Paragraph 8.8 states that 'The layout and format of windows will be important in establishing views, overlooking and privacy. Where buildings are located closer than 21 metres, the layout of windows and doors should avoid creating direct views from properties'.

- 8.16 The application dwelling is semi-detached with its neighbour No.16, which sits to the south of the application site. In this case, the application property features an existing single storey extension that sits on the shared boundary with this property that will remain. The proposed two storey element is on the northern side of this existing single storey element, away from the shared boundary.
- 8.17 To the north east of the application site is the neighbouring property No.14. Due to the location of these two properties on the corner of the turning head for the public highway, there is a significant 'wedge' between them and the elevations don't sit directly opposite. No.14 also appears to have an outbuilding on the boundary, adjacent to the site of the proposed extension. Although the proposal will sit on the boundary with No.14, the orientation will mean that even with the proposed extension, application property will not cross the building line of the neighbouring property.
- 8.18 To the west of the application property is the neighbouring property No.6 Knowle Avenue which is approx. 20.2m away from the two storey element of the existing dwellinghouse; these properties appear to be on a similar ground level.
- 8.19 The original proposal intended to create a 2.8m wide, 3.5m tall section of glazing consisting of a Juliet balcony, sidelights and apex window approx. 18m away from the rear elevation of this neighbouring property. However, these aspects have since been removed from the proposal following negotiation. Instead the property will feature a typical picture window.
- 8.20 Although the new windows will still be below the standard in the guidance, the existing property already features two large picture windows at the same floor level.
- 8.21 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.

### **Highway Safety, Parking and Access**

- 8.22 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'.

8.23 The proposal does include the creation of an additional bedroom accommodation; however, there will be no loss of off-street parking as a result of this development.

8.24 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 4+ bed dwelling house (C3) has access to 3 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’.

8.25 The highways officer has reviewed the application and has concluded that there appears to be sufficient space to the front of the garage on the existing drive to accommodate 2 vehicles. This is in addition to the garage space which they have noted may be difficult to access. They have not objected to the proposal.

8.26 In this case, in the event that the garage is not useable as a parking space, 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.

## **CONCLUSION / PLANNING BALANCE**

8.27 For the reasons outlined above, the development is considered to accord with the relevant policies contained in the High Peak Local Plan and the NPPF. As such the application is recommended for approval.

## **9. RECOMMENDATIONS**

**9.1 It is recommended that the Committee APPROVE the application subject to the conditions outlined below:**

- 1. Standard Time Limit**
- 2. Schedule of Drawings**
- 3. Matching materials**
- 4. No new first floor windows on the side (north and north east elevations).**

**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.

