

F.A.O Mr James Stannard
Planning Department
High Peak Borough Council - Planning
Buxton Town Hall
Market Place
Buxton
Derbyshire
SK17 6EL

6 March 2023

Dear Mr Stannard

Re: Objection to Planning Application ref. HPK/2023/0035 – Proposed new single dwelling

Thank you for your letter dated 9 February 2023 regarding the above planning application. I understand that the proposed development comprises the demolition of an existing garage building and replacement with a single, two storey dwellinghouse, including excavation works.

As neighbours at number 100 North Road, our property lies approximately 26 metres from the development site (directly behind). I wish to object to the above application on the following grounds:

1. Loss of privacy / overlooking into our rear garden – difference in levels / orientation and number of rear windows on the proposed dwelling
2. Lack of supporting information with the application to enable an informed decision to be made:
 - a. Utilities and highways concerns
 - b. Ecology concerns
 - c. Ground stability concerns
 - d. Drainage concerns
3. Overall development proposal is contrary to national and local planning policies / guidance.

Our objection is based on what I have read within National and Local planning policy and adopted supplementary planning documents which I have been able to access online and from my experience of dealing with planning matters in connection with my business.

National Planning Policy Framework (2021)

The National Planning Policy Framework places great importance on achieving sustainable development. Paragraph 8, point b, refers to the social objective whereby the Framework seeks to support strong, vibrant, and healthy communities, by fostering well-designed built environments.

The construction of a new dwellinghouse on this site would not support a strong, vibrant, healthy community. This is due to the adverse impacts it would have on our residential amenity. Furthermore, the proposal does not reflect a well-built environment, as it would appear unduly prominent at the rear, from both my own and neighbouring gardens, being a two-storey dwelling at circa 8m higher than my garden.

Paragraph 130 point a) of the Framework, requires development to function well and add to the overall quality of the area with point c) requiring development to be sympathetic to the local character, including the surrounding built environment. Point f) requires development to be safe, inclusive and accessible and to promote health and well-being, with a high standard of amenity for existing and future users (our emphasis). As outlined above, the proposed development would not function well nor would it be sympathetic to the local character, most notably the surrounding environment i.e. myself as the neighbouring property (nor other neighbouring dwellings).

High Peak Borough Council Local Plan (2016) – Amenity and Design

Policy S1 Sustainable Development Principles, of the High Peak Local Plan (HPLP), mirrors the Framework, with policy S1a re-affirming how the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. The proposed development is therefore contrary to Policies S1 and S1a of the HPLP.

Of key consideration is HPLP EQ6, Design and Place Making. Policy EQ6 requires development to be well designed and of high quality that responds positively to both its environment and the challenge of climate change, whilst also contributing to local distinctiveness and sense of place. The policy lists how this objective will be achieved.

Of key consideration in this objection are:

- Requirement for development to be well designed to respect the character, identity and context of High Peak's townscapes and landscapes.
- Requirement that development contributes 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.
- Requirement for development to achieve a satisfactory relationship to adjacent development and does not cause unacceptable effects by reason of visual intrusion, overlooking, shadowing, overbearing effect, noise light pollution and other adverse impacts on local character and amenity.

The proposed development is neither well designed nor of a high quality. It is noted the proposal takes design cues from the recent proposal to the south, however in my view this also appears at odds with the existing character / street scene, mainly due to its wide site frontage, with the property situated 'widthways' in the plot, rather than 'lengthways', like the remainder of Haywards Close.

The existing property to the south, appears less imposing in the street scene as it is bordered by a vacant parcel of land to the south east, helping to offset the 'spread' of development across the width of the plot, with the plot itself being more of an 'individual case', an anomaly on the close. The proposed development however, will be bordered by existing properties to the north and south (either side), therefore appearing at odds with the surrounding character of properties with gables facing the road, sat 'lengthways' within their plots. Unlike the neighbouring plot to the south, there appears to be the depth in this case to re-orientate the proposal to better integrate into the existing street scene.

The proposed development will affect my property unacceptably, by way of overlooking into my rear garden and bedroom windows, due to the difference in site levels and orientation of the proposed dwelling, with main habitable windows to the rear because of the lack of windows on the side elevation due to the cramped nature of the proposal with its neighbouring (side) properties.

I provide a photograph of the site from my garden and an aerial shot for reference below. Note the red square denotes the approximate location of the proposed dwelling:



The extract from the proposed rear elevation plan shows how the main outlook from the proposed dwelling is from the rear and this will directly overlook my property, severely affecting my amenity:



This overlooking will be exacerbated by the difference in levels between the proposed and my property, as I am circa 8.5m lower (at least) which equates to the proposal being similar to a 4-storey building. This will also give rise to a sense of encroachment / an overbearing impact on my property, especially when sat in my rear garden.

Overall, the proposed development will have an overbearing impact on my property, both in terms of reducing my levels of privacy / enjoyable amenity space and also its positioning and scale, again exacerbated by the difference in levels.

High Peak Design Guide SPD (2018)

Paragraph 3.10 provides guidance on the proportions of new development, stating new buildings where possible should pick up on the proportions of neighbouring buildings in some way, with paragraph 3.12 stating *"new buildings should be well proportioned and relate to the human scale"*. I do not consider the proposed dwelling is well proportioned. What appears to be a bungalow from Haywards Close, is in fact very rear heavy, with the bulk of the proposal below the existing ground level, requiring a significant amount of excavation, for which the details are unspecified. As a result, the proposal will appear very prominent and 'out of proportion' when viewed from my rear windows and garden.

Paragraph 4.24 concerns wildlife and states *"All development proposals are therefore expected to conserve existing wildlife interest as far as possible and to show that consideration has been given to enhancing / creating new opportunities for wildlife"*. Paragraph 4.25 refers to ecological enhancement for example *"the provision of roosting / nesting spaces for bats / birds"*. The existing well-established planting is proposed for removal and in its place a new landscaping type arrangement. No ecology survey has been undertaken; however, I do not anticipate the proposal conserves existing wildlife interests, explained in further detail in the 'lack of supporting information' section below.

High Peak Residential Design Guide SPD (2005)

Chapter 8 of the SPD, Living Places, references the importance for new residential development to provide adequate privacy, sunlight and daylight to the occupiers of both new and existing dwellings.

Whilst we acknowledge the recommended distance between habitable rooms and adjacent properties is 21 metres, with an increase of 1 metre for every 0.5 metres difference in height (taking it to circa 24 metres in this instance), we still consider the proposed development will result in adverse amenity impact to our property, specifically the rear garden / rear windows, due to the difference in levels and outlook focussing to the rear.

Furthermore, we note that there are solar panels proposed on the rear and side elevations, however there are no specs / details provided. These panels could cause glint and glare into our property, again having an adverse impact on our amenity.

Lack of supporting information

There is a distinct lack of supporting information with this application, to enable an informed decision to be made regarding; ecology, ground stability and drainage. We note that United Utilities have requested further survey work is undertaken to ascertain whether there are any assets running under / close to the site (see UU consultation response dated 15 Feb 2023). This is a key concern as a dwellinghouse cannot be constructed / made habitable without adequate drainage provision. We also note the Council's highways officer has raised concerns, querying what will happen to the current parking provision, should the garage / driveway be replaced by a new dwelling/house?

Policy EQ5 of the Local Plan concerns biodiversity and seeks to ensure that development proposals do not result in significant harm to biodiversity or geodiversity interests. It is important to note there is no ecological survey submitted with this application. As a minimum I would anticipate a bat / bird roost assessment for the garage, given it is proposed for demolition, however due to the removal of dense, well-established vegetation and the level of excavation proposed, I also consider a preliminary ecological assessment of the wider site is required, especially given the limited activity on the site and therefore minimal disturbance to wildlife. Without this information, the proposal is contrary to policy EQ5.

Whilst cross sections, site sections and levels information has been submitted on the various site and layout plans, it is still difficult to fully understand the amount of excavation required and the method for doing so. This lack of detail, along with the proposed removal of **well established vegetation** gives rise to significant concerns regarding land stability. It should be noted a significant amount of trees formerly on the site have already been removed in late 2022. Given the relationship between my property and the proposed dwelling, should the land not be sufficiently stable, this could cause significant issues, with land sliding into my property and garden, in turn affecting the structural stability of my home. Furthermore, the reference to a 'soakaway' at the rear of the site also gives cause for concern. There is no detailed information as to where the runoff is to soak away to, nor whether this could cause land stability issues. Water naturally runs downhill, therefore given the increased areas of hardstanding, this runoff could end of flowing into my rear garden, rendering it waterlogged and unusable.

Conclusion

In summary, I strongly object to the development proposed as per application ref. HPK/2023/0035 for the key reasons listed below:

1. Loss of privacy / overlooking into our rear garden – difference in levels / orientation and number of rear windows on the proposed dwelling
2. Lack of supporting information with the application to enable an informed decision to be made:
 - a. Utilities and highways concerns
 - b. Ecology concerns
 - c. Ground stability concerns

d. Drainage concerns

3. Overall development proposal is contrary to national and local planning policies / guidance.

I have justified each objection raised and have stated how each objection is justified with reference to National and Local Planning Policy.

I accordingly request that this application is refused.

Yours sincerely

Mr Geoff Beeson