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**From:** Michael Brown <michael@hna-architects.co.uk>  
**Sent:** 11 September 2017 19:52  
**To:** North 1  
**Cc:** Daniel Bramwell; Yousaf Qazi; Carol  
**Subject:** RE: Planning Inspectorate APP/H1033/W/17/3178341: 17 Marple Road, SK13 5DA  
**Attachments:** 1080-APP2 - Response to HPK Appeal Statement - September 2017.pdf

Dear Sirs,

Please find attached our response to the recently submitted Local Authority Appeal Statement in connection with the currently running planning appeal ref: APP/H1033/W/17/3178341 (at 17 Marple Road, SK13 5DA).

Regards,

**Michael Brown** MArch RIBA  
Architect

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**From:** Yousaf Qazi  
**Sent:** 29 August, 2017 10:44 AM  
**To:** Michael Brown  
**Cc:** Daniel Bramwell  
**Subject:** FW: Planning Inspectorate APP/H1033/W/17/3178341: 17 Marple Road, SK13 5DA

FYI

Regards

**Yousaf Qazi** BA(Hons), BArch, PGDIP, ARB, RIBA  
Architect

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**From:** [North1@pins.gsi.gov.uk](mailto:North1@pins.gsi.gov.uk) [<mailto:North1@pins.gsi.gov.uk>]  
**Sent:** Tuesday, August 29, 2017 10:15 AM  
**To:** Yousaf Qazi  
**Subject:** Planning Inspectorate APP/H1033/W/17/3178341: 17 Marple Road, SK13 5DA

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The Planning Inspectorate (England)  
Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN

The Planning Inspectorate (Wales)  
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# **Response to High Peak Borough Council Appeal Statement**

**(1<sup>st</sup> September 2017)**

**In Response to Refusal of Full Planning Application for a  
New Single Detached Dwelling (*Application Ref:*  
*HPK/2016/0414*)**

At

**Land to the North & East of 17 Marple Road,  
Charlesworth, Glossop, SK13 5DA.**

**Date:** 7<sup>th</sup> September 2017  
**Proj. Ref:** 1080/APP2  
**PINS Ref:** APP/H1033/W/17/3178341  
**Revision:** --  
**Format:** A3 landscape/colour

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- 1 Introduction
- 2 Response to Local Authority Appeal Statement sections 6, 7 and 8 (with conclusion and endorsement)

# 1 | Introduction

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This is a specific response to the Local Authority Appeal Statement issued on the 25<sup>th</sup> August 2017 (ref: HPK/2016/0414).

Sections 1-5 of the Local Authority Appeal Statement require no additional comment beyond the arguments already outlined in our original appeal statement.

We have commented on sections 6, 7 and 8 where comment is necessary; and have used the Local Authority numbering for ease of cross referencing.

## 2 | Response to Local Authority Appeal Statement

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### Comments on Section: 6

#### 6.1 and 6.2:

No further comment; we are happy to accept that views from members of the public are even more restricted than we depict in our design and appeal documents when using Google Street-view images.

#### 6.3:

Obviously we disagree that the proposal is 'significant and overbearing' and have provided a variety of accurate drawings from a variety of angles to back up our design. Even ignoring the obvious level changes as a result of topography, the comments from the second conservation officer (within the planning officer's report) accepts that the character of the conservation area is of buildings of different heights adjacent each other. As such this is not 'overbearing', it is in fact 'in-keeping' with the conservation area. As outlined in our appeal statement no amenity issues are created as such where is the basis of the officer's claim that the proposals are over-bearing?

#### 6.4:

The officer's claim that the proposal is 200m<sup>2</sup> is quite frankly rubbish. Our measurements are taken from CAD drawings, I do not know where the planner has taken measurements from. The building footprint is as outlined in our appeal statement. The officer goes on to suggest that we incorporate garden paths, parking areas and hardstanding within our footprint to achieve an even more ridiculous figure of 400m<sup>2</sup>; I fail to see why this is relevant and vehemently point out that at no point has the amount of hard-landscaping been suggested as an issue in approximately 6 months of discussions with planners and conservation officers; in the officers report or in the refusal notice; as such I refer the inspector to his own advice that states '*You cannot introduce new material or put forward arguments that should have been included in your earlier statement*'.

#### 6.5:

The officer, as is noted in our appeal statement, is repeatedly (or possibly wilfully) failing to understand a 3-dimensional site and again claims ridges are 'over-bearing' in terms of height whilst again failing to acknowledge distance or topography; this is based on a 2-D understanding of the site and the officer enforces this by using a dimension taken from an elevation drawing whilst ignoring the plan or perspective distances involved. I refer the inspector to the significant amount of diagrammatic and measurable information provided in support of our design from all angles.

#### 6.6:

Not relevant. When measured to the outside of the external walls the proposed property is 300m<sup>2</sup>, the neighbouring property is 270m<sup>2</sup> and there are several other similar sized properties immediately adjacent the site. For some reason the officer chooses 4 small terraced dwellings which at their nearest are over 40 metres (not 30m as the officer claims) from the edge of our site. The officer notes these small terraces 'for context' yet any investigation of the immediately surrounding dwellings will show that this is not the context of the site at all.

#### 6.7:

If the officer accepts that we can remove the trees without planning how can he conclude that the proposals themselves will be responsible for a detrimental impact on the green wooded area? As he acknowledges we can do that now without this proposal. I refer the inspector to the

valid arguments on land use, policy and the approved garden usage (as confirmed by a Certificate of Lawfulness).

6.8:

We have shown that only parts of the proposals can be seen from the street, and even then only in a 70m section of Marple Road – this is measurable evidence and further highlights the officer's unjustified conclusion that the proposals are in a position which is '*prominent, dominant and harmful to the street-scene*'. The officer offers no justification, just opinion, whilst we have shown that there is absolutely no detrimental impact on the street-scene. Please see full argument in the appeal statement and I urge the inspector to visit site and see for himself.

6.9:

The entire stone boundary wall adjacent our site and facing Marple Road is outside the 'extended Conservation Area boundary'...Fact. What is also a fact is that we can alter, demolish, move or improve the existing stone wall now under permitted development rights. Planning policy states:

*You will not need to apply for planning permission to take down a fence, wall, or gate, or to alter, maintain or improve an existing fence, wall or gate (no matter how high) if you don't increase its height.*

6.10:

Incorrect; we clearly state that the retaining walls are not visible from almost angle (see conclusion to section 2e in our appeal statement), and if the officer is adamant we only look at views from street-level or eye-level (as per his comments about the use of google images) then we are certain the retaining walls will not be visible from Marple Road which itself only permits a 70m stretch of visibility for any part of the proposal.

6.11 and 6.12:

No further comment. Please refer to detailed argument within our appeal statement with regards policies H1 and EQ3.

6.13:

With regard the officers comment on '*bullet point 13*' which states:

*'Limited infilling of a small gap capable of accommodating no more than 2 dwellings of a similar size and scale to the surrounding dwellings in an otherwise continuously built frontage'.*

Of significant importance is to understand that the character of Marple Road does not lend itself to the description of a 'continuously built frontage'; the inspector should look at the character of Marple Road and note that almost every dwelling is detached and is set at different distances from the back of the footpath; whilst several (including the adjacent number 17) are set at angles to the road. Our design has provided an elevation nearest the road to continue the line of the 'built frontage' but it is not desirable or correct to suggest that it should be a continuously built frontage. I would argue that this line in policy EQ3 is meant as a guide and the fact that the road itself does not give rise to a design for a continuously built frontage should not suggest that all proposals would fail this policy; if that is the officer's suggestion then this policy should only ever be applied to streets or roads with a continuous terraced format of heavily linear arrangement.

6.14:

To suggest this proposal does not constitute a sustainable form of development is frankly ridiculous and is an attempt to use semantics as policy. No further comment; please refer to the detailed argument in our appeal statement.

## Comments on Section: 7

### 7.1:

No comment.

### 7.2:

The officer again fails to provide any justification for his conclusion that the proposals have significant impacts on the countryside, street-scene or Conservation Area; we have provided measurable evidence on the lack of impact. The officer is ignoring all measurable evidence and continuing with his unjustified, unsubstantiated and subjective opinion.

The officer has already acknowledged in his officers notes conclusion that the proposals will provide a minor contribution to the housing needs of the area; he now switches his interpretation to emphasize that the benefits are 'not significant'. It is of vital importance to note that the size of the contribution to local housing needs is relative to the size of the piece of land available and the inherent constraints on that piece of land; we have provided exactly the same benefits to the housing market as a scheme of 100 houses on a site 100 times the size; it is also arguable that 100 schemes for single dwellings on sporadically located sites such as this are far more sustainable and significantly easier for a community to incorporate than a single scheme of 100 houses.

### 7.3 and 7.4:

No comment.

## Comments on Section: 8

It should be borne in mind that this application is for a single family dwelling, and items such as planting and species (for example) should be the sole remit of the householder. It may be worth noting that we (HNA) have done large housing schemes, factories and offices before and I do not recall ever having had 26 (A-Z) conditions applied. I refer the inspector to Planning Policy with regard to the use of conditions. It states:

*The objectives of planning are best served when the power to attach conditions to a planning permission is exercised in a way that is clearly seen to be **fair, reasonable and practicable**. It is important to ensure that conditions are tailored to tackle specific problems, **rather than standardised or used to impose broad unnecessary controls**.*

## Conclusion:

With all of the above in mind, and our detailed appeal statement issued previously, I really hope the planning inspector will support our proposal and issue an approval notice for the development.

## Endorsement:

The evidence which I have provided for the appeal in this statement is true and has been prepared, and is given, in accordance with the guidance of my professional institutions; I confirm that the opinions expressed are my true and professional opinions.



Michael Brown BA(Hons). Dip. Arch. M.Arch. ARB RIBA  
Architect & Director; HNA Architects Ltd.