

DELEGATED DECISION REPORT

HPK/2022/0528
Valid 21/11/2022

44 CROSS FARM
HADFIELD ROAD
HADFIELD
GLOSSOP

CONVERSION OF
GARAGE/STORE TO
PROVIDED ANCILLARY
ACCOMMODATION

(FULL - HOUSEHOLDER)

MAIN ISSUES

- Design, Character and Appearance
- Amenity
- Parking Provision and Highway Safety

DESCRIPTION OF SITE

The application relates to a modest single storey ancillary garage/storage building that a short distance from the main dwellinghouse known as No.44 Hadfield Road, Hadfield, constructed following the granting of planning permission in September 1989 under HPK/0002/8345.

The building is split into two rooms, a larger room that functions as a garage served by a typical garage door, and a smaller adjacent room for storage. The building is constructed in a natural stone and slate tiled roof.

PROPOSAL

The application seeks permission to convert the existing garage/store to ancillary living accommodation. The Proposed Plans show the smaller storage room to remain intact, with the garage being converted to provide space for a small lounge area, double bedroom and shower room. The occupier of this ancillary accommodation would rely on the main dwelling for cooking facilities.

No physical alterations or extensions are proposed other than changes to the fenestration.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

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

The Local Development Plan for this site comprises the High Peak Local Plan (2016). Adopted Supplementary Planning Guidance documents and the National Planning Policy Framework (NPPF) are also material considerations in determining applications.

High Peak Local Plan 2016

- S1 Sustainable Development Principles
- S1a Presumption in Favour of Sustainable Development
- S2 Settlement Hierarchy
- EQ6 Design and Place Making
- CF6 Accessibility and Transport

National Planning Policy Framework 2021

- | | |
|-----------------------------------|------------|
| Achieving Sustainable Development | Chapter 2 |
| Promoting Sustainable Transport | Chapter 9 |
| Achieving Well Designed Places | Chapter 12 |

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

HPK/0002/8345 Garage and store room (Approved 7th Sept 1989)

CONSULTATIONS

Publicity

Site Notice expiry date: 12th January 2023
Neighbour consultation period ends: 16th December 2022
Press Advert: N/A

Public Comments

None

Town / Parish Comments

N/A

Derbyshire County Council Highways

No highway objections subject to the premises remaining ancillary to the main dwelling, no.44 Hadfield Road.

OFFICER COMMENTS

Principle of Development

The application seeks permission for development that is contained within the domestic curtilage of the existing dwelling that lies within the built-up area boundary of Hadfield, a settlement identified as a Larger Village within the settlement hierarchy set out under Local Plan (LP) Policy S2, which can accommodate modest forms of development. The site is not constrained by any sensitive statutory designation.

Given the nature of proposed development and the planning policy context set out above, the principle of development is acceptable subject to an assessment of all relevant planning considerations.

Design Character and Appearance

LP Policy S1 sets out a number of sustainability principles which all new development proposals should incorporate in order to make a positive contribution towards the sustainability of communities and to protect, and where possible enhance the environment.

LP Policy EQ6 states that all development should be well designed to respect and contribute positively to the character, identity and context of High Peak's townscapes, having regard to matters of scale, height, density, layout, appearance and materials.

Paragraph 130 of the NPPF states amongst other things that decisions should ensure that developments will add to the overall quality of the area; are visually attractive as a result of good architecture; and are sympathetic to the surrounding built environment.

The application relates to an existing ancillary garage/store that was constructed following the granting of planning permission in September 1989. The building has a strong spatial and visual relationship with the main dwelling and as such, any proposed use of the building for ancillary habitable living space is considered to be acceptable.

The only material changes to the appearance of the building is the introduction of new fenestration serving habitable rooms. These windows are of an appropriate scale and appearance that respects the traditional characteristics of the existing building thus preserving the overall character and appearance of the site.

In light of the above, the proposed development is considered to amount to a design that aligns with the principles set out under LP Policies S1 and EQ6, relevant Supplementary Design Guidance and paragraphs under Chapter 12 of the NPPF.

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.

The High Peak Residential Design Guide SPD requires extensions to preserve the residential amenity of neighbouring properties, having regard amongst other things to the relationship between existing and proposed development, the positioning of windows, and the change in land levels.

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

The proposed annex is situated a short distance to the north-east of the main dwellinghouse No.44 Hadfield Road. To the south, beyond a boundary fence that stands at approximately 1.8m in height is No.42 Hadfield Road. This two storey end of terrace property is orientated so that the rear elevation directly faces the building subject of the application.

The only aspects of the proposed annex that has the potential to impact on neighbouring residential amenity is the introduction of two windows in the southern elevation serving the bedroom and lounge areas. Whilst the distance between these windows and the ground floor windows to the rear of No.42 amounts to approximately 8m, the boundary fencing, situated 4.5m from the southern elevation of the proposed annex, mitigates and prevents any overlooking or loss of privacy from this neighbouring property.

The outlook from the proposed habitable considered to be acceptable given the distance to the boundary fence and due to the fact that the living accommodation is ancillary to the main dwellinghouse.

In the interests of amenity (as well as highway safety) a condition is recommended that restricts the use of this ancillary accommodation for any short term holiday let accommodation (such as Air BnB).

Subject to such a condition, it is considered that the use of the existing garage as ancillary living accommodation would not result in any harm to the amenity of any neighbouring residential property in accordance with LP Policy CF6, relevant Supplementary Planning Guidance, and paragraph 130 of the NPPF.

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 be satisfactorily accommodated within the existing highway network and provides suitable off-street parking provision in accordance with guidelines set out under Appendix 1 of the Local Plan.

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 existing garage is not a double garage by modern standards, and as such, the application would result in the loss of a single car parking space. A site visit has confirmed that there is sufficient space within the domestic curtilage to accommodate two or perhaps three vehicles, and thus demonstrates compliance with the Council's parking guidelines. The Highways Authority has no objections subject to a standard

condition requiring the proposed annex to be ancillary to the main dwelling, not being sub-let or sold off separately. It is recommended that this condition be applied.

In the interests of controlling any intensification of the site and in the interests of highway safety, it is recommended that a condition be applied that does not allow the use of this ancillary accommodation for any short term holiday let accommodation (such as Air BnB).

Subject to the above conditions, it is considered that the proposed annex would not result in any harm to highway safety, in accordance with LP Policy CF6 and paragraph 110 of the NPPF.

CONCLUSION / PLANNING BALANCE

LP Policy S1a 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.

Paragraph 11 of the NPPF sets out the presumption in favour of sustainable development. For decision taking, this means approving development proposals that accord with an up-to-date development plan without delay; or, where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission, unless:

- 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
- 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 seeks planning permission to convert an existing garage associated with No.44 Hadfield Road, Hadfield to additional ancillary living accommodation. An assessment of the application has found the principle of development to be acceptable, the proposed changes to fenestration to preserve the character of the building and wider site, and subject to appropriate conditions, would not harm residential amenity or highway safety.

As such, the application is considered to constitute a sustainable form of development and in line with LP Policy S1a and paragraph 11 of the NPPF, is recommended for approval subject to appropriate conditions.

OFFICER RECOMMENDATION : Approve with Conditions

Case Officer: James Stannard

Recommendation Date: 16th January 2023

X *B.J. Haywood*

Signed by: Ben Haywood

On behalf of High Peak Borough Council