

## DELEGATED DECISION REPORT

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HPK/2023/0175  
VALID 03/05/23

42, PARK ROAD, CHAPEL-  
EN-LE-FRITH,  
DERBYSHIRE, SK23 0LP

ERECTION OF A TIMBER PRE-  
FABRICATED SINGLE  
STOREY GRANNY ANNEXE  
FOR ANCILLARY USE TO THE  
MAIN DWELLING (FULL -  
HOUSEHOLDER)

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### MAIN ISSUES

- Principle of Development
- Design Considerations
- Impact upon Residential Amenity
- Impact on Highway Safety

### DESCRIPTION OF SITE

The application dwelling is a two storey semi-detached property which lies within the settlement boundary for Chapel-en-le-Frith as defined by the Local Plan policies map. The surrounding area is predominantly residential. The dwelling has parking to the front and side, with private amenity space to the rear.

### PROPOSAL

This application seeks planning permission for the erection of a timber, pre-fabricated structure as a granny annex, to be occupied in a manner which is ancillary to the host dwelling. The annex would measure approximately 11.6m in length, 6m in width, 3.2m to eaves and 4.3m to ridge.

The annex would be sited within the rear garden, adjacent to the sites southern and western boundaries.

### RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

#### High Peak Local Plan (Adopted 2016)

- S1 Sustainable Development Principles
- S1a Presumption in Favour of Sustainable Development
- S6 Central Sub-area Strategy
- EQ6 Design and Place Making

#### Chapel-en-le-Frith Parish Neighbourhood Development Plan

- H3 Design Criteria

## **Supplementary Planning Guidance/Documents**

Residential Design (2005)  
High Peak Design Guide (2018)

## **National Planning Policy Framework**

Section 12: Achieving Well-designed Places

## **SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS**

HPK/2023/0176 – Certificate of Lawfulness for proposed 'Use of the land for siting a mobile home for use ancillary to the main dwelling – Certificate Granted – 27/06/23

HPK/2022/0277 - Construction of single storey side and single storey rear extension – Approved – 06/04/23

## **CONSULTATIONS**

### **Publicity**

Site Notice expiry date: 07/06/23  
Neighbour consultation period ends: 01/06/23  
Press Advert: N/A

### **Public Comments**

None received

### **Town / Parish Comments**

Members noted that planning application HPK/2022/0277 had recently been granted on this site. They expressed concern that should this application be approved it could potentially lead to an over development of the site. The Committee asked that the Planning Authority consider placing a condition that the annexe is only to be occupied by a dependant relative or immediate family member and that it cannot be sold separately from the main residence.

### **DCC Highways**

There are no highway objections to the application subject to the condition suggested by the applicant, or similar, for the premises to remain ancillary to the main dwelling being included in any consent granted:

The proposed building hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling.

## **OFFICER COMMENTS**

### **Principle of Development**

The application proposes the construction of a granny annex, associated with a dwelling which is located within the settlement boundary for Chapel-en-le-Frith, which lies within the Central Sub Area as defined by the Local Plan Policies Map. Policy S6 seeks to promote the sustainable growth of the Central Area.

The application is for a granny annex which, provided that it is occupied in a manner which is ancillary to the host dwelling, is considered to be householder development. The application confirms that the building would be occupied by a relative of the occupants of the main dwelling. It is also noted that there would be no shared services and facilities other than the means of access to it. There would be no subdivision of the plot which is of sufficient size to accommodate the proposals whilst retaining appropriate shared amenity space.

Based on the information submitted in the supporting statement, and subject to the imposition of a condition ensuring that the annex is occupied in a manner ancillary to the main dwelling, including that it not be sold or sub let, in the interests of the neighbouring amenity then it is considered that the proposals represent householder development.

Householder development in such locations is acceptable, as a matter of principle, subject to matters relating to design, amenity and highways being acceptable.

### **Design Considerations**

Policy S1 states that new development will be expected to make a positive contribution towards the sustainability of communities and where possible enhancing the environment which would be achieved by, inter alia, securing high quality and locally distinctive design. Policy EQ6 states that all development should be well designed and of a high quality and that this will be achieved by requiring development to be well designed to respect the character of the townscape, and requiring development to contribute positively to an areas character, identity and history in terms of scale, height, density, layout, appearance, materials and relationship with adjacent buildings.

Further guidance for householder development is contained within the High Peak Residential Design Guide SPD (2005), and the Design Guide SPD (2018).

The Residential Design Guide (2005) provides guidance in section 9, and states that outbuildings should relate to the main dwelling in terms of size, proportion and appearance. They should be subordinate in size and height and match the materials of the existing house. The Design Guide SPD (2018), advises at 5.10, in relation to garages, that materials and roof pitch should generally match those of the parent building.

The proposal seeks consent for the erection of an annex within the rear garden of the host dwelling. The annex is relatively large and would assume a large footprint of approximately 70sqm. Notwithstanding this, the rear garden is spacious and the development can be accommodated on the plot without resulting in a significant overdevelopment of the site, retaining an appropriate level of private amenity space.

Consideration has been had to the single storey side and rear extensions, approved under HPK/2022/0277, which remains extant. Cumulatively, the development would, on balance still retain an appropriate ratio between buildings and amenity space.

Views of the annex would be available through the existing gaps between dwellings from Park Road. Notwithstanding this, the annex would be positioned deep in the plot which is sufficient to ensure that it would not be prominent. Furthermore, it is acknowledged that visibility of the annex would become further obscured should the extant permission for extensions be implemented.

The materials of the building include timber cladding. Such materials would not match that of the host building, and is a material which is not sympathetic to the immediate context or, indeed, High Peak as a whole. The proposed materials would conflict with the design policies of the development plan.

While there is conflict with the Development Plan relating to the inappropriate use of materials, in this instance, there are material considerations which ought to be weighed in the balance. A Lawful Certificate has been granted for the siting of a twin caravan on the site which would be of a similar scale and appearance as the application proposals. Therefore, the effect of the development would be almost identical to that which could be carried out without requiring planning permission. It is considered that this is a material consideration which outweighs the conflict with the Development Plan in this regard.

## **Amenity**

Policy EQ6 requires development achieve a satisfactory relationship to adjacent development and 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 proposed building would be sited close to the boundaries of neighbouring properties to the south and west. These properties enjoy relatively deep rear garden spaces and therefore it is considered that the development would not give rise to undue harm through overbearing or overshadowing. The proximity of the building from windows of neighbours is sufficient to ensure no loss of light to habitable rooms.

The main windows within to habitable rooms are located in the north, east and west elevations. The eastern windows face towards the application sites main dwelling. Those to the north and west would face towards the site boundaries. The existing boundaries would afford the amenity space of those properties some degree of protection from overlooking, or loss of privacy, although there may be a perceived loss of privacy arising, and if used for a holiday let or occupied by person unconnected to the host dwelling would cause undue harm to the amenities for the surrounding neighbours. Consequently, it is considered necessary, reasonable and in the interests of planning that a restriction on occupation be secured.

Again, the fall back position of a caravan which could be sited without requiring planning permission is an overriding material consideration in this instance.

Therefore, the effect on the amenity of neighbouring properties is, on balance, acceptable.

The dwelling would retain an appropriate level of private amenity space to serve the dwelling should the cumulative effect of the extant permission and this proposal both be implemented.

### **Highway Safety**

The proposed extension results in an uplift of bedrooms within the property, however the resultant off street parking provision is sufficient to meet the demands of the property. No highway safety issues would arise, as confirmed by DCC Highways, subject to a condition ensuring that the annex remains ancillary to the host dwelling.

### **CONCLUSION / PLANNING BALANCE**

There is some concern with regard to the effect that the proposals would have on the character and appearance of the area, and potential amenity issues. However, there are overruling material considerations in this instance, through a fall back position, which would have the same effect as the application proposals. Therefore, on balance, the proposed development is considered to be acceptable and, as such, it is recommended that the application be approved.

**OFFICER RECOMMENDATION:      APPROVE**

**Case Officer: Declan Cleary**

**Recommendation Date: 28/06/2023**

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Signed by: Jane Colley Signature

**On behalf of High Peak Borough Council**