



Domestic Side Store at 9 Hayfield Road, Chapel en le Frith

Planning Statement

AUGUST 2022

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1. INTRODUCTION

This Planning Statement has been prepared on behalf of the applicant, Claire d'Arch Smith, in support of a planning application on land at 9 Hayfield Road, Chapel en le Frith, SK23 0JF ("the application site").

The application seeks planning permission for the erection of a stone store for domestic storage.

This Statement sets out the background to the site, outlines the proposals and assesses how these comply with the relevant planning policy and guidance at local and national level.

This report should be read alongside the application drawings and heritage statement submitted as part of the application.

2. SITE DESCRIPTION

Hayfield Road comprises a row of semi detached and terraced houses.

The application site itself is the right hand of a pair of semi detached houses built in 1878, in a typical Victorian style with single storey lead roofed bays and stonework detailing.

The site faces Hayfield Road and has a small front garden. The property sits at the junction of Hayfield Road, Bowden Lane and Hayfield Road East.

The side gable of the house is between 1.4m and 1.8m from the boundary. The side elevation faces a small semi circle of public amenity land laid to grass.

The rear garden runs alongside the amenity land and backs onto Bowden Lane, where an offroad parking space and rear access to the property exists.

The site is enclosed by gritstone walls of varying height which is topped by a fence to the side and rear which largely obscures the rear garden from public view.

The site has an unauthorised wooden store which has been refused planning permission (HPK/2021/0367) and an appeal upheld that decision insofar as it relates to the store, but permitted the garden fence.

The site is within the Chapel and Town End Conservation Area and a Heritage Assessment has been provided to assess the impact of the development on the heritage asset.





3. Planning History

- HPK/2021/0367: Planning Application refused retrospective application for replacement fencing and construction of lean-to timber bike store/ greenhouse/shed adjacent to side
- An appeal against refusal of HPK/2021/0367 was determined on 14 March 2022. This was a split decision which permitted the retention of the fencing but refused permission for the timber store.
- High Peak Borough Council Enforcement Officer sought confirmation that the timber store would be removed within by 6 October 2022, and were advised that a planning application is being prepared.

4.THE APPLICATION PROPOSALS

The Proposals

This application seeks retrospective planning permission for the erection of a single storey, lean-to, gritstone store with a slate roof to match the materials of the existing house.

The building itself is 4.2m long by 1.2m wide towards the front elevation and 1.6m wide towards the rear elevation. It is 3.3m to the eaves and 4.1 m to the apex of the roof.

A single pedestrian access door is located in the rear elevation and it is not proposed to have any access to the store from inside the house.

Because the store is reduced in size from the current timber store, it is proposed to extend the fence line of the existing fence by 4.5m at the same height as the existing in order to deliver a secure rear garden with privacy to occupants.

5. PLANNING POLICY CONTEXT

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning decisions to be made in accordance with the Development Plan unless material considerations indicate otherwise.

The following sections of this statement set out the provisions of the Development Plan for the area and detail other material planning considerations, such as the National Planning Policy Framework, non-statutory local policy and supplementary policy.

National Planning Policy Framework

At the national level, the Revised National Planning Policy Framework (NPPF) (2021) outlines guidance which is relevant to the proposals.

The NPPF at Paragraph 8 outlines that there are three overarching objectives of the planning system in achieving sustainable development: economic, social and environmental. Importantly the NPPF states that all of these dimensions must be satisfied.

In all cases the assessment of a development proposal needs to be considered in light of paragraph 11 of the NPPF, which provides that when making decisions, a presumption in favour of sustainable development should be applied and that where there are no relevant development plan policies, or where the policies which are most important for determining the application are out of date (e.g. because they are inconsistent with the NPPF), this means that planning 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 proposed⁷; 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.

⁷ The policies referred to are those in this Framework (rather than those in development plans) relating to: habitats sites (and those sites listed in paragraph 181) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 68); and areas at risk of flooding or coastal change

⁸ This includes, for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer, as set out in paragraph 74); or where the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75% of) the housing requirement over the previous three years..”.

Chapter 12 focuses on achieving well designed places and sets out that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

Planning decisions should ensure that developments will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;

- are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);

- establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

The 2021 revision of the National Planning Policy Framework sets out planning policies relating to conserving and enhancing heritage assets. It defines heritage assets (para. 189) as ranging from “...sites and buildings of local historic value to those of the highest significance, such as World Heritage Sites which are internationally recognised to be of Outstanding Universal Value. These assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations’. In relation to this paragraph, the policy states in Footnote 67 “The policies set out in this chapter relate, as applicable, to the heritage related consent regimes for which local planning authorities are responsible under the Planning (Listed Buildings and Conservation Areas) Act 1990, as well as to plan-making and decision-making”.

The NPPF states (para. 1190) that: “Plans should set out a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats. This strategy should consider:

- the desirability of sustaining and enhancing the significance of heritage assets, and putting them to viable uses consistent with their conservation;
- the wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring;
- the desirability of new development making a positive contribution to local character and distinctiveness; and
- opportunities to draw on the contribution made by the historic environment to the character of a place”.

A key policy section within the NPPF (Paras. 194-198) states that “In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets’ importance and no more than is sufficient to understand the potential impact of the proposal on their significance.

The NPPF continues “Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset’s conservation and any aspect of the proposal”.

Of considerable importance to the planning process, para. 197 states that “In determining applications, local planning authorities should take account of:

- a) the desirability of sustaining and enhancing the significance of heritage assets and

- putting them to viable uses consistent with their conservation;
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- c) the desirability of new development making a positive contribution to local character and distinctiveness.

With regard to impact assessment, para. 199 sets out that “When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance”. Para. 200 continues “Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.

Substantial harm to or loss of:

- Grade II Listed Buildings, or Grade II Registered Parks or Gardens, should be exceptional;
- assets of the highest significance, notably Scheduled Monuments, Protected Wreck Sites, Registered Battlefields, Grade I and II* Listed Buildings, Grade I and II* Registered Parks and Gardens, and World Heritage Sites, should be wholly exceptional.

Of considerable importance is para 201 which states “Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

Paras. 202-199 set out additional policy in this regard:

“(202) Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

(203) The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

(204) Local planning authorities should not permit the loss of the whole or part of a heritage asset without taking all reasonable steps to ensure the new development will proceed after the loss has occurred

(204) Local planning authorities should require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible. However, the ability to record evidence of our past should not be a factor in deciding whether such loss should be permitted”.

Development Plan

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that the determination of planning applications must be made in accordance with the 'Development Plan' unless 'material considerations' indicate otherwise.

The Development Plan for the purposes of this application is the Chapel-en-le-Frith Neighbourhood Plan 2013- 2028 and the adopted High Peak Local Plan 2016.

Chapel-en-le-Frith Neighbourhood Plan

H3 Design Criteria

High Peak Local Plan 2016

S 1 Sustainable Development Principles

S 1a Presumption in Favour of Sustainable Development

S6 Central Sub Area

EQ 6 Design and Place Making

EQ7 Built and Historic Environment

CF 6 Accessibility and Transport

High Peak Design Guide 2018

Residential Design SPD 2005

6. PLANNING ASSESSMENT

This Chapter will now assess the key issues associated with the proposals and how these comply with the relevant planning policy considerations.

Principle of Development

The principle of the acceptability of householder extensions and developments in this location is set out in High Peak Local Plan Policies S2 and S5 but are subject to other relevant local plan policies such as Policy EQ6 which makes provision for design and amenity and Policy EQ7 which makes provision for design within Conservation areas.

Design and Impact on the Conservation Area

The site is located within the Town End Conservation area. Section 72 (1) of the (Listed Building and Conservations Areas) Act 1990 requires special attention be paid to the desirability of preserving or enhancing the character or appearance of such areas.

Local Plan (LP) Policies S1 and EQ6 set out the design principles of the Borough and require that all development should be well designed and of a high quality, responding to its environment whilst also contributing to local distinctiveness and sense of place. New development should be well designed to respect the character, identity and context of the High Peak's townscapes and landscapes. Development is expected to contribute positively to an area's character, history and identity in terms of scale, height, density, layout, appearance, materials and the relationship to adjacent buildings and landscape features.

The Council's Design Guide outlines the Council's expectations in respect of design and states that extensions should harmonise with the parent building. Insensitive changes can easily spoil a building. Para 7.24 outlines that new materials should respect the building and its setting, whilst on occasion high quality modern materials may be acceptable in circumstances where they are appropriate to the design or setting, provided they harmonise well. More commonly, modern substitute materials are less appropriate and often less durable. Para 7.25 concludes that there is no tradition of external timber boarding in the High Peak.

The proposed building is set back from the front and rear building line and is a modest scale. This ensures that the addition is not unduly prominent, and clearly identifies it as being an ancillary building. This is in line with policies DMC3 and DMH8.

The massing of the building is in keeping with other ancillary and secondary buildings in the vicinity and does not have an unacceptable impact on the adjacent built environment.

The ridge height has been designed to reference the ridge height on the rear offshoot on the host property.

The rear door is proposed to be uPVC in order to ensure security for bicycles and also to reflect the door finishes on the existing property. This will not be prominent due to the proposal to extend the fence on the side elevation.

The modest extension of the fence will have no greater impact than the existing fence. In determining the appeal the Inspector found that 'the replacement fencing preserves the character and appearance of Town End Conservation Area and the host property...' The very small extension of the fence cannot reasonably be concluded to have an unacceptable impact.

In determining the previous application, the councils Conservation Officer set out that 'stone is the only material which would help assimilate this slim, angular, structure with the host building.

The application now proposes a store of reduced size and height and delivered in natural stone. The openings other than an access door have been removed in order to address concerns that the store appeared as an extension rather than a store.

In the locality of the application there are a number of lean-to stores as shown below. These buildings are all apparent from public viewpoints and have not been a barrier to the designation of the Conservation Area. Within this wider context, when delivered with the appropriate materials, the form of the development will be relevant within its context.



1 Bowden Green (opposite application site gable)



23 Hayfield Road



6 Bowden Lane (behind application site)

The Heritage Statement concludes that the level of harm arising would be 'less than substantial' and that....

Residential Amenity

Paragraph 127 f) of the NPPF seeks to secure a high standard of amenity for all existing and future occupants. 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. The ground floor extension is located on the southern side elevation of this property, and does not affect the amenity of any neighbouring properties. At the rear the fencing reduces in height and does not harm the amenity of neighbouring properties.

Access and Highways

Paragraph 102 of the NPPF states that patterns of movement, streets, parking and other transport considerations are integral to the design of schemes and contribute to making high quality places. Policy CF6 seeks to provide safe and sustainable access and ensure that development does not lead to an increase in on street parking. The proposal does not affect the level of parking on site nor does it create the requirement for additional parking spaces. The proposal complies with local plan policy CF6 in this regard.

6. Conclusion

In summary, the proposed development meets the objectives of the NPPF and the three dimensions of sustainable development.

The design of the building will minimise the impact on the setting of the site and will ensure that the development does not have an unacceptable impact on the Conservation Area.

The proposal is in accordance with the adopted policies of the council and is acceptable in all other regards.