

DELEGATED DECISION REPORT

HPK/2021/0109
Valid 14/04/2021

56 PARK ROAD
CHAPEL-EN-LE-FRITH

RETENTION OF DROPPED
KERB TO THE FRONT OF THE
PROPERTY ON TO PARK
ROAD. THE KERB WILL
CONSIST OF 2 SLANTED
KERBSTONES AND 4 FLAT
KERBSTONES.

(FULL - HOUSEHOLDER)

MAIN ISSUES

- Design
- Highways Safety

DESCRIPTION OF SITE

The application site is a two-storey end-of-terrace house on a corner plot in a residential area of Chapel and within the built-up area boundary.

PROPOSAL

The proposal is for a tarmacked parking area and dropped kerb onto Park Road has been formed at the front of the house, requiring the removal of a garden area and former front boundary hedge and fence. The works had been completed at the time of the site visit, and the application is therefore for retrospective permission for the completed works. The description of development has been amended to reflect this.

It is noted that, under Schedule 2, Part 1 Class A and Part 2 Class B of the GPDO, the works could be permitted development (as Park Road is not a classified or trunk road) if the parking area is permeable or drains within the curtilage of the property. As the permeability of the parking space is not certain and as the works have been completed, it is considered appropriate for the works to be assessed through the application for retrospective planning permission.

PROCEDURAL MATTERS

The Chair of the planning committee has confirmed that a delegated decision is acceptable for this retrospective application.

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

Supplementary Planning Documents

High Peak Design Guide

National Planning Policy Framework

Paragraph 11 The Presumption in Favour of Sustainable Development
Section 4 Decision-making
Section 9 Promoting sustainable transport
Section 12 Achieving well-designed places

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

None

CONSULTATIONS

Publicity

Site Notice expiry date: 11.05.2021
Neighbour consultation period ends: 17.05.2021

Public Comments

None received

Town / Parish Comments

No objections

Derbyshire County Council Highways

Initial comments related to dimensions of the parking space and drainage.

Updated comments:

The space is adequate to accommodate vehicles and it appears, from the photos at least, that the driveway falls to the property. On that basis I would not wish to pursue the surfacing element further.

I note that the applicant has already applied for a S184 licence, however, it is currently shown as 'pending'. If you are minded to grant consent it would be useful to include the S184 note on any decision issued – despite it looking like it is already in hand.

OFFICER COMMENTS

Principle of Development

The application site located within a built up area boundary, where new development will be directed in accordance with Policy S2. Accordingly the general principle of development is considered to be acceptable, subject to design, highways safety and amenity policies.

Design

Local Plan Policy EQ6 requires that all development should be well designed and of a high quality, responding to its environment and challenge of climate change – whilst also contributing to local distinctiveness and sense of place.

Paragraph 130 states amongst other matters that new developments should add to the overall quality of the area, be visually attractive as a result of good architecture and sympathetic to the surrounding built environment.

Whilst it is noted that similar works have been undertaken at neighbouring properties, the loss of the former garden and front boundary fence and hedge are considered to detract somewhat from the appearance of the property and the wider area. However, as works of the same appearance would comprise permitted development, it is not considered that retrospective permission should be withheld on the basis of this matter.

Amenity

Local Plan Policy EQ6 requires development to achieve a satisfactory relationship to adjacent development and to 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.

Given the nature and scale of the completed works, they have not resulted in harm to residential amenity in terms of any of these matters.

Highway Safety

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.

Paragraph 110 of the NPPF states that in assessing applications for development, a safe and suitable access should 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.

The comments from the highways officer are noted. It is not considered that the completed works have given rise to any risk to highways safety, and therefore that the proposal complies with policy CF6 and paragraphs 110 and 111.

CONCLUSION / PLANNING BALANCE

The proposed scheme is considered acceptable from a design perspective and with no adverse impacts on nearby residential amenity or highway safety, the application is considered to be in accordance with the relevant policies of the Local Plan and paragraphs of the NPPF and is recommended for retrospective approval.

OFFICER RECOMMENDATION : Approve

Case Officer: Tom Hiles

Recommendation Date: 14.09.2021

X *B.S. Haywood*

Signed by: Ben Haywood

On behalf of High Peak Borough Council