

**HIGH PEAK BOROUGH COUNCIL
DEVELOPMENT CONTROL COMMITTEE**

Date 22 January 2024

Application No:	HPK/2023/0436	
Location	4 Dovedale Court, Glossop	
Proposal	Proposed first floor extension over existing garage, garage conversion and single storey rear extension	
Applicant	Mrs Georgina Bruce	
Agent	Mrs Cat Kassim, Planmart Ltd	
Parish/ward	Old Glossop	Date registered 19/10/2023
If you have a question about this report please contact: Rosie Dinnen, rosie.dinnen@highpeak.gov.uk		

1. SUMMARY OF RECOMMENDATION

Approve with Conditions

1. REASON FOR COMMITTEE DETERMINATION

- 1.1 This application has been called before the Development Control Committee by Cllr Hopkinson to consider parking issues and neighbour concerns.

2. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 2.1 The application site comprises a 1980s semi-detached house with a brick exterior situated in a corner plot on Dovedale Court. It has a single garage attached to the property setback behind a driveway. There is raised decking to the rear of the property and a small shed adjacent to the side of the garage. In addition to the neighbouring properties on Dovedale Court, application site shares boundaries with properties on Hurstbrook Close and Partington Court.
- 2.3 Dovedale Court is situated off Shirebrook Road and links through to Hillwood Drive. There are only 9 properties in the street and the roadway is shared, there is no separate pavement. The neighbouring properties all date from the same era and are built in a similar style with porches, garages and driveways and small front gardens. All properties were built with single garages but some properties have converted them into living accommodation.

3. DESCRIPTION OF THE PROPOSAL

- 3.1 The application proposed a first floor extension over existing garage, garage conversion and single storey rear extension.

- 3.2 The rear extension would infill between the kitchen and living room incorporating some of the existing kitchen area. The extension measures 5m wide by 1.8m deep, it has a monopitch roof and is 3.3m high where it adjoins the main dwelling house and 2.5m high to the eaves. The proposed materials are brick and tiles to match the existing.
- 3.3 The garage conversion would facilitate the create of a snug, utility and wc. The first floor extension above would create a bedroom with ensuite. The proposed materials are brick and tiles to match the existing. New windows are proposed front and back at first floor level.

4. RELEVANT PLANNING HISTORY

- 4.1 The site has been not subject to any previous planning applications.

5. PLANNING POLICIES RELEVANT TO THE DECISION

High Peak local Plan 2016

- S1 Sustainable Development Principles
 S1a Presumption in Favour of Sustainable Development
 EQ6 Design and Place Making
 CF6 Accessibility and Transport

National Planning Policy Framework 2021

- | | |
|-----------------------------------|------------|
| Achieving Sustainable Development | Chapter 2 |
| Promoting Sustainable Transport | Chapter 9 |
| Achieving Well Designed Places | Chapter 12 |

6. CONSULTATIONS CARRIED OUT

Site notice	Expiry date for comments: 16/11/23
Neighbour letters	Expiry date for comments: 16/11/23
Press Notice	Expiry date for comments: N/A

Public Comments

- 6.1 6 letters of objection/comments have been received from 5 properties on Dovedale Court which raise the following concerns:
- Original developer (Jones Homes) designed the homes to be symmetrical and imposed many covenants and strict conditions about the appearance and management of the homes. An original tree planted as part of the estate will need to be removed;
 - The extension would not be in keeping with other properties on Dovedale Court in terms of its size and design, it should remain a 3 bedroom property as built;

- Alternative larger housing is available elsewhere in Shirebrook Court;
- Traffic concerns from construction of the extension;
- Loss of a garage space will put pressure on car parking in Dovedale Court and there is no provision for visitor parking in Dovedale Court currently;
- Existing traffic and parking problems with deliveries and visitors;
- Possible structural damage to adjoining property.

6.2 The Planning Officer visited two of the objectors on 14 December 2023 to discuss their concerns which included visiting the adjoining property 5 Dovedale Court.

6.3 The following comments have been received from consultees:

Consultee	Comments
DCC Highway Authority	No Objection - The application site does have a good amount of off street parking provision; however as the proposals include an additional bedroom and the conversion of the garage to habitable room(s), these may lead to additional on street parking requirements. The narrow width of Dovedale Court is likely to restrict roadside parking and there is capacity on the adjacent streets to accommodate additional parking without having an unacceptable impact on the highway safety.

7. POLICY AND PLANNING BALANCE

Planning Policies

- 7.1 The determination of a planning application is to 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 circumstances 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 Policies Adopted 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 at paragraph 11 of the NPPF.

Principle of Development

- 7.5 The application seeks planning permission for extension and alterations within the curtilage of an residential property. The property lies within the built-up area of Glossop which is identified as a Market Town in the settlement hierarchy under Local Plan Policy S2 in recognition of it being a moderately sustainable location with access to facilities and services.
- 7.6 As such, the principle of development is acceptable, subject to a detailed assessed of all relevant planning considerations.

Design Character and Appearance

- 7.7 LP Policy S1 sets out a number of sustainability principles which all new development proposals should incorporate in order to make a positive contribution towards the sustainability of communities and to protect, and where possible enhance the environment.
- 7.8 LP Policy EQ6 states that all development should be well designed to respect and contribute positively to the character, identity and context of High Peak's townscapes, having regard to matters of scale, height, density, layout, appearance and materials.
- 7.9 Chapter 9 of the Residential Design Guide SPD contains the following guidance relating to domestic extensions and alterations that are relevant to the assessment and determination of this application:
- 9.0 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.
- 9.1 Extensions should be designed so as to be subordinate to the main form of the house. It is important that the extension results in a dwelling that is well designed in itself.

- 7.10 Chapter 5 of the more recently adopted Design Guide SPD contains further guidance in connection with proposed residential extensions and alterations, with the following paragraphs considered to be relevant:
- 5.5 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.
- 7.11 The existing garage is setback from the front building line and therefore is subordinate and does not appear dominant on the streetscene. It is the visual impact of the proposed alterations by adding a first floor level above the garage that need to be assessed and whether the infilling of the gap/space can be considered subordinate to the main dwelling.
- 7.12 The front of the existing garage and proposed extension is setback 11.5m from the road, which is 4.8m from the front building line of the porch. Therefore the extension is in a discrete location. The existing gap will remain between 4 Dovedale Court and the adjacent property 3 Dovedale Court. 3 Dovedale Court has a freestanding single storey garage adjoining the boundaries of the two properties but the property its self is turned through 90 degrees and is in a row of three properties (1-3 Dovedale Court). As such these two properties benefit from a greater spaciousness than some of the other properties in Dovedale Court and the proposed extension will not impinge on the openness when viewed from the street as the existing garage is sufficiently setback from road, its addition will be unobtrusive.
- 7.13 The proposed extension will have a dual pitched roof with a ridge height of 6.5m. The original dwelling house has a ridge height of 7.3m and eaves at 5.5m, the proposed extension will have the same eaves height. As such the extension will be in proportion to the original dwelling and in keeping in style and design.
- 7.14 The proposed front elevation to the first floor extension would be in keeping with the original dwelling house but using matching materials (brick and composite roof tiles). The garage door would be replaced with a window to match the existing.
- 7.15 The rear extension will following the existing rear building line of the garage and garage and infill the space to the boundary. The rear extension constitutes Permitted Development as it is less than 3m deep (distance from rear boundary wall of original dwelling house) and is less than 4m high.
- 7.16 The proposed extensions and alterations are considered an appropriate size and scale and is subordinate to the original dwelling house. The proposals therefore comply with policies S1 and EQ6, the Residential Design Guide SPD and the NPPF.

Amenity

- 7.17 LP Policy EQ6 requires all new development to have a satisfactory relationship with existing land and buildings and protects the amenity of the area, which includes residential amenity of neighbouring properties. Aspects of residential amenity include impacts such as a loss of sunlight, overshadowing and overbearing impacts, loss of outlook, and loss of privacy.
- 7.18 The High Peak Residential Design Guide SPD requires extensions to preserve the residential amenity of neighbouring properties, having regard amongst other things to the relationship between existing and proposed development, the positioning of windows, and the change in land levels. Paragraph 135 of the NPPF states that planning should create places with a high standard of amenity for existing and future users.
- 7.19 No side windows are proposed which would overlook either neighbour, and adequate separation, similar to the existing situation will be maintained to front and rear to avoid any loss of privacy. The proposed alterations will change the appearance of property from adjacent neighbour, 3 Dovedale Court, but due to its orientation through 90 degrees it would have no impact on the residential amenity as the closest distance between the properties is 7m.
- 7.20 Following an objection being received from 5 Dovedale Court, the planning officer inspected the relationship of the properties from the garden of 5 Dovedale Court and noted the existing boundary tree, decking which is raised above ground level and trellis fencing.
- 7.21 As previously mentioned, the rear extension constitutes Permitted Development and could be built without the need for planning permission. This fall back position coupled with its location to the north, where it will not cause direct overshadowing, means that a refusal on amenity grounds could not be sustained.
- 7.22 It is concluded that the proposals will not have an adverse impact on the residential amenity of the two neighbouring properties and therefore satisfy the policy requirements of EQ6, the Residential Design Guide SPD and the NPPF.

Highway Safety

- 7.23 LP Policy CF6 seeks to ensure that development can be safely accessed in a sustainable manner and that all new development is located where it can be satisfactorily accommodated within the existing highway network and provides suitable off-street parking provision in accordance with guidelines set out under Appendix 1 of the Local Plan.

- 7.24 Paragraph 110 of the NPPF states that in assessing applications for development, it should be ensured that safe and suitable access to the site can be achieved for all users. Paragraph 111 goes on to state that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 7.25 The proposal entail a garage conversion which result in the loss of one off street parking. A site plan has been submitted that illustrates that the site would be able to provide three car parking spaces on the driveway. The existing shed would need to be removed to facilitate the third space. Appendix 1 of the Local Plan specifies that 4+ bedroom dwellings are required to provide three car parking spaces and the application complies with this standard.
- 7.26 Albeit a garage space would be preferable to driveway parking, garage conversions are common place and often permitted development. It is noted that 5 and 9 Dovedale Court have converted their garages in to additional living accommodation at some stage.
- 7.27 The Highways Authority were consulted on the application and were satisfied that the property has sufficient off street parking provision. They do note the narrow width of Dovedale Court is likely to restrict roadside parking but there is capacity on the adjacent streets to accommodate additional parking without having an unacceptable impact on the highway safety.
- 7.28 Comments from objectors have raised concerns relating to car parking and potential highway safety impacts due to the addition of an extra bedroom at the property. It is acknowledge that Dovedale Court has a carriageway only 3m wide in places which is significantly narrower that the standard road width of 5m which would be required for access road in a new development today. It also doesn't have a separate pavement, this is not necessarily unusual given the number of houses the road serves. There are other roads in the Shirebrook Estate which are similarly restricted in width.
- 7.29 However, the proposal demonstrate that sufficient car parking spaces can be provided in line with the local plan car parking standards. Issues relating to visitors or delivery vehicles is an existing problem and can be a typical issue experienced in many residential streets. It is not an issue that will be exacerbated by the proposals themselves. Any disturbance caused during construction will be temporary and modest in scale.
- 7.30 It is therefore considered that the proposal satisfies the policy requirements of CF6 and the NPPF.

Other Matters

7.31 Objectors have raised other matters that are not planning considerations such as covenants relating to the original house estate and structural issues which would all be private matters which can not be considered as part of the application's determination.

Planning balance & Conclusion

7.32 LP Policy S1a reflects the presumption in favour of sustainable development set out within the National Planning Policy Framework (NPPF).

7.33 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.

7.34 A detailed assessment of this application, has, when taking account of all material considerations including local and national planning policies, supplementary design guidance, and comments submitted by statutory consultees and members of the general public, found that the principle of development is acceptable, demonstrating compliance with LP Policies EQ3 and CF6, and the NPPF.

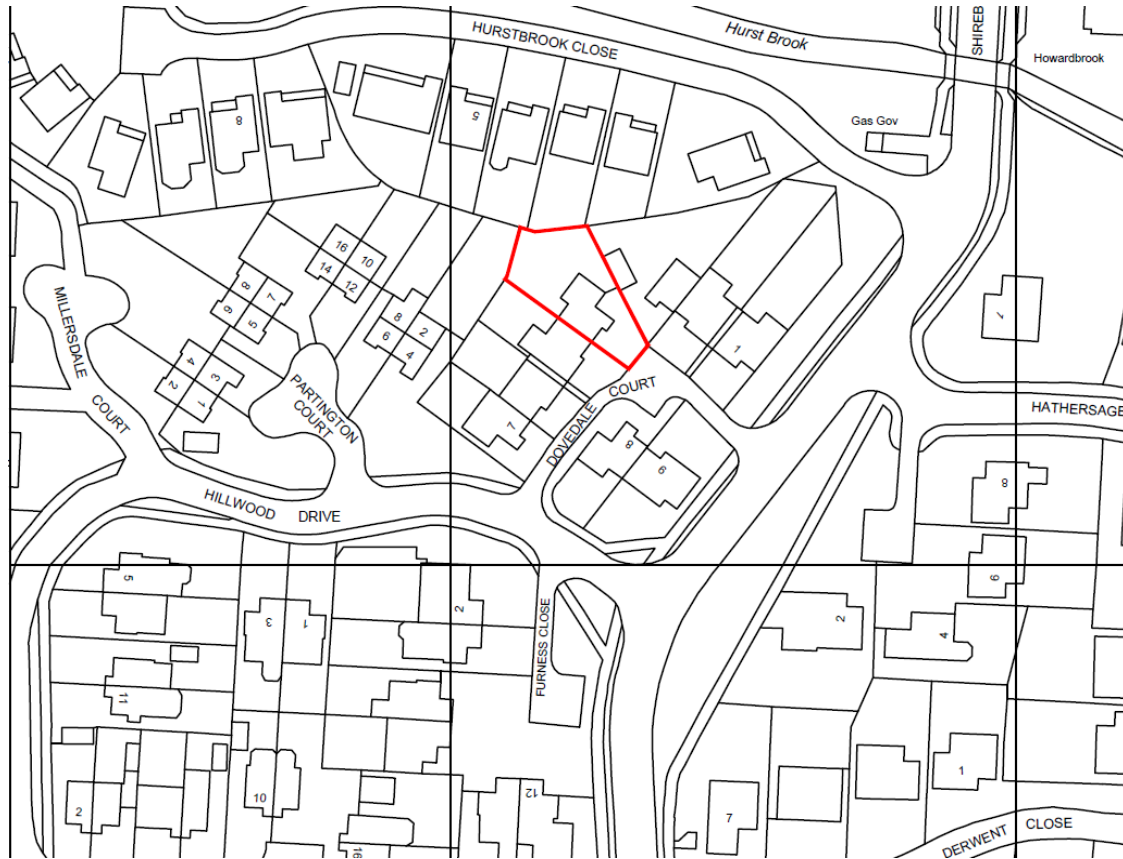
8. RECOMMENDATIONS

A. APPROVE subject to conditions as follows;

- 1. 3 Year Time Limit**
- 2. Approved Plans**
- 3. Matching Materials**
- 4. Parking arrangements to be implemented in accordance with site plan – requiring shed to be removed**

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

