

DELEGATED DECISION REPORT

HPK/2023/0035
Valid 01/02/2023

LAND OPPOSITE 5
HAYWARDS CLOSE
GLOSSOP

PROPOSED NEW SINGLE
DWELLING

(FULL - MINOR)

MAIN ISSUES

- Principle
- Impact on visual amenity
- Impact on neighbour amenity
- Amenity of future occupier
- Ecology/trees
- Highways
- Drainage
- Other Matters

DESCRIPTION OF SITE

The application site relates to an infill plot located on Haywards Close in Glossop. The existing site is occupied by a detached double garage and is utilised as an extended parking area and amenity space for no 5 Haywards Close. The application site is not located within any areas of designated interest.

PROPOSAL

Consent is sought to demolish the existing detached double garage on the land and erect a detached three bedroomed dwelling. The accommodation is to be proposed over three floors with a family room, kitchen, lounge and dining area on the lower ground floor, on the upper ground floor a double garage and two ensuite bedrooms are proposed, on the first floor third ensuite bedroom is proposed with storage over the garage and remainder of the house. As such when viewed from Haywards Close the property has the appearance of a single storey bungalow but due to the sloping nature of the land the dwelling is two storey at the rear.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

High Peak Local Plan 2016

S 1 Sustainable Development Principles
S 1a Presumption in Favour of Sustainable Development
EQ 6 Design and Place Making

CF 6 Accessibility and Transport
EQ 5 Biodiversity
S 5 Glossopdale Sub-area Strategy
EQ 9 Trees, woodland and hedgerows
H 1 Location of Housing Development
H 3 New Housing Development

National Planning Policy Framework

Section 5,11,12,15.

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

None relevant

CONSULTATIONS

Publicity

Site Notice expiry date: 07.03.2023
Neighbour consultation period ends:
Press Advert:

Public Comments

Two letters of representation have been received objecting to the development for the following reasons.

- Loss of privacy and overlooking
- Overshadowing
- Trees not shown on plans
- Flooding to neighbours culvert
- Lack of information relating to utilities, highways, ecology, drainage and ground stability
- Development is not well designed nor of a high quality

Town / Parish Comments

None received within consultation period.

Environmental Health

No objection subject to conditions.

Derbyshire County Council Highways

No objection subject to conditions.

United Utilities

No objection but recommends that the applicant investigate and demonstrate the exact relationship between the UU asset and the proposed development. Any construction activities in vicinity of UU asset must comply with nation and construction standards. After determination the applicant shown be aware that they may need to amend their proposed layout to accommodate UU asset . Detailed drainage strategy should be submitted and agreed by UU before commencement.

Arboricultural officer

No comments received within consultation period.

OFFICER COMMENTS

Principle of Development

The application site is located within the development boundary for Glossop. Glossop is defined as a Market Town within the Settlement Hierarchy. 'Market Towns' will be the main focus for housing, employment and service growth, consistent with maintaining and where possible enhancing their role, distinctive character vitality and appearance.

Policy S 5 states that the Council will seek to promote the sustainable growth of Glossopdale whilst promoting and maintaining the distinct identity of its settlements, provide an increasing range of employment opportunities, promote the growth of a sustainable tourist economy and meet the housing needs of the local community. This will be achieved by:

2. Providing for the housing needs of the community by planning for sustainable housing and mixed use developments by:

- Supporting the development of new housing on sustainable sites within the built-up area boundary

The proposed development for the erection of one dwelling is considered to be located in a built up area of Glossop and is therefore considered to be located in a sustainable location. As such the principle of the development is acceptable subject to the other material considerations.

Design and impact on visual amenity

The NPPF highlights that good design is a key aspect of sustainable development and should contribute positively to creating places which people wish to live and work. Paragraph 130 requires development to function well and add to the overall quality of the area for the lifetime of the development. It should respond to local character and history and be visually attractive as a result of good architecture, layout and appropriate landscaping. Paragraph 134 of the Framework advises that permission should be refused for development that is not well designed and where it fails to reflect local design policies and local design guidance, including

supplementary planning documents.

Policy EQ6 of the Local Plan 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.

The adopted Design Guide SPD (2018) also set out the matters which need to be considered when designing new development. In particular paragraph 3.7 states: The architectural style of new development should be guided through an assessment and understanding of the character and context of the area. Sites may be capable of accommodating both contemporary and traditional forms of development that are high quality and functional. Design solutions should respond to the local tradition but without slavishly copying it.

And continues at paragraph 3.8 that:

A new building should respect the scale of those surrounding it. Jumps in scale can sometimes be acceptable and can be justified if the development occurs at key locations such as on corners or at the end of vistas.

With respect to the proportions of building paragraph 3.10 states:

Where possible new buildings should pick up on the proportions of neighbouring buildings in some way. This need not necessarily mean replicating the disposition of openings but could be a more subtle interpretation.

The site is a modest area of land considered to be an infill plot between two storey detached houses and a newer property immediately to the south which presents as a slightly different appearance from the rest of the surrounding properties.

The proposed development would emulate the newer property, West View proposing to be single storey when viewed from the front and due to the sloping nature of the land the site being two storeys at the rear. The proposed dwelling is of similar scale and plot width to the other dwellings on Haywards Close and respects the noticeable amounts of separation distance between each dwelling on Haywards Close. The dwelling would benefit from a driveway off Haywards Close with a front garden which is like the other dwellings on this road.

In terms of its design and construction materials the development would have a similar appearance to the adjacent dwelling West View and therefore the development would look in keeping with the street scene. To ensure appropriate materials are used a condition will be attached requiring the materials to be submitted prior to the commencement of the development.

Amenity

EQ6 of the adopted Local Plan identifies the need to ensure that new development achieves a satisfactory relationship to the existing residents, taking into account factors such as orientation, overlooking, the overbearing impacts of development and visual intrusion.

With respect to privacy, paragraph 8.6 states: It is important that the design of new residential development provides adequate privacy, security, sunlight and daylight to occupiers of both new and existing

As applications for high-density development become more common the issue of amenity can become ever more demanding. Issues of amenity will be a determining factor in the permission of housing development as stated in Local Plan policy EQ6 (Design).

As a guide a distance of 21 metres between habitable room windows of adjacent properties will provide an acceptable level of amenity. Where changes in levels on site are evident or where taller buildings are present, these distances should increase by 1 metre for every 0.5 metre difference in height between the smaller to the taller building.

The proposed dwelling is to be sited on an infill plot and therefore neighbours are present to all sides. In relation to the neighbours to the northeast (front) the closest neighbour is located on the opposite side of Haywards Close and there is sufficient separation distance between the site and no 5 Haywards Close to ensure the dwelling does not have a significantly detrimental impact on this neighbour.

The neighbour to the southeast is West View. This neighbour is a similar design to the proposed dwelling in so far as it is bungalow to the front and two storey dwelling to the rear. The main bulk of the house closest to this neighbour does not project further rearwards than this neighbour but would be of a greater height due to the difference in land levels. The side elevation of this neighbour does not benefit from any windows and therefore the proposed development would have minimal impact in terms of loss of light to this neighbour. The proposed development does not propose any windows on the side elevation that would overlook this neighbour and therefore the development is considered to have an acceptable impact in terms of privacy. The windows to the rear elevation would have some opportunity to overlook but would not result in any direct overlooking as the dwellings are in line with each other.

The closest neighbours to the west (rear) are Kelwick house and Brindle House.

The rear gable of the proposed dwelling is to be located 11m to closest boundary of Kelwick House, but due to the orientation of the dwelling and this neighbour this neighbour's garden area would not be unduly overlooked. The rear elevation of the dwelling is 15m from rear boundary directly facing this neighbour's garden. This separation distance is considered sufficient to ensure the rear garden of this neighbour is not unduly overlooked. There is 30m between the rear elevation with habitable rear windows of proposed dwelling and the habitable rear windows of the neighbour. As such considering the differing to levels it is considered that this separation distance is sufficient to allow an acceptable level of amenity in terms of loss of light and privacy, particularly as the new dwelling will be to the north of these neighbours.

Between Brindle House and the proposed dwelling, a separation distance of 33m can be achieved and similar to the above the differing land levels requires an increased separation distance. As 33m can be achieved this is sufficient to ensure

the proposal has an acceptable impact on this neighbour, in terms of loss of light and privacy. The rear elevation of the proposed dwelling would face the rear garden of Brindle House. As a separation distance of 11m can be achieved the development is considered to have an acceptable impact on this neighbour in terms of loss of light.

Whilst it is appreciated that the proposed development does have an impact on the two neighbours to the rear when compared with the existing situation, it is considered that the development meets the minimum separation distances that should be achieved and therefore it would be unreasonable to refuse for this reason.

Amenity of Future Occupier

Policy H 3 states that the Council will require all new residential development to address the housing needs of local people by: Supporting dwellings designed to provide flexible accommodation which is capable of future adaptation by seeking to achieve adequate internal space for the intended number of occupants in accordance with the Nationally Described Space Standard and delivered to meet accessibility standards set out in the Optional Requirement M4(2) of Part M of the Building Regulations.

The application proposes the erection of a 3 bedroomed dwelling. The plans do not indicate the exact floor area, but it is clear that the development is compliant with the NDSS.

The Residential Design SPD states that Levels of privacy from amenity space associated with properties should be based upon the function of that space. Since front gardens are required to establish a visual relationship with the street, they are not the best place to locate the largest amount of private amenity space. The rear of properties is a more appropriate location for garden areas.

The dwelling will benefit from a landscaped front garden and a split level private rear garden. The amount of private amenity space is considered appropriate considering the size of the dwelling.

Similarly, to the impact on neighbour amenity it is considered that the proposed dwelling would not be unduly overlooked or experience any detrimental loss of light or overbearing impact.

Ecology

Policy EQ 5 states that the biodiversity and geological resources of the Plan Area and its surroundings will be conserved and where possible enhanced by ensuring that development proposals will not result in significant harm to biodiversity or geodiversity interests.

The proposed development results in the loss of a modern detached garage and the removal of some shrubs. The development is not supported by the submission of a biodiversity survey. However, it is considered that the development is located on a site where it will create little or no harm to biodiversity or geological conservation. To ensure a net gain the following enhancement measure will be conditioned on the

permission. -The installation of artificial bird and bat boxes and that the details should be submitted to the LPA for approval. A condition will also be attached relating to the submission of a scheme for tree protection measures.

In addition the developers, and those acting for them, should be mindful that disturbance of any roosts or harm to a bat or bats is a criminal offence.

Highway Safety

Policy CF 6 states that the Council will seek to ensure that development can be safely accessed in a sustainable manner. Proposals should minimise the need to travel, particularly by unsustainable modes of transport and help deliver the priorities of the Derbyshire Local Transport Plan.

The development proposes the demolition of an existing detached double garage owned by no 5 Haywards Close. The highway authority commented on the application with concerns regarding the loss of this garage and driveway. As the owner of the garage benefits from its own parking area and therefore the highway officer has no objection to the loss of the garage/parking.

Considering the site benefits from an existing access that would remain the same but serving the new dwelling the highway officer has no objection to the use of the proposed access. The proposed dwelling would provide a 3-bedroom dwelling with detached garage and driveway. As such the highway officer has no objection to the development. The officer considers that a condition should be attached to the permission requiring the driveway be appropriately surfaced and usable prior to the new dwelling being occupied.

Flooding and Drainage

Policy EQ11 advises that the Council will support development proposals that avoid areas of current or future flood risk and which do not increase the risk of flooding elsewhere. The site lies within flood zone 1, an area which has the lowest risk of flooding.

The comments of local residents are noted in respect of drainage matters and flooding. As set out by United Utilities, any surface water drainage would need to consider various sustainable drainage options, along with agreement with United Utilities to connect to local sewers. They do not suggest that drainage or sewerage would be a constraint to development. Therefore, if this scheme were acceptable appropriate conditions could be imposed requiring the submission of further details.

The site does not lie within a flood zone, therefore it is not considered that the development would cause or exacerbate flooding elsewhere.

Other Matters

A condition will be attached to the permission removing permitted development rights for Part 1 Classes A; B; C; D; E; F; and G and/or Part 2 Classes A. This is to ensure the minimum amount of acceptable amenity space for the occupier, a maintained

level of amenity for neighbours and to ensure that any future additions to the property have an acceptable impact on the visual amenity of the area.

Neighbours have raised concerns about trees not shown on plans. The Council Tree Officer has reviewed the application and commented that there are no tree objections to this proposal. The only trees on site are small trees with little amenity value.

With regard to land stability, the NPPF states that where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner. However, it is considered that given that neighbouring properties have been built on a similar slope a technical solution is feasible. Compliance with Building Regulations would also be required.

CONCLUSION / PLANNING BALANCE

It is for the above reasons and having regard to all material considerations and matters raised that I recommend accordingly.

OFFICER RECOMMENDATION : Approve with conditions

Case Officer: Rebecca Bowers

Recommendation Date: 17.04.2023

X *B.S. Haywood*

Signed by: Ben Haywood

On behalf of High Peak Borough Council