

DELEGATED DECISION REPORT

**HPK/2023/0451
VALID 11/01/23**

**8, OAK CLOSE, CHAPEL-
EN-LE-FRITH,
DERBYSHIRE, SK23 0NF**

**PROPOSED REMOVAL OF
EXISTING CONSERVATORY
AND ERECTION OF A
KITCHEN/ DAY ROOM
EXTENSION . THE EXISTING
GARAGE WILL BE
CONVERTED TO A BEDROOM
WITH ENSUITE (FULL -
HOUSEHOLDER)**

MAIN ISSUES

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

DESCRIPTION OF SITE

The site relates to a detached bungalow which lies within the settlement boundary for Chapel-en-le-Frith as confirmed by the Local Plan policies map. The surrounding area is predominantly residential in character. The dwelling benefits from a detached garage to the side, with parking to the front. Oak Close is a small cul-de-sac off Grange Park Avenue. To the rear of the site is a track (which is also a PROW – HP6/114/3) that leads to a pair of semi-detached dwellings on Waters Edge Lane. The rear boundary of these properties adjoins the application site.

PROPOSAL

This application seeks planning permission for the removal of the existing conservatory and the construction of a single storey extension to the rear. The proposed extension would link to the existing detached garage which would also be converted. The converted garage would provide a further bedroom and en-suite while the extension would provide a open plan kitchen/breakfast room

The proposed side extension would project to the rear by 3.5m and would be full width. The extension would have a dual pitched roof with eaves and ridge height to match existing.

The proposed works have commenced and, as such, are partially retrospective.

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
CF3 Accessibility and Transport

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/2023/0302 - Application for lawful development certificate proposed kitchen extension and garage conversion to a bedroom – Not Lawful – 26/09/23

CONSULTATIONS

Publicity

Site Notice expiry date: 07/12/23
Neighbour consultation period ends: 15/11/23
Press Advert: N/A

Public Comments

4 letters of objection received on following grounds:

Works have been done
Dwelling will have three bedrooms, not two
En-suite will have no window, fire risk
Concerns over parking
Garage attached to neighbour
Render out of keeping
Privacy distance from former garage window, directly faces living room
Higher land level results in overlooking
Insufficient information regarding trees

Town / Parish Comments

Objection:

1. The immediate vicinity can become congested by on-street parking. If this application leads (through loss of on-site parking) to more on-street parking, that would be appreciably unhelpful.
2. The proposals appear to enable the applicant to look into the neighbour's property to an unacceptable extent.
3. The rendered walls will be out of keeping with nearby properties.

DCC Highways

The application includes the conversion of the garage to a bedroom. Whilst this may lead to a requirement for additional on street parking, there is space available on the adjoining highway to accommodate additional road side parking without having a detrimental impact on highway safety. There are no highway objections to the application

OFFICER COMMENTS

Principle of Development

The application proposes extensions to 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. 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.

The proposed rear extension, is single storey in nature and has an eaves and ridge height which match that of the original dwelling. While the extension is full width of the host dwelling, and attaches to the garage its projection at 3.5m results in an extension which does not dominate or overwhelm the host property. The scale of the extension does not result in an overdevelopment of the plot and is of an acceptable design. It is considered that the dwelling can accommodate the extension, without causing harm to its overall character and appearance.

With regard to the impact on the streetscene, the dwelling is set off a turning head on a small cul-de-sac. Its positioning on the street is relatively discrete. The proposed rear extensions are not prominent from the streetscene, with only a small part of wall and roof visible from Oak Close. The alterations to openings do not have an unacceptable effect on the overall character and appearance of the streetscene.

A track, which is also a PROW, is located to the rear of the site and there are glimpsed views of the extensions available from these vantage points. As the works are modest the proposals do not cause undue harm to the character and appearance of public views from the rear.

The extension and garage have a rendered finish, while render has also been applied to the dwelling. This is a different material to the redbrick construction of the original dwelling. Nonetheless, the wider estate includes streets which have fully rendered or pebble-dashed elevations, of varying colours, including some which are viewed within the context of the site. Furthermore, the application dwelling is discretely sited, off the cul-de-sac. The effect of rendering the property in this context is considered to be acceptable.

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.

In terms of the relationship with No.10. This would remain largely as existing with the existing garage remaining in situ. No amenity issues to that property would arise through loss of light, overbearing, overshadowing or privacy.

With regard to the effect on the dwelling to the east, No.2 Water Edge Lane, the extent of rear projection next to the rear boundary is relatively modest with a reasonable extent of boundary having no development beyond it. Furthermore, the dwelling has relatively shallow pitched roof with low ridge height. The extension would replicate the design of the existing dwelling in this regard. The proposed extension therefore would not give rise to any adverse amenity issues through overshadowing, overbearing, loss of light or outlook.

A new bedroom window is proposed within the side elevation of the garage. This is to serve a new bedroom. This would be a habitable room window facing towards the rear elevation of No.2. the spacing between windows would not meet spacing standards of 21m, and the effect of which would be exacerbated by the change in land levels between the two properties.

However, the facing relationship between these windows is at ground floor whereby boundary treatment could ensure that no adverse overlooking or loss of privacy would arise. The existing boundary does not provide any meaningful screening. However the applicant have confirmed that they will erect an 1.8m high close board fence along this boundary (which could be done under permitted development

rights). This would address concerns relating to privacy. A plan has been provided to show the location of the fence and its installation can be secured via condition.

For the above reasons the effect on amenity can be made acceptable via condition.

Highway Safety/Impact on PROW

The proposed extensions result in the loss of garage and an increase in bedrooms to three. The dwelling benefits from off street parking to the front which would be sufficient to provide parking to serve the dwelling. For these reasons, no highway safety issues would arise, as confirmed by DCC Highways.

Other Matters

The matter regarding development which touches No.10 is a civil matter. Nonetheless, the application was originally supported by a Certificate A which was incorrect. Upon raising this matter, the applicants have revisited the works which have been carried out on site and removed the development from attaching to the neighbour and brought the development back to its earlier relationship.

Matters regarding fire safety, in this instance, would be a consideration under the Building Regulation regime which is separate to the planning process. In terms of the comments raised it is noted that a window is proposed within the en-suite which appears contrary to the concerns highlighted.

The application form notes that there are no trees within falling distance of the development where there are, which appears to be inaccurate. While there may be trees within falling distance, this does not affect the validity of the application.

The works contained within the application are retrospective. This does not affect proper consideration of the application proposals which have been determined on their merits and in accordance with the policies of the Development Plan, as required.

CONCLUSION / PLANNING BALANCE

It is considered that the proposals would comply with the policies contained within the Development Plan and guidance within the NPPF, and as such it is recommended that the application be approved.

OFFICER RECOMMENDATION: APPROVE

Case Officer: Declan Cleary
Recommendation Date: 23/01/24

X *B.S. Haywood*

Signed by: Ben Haywood

On behalf of High Peak Borough Council