



Statement of Case on behalf of the Appellant

HPK/2024/0113 - Erection of Dwelling House

36 Burrfields Road, Chapel-en-le-Frith

This appeal follows the refusal of application HPK/2024/0113 on 20 May 2024. It is common ground that the proposal is in a sustainable location, within the built-up area of a market town, and that development plan policies allow for infill development within settlement boundaries.

The appellant's grounds of appeal are that reasons for refusal 1 and 2 are ill-founded with reference to the development plan and site-specific circumstances as set out below.

Siting and relationship with existing buildings

Paragraph 3.3 and 3.4 of the Planning Statement describe the site context, which can be summarised as being of varied character with no defined building line. With development from various different time periods, roof designs, building materials, house types, and set-backs from the highway vary along the length of the road. As a consequence, there is no consistent 'grain' of development in the vicinity of the site.

As proposed, the dwelling is classic 'infill' development, supported by policy H1 of the High Peak Local Plan and policy H2 of the Chapel-en-le-Frith Local Plan, positioned on the site so that it would have no adverse impact on the amenity of either adjacent properties. Its general proportions and detailed design are informed by surrounding development and the proposed materials are appropriate to their context, consistent with policies S1 and EQ6 of the Local Plan.

Car parking arrangements

The officer report states that parking to the side of terraced properties is 'wholly uncharacteristic for traditional terraced properties' and yet the proposed development site is off-street parking to the side of a terraced property and has been for decades.

Panorama Planning

3/2 Lauderdale Street, Edinburgh EH9 1DF Tel: 07816560986
Panorama Planning Ltd registered in Scotland SC794161
sarah.foster@panoramaplanning.co.uk



RTPI

Chartered Town Planner

Along Burrfields Road, car parking is largely on-street or arranged to the front of properties. This can clearly be seen in the new development to the north west of the application site (see fig 1), as well as multiple properties to the south (e.g. development at 2 Burrfields Road).



Fig 1: 25-41 Burrfields Road immediately opposite the site showing frontage parking arrangements.

As set out in the delegated report, the new housing estate shown in fig 1 was approved in 2012 and amended in 2016 and has now been built out and occupied. The Council's Residential Design SPD was adopted in 2005 and so there has been no change in adopted guidance on the subject of car parking since the development to the north west was approved.

The relevant section of the Residential Design SPD is paragraph 5.12 which states:

‘Driveways and curtilage parking (where vehicles are parked in front or to the side of the dwelling) must be treated with care to reduce the visual impact of vehicles. Parking to the front of dwellings can create unsympathetic building set backs which undermine the enclosure of the street, as well as reducing the quality of front garden space and gaps in the property boundary, whilst parking to the side of dwellings can create gaps in the building line.

The negative effects of driveways and curtilage parking can be limited by the use of high quality materials and landscaping. Consider block paving of a suitable texture and colour to buildings as opposed to tarmac and soften edges with shrubs and planting.

The visual impact of parking to the side of dwellings can also be reduced by bringing houses closer to the street and building across part of the parking to form a car port.'

There is, therefore, no particular presumption against car parking to frontages (as can be seen from the many new developments around the Borough that incorporate frontage parking), as long as surface treatments and landscaping are high quality (capable of being controlled by condition), and the building line is not adversely affected.

In this case, the appeal site is already dedicated to car parking and, as described above, there is no defined building line along this section of the road. It would be perverse to resist frontage parking here when at least 10 properties within 120m of the site have been approved under the same policy framework with frontage parking. The parking at the appeal site would be much less harmful to the streetscene than that approved to the north west given it would be screened by the existing terraced block to the north, and by the vegetation along the site boundary to the south.

In summary, there is no conflict between the parking arrangement shown on the proposed site plan, and the adopted policy framework. The site layout would be in-keeping with its context and would not be unduly harmful to the character or appearance of the area.

Impact on residential amenity

The council's second reason for refusal relating to separation distances is specious. The intervisibility they perceive to be of concern would be between the new dwelling and 5 Carrier's Meadow to the east. As 5 Carrier's Meadow has a single storey garage on the boundary, there could be no intervisibility between ground floor windows. The distance between the proposed first floor windows and the existing windows to the rear of Carrier's Meadow is actually 19.8m. This is a non-direct relationship, with the angle between the windows being circa 20 degrees (see fig 2).

layout and frustrate designers; the Council is therefore open to applicants with a more flexible approach based upon design principles rather than standards.'

The second reason for refusal is therefore fundamentally flawed as there are no 'minimum space standards [sic]' adopted in either the development plan or the council's guidance documents.

There would be no adverse impact on residential amenity as a result of this development, and the separation distances between the proposed dwelling and 5 Carrier's Close would exceed those recently approved elsewhere in the vicinity of the site.

Conclusion

At a time when it is widely recognised that the country is facing an unprecedented housing crisis, a small-scale, policy compliant housing proposal within an existing settlement boundary and sustainably located should be supported in principle.

There is no conflict between the proposals and policies S1 or EQ6 of the High Peak Local Plan, nor with policy H3 of the Chapel-en-le-Frith Neighbourhood Plan. Furthermore, the proposals are consistent with guidance contained within the NPPF and the High Peak Residential Design SPD. As there are no other material considerations that weigh against the proposals, the Inspector is respectfully requested to allow the appeal.