

## DELEGATED DECISION REPORT

---

**HPK/2021/0059**  
**Valid 08/03/2021**

**FOXLOW GRANGE**  
**HARPUR HILL ROAD**  
**HARPUR HILL**  
**BUXTON**

**CHANGE OF USE OF  
EXISTING DWELLING TO 9  
SELF CONTAINED  
APARTMENTS. ASSOCIATED  
EXTERNAL WORKS TO  
SINGLE STOREY EXTENSION  
TO REAR, REAR BALCONY  
FIRE ESCAPE TO REAR  
DORMER ROOF,  
ALTERATIONS OF ROOF TO  
ORIGINAL FIRST FLOOR  
CONSERVATORY AND  
INTRODUCTION OF GROUND  
FLOOR WINDOW THERETO.**

**(FULL - MINOR)**

---

### MAIN ISSUES

- Principle of Development
- Design
- Amenity
- Trees
- Highways and Parking

### DESCRIPTION OF SITE

The application site is a substantial detached three-storey house located on Harpur Hill Road within the built-up area boundary for Buxton. The property includes a detached outbuilding to the north of the house and a smaller detached outbuilding in the north corner of the rear garden.

Owing to previous extensions, additions and alterations the house has an eclectic visual appearance, particularly at the rear elevation. The building includes two partly separated wings (without internal access from the main part of the house) at the side elevations. The wing at the south elevation comprises a bedroom at ground floor and a conservatory structure at first floor, used a kitchen. The north wing is single-storey height but with an internal first floor, including a dormer-balcony at the rear elevation. A supporting statement notes that prior to purchase by the current owner, the main use of the building had been as a 'Bed and Breakfast / lodging house' and that the current owner has used the building 'for both multiple occupation family purpose and a main dwelling house'.

The statement further notes that:

*'The internal layout has for many decades functioned in a self contained use from the bed and breakfast era with large bedrooms effectively becoming self contained suites within the building with the top floor attic floor being used as a self contained managers apartment for many years.'*

At the front of the property is an extensive gravelled parking area, with several trees subject of a group Tree Preservation Order. To the immediate rear of the house are three detached houses, approved in 2017 and built on a former part of the curtilage of the property. The site is also bounded by residences at the north and south sides, and at the front (west) on the far side of Harpur Hill Road.

## **PROPOSAL**

The application proposes the conversion of the house into nine self-contained apartments across three floors. The conversions will involve various external and internal works. Upon the site visit it was noted that most parts of the house appear to already be occupied as self-contained units, with separated bathrooms and kitchens. It is unclear how long the house has been occupied in this manner. Conversion of rooms at the ground floor was underway during the site visit.

In the main part of the house, the ground floor would be converted to provide one one-bedroom flat and one two-bedroom flat. The first floor would provide a one-bed flat and a two-bed flat. Two one-bed flats would be created at second floor, with a one-bedroom flat within the attic space.

An existing part-completed flat-roofed single storey extension would be completed and altered to include bi-fold glazed doors at the rear elevation, and would project 4.5m with a height of 3m.

A smaller existing unfinished flat-roofed blockwork extension at the rear would be completed and reworked with a new window opening.

At the south-facing side elevation of the main house, a single small window would be added at ground floor, and an existing external door would be replaced with a French window.

The south 'wing' would be converted to form a two-storey maisonette apartments, involving a new window and door at the ground floor front elevation. The conservatory at first floor would be reworked with new windows and solid walls (built up slightly) and slate roof, with three rooflights in the side-facing roof slope. An additional door would be added to the front elevation to provide access to the services/boiler room.

The north wing would also be converted to form a maisonette apartment across two levels. A glass balustrade would be fitted to the existing balcony.

As originally submitted, the proposal would also have included the conversion and extension of the larger outbuilding into an independent 'holiday bedsit' unit. Owing to concerns related to design and the standard of accommodation, this element was amended and then removed from the proposed scheme.

The design of the re-worked south 'wing' was also amended during determination to be more sympathetic to the character of the main part of the house.

A final revision was made to introduce a side-facing window to the bedroom of a second-floor flat which was otherwise only served by rooflights and would not have provided any outlook to occupants.

None of the proposed amendments were considered to result in any significant additional impacts, and as such repeat publicity/neighbour notification was not undertaken.

Plans submitted with the application indicate the provision of 17 parking spaces and formation of grassed areas to the front of the property, and a small area of hardstanding to provide storage for four Euro bins. The existing paved rear garden is shown as retained.

## **RELEVANT LOCAL AND NATIONAL PLANNING POLICIES**

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

S 1 Sustainable Development Principles  
S 1a Presumption in Favour of Sustainable Development  
S2 Settlement Hierarchy  
S7 Buxton Sub-area Strategy  
EQ 6 Design and Place Making  
EQ 7 Built and Historic Environment  
CF 6 Accessibility and Transport  
H1 Location of Housing Development  
H3 New Housing Development

### **Supplementary Planning Documents**

High Peak Design Guide  
Residential Design SPD

### **National Planning Policy Framework (2021)**

Paragraph 11 The Presumption in Favour of Sustainable Development  
Section 4 Decision-making  
Section 5 Delivering a sufficient supply of homes  
Section 9 Promoting sustainable transport  
Section 12 Achieving well-designed places  
Section 15 Conserving and enhancing the natural environment

## **Nationally Described Space Standards (2015)**

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

HPK/2016/0027 - Proposed 3 New Detached Dwellings to Cleared Site to the rear of Fowlow Grange with Access off Hereford Close. Approved, 26/04/2016

HPK/2010/0474 - Resubmission Of Hpk/2009/0435 To Remove Existing First Floor Conservatory And Build Extension At First & Second Floor Level. Approved, 11/11/2010

HPK/2009/0435 - Remove Existing Porch And Build Conservatory, Remove Existing 1st Flr Conservatory And Build Extension At 1st And 2nd Flr Level. Refused, 21/09/2009

HPK/2008/0750 - Retrospective Application For Pitched Roof On Top Of Existing Bathroom. Approved, 17/07/2009

HPK/0003/3510 - First Floor Conservatory To Replace Existing. Approved, 01/06/1994

HPK/0003/2983 - Change Of Use From Residential To Small Private Restaurant (one Room Only : Maximum Six Persons). Approved, 11/11/1993

HPK/0000/7175 - For Proposed Conversion Of Existing Coach-house Into One 2-storey 4-bedroomed House, With Double Garage. Approved.

### **CONSULTATIONS**

#### **Publicity**

Site Notice expiry date: 11.05.2021  
Neighbour consultation period ends: 12.05.2021  
Press Advert: N/A

#### **Public Comments**

None received

#### **Town / Parish Comments**

None received

#### **Environmental Health**

Environmental Health have no observations to make concerning this application.

## **Derbyshire County Council Highways**

### *Initial comments*

No highway objections in principle to the application proposals.

The Highway Authority would recommend seeking conditions to secure visibility at the existing access point (2.4m x 43m in each direction - the area in advance of the sightlines remaining free from any obstructions to visibility over 900mm high, relative to the nearside carriageway edge) and car / cycle parking for the alternative residential and holiday use, in line with the requirements identified in your Authority's Local Plan.

### *Further comments*

The proposed sightline would only be required to be conditioned to the north (land shown to be in the applicants control) – to the south, given the alignment of the road, the visibility splay is already achievable and would not be affected by any vegetation.

## **OFFICER COMMENTS**

### **Principle of Development**

The site lies within the built-up area boundary of Buxton, one of the larger Market Towns that are the focus for new development in line with Local Plan (LP) Policy S2. LP Policy H1 seeks to promote the effective reuse of land by encouraging housing development that includes redevelopment and conversion of existing dwellings and changes of use to housing, on all sites suitable for that purpose. Accordingly, the principle of development is considered to be acceptable in this location.

### **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 of the NPPF 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.

As amended, it is considered that the proposed external alterations would be acceptable in design terms. The alterations and extensions would be modest relative to the general scale of the existing house, and would be sympathetic to its form and character. As originally proposed, the external alterations to the existing south extension were considered to be incongruous to the character of the house and unacceptable in design terms. Design feedback was provided, and amended plans have overcome the issues raised.

The proposed flat-roofed rear extensions are considered to be somewhat

incongruous to the character of the house, but given the existing eclectic appearance of the house and the limited public visibility of the rear of the house and resulting limited impact on the character of the local area, the effect of these elements in design terms is considered to be acceptable.

## **Amenity**

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. LP Policy EQ10 seeks to ensure that people and the environment are protected from adverse impacts relating to issues including air pollution, noise, light pollution or any other nuisance or harm to amenity, by securing appropriate mitigation by way of planning conditions and obligations.

The proposal will include several additional windows at ground floor, as well as additional rooflights. Owing to the position of these rooflights, they would not result in harm in terms of overlooking or loss of privacy to the adjacent dwellings. A single additional window will also be added at second floor height, at the north-facing side elevation of the rear part of the house. Owing to the relative position, height and distance to neighbouring properties (and the other flats within the building), it is not considered that the additional window will result in harmful overlooking or mutual loss of privacy.

It is not considered that the proposed single-storey rear extensions or the alterations to the existing two-storey side extension at the south elevation would result in harm in terms of overshadowing, visual intrusion, or loss of privacy and overlooking to the adjacent houses. The change to the design of the roof of the south extension would include a slight increase in overall height, but this would be seen against the larger volume of the house and as such it is not considered that this would result in greater harm in terms of visual intrusion or overbearing effect.

The flat roofs of the proposed single-storey extensions are shown as being accessible from 'escape windows' serving the first-floor flats. The potential use of these flat roofs as balconies or terraces would likely result in harmful overlooking of the outside spaces of the adjacent houses. A condition forbidding this is therefore required to control the use of the flat roofs.

LP Policy H3 sets out specific requirements for new housing developments. All new proposals are required to provide a satisfactory amount of internal space that accords with DCLG (2015) Nationally Described Space Standards, in order to provide a suitable level of amenity for future occupiers.

The NDSS Technical Guidance notes that one-bedroom flats occupied by up to two persons should have a minimum of 50m<sup>2</sup> gross internal floor area, and two-bedroom flats occupied by four people should have a minimum internal floorspace of 70m<sup>2</sup>.

Paragraph 130 of the NPPF states that planning should create places with a high standard of amenity for existing and future users.

The proposed flats would be configured as follows:

Unit	NDSS minimum	Proposed floorspace	Comments
Ground floor (1 bed)	2p - 50m <sup>2</sup>	70m <sup>2</sup>	Exceeds min
Ground floor (2 bed)	4p - 70m <sup>2</sup>	95m <sup>2</sup>	Exceeds min
First floor (1 bed)	2p - 50m <sup>2</sup>	67m <sup>2</sup>	Exceeds min
First floor (2 bed)	4p - 70m <sup>2</sup>	80m <sup>2</sup>	Exceeds min
Second floor (1 bed)	2p - 50m <sup>2</sup>	66m <sup>2</sup>	Exceeds min
Second floor (1 bed)	2p - 50m <sup>2</sup>	69m <sup>2</sup>	Exceeds min
Attic (1 bed)	2p - 50m <sup>2</sup>	71m <sup>2</sup>	Satisfies min
South maisonette (1 bed)	2p - 58m <sup>2</sup>	58m <sup>2</sup>	Satisfies min
North maisonette (1 bed)	2p - 58m <sup>2</sup>	119m <sup>2</sup>	Exceeds min

Parts of the measured floorspace for the attic flat would have a headspace of below 1.5m<sup>2</sup> and would therefore be excluded from the gross internal space. However even accounting for this it would appear that the net internal floorspace would be around the required minimum for a one bed flat to be occupied by two people. In any case, it is considered that a slight shortfall would be acceptable as part of the overall scheme of nine flats.

Following the addition of a side-facing window to the bedroom of one of the second-floor flats (which would otherwise only have been served by rooflights), the proposed flats are otherwise considered to be acceptable in terms of the standard of accommodation they would provide for future occupants, including in terms of daylight, privacy, and outlook. The proposals, as amended, would therefore accord with the requirements of policy H3.

## Highway Safety

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 satisfactorily be accommodated within the existing highway network. Appendix 1 of the Local Plan contains the Council's parking guidelines.

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.

The comments from the highways officer are noted. Given the intensification of use it is considered that the suggested condition requiring maintenance of visibility to the north of the vehicle access point is reasonable and necessary in order to ensure the proposed change of use can be accessed in a safe manner.

The proposed flats would give rise to a need for 14 off-street parking spaces in order to meet guideline minimums for seven 1-bed flats and two 2-bed flats. The proposed site plan indicates that 17 spaces would be provided, exceeding the minimum requirement. No details of cycle storage have been submitted.

Subject to provision of these spaces and conditions controlling the visibility splay, and requiring approval and implementation of cycle storage details, the proposal is therefore considered acceptable in terms of highways safety and parking provision.

### **Trees**

Policy EQ9 notes that the Council will protect existing trees, woodlands and hedgerows, in particular, ancient woodland, veteran trees and ancient or species-rich hedgerows from loss or deterioration, and that this will be achieved by resisting development that would directly or indirectly damage existing ancient woodland, veteran trees and ancient or species-rich hedgerows.

Trees to the front of the house are subject to a group TPO. Building works at the front of the house would be limited to the use of cobbles to mark out spaces on the existing gravelled area, already in use for car parking. These limited works would appear unlikely to give rise to harm to the roots of the nearby trees, above the existing situation and use of this area. It is therefore considered that the proposal would not give rise to any risk of harm to the protected trees, and therefore that the development would accord with EQ9.

### **CONCLUSION / PLANNING BALANCE**

The proposed conversion would provide additional residential units in a sustainable in line with policies S2 and H1 and would therefore be appropriate in principle.

The proposed units would provide an acceptable level of amenity for future occupiers and would not give rise to harm to the amenity of neighbouring properties or protected trees. The external alterations are considered to be acceptable in design terms, and the change of use would be acceptable in terms of highways safety and parking provision.

The proposed development would not give rise to any other planning matters and is therefore considered to accord with the relevant policies of the High Peak Local Plan 2016 and of the NPPF and is therefore recommended for conditional approval.

**OFFICER RECOMMENDATION :     Approve**

**Case Officer: Tom Hiles**

**Recommendation Date: 12.10.2021**



X *B.S. Haywood*

---

Signed by: Ben Haywood

**On behalf of High Peak Borough Council**