

DELEGATED DECISION REPORT

HPK/2021/0019
Valid 01/03/2021

1A TURNLEE ROAD
SIMMONDLEY
GLOSSOP

2 NEW DETACHED
DWELLINGS

(FULL - MINOR)

MAIN ISSUES

- Principle of development
- Design/impact on the street-scene and the character and appearance of the area (inc. setting of the adjacent Conservation Area)
- Impact on neighbouring residential amenity
- Highway safety
- Trees, landscape
- Flooding matters

DESCRIPTION OF SITE

The application site consists of an area of land to the rear and side of 1A Turnlee Road. The land is grassed over and has a number of trees within it, there are existing outbuildings and hard-standing to the rear and side of number 1A.

The area is broadly triangular in shape with its eastern boundary adjacent to a river/brook, the south-western boundary abutting Turnlee Road and the western boundary abutting the site boundary of 1A. There is an existing access into the site from Turnlee Road, currently serving 1A. The site lies within the built-up-area boundary, and partially in flood zones 1, 2 and 3, as defined in the Local Plan.

The site lies outside of, but adjacent to, the St James Conservation Area boundary.

PROPOSAL

Full planning permission is sought for the erection of two, two bedroom detached dwellings. Plot A would be positioned to the south east of number 1A, facing onto Turnlee Road and with a detached garage to the rear. The second plot would be positioned to the rear of number 1A, positioned at an angle facing east and west with a detached garage aligning the rear boundary of number 1A. Access would be gained from Turnlee Road, serving both properties.

Since the initial submission, a number of revised plans have been submitted, primarily amending the design of the dwellings and the siting of Plot B. A revised flood risk assessment has also been submitted responding to the Environment Agency's initial objection.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

High Peak Local Plan 2016

S 1 Sustainable Development Principles
S1a – Presumption in favour of sustainable development
S2 – Settlement hierarchy
S3 – Strategic housing development
S5 – Glossopdale sub-area strategy
EQ6 – Design and place making
EQ7 – Built and historic environment
EQ9 – Trees, woodland and hedgerows
EQ10 – Pollution control and unstable land
EQ11 – Flood risk management
H1 – Location of housing development
H2 – Housing allocations
H3 – New housing development
H4 – Affordable housing
CF6 – Accessibility by public transport

Residential Design Guide 2005 SPD
Design Guide 2018

National Planning Policy Framework

Paragraph(s) *
Section(s)*

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

HPK/2016/0675 – Outline application with all matters reserved for residential development – Approved 3/8/18

HPK/2003/0687 – Renewal of application 038936 for two residential units – Approved 8/10/2003

HPK/0003/8936 – 2 no. Residential units – Approved 22/08/2000

CONSULTATIONS

Publicity

Site Notice expiry date: 21/5/21
Neighbour consultation period ends: 30/03/2021
Press Advert: N/A

Public Comments

None received.

Town / Parish Comments

N/A

Environmental Health

Revised plans - No additional observations to make concerning the revised layout for this application.

Original plans - No observations to make concerning this application.

AES Waste

Revised plans - No issues regarding waste collections.

Original plans - No issues regarding waste collections.

Derbyshire County Council Highways

Revised plans - The Revised Block Plan (DC/01/2020 – 11) appears to be similar in principle to what was originally proposed, there now appears to be a single vehicular garage and off-street parking bay to serve each dwelling which is sufficient to serve the proposed development along with space for manoeuvring so that vehicles can both enter and emerge from the site in a forward gear.

Accordingly, there are no objections to the proposal subject to the conditions and notes outlined in the initial response being appended to any consent given.

Original plans – No objection. The application site was granted outline planning permission for 2no dwellings in 2017 under App Ref: HPK/2016/0675, to which the highway Authority raised no objections to in principle, subject to conditions.

Whilst its appreciated emerging visibility sightlines of 2.4m x 67m have been demonstrated in both directions from the modified vehicular access on the block plan (DC/01/2020), the visibility splay in the Eastern direction of Turnlee Road appears to cross land outside of the applicant's control. However, in view of Turnlee Road (A6016) being subject to a 30mph speed limit, it is considered subject to maximized visibility being provided achievable sightlines would be acceptable.

The Block Plan demonstrates a modified width of 5m for the existing vehicular access which is acceptable to serve the level of proposed development. The modification of the existing vehicular access will require the existing dropped kerb crossing to be extended accordingly.

There appears to be appropriate levels of off-street parking to serve each proposed dwelling, along with sufficient space for the manoeuvring of resident's vehicles so that they can both enter and emerge from the site in a forward gear.

The dimensions of the proposed off-street parking bays are below what is currently recommended i.e. each parking bay should measure a minimum of 2.4m x 5.5m with an additional 0.5m of width to any side adjacent to a physical barrier e.g. wall, hedge, fence, etc.

Recommended conditions: Details for the storage of materials, site operative vehicles etc, access to be modified to comply with plans and provided with visibility splays, provision of parking spaces and their retention, garages to be provided for parking only, details for the storage of bins and surface water drainage details for driveways,

Lead Local Flood Authority

Revised FRA - Derbyshire County Council as the Lead Local Flood Authority (LLFA) has reviewed the information submitted for this application, which was received on 31/05/2022. As this is a minor application and the EA have recommended a specific flood risk related condition the Lead Local Flood Authority (LLFA) has no formal comment to make and would refer the applicant to our informative notes below.

Original comments – This is a minor application but the Lead Local Flood Authority (LLFA) need to comment formally on this application and would refer the applicant to our informative notes below. The proposed development shows only a 2m wide clear access to the river bank. The river is a Main River and guidance needs to be sought from the Environment Agency. The LLFA guidance below at note C. refers to management of ordinary watercourses and states that 'no part of the proposed development shall be constructed within 5-8m of an ordinary watercourse'. The development is sited next to a Main River, Long Clough Brook, the LLFA anticipate that the Environment Agency would need to see suitable easements showing a minimum of 8m.

Environment Agency

Revised FRA - The Environment Agency has received an updated flood risk assessment and drawings. Our understanding is that these documents have also been provided to the local planning authority (LPA).

The Environment Agency has reviewed the new information and is satisfied to remove our previous objection as detailed in our previous response of the 17th August 2021. The Environment Agency has no objection to the proposed development, subject to condition.

We have reviewed the Flood Risk Assessment (FRA) from Floodplan Limited (Ref 00132 1A Turnlee Road dated 02 September 2021) submitted with the application and received the typical section indicative details and levels drawing reference DC/01/2020 dwg no 14 and are now satisfied that it demonstrates that the proposed development will not be at an unacceptable risk of flooding or exacerbate flood risk elsewhere. The proposed development must proceed in strict accordance with the

drawing and FRA and the mitigation measures identified as it will form part of any subsequent planning approval. Therefore, we consider that planning permission for the proposed development should only be granted if the following mitigation measures as set out below are implemented and secured by way of planning conditions on any planning permission. Recommend condition requiring compliance with the revised FRA.

Original comments - In the absence of an acceptable Flood Risk Assessment (FRA) we object to this application and recommend that planning permission is refused. The submitted FRA from Floodplan Limited (Ref 00132 1A Turnlee Road dated 25 July 2021) does not comply with the requirements for site-specific flood risk assessments, as set out in paragraphs 30 to 32 of the Flood Risk and Coastal change section of the planning practice guidance. The FRA does not therefore adequately assess the flood risks posed by the development.

Tree Officer

Subject to a landscaping and tree protection condition I have no objection to the proposals.

United Utilities

In accordance with the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG), the site should be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way.

OFFICER COMMENTS

Principle of Development

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. Section 38(6) requires the Local Planning Authority to determine planning applications in accordance with the development plan, unless there are material considerations 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 currently consists of the High Peak Local Plan Policies Adopted April 2016.

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; or where there are no relevant development plan policies, or the most relevant policies are out of date, permission should be granted unless:

- i) 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

ii) 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.

the application site is located within the built-up-area boundary of Glossop, where new development will be directed in accordance with Policy S2.

Policy H1 of the Local Plan seeks to ensure provision is made for housing development by supporting, amongst other matters:-

- Development of sites identified through site allocations
- Promoting effective use of land for eg. redevelopment, infill, conversion and change of use on sites suitable for housing; and
- Supporting housing on unallocated sites within the built up area boundary

The site is not an allocated site. However, the site does lie within the built up area boundary for Glossop and therefore policy H1 allows for housing development. Hence, within the context of Local Plan policies, the proposal is acceptable in principle. It is noted that planning permission has previously been granted for residential development on the site, although these consents have now lapsed. Whilst the principle is acceptable, this is subject to compliance with all other Local Plan policies and other material considerations.

Design/impact on the street-scene, including the settling of the St James conservation area.

Both properties would be two storey in height, with Plot A facing onto Turnlee Road, and Plot B located to the rear of the host dwelling, 1A Turnlee Road. The initial submission presented both dwellings with windows siting below the eaves line, asymmetrical side elevations, balconies, contrasting materials including cladding and a variety of different windows. This was considered completely out of keeping with the character of this part of Turnlee Road and in particular the adjacent semi detached properties, numbers 1 and 1A Turnlee Road. These neighbouring properties are traditional in appearance, having a simple gable roof form, with windows tucked tightly into the eaves, a high solid to void ratio and constructed of natural stone with a slate roof.

The revised plans now show a simplified design, being two storey in height with front elevations displaying vertically portioned windows, tucked into the eaves, and chimneys. This is considered to be a significant improvement when compared to the original plans. When viewed from the street scene, plot A will reflect the character of the adjacent semi detached houses. In terms of Plot B, whilst its rear elevation still continues to show a variety of window proportions, it will be read across the forecourt of the garage to the north west, and will be set well back from the road. As such it will not form a prominent addition in the street scene. Overall, the size, scale and design of the dwellings is now considered to be acceptable reflecting the requirements of Policy EQ6 and the relevant Design SPD'S.

The boundary with the St James conservation area forms the eastern boundary of the site. The site lies just beyond the landscaped grounds of Redcourt and the wooded margin is very clearly defined. With the redesign of the dwellings having a more traditional approach and of a scale which is sympathetic to the character of housing in the immediate locality, it is considered that there would be no harm to the setting of the conservation area.

Amenity

Plot A would be positioned at its closest point 14.6m from the side elevation of number 1A Turnlee Road, with the vehicle access serving both the new dwellings and existing property in between. Despite the presence of two side facing windows in the host dwelling it is considered that Plot A would not have a detrimental impact on the amenities of this property due to this distance.

Plot B would be positioned at an angle to the rear of number 1A and at a distance of 15.3m. 1A does not have any rear windows and therefore any impact would be negligible. However, the rear elevation to Plot B would overlook, at an angle, towards the rear garden of number 1 Turnlee Road. The revised plans indicate that the rear windows serving a landing area, bedroom and bathroom will be obscure glazed, ensuring that no overlooking can occur. With Plot B being located to the north east of the neighbours, the isolation distance combined with its siting will ensure that no overshadowing or overbearing effects will occur.

Overall the impact on neighbouring amenity is considered acceptable.

Highway Safety

Both dwellings would be served by an existing centrally placed access in between Plot A and the existing dwelling 1A Turnlee Road. Off road parking provision would be provided by way of detached garages and driveway parking. Acceptable visibility can be provided across the frontage of the site.

It is noted that the highway authority raises no objection to the development, subject to conditions. Consequently, it is considered that the development does not raise any highway safety concerns, and can be provided with an acceptable level of off road parking to meet the Councils parking guidance.

Flood Risk

The site is partially within flood zones 2 and 3. Plot A would be positioned partially within flood zones 1 and 2, whereas Plot B would be positioned partially within flood zone 2 and 3. A revised flood risk assessment (FRA) was submitted during the course of the application, following an initial objection from the Environment Agency.

In accordance with Policy EQ11, where sites are located within a flood zone the sequential test should be applied. In this case, the site lies within an established residential area, forming part of the garden area serving number 1A Turnlee road. As a windfall site, it is considered that there are no known other sites where such a development could be placed. The houses will be positioned in the areas of site

least affected by flooding. The dwelling at Plot A would be positioned almost entirely within flood zone 1, with its garage positioned within flood zone 2. In respect of Plot B, the house would almost be entirely in flood zone 2, with its driveway within flood zone 3. As such the siting of the houses have been positioned in the least vulnerable parts of the site.

Nonetheless, the revised FRA sets out that dwellings must have a minimum floor level of 151.34 above ordnance level along with compensatory flood measures, shown on plan ref 14. This can be secured by an appropriate condition.

Overall subject to the imposition of a suitable condition it is considered that the the proposed development will not be at an unacceptable risk of flooding or exacerbate flood risk elsewhere.

Ecology

A preliminary ecology report has been submitted in support of this application. The report concludes that the site is of low ecological value with habitats being identified as typical of a residential setting. Any buildings on site were considered negligible for bat roosts, although beyond the site the woodland was found to be a suitable foraging habitat for a number of species. However, as the woodland lies outside of the application boundary, this area would not be affected by the development proposals. However, in order to ensure that the scheme delivers biodiversity gain, a condition should be imposed requiring details of enhanced biodiversity measures. The plans suggest that bird nesting boxes will be installed and all fences and walls will be hedgehog friendly, however no details have been provided.

Overall the loss of the garden area, will not harm any biodiversity interests.

Impact on trees

To the east of the site are a number of mature trees, which form a wooded area along Long Clough Brook. Leylandii trees and hedgerows form a number of boundaries. The dwellings will not be positioned within the canopy spread of the trees, however to ensure that no trees are damaged during construction a tree protection condition will need to be imposed, along with further landscaping details. Overall, the impact on trees is not considered to be a constraint to development.

CONCLUSION / PLANNING BALANCE

The Council can no longer demonstrate a 5 year supply of housing land. Therefore, in accordance with paragraph 11d) of the NPPF, consent should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

In this case, the development of the site does not raise any residential amenity, highway safety, ecology, flooding or visual impact concerns. The development of the site would not affect the setting of the adjacent conservation area and would continue to sustain its significance. The addition of two residential units would make

a modest contribution towards the Councils housing land supply position, and there would be some minor economic and social benefits of the scheme. Overall, the development complies with the relevant local plan policies and the NPPF. Accordingly a recommendation of approval is made.

OFFICER RECOMMENDATION : APPROVAL

Case Officer: Faye Plant

Recommendation Date: 28/06/2022

X *B.J. Haywood*

Signed by: Ben Haywood

On behalf of High Peak Borough Council