

## DELEGATED DECISION REPORT

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HPK/2018/0231  
Valid 30/04/2018

116 MANCHESTER ROAD  
CHAPEL-EN-LE-FRITH

TO ERECT A KEOPS  
INTERLOCK LOG CABIN -  
SINGLE STOREY (TO BE  
USED AS A SUMMER HOUSE -  
NOT TO BE USED AS  
RESIDENCE/DWELLING/SLEE  
PING).

(FULL - HOUSEHOLDER)

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### MAIN ISSUES

- Design
- Amenity

### DESCRIPTION OF SITE

The application site is the rear garden of 116 Manchester Road, Chapel-en-le-Frith which is a two storey semi-detached dwelling with a long drive to the side. It is located within the development boundary, as defined on the proposals map, and is within the Blackbrook ward.

The application site is joined to No. 118 Manchester Road which forms the other half of the semi-detached dwelling.

There was originally a wooden garage in the rear garden which was accessed by the driveway to the side of the dwelling but this has been demolished to make way for a two storey side extension which includes an integral garage (HPK/0003/9342). Similarly, a garage at No. 114 has also been demolished but this has been replaced with a brick built garage (HPK/2009/0628).

### PROPOSAL

The application seeks planning permission for the construction of a summer house in the rear garden of the dwelling. It is proposed to measure 4.8m in length, 2.9m in width, 2.1m to eaves and 3.0m to ridge. The roof is a shallow dual pitch shape. The application form states that the material is predominantly pine with the walls being tongue and groove covered with felt shingle, the walls being pine interlocking logs and the windows pine frames with toughened glass double glaze units. There will also be plastic guttering and down pipes feeding into a water butt stored next to the log cabin.

### RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

#### High Peak Local Plan 2016

S 1 Sustainable Development Principles

S 1a Presumption in Favour of Sustainable Development

EQ 6 Design and Place Making  
CF 6 Accessibility and Transport

### **Chapel-en-le-Frith Neighbourhood Plan**

It is not considered there to be any policies within the neighbourhood plan which directly relate to the proposed development.

### **National Planning Policy Framework**

Paragraph(s) 1-17  
Section(s) 7

### **SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS**

**HPK/2009/0358** Replacement of existing wooden garage with larger block & render construction in similar position REFUSED 27/08/2009

**HPK/2009/0628** Replacement garage APPROVED 07/12/2009

### **CONSULTATIONS**

#### **Publicity**

Site Notice expiry date: 12/05/2018  
Neighbour consultation period ends: 25/05/2018  
Press Advert: N/A

#### **Public Comments**

N/A

#### **Chapel-en-le-Frith Parish Comments**

No objection subject to the building not being used as a separate dwelling house.

#### **Environmental Health**

N/A

#### **Derbyshire County Council Highways**

No objection subject to the development remaining private and ancillary to occupants of existing dwelling with no future sub-letting or selling off.

### **OFFICER COMMENTS**

#### **Principle of Development**

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

The Local Development Plan for this site constitutes the High Peak Local Plan (Adopted April 2016) and any relevant Supplementary Planning Documents (SPD's).

The National Planning Policy Framework (NPPF) published in March 2012 sets out the Government's planning policies for England and how these are expected to be applied. As stated in paragraph 2 of the NPPF, the document is a material consideration which must be taken into account in planning decisions.

Policy S1 of the adopted Local Plan sets out a number of development principles which new development should adhere to in order to contribute positively to the social, economic, and environmental improvement of the High Peak.

Policy SS1a of the adopted Local Plan reflects the presumption in favour of sustainable development set out within the National Planning Policy Framework (NPPF). It states that planning applications that accord with relevant policies in the Local Plan will be approved without delay.

The proposed development is within the curtilage of the site and is situated within the development boundary as highlighted in the adopted Local Plan proposals map.

In light of the above, the principle of development is considered to be acceptable subject to the application demonstrating compliance with relevant national and local planning policy relating to design and amenity.

### **Design**

Policy EQ6 of the adopted Local Plan reflects that high quality design which is required by new development across High Peak. It states that all development should be well designed and of a high quality echoing the policies set out in the NPPF including a consideration towards responding to the challenge of climate change, whilst responding positively to the local environment and creating a sense of place which is distinctive.

Chapter 7 of the NPPF highlights the importance of the good design, that good design is indivisible from planning and should contribute positively to making places better for people.

Details of the measurements and materials proposed are set out above. The proposed development would be of a similar size to the original garage, which is understood to have been demolished with the grant of planning permission for the two storey side extension. The proposed summer house is positioned right up to the boundary but due to it being in a broadly similar position to the brick built garage next door it is considered that this will create a similar pattern of development to that which previously existed, prior to No. 114 and the application site repositioning their respective garages.

The materials proposed are timber, this is similar to a conventional garden shed and in fact broadly similar to the previously demolished wooden garage. As such, it is not considered that this material would look out of place in this location. Further, it is tucked away in the rear garden of the dwelling where only glimpses of the side would be available from the public highway.

As such, it is considered that the proposed development is of a high quality design which accords with EQ6 of the Local Plan and relevant parts of Chapter 7 of the NPPF.

### **Amenity**

Policy EQ6 of the Local Plan states that new development should be designed to respect the site and its surroundings and promote a positive sense of place and

identity through its scale, density, layout, siting, landscaping, character and appearance; protect the amenity of the area, including residential amenity, in terms of satisfactory daylight, sunlight, outlook, privacy and soft landscaping.

Paragraph 17 of the NPPF highlights twelve principles that should underpin both plan-making and decision taking. One such principle is that planning should always seek to secure high quality design and good standard of amenity for all existing and future occupants of land and buildings.

An assessment of the neighbouring properties has been undertaken as part of the application process. It is noted that there are other garages and sheds in the rear gardens on this side of Manchester Road. They are characterised by large, long, narrow gardens which typically have a semi-detached garage shared with the neighbouring dwelling.

The proposed summer house has French-doors with a large window either side in the front elevation. There are windows in either side but no windows in the rear elevation. Although there are a large amount of windows looking towards No. 118 Manchester Road, there is a panel fence along the boundary and the shed in the garden of No. 118 faces away from the application site. There is also a tree on the boundary between the application site and No. 118 providing some screening between the dwellings. The location of the proposed summerhouse 11m from the rear of the dwelling and its position perpendicular to the rear windows of the dwelling further reduce the amount of overlooking which may occur.

Given the single storey nature of the proposal it is not considered that any overbearing or overshadowing impacts would occur. Accordingly the proposal complies with Local Plan policy in respect of amenity.

### **Highway Safety**

Policy CF6 of the adopted Local Plan seeks to ensure that development can be safely accessed in a sustainable manner, minimising the need to travel by unsustainable modes of transport, echoing the policies set out in the NPPF and helping to deliver the priorities of the Derbyshire Local Transport Plan.

The Highways Authority have been consulted as part of the determination of this planning application. They have no objection in principle subject to the applicant retaining the summerhouse as incidental to the enjoyment of the dwelling house and not being sold or let as a separate dwelling.

### **CONCLUSION / PLANNING BALANCE**

This application seeks planning permission for a log cabin which is to be used as a summer house, in the rear garden of No. 116 Manchester Road. The application site is located within the development boundary and is not the subject of any statutory designations. As such, the principle of development is acceptable. In terms of design it is considered that the proposed development utilises materials which would be typical of a shed, used incidental to the enjoyment of the main dwelling house. The overall size is similar to that of the garage which was demolished as part of the planning permission to erect a two storey side extension. Therefore, it is not out of place in this regard. In terms of amenity, although there are windows which face

towards No. 118 it is considered that the summer house is positioned far enough down the length of the garden and with sufficient boundary treatment not to cause harm to the neighbouring dwelling. The nature of a summer house would mean that it is not used as a separate dwelling, indeed it is recommended that a condition is applied to prevent this. As such, it is not considered that there would be occupants in the summer house using it in the same way as with a habitable room such as a kitchen or dining room, for a large number of hours each day.

In light of the above, the application is recommended for approval, subject to conditions.

**OFFICER RECOMMENDATION :     Approve**

**Case Officer: Laura Barrowclough**

**Recommendation Date: 21<sup>st</sup> June 2018**

X *B.J. Haywood*

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Signed by: Ben Haywood

**On behalf of High Peak Borough Council**