

High Peak Borough Council

Ref: HPK/2024/0001

Objection to Planning application to provide additional accommodation in building's attic.

As resident of 17A, below the proposed development of 17C, I wish to object to the application as submitted at this time.

1/. The main cause for objection to the planning application is that no comfort or control is given regarding how the additional structural loads that will be applied to 17 (ground floor, front/Broadwalk) and 17A (ground floor to rear/Hartington Rd) will be effectively dealt with, or how the applicant will indemnify Lake House Management Company (LHMCo.) and the owners of 17 & 17A against subsequent latent or patent damage caused by the changes to the property.

The semi-detached property of 17 Broadwalk is divided into 3 flats. It is my understanding that the ground rent is owned by LHMCo. External maintenance, percentage share thereof, changes to tenancies etc. are set out in a legal agreement. Prior to this application there has been no discussion with other flat owners about the necessary changes that would be required to the agreement. Also, that all flat owners are in agreement with changes to the building that may result in damage or settlement. 17 is currently for sale by executors, and as such is not able to take an active part in LHMCo. business and so is deprived of their rights of comment by the timing of this application.

We understand that the new owner of 17C has been advised of the existence and duties each flat owner has regarding the LHMCo. There has been no contact or agreement about change in percentage of maintenance costs (these are based on floor area of flats). Changes to the structure required to achieve the alterations indicated causes risk to the other properties. Insurance by the applicants to the other owners and LHMCo would need to be in place during the works and potentially to cover future building settlement, or other damage. If planning permission is granted these risks will not be addressed and by granting the application the Council will be creating an active liability for damage to the other properties and their owners.

To mitigate this (and thus objection) it may be better for the applicant to seek outline planning permission, followed by building warrant/regulations application. The detail of the building regulation drawings could then be submitted into the public planning portal allowing the detail to be seen and reduce liability and concerns of the other properties and the Council.

In other words, given the complication and implications for other properties to which the applicant is legally bound, in this instance building regulation clearance, agreement with LHMCo. and a drafted indemnity agreement for the works, from the owner of flat 17C to those of 17 & 17A, should be in place before a planning permission is sought or obtained. Outline planning permission would give comfort to the applicant that the scheme is acceptable in concept, before the additional expense of commissioning Structural Engineers and building regulation drawings is undertaken.

2/. The title of the application mentions a new conservatory roof. The current failing roof has caused internal damp in Flat 17A twice, with costs incurred to the owner. The conservatory roof will need to have either; a gutter to collect rainwater, or lead cladding of the wall area below, as the failing roof sheeting and splash-back onto lower the slated roof from the conservatory onto the conservatory wall is the cause of the damp.

3/. The sectional drawing does not accurately show the floor level of the new attic storey. Clearly drawing this line would better illustrate how compromised the attic spaces are. Similarly placing a scaled figure would also help illustrate this. Clearer marking of the plan with height zones would also better illustrate the height issues.

4/. The loads from the attic level bedroom will bear on existing walls below. By removing other third floor walls the loads from the proposed attic accommodation have to be hung from the roof structure or span over/across the building at third floor ceiling level.

Removal of the small wall to the hipped side of the roof may have little impact, unless the roof structure in this area is supported by purlins bearing on the wall to be removed.

Removing the walls to create the open-plan, third floor area in the middle third of the flat, whilst installing accommodation above it, is the area where the new attic floor loadings will have most effect on the building and owners below.

It may be impractical to insert long beams from front to rear (through the new skylights?) during construction.

It may be more practicable to affix an angle to the side of the inner side of the chimney with projecting/ cantilevering ends. Shorter beams spanning side to side may then span this space. These will carry extra load onto the chimney and bedroom/open-plan divider wall, possibly causing settlement.

A series of smaller beams forming a reciprocal frame/lattice beam grillage could most effectively distribute loads within this area of the building to spread loads to all available support points, minimise the risks caused by the development and prove most practicable to install.

It should be noted that there is historic settlement observable in the front elevation at the bay windows and third floor windows and front corner quoins.

Whilst many of the points above may not be directly pertinent to an application for planning application, dealing with these matters prior to an application would remove objection from LHMCo. and the owners to which the applicant is bound.

Carroll Pendery