

DELEGATED DECISION REPORT

HPK/2023/0343
Valid 12/09/2023

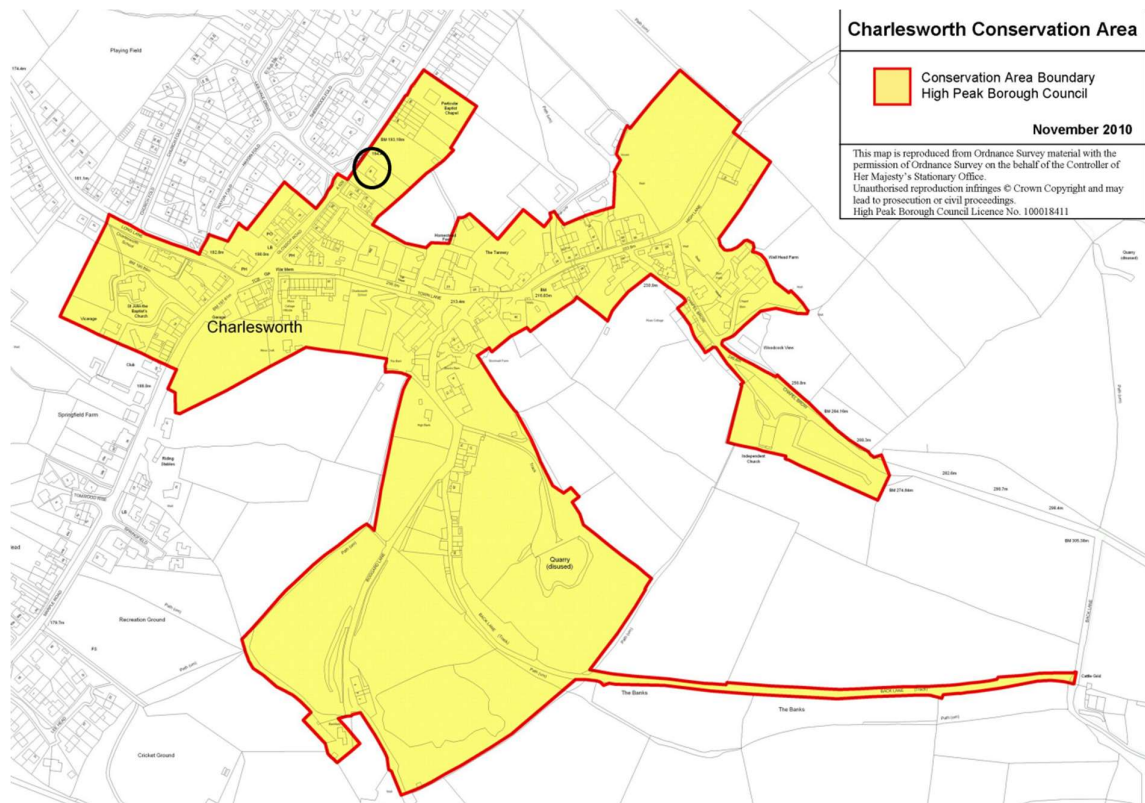
40, GLOSSOP ROAD,
CHARLESWORTH,
DERBYSHIRE, SK13 5EZ

DEMOLITION OF EXISTING
BUNGALOW AND PROPOSED
TWO STOREY DETACHED
HOUSE AND OUTBUILDING

(FULL - MINOR)

MAIN ISSUES

- The principle of a replacement dwelling in the settlement boundary
- Impact on the character of the Conservation Area
- Impact on amenity
- Impact on highway safety



DESCRIPTION OF SITE

The application site is a single storey bungalow with front side and rear gardens, fronting Glossop Road. The topography slopes from rear to front boundary. The property is postwar and is of no architectural merit, the houses opposite are a 1970's estate and the two storey dwelling immediately adjacent to the bungalow is a

gritstone property that has been significantly extended over the years. Further down the road are two storey terraces.

For the purposes of planning policy consideration, the application site is located within Charlesworth Ward, and is within Charlesworth Conservation Area, there are no Listed buildings/structures or protected trees which need to be considered. The site back onto fields and there is a defined curtilage.

PROPOSAL

Full planning permission is sought to demolish the existing bungalow and construct a replacement two storey dwelling, together with a garden room in the back garden. Vehicular access onto Glossop Road remains.

The new dwelling is designed to reflect the character of the area, predominantly two storey gritstone and slate dwellings, whilst acknowledging that this is a modern development designed to assimilate traditional with modern energy efficient materials.

(The design and finish have been amended during the application to reflect comments from neighbours and conservation officer).

A boundary of the site is delineated by close boarded timber fencing. A driveway and parking/turning provision is provided to allow safe off street parking and manoeuvring of vehicles off and onto Glossop Road from the site.

The ground floor external footprint measures 153.44sqm (14.09m x 10.89m) plus a garden building measuring 8.1m x 4.1m. The first floor measures 88.43sqm (8.09m x 10.89m). The height of the two storey building measures 8.02m to apex.



The palette of material finishes will be reclaimed stone to match the neighbouring property facing the front, rear, and side elevations, with slated roof (solar panels and rooflights to rear).

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

High Peak Local Plan (Adopted 2016)

S1 – Sustainable Development Principles

S1a – Presumption in Favour of Sustainable Development

S2 – Settlement Hierarchy

S5 – Glossopdale Sub-area Strategy
EQ5 – Biodiversity
EQ6 – Design and Place Making
EQ7 - Built and Historic Environment
CF6 – Accessibility and Transport

Supplementary Planning Document

1. High Peak Design Guide Adopted 2018
2. Residential Design SPD2 Adopted 2005

National Planning Policy Framework (2023)

Including sections -
12: Achieving well-designed places
16: Conserving and enhancing the historic environment

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

None

CONSULTATIONS

Publicity

Site Notice expiry date: 22/10/2023
Neighbour consultation period ends: 07/12/2023

Public Comments

Three representations received, two being neutral and stating the following points:
T6 tree is not in the site boundary.
Question why trees have to be removed.
Useful to have heights drawn on the plans to assess impact of development.
Trees have been removed and suggest replanting.

One objecting and stating that:

The height of the proposed detached building is excessive, and it is suggested that the intention in this design is for the property to be a three storey building, which is the reason for the numerous Velux windows to the roof and gradient of the roof pitch. The ridge height is too high and sets a dangerous precedent for the two adjoining plots along Glossop Road.
Concerns of being overlooked (property opposite).
Other properties along Glossop road have dormers, to reduce the ridge height.
Suggest main roof be the same front roof pitch as either 36 or 46 Glossop Road to be more in keeping.

Town / Parish Comments

No comments received.

Highways Authority

No objection. The improvements to the access and internal parking/turning space are all welcomed.

Recommend that the following conditions are included in any consent granted:

1. The development hereby approved shall not be occupied until the access, parking and turning facilities have been provided as shown on revised submitted drawings.

Reason: To ensure conformity with submitted details.

2. The proposed outbuilding shall remain ancillary to the main dwelling and shall be used for personal use only.

Environmental Health

No objection to the proposed development subject to the following conditions:

1. CL03 CONTAMINATED LAND FOR SMALL/ SIMPLE APPLICATIONS

No development shall take place, with the exception of site investigation and remediation works until conditions 1a to 1d have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until condition 1d has been complied with in relation to that contamination.

1a. An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority.

1b. If the site risk assessment indicates that potential risks exist, development shall not commence until a detailed remediation strategy to bring the site to a condition suitable for the intended use has been prepared, and is subject to the approval in writing by the Local Planning Authority.

1c. Following completion of measures identified in the approved remediation scheme and prior to bringing the development into first use, a verification report that demonstrates the effectiveness of the remediation carried out shall be produced, and is subject to the approval in writing of the Local Planning Authority.

1d. If, during the course of development, any contamination is found which has not been identified in the site investigation, additional measures for the remediation of this source of contamination shall be submitted to and approved in writing by the local planning authority. The remediation of the site shall incorporate the approved additional measures.

2. CDD01B - CONSTRUCTION AND DEMOLITION – DUST

No activity hereby permitted shall cause dust to be emitted beyond the site boundary so as to adversely affect adjacent residential properties and/or other sensitive uses and/or the local environment. In the event dust is caused to escape the site boundary the activity shall be stopped until sufficient dust suppression has been undertaken to prevent further escape. There shall always be the appropriate means and sufficient water resources on site for dust suppression. These should be made available for inspection when required by officers of the Local Planning Authority

3. CDD02 - CONSTRUCTION & DEMOLITION: WASTE DISPOSAL

Any waste material associated with the demolition or construction shall not be burnt on site but shall be kept securely for removal to prevent escape into the environment.

There shall be no fires lit on the site for purpose of disposing of demolition materials.

Any open fires that arise shall be extinguished without delay.

4. NSD12 - BEST PRACTICAL MEANS

The best practicable means, as defined in Section 72 of the Control of Pollution Act 1974 to reduce noise and vibration from the site to a minimum, shall be employed at all times during construction.

5. NSD02B - NOISE CONSTRUCTION: PILING 2

If piling is necessary, a written piling options assessment shall be submitted to the Local Planning Authority, to demonstrate noise and vibration mitigation measures consistent with best practical means.

The assessment shall consider Environment Agency guidance (Environment Agency (2001), Piling and Penetrative Ground Improvements on Land Affected by Land Contamination NC/99/73) where land contamination is suspected or proven. No piling shall take place until the piling options assessment has been approved.

No piling shall take place outside the hours 09:00 hours to 16:00 hours Mondays to Fridays.

6. NS02A - CONSTRUCTION & DEMOLITION WORKS: TIME OF OPERATIONS

Unless prior permission has been obtained in writing from the Local Planning Authority, all noise-generating activities shall be restricted to the following times of operations.

- 07:30 - 18:00 hours (Monday to Friday);
- 08:30 - 14:00 hours (Saturday)
- No working is permitted on Sundays or Bank Holidays.

In this condition, a noise-generating activity is defined as any activity (for instance, but not restricted to, building construction/demolition operations, refurbishing and landscaping) which generates noise that is audible at the site boundary.

7. CDD14 - ON SITE RADIO

During construction/demolition phases amplified music and/or radios shall not be audible beyond the site boundary.

DCC Archaeology

To consider impacts on heritage assets below the ground a condition is suggested:

“No development shall take place until a written scheme of investigation (WSI) for archaeological work has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no development shall take place other than in accordance with the agreed WSI, which shall include the statement of significance and research objectives; and:

- The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works
- The programme for post-investigation assessment and subsequent analysis, publication & dissemination, and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI.”

Any WSI should be authored by the archaeological organisation that will undertake the work in the field in consultation with this office. The WSI and all works undertaken should be in line with current industry standards by suitably and demonstrably experienced archaeologists.

Conservation Officer

Recommend Refusal for the following reasons:

The proposal appears to be quite a massive structure situated in an open portion and prominent gateway entrance into the Charlesworth Conservation Area.

The scheme looks to create an oversized regurgitation of the vernacular. This is assessed from the large heavy-set protruding porch, two intimidating pitched gable front quarters and proliferation of skylights. In viewing the traditional domestic architecture of the Conservation Area, these new features are not prominent on the modest workers cottages and the inclusion of them at this site risks undue visual conflict. Further, the size of the overall footprint and disproportionate ratios between the extension and principal building affords the two structures, though differing in height, to unsuccessfully compete. I do not agree that the rear structure can be called an outrigger as typically these are boot-room type structures associated to terraces or back-to-backs. In looking at plan, the footprint and span of the ground floor appears to be quite excessive and does not faithfully note the vernacular within the Conservation Area. As such I disagree that the proposal is respectful of neither setting or character.

There is no landscaping scheme forming part of the proposal.

I cannot provide full support. It is assessed the proposal would fail to preserve or enhance the character and appearance of the Conservation Area contrary to Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

By virtue of the scale, proportions, and form of the proposal I do not see that the scheme falls in line with Local Plan Policy.

Amended plans were submitted to address the concerns of the conservation officer and the following further comments were received from the conservation officer:

There still remains ambiguous details for this scheme.

There are no annotations for heights on original or revised drawings in order to see what reductions have been made.

Some of my points have been addressed, however:

- I am not confident in the use of render to all but the frontage. It is a poor material and weathers poorly. With the scale of the property still appearing to be oversized without clear measurements it still remains appearing to be an unattractive addition.
- The rear extension remains very excessive. Its scale and form is overbearing and does not harmonise with the principal dwelling nor the location. In plan view, and on the boundary treatments drawing: it looks to almost be that of another small house to the rear. This is not good design standards. This rear extension needs significant reduction.
- Extensive tarmacking to frontage. This too is unsightly and makes overall for the building to become very out of place and looks more to be that of a generic new build. Frontages in the vernacular are not this extensive nor do they historically have only flat black surfaces. A landscaping scheme for the project appears hurried.

The accumulation of these elements and by virtue of the scale and form of the project, there has not been a successful revision agreed I will remain as recommending refusal. There have been diminutive alterations to the project although this does not overcome all the issues. I cannot see this scheme becoming successful at this prominent location.

OFFICER COMMENTS

Principle of Development

The site lies within the built up area boundary of Charlesworth and within the Conservation Area boundary.

Planning Policies

The determination of a planning application is to be made pursuant to section 38(6) of the Planning and Compulsory Purchase Act 2004, which is to be read in conjunction with section 70(2) of the Town and Country Planning Act 1990.

Section 38(6) requires the local planning authority to determine planning applications in accordance with the development plan, unless there are material circumstances which 'indicate otherwise'. Section 70(2) provides that in determining applications the local planning authority "shall have regard to the provisions of the Development Plan, so far as material to the application and to any other material considerations." The Development Plan consists of the High Peak Local Plan Policies Adopted April 2016.

Other material considerations include the National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG). Paragraph 11 of the NPPF explains that at the heart of the Framework is the presumption in favour of sustainable development. For decision makers this means that when considering development proposals which accord with the development plan, they should be approved without delay, but where the development plan is absent, silent, or relevant policies are out of date, grant planning permission unless any adverse impacts would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF taken as a whole.

Local Plan policy S1a establishes a presumption in favour of sustainable development as contained within the NPPF.

Local Plan policy S5 identifies Glossopdale, within which Charlesworth is in, as an area of contrasts with historic mill towns, rural villages, and large residential areas. The character of each settlement within the sub area is a reflection of the growth and evolution of the area over time. There is support in principle for a range of developments including housing and employment related proposals. Whilst there are no 'in principle' objections to the application, all other material planning considerations must be satisfied for the scheme to be supported. In this instance the considerations include design, visual impact, neighbour amenity, drainage, and parking provision.

Policy EQ5 encourages development to include measures to contribute positively to the overall biodiversity of the Plan Area.

Policy EQ6 aims for all development should be well designed and of a 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.

Policy EQ 7 states that the council will conserve heritage assets in a manner appropriate to their significance and that particular protection will be given to designate heritage assets and their setting.

The NPPF requires the design of a development to add to the overall quality of an area, by being sympathetic to local character and by being visually attractive as a result of good architecture.

The Council's Design SPD outlines the Council's expectations in respect of design and states that alterations should harmonise with its setting.

Policy CF6 seeks to ensure that development does not lead to an increase in on street parking to the detriment of the free and safe flow of traffic.

Design & Heritage Issues

Policy EQ6 refers to design and states that all development should be well designed and be of a high quality that responds positively to both its environment and the challenge of climate change, whilst 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 NPPF requires the design of a development to add to the overall quality of an area, by being sympathetic to local character and by being visually attractive as a result of good architecture.

The Council's Design SPD outlines the Council's expectations in respect of design and states that well-designed buildings respond to the character and setting of their surroundings and make a positive contribution to making places better for people. It acknowledges that design should reflect to the past but meet the demands of today's lifestyles. New development should be complementary, rather than identical to, surrounding buildings.

The existing bungalow is in a dilapidated state and is of no visual or design merit on the streetscape.

The proposed replacement property is characteristic of the conservation area being a large two storey detached villa which is constructed from coursed gritstone with a slate roof.

The material finish of the dwelling seeks to assimilate within the streetscene drawing on character features present on existing buildings within the vicinity. Reflective of the defining characteristics of the conservation area, so not to cause harm to its character or appearance.

The conservation officer in her latest comments maintained concerns relating to:

- ***the use of render to all but the frontage as it is a poor material and weathers poorly.***

- *the scale of the property which appears oversized (without clear measurements) it still remains appearing to be an unattractive addition.*
- *the rear extension remains excessive. Its scale and form is overbearing and does not harmonise with the principal dwelling nor the location. This is not good design standards. This rear extension needs significant reduction.*
- *extensive tarmacking to frontage. unsightly and makes overall for the building to become very out of place and looks more to be that of a generic new build. Frontages in the vernacular are not this extensive nor do they historically have only flat black surfaces.*
- *landscaping scheme for the project appears hurried.*

Objection remains based on the accumulation of these elements and by virtue of the scale and form of the project.

The applicant has responded with amendments including:

- Installation of heritage windows
- Finish in reclaimed stone to match neighbouring property
- Removal of black tarmac to be replaced by bonded buff gravel
- The streetscene image shows it in context with the neighbouring property and it cannot be considered oversized or out of character
- The rear extension is 6m in depth, it should be noted that under prior notification this is considered acceptable for detached dwellings to extend upto 8m should there be no impact on neighbour amenity, and there wouldn't be on this site.
- The applicant is not a gardener and will plant the site up over time, the existing site is currently not heavily landscaped, being primarily driveway and lawned garden.

The latest amended plans have evolved, with the redesign addressing the matters raised regarding the original design submission. The proposed dwelling is now a modern property that had drawn on the design characteristics of buildings within the conservation area and having fully considered its context/setting on the streetscape. The new building respects the 'grain' of the settlement, i.e. the relationship buildings have to the street and to each other.

When assessed against local planning policy, the proposed development would preserve the character and appearance of the Conservation Area and would comply with policies S6, EQ6 and EQ7 of the High Peak Local Plan 2016 - which taken together seek to ensure that development proposals protect the historic environment, contribute to an areas character, and contribute positively to the character of the built and historic environment. There would also be no conflict with paragraph 200 of the National Planning Policy Framework which states, amongst other things, in determining planning applications account should be taken of sustaining the significance of heritage assets.

Amenity

High Peak Local Plan Policy EQ6 seeks to secure development that does not result in unacceptable effects on the amenity of the area by reason of visual intrusion, overlooking, shadowing, overbearing effect, noise, light pollution or other adverse impacts on local character and amenity.

This proposal has no amenity impacts on occupants of surrounding houses. The main road separates the site from the houses opposite that are set at a lower level and the topography along Glossop Road rises, so this property sits at a lower level to the neighbouring one. The separation distance is in excess of the recommended 21m. The immediate neighbour has windows that face the site with an acceptable separation distance of approximately 11m to the proposed blank gable.

Regard has been had specifically to the relative positions of windows on the new dwelling. The only first floor side windows serve bathrooms. The fenestration of the single storey outrigger and rear windows of the main house looks onto the application garden area and the side boundary is completely screened by mature planting and fencing. Removing any potential for overlooking, no windows are proposed on the side of the dwelling that faces the neighbouring property.

It is for these reasons the proposed development will comply with policy EQ6 of the Local Plan.

Ecology

The bungalow will be demolished. The ecology report submitted with the application, concludes that the building is of low suitability to support roosting bats. It recommended a single dusk emergence survey be undertaken, which it was on June 2023. The survey concluded that bats were absent from the building. Bat activity was moderate but with only two common pipistrelle bats being recorded.

Due to the absence of a bat roost, works can proceed as planned. However, if bats, or evidence of bats is found at any stage during the works, then as a legal requirement the work at the site must stop immediately and a bat ecologist contacted for further advice.

A condition will be added to incorporate enhancements for bats on site with the addition of bat boxes to improve biodiversity within the site in accordance with Local Plan Policy EQ5 and the provisions of Section 15 of the NPPF.

Trees

The trees on site should not be affected by the development proposed, being located close to the site boundaries. An arboricultural survey has picked up that a couple are of poor quality and recommend removal, but this is more advisory and has no bearing on the build. It is noted that tree T6 (has a large stem bark wound) is outside the site boundary and thereby out with the applicant's control. T12 is weakened, as it has a cavity in its stem.

Highway Safety

There is adequate parking and turning within the site and areas for bin storage. There should be no detrimental effect on highway safety and the proposal is considered to comply with policy CF6 of the Local Plan.

CONCLUSION / PLANNING BALANCE

For the reasons outlined above, the development (as detailed on the submitted

amended drawings) is considered appropriate development in the settlement and not contrary to the provisions of the National Planning Policy Framework and relevant policies of the High Peak Local Plan 2016. As such the application is recommended for approval.

OFFICER RECOMMENDATION: APPROVE

Case Officer: P. Twigg

Recommendation Date: 16.1.2024

X *B.S. Haywood*

Signed by: Ben Haywood

On behalf of High Peak Borough Council