

DELEGATED DECISION REPORT

HPK/2023/0321
Valid 08/01/2024

**LAND ADJACENT TO 60,
QUEEN STREET,
GLOSSOP, DERBYSHIRE,
SK13 8EL**

**OUTLINE PLANNING
PERMISSION WITH ALL
MATTERS RESERVED FOR A
NEW DWELLING**

(OUTLINE - MINOR APPS)

MAIN ISSUES

- Principle
- Impact on visual amenity
- Impact on neighbour amenity
- Amenity of future occupier
- Highways
- Other Matters

DESCRIPTION OF SITE

Queen Street is a residential street which is dominated by rows of Victorian terraced properties with paved line frontages constructed in stone with slate roofs. Opposite the site is a recent development of modern terraced properties some of which are set back from the back edge of footway to allow for off-street parking on the forecourts.

The application site includes a domestic type of garage within a plot that is enclosed by a timber fence/stone wall and has vehicular access, via a metal gate, onto Queen Street. Immediately to the south of the site is the side garden of No 60 Queen Street.

Immediately to the north of the appeal site are the gardens to the rear of nearby properties fronting High Street West. These properties (and gardens) are within the Wrens Nest Conservation Area. Thus the site abuts the conservation area.



PROPOSAL

Outline Permission is sought to erect a dwelling on site with all matters reserved.

The indicative site plan denotes detached dwelling located centrally in the plot and two car parking spaces are shown.

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
EQ6 Design and Place Making
CF 6 Accessibility and Transport
EQ 5 Biodiversity
S 5 Glossopdale Sub-area Strategy
EQ 7 Built and Historic Environment
H 1 Location of Housing Development

Supplementary Planning Document

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

National Planning Policy Framework (2021)

Including sections -

- 5: Delivering a sufficient supply of homes
- 11: Making effective use of land
- 12: Achieving well-designed places
- 16: Conserving and enhancing the historic environment

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

HPK/2011/0497 New Detached House - Refused
HPK/2012/0049 Proposed 2 New Houses - Refused
Appeal Decision APP/H1033/A/12/2180561 - Dismissed

CONSULTATIONS

Publicity

Site Notice expiry date: 02/02/2024
Neighbour consultation period ends: 01/02/2024

Public Comments

Representations received, stating the following:

- Queen Street is difficult to access and park, this proposal would reduce parking availability on the road further
- The property would be very close to the busy main road (High Street West) it could potentially cause access issues, given the narrow and steep nature of Queen St at this point

- Four bedroom property is not in keeping with the adjacent small, terraced houses on High Street West and Queen Street.
- Isolated dwelling, not in character with terrace character of the street
- Cause issues with light and loss of privacy, particularly with regard to the lower adjacent properties on High Street West
- Out of character with existing houses, proving detrimental to the visual characteristics of the street and not in-line with the conservation order (I note this is reflected in the refusal of similar detached/semi-detached houses proposed in planning applications HPK/2011/0497 and HPK/2012/0049 for the same site).

Town / Parish Comments

No comments received

Environmental Health

No objection to the proposed development subject to conditions

HPBC Waste

No comments received

Arboricultural Officer

No comments received

Highways Authority

No comments received

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 S5 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:

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 question is, is this a suitable site? The application is in outline form with all matters reserved. However, in order to grant outline permission, the LPA must be satisfied that a scheme could be brought through at reserved matters stage to comply with Local Plan policies in respect of character and appearance. The layout of

the development as shown on the indicative plan would locate the proposed detached 4-bed dwelling, centrally, with 2 parking spaces positioned to the front.

The proposed development for the erection of a 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 weighing up of 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 135 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 139 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. Development should fit in with the overall form and layout of their surroundings.

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 a new building should respect the scale of those surrounding it.

The site is off Queen Street which is steeply sloped. The character of the area is predominantly terraced properties, the juxtaposition of these dwellings and their simple design and use of materials has a rhythm and uniformity. The site has been subject of a dismissed appeal for a pair of semi-detached dwellings and the inspector considered that the grid iron street pattern around Queen Street introduces a feeling of containment. Which contributed to the character of the area.

Since the appeal decision was issued in 2012 there has been little change to the streetscape or alteration to the status of the heritage asset that abuts the northern boundary of this site.

This proposal includes the removal of the garage and the erection of a detached dwelling. Although style, mass, and materials could be designed to reflect the character of other dwellings in the locality, the principle of a dwelling on this site would result in a property that would be separated from the nearest built form to the north and south by open garden areas and as such the new dwelling on this site would appear as an isolated structure, in what is otherwise a close knit form of urban grain. In addition they would be distinctly different to the dwellings on the east side of Queen Street as this proposal introduces a detached form which is set back from the back edge of the existing footway.

Para 6 of the appeal decision concluded that:

..." the combination of the uncharacteristic form and design details and its isolated position, the appeal scheme would create an incongruous scheme out of keeping with the established development on Queen Street. Consequently, given its prominent location close to a junction, I consider the proposal would appear as an intrusive feature in the streetscene."

The appeal decision goes on to state in paragraph 7 that:

"The setting of a heritage asset can be described as the surroundings in which a heritage asset is experienced, more specifically it is explained as embracing all of the surroundings from which the heritage asset can be experienced or that can be experienced from or with the asset. Given its incongruity in terms of isolation, and to a lesser extent, the fenestration, I consider that the appeal proposal would have a deleterious impact on the setting of the Wrens Nest Conservation Area and this would harm it. The harm it causes to the significance of the adjacent conservation area is less than substantial on the basis that the conservation area is very large, and the appeal scheme would affect only a small part of its setting."

This application is in outline, however, notwithstanding the references to design in the appeal decision, the same conclusion must be drawn with respect to this proposal. The dismissed appeal did not accept that the modest benefit of tidying up the site outweighed the harm to the character of Queen Street or nearby Wrens Nest Conservation Area.

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 nearby dwellings.

Whilst it is appreciated that the proposed development does have an impact on the neighbouring properties when compared with the existing situation, it is considered that the development could be designed to meet the minimum separation distances.

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. 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. The developers, and those acting for them, should be mindful when demolishing the garage 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 garage. The site benefits from an existing access that would remain the same but serving the new dwelling. The highway authority are yet to comment on this proposal, however commented on a similar proposal on the adjacent land (HPK/2020/0310) stating that any future application including details demonstrating access arrangements and provision of off-street parking meeting current design recommendations, there are no objections in principle to residential development of the site concerned.

Other Matters

A condition will be attached to any permission removing permitted development rights. 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.

There are no trees on site, the only trees are adjacent to site which will not be impacted upon by the development.

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.

CONCLUSION / PLANNING BALANCE

Whilst the current Local Plan policies were not those considered by the inspector when weighing up the balance of harm and benefits in determining the dismissed appeal on the site for residential development. Material matters remain unchanged and when assessed under current Local Plan policies, the proposal would harm the character and appearance of the locality and would not preserve the setting of the Wrens Nest Conservation Area. It would conflict with Policies EQ6, EQ7 and H1 of the High Peak Local Plan 2016 which relate to new development that affects conservation areas, the general character, form and design of new development and that new development reflects its setting and local distinctiveness respectively. These policies are broadly in accordance with the Framework.

For the reasons outlined above, the principle of development at this location is considered not to accord with the relevant policies contained in the High Peak Local Plan (2016) and the NPPF (2023). As such the application is recommended for refusal.

OFFICER RECOMMENDATION: REFUSE

Case Officer: P. Twigg

Recommendation Date: 8.4.2024

X *B.J. Haywood*

Signed by: Ben Haywood

On behalf of High Peak District Council