

DELEGATED DECISION REPORT

HPK/2024/0339
Valid 16/09/2024

THE HOLLIES KING
STREET
GLOSSOP

RETROSPECTIVE
APPLICATION FOR GARDEN
ROOM

(FULL - HOUSEHOLDER)

MAIN ISSUES

- Design
- Amenity

DESCRIPTION OF SITE

The site comprises of a large detached dwelling, occupying a corner position on King Street. The site has a generous garden to the west of the dwelling house. The Neighbours to the west comprise of two Flats and a row of terrace houses to the north west along Union Street.

PROPOSAL

The application is for retrospective planning permission for a garden room, which sits in the rear garden of The Hollies. The garden room is in situ and is to be used as an office. The outbuilding is 5m in width, 3m in depth and 2.5m at its highest point. The building has been erected up against the boundary wall with French doors to the front elevation.

A complaint was received regarding the outbuilding, and Planning Enforcement advised the applicant to submit a planning application retrospectively.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

High Peak Local Plan 2016

S 1 Sustainable Development Principles
S 1a Presumption in Favour of Sustainable Development
EQ 6 Design and Place Making
CF 6 Accessibility and Transport

National Planning Policy Framework

Chapter 2: Achieving Sustainable Development
Chapter 12: Achieving well-designed and beautiful places

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

HPK/2003/0114 – Erection of one dwelling. Approved 27/03/2003

CONSULTATIONS

Publicity

Site Notice expiry date: 15/10/2024

Neighbour consultation period ends:08/10/2024

Press Advert: N/A

Public Comments

2x Neighbour Objections:

- Building too close to the shared boundary
- Obscures light to kitchen window
- Obscures view from kitchen window
- Concerns of fire risk
- Obscured light that used to come through front door
- Impact on re-sell value of flats

1x Support (applicant)

- Considered the outbuilding to fall under Permitted Development
- From the early morning the light into the ground floor flat window from the sun is already blocked by the houses on King Street on the other side of the road, the sun then moves behind the flats so there doesn't appear to ever be direct light on that side of the building. This also applies the other 1st floor flats front door.
- Due to the angle of the flat roof to the garden room the view of the hills is unobstructed.
- The cladding on the sides facing the boundary are fire proof and this building is no more a fire hazard than any other.

Town / Parish Comments

None

Environmental Health

None

Derbyshire County Council Highways

None

OFFICER COMMENTS

Principle of Development

The property lies within the built up area boundary of Glossop, which is identified as a Market Town in the settlement hierarchy under Local Plan Policy S2 in recognition of it being a moderately sustainable location with access to services and facilities. Therefore, the principle of development is acceptable subject to a detailed assessment of relevant planning considerations.

Design

Policy S1 of the Local Plan sets out a number of sustainability principles which all new development proposals should incorporate in order to make a positive contribution towards the sustainability of communities and to protect, and where possible enhance the environment.

Section 12 Paragraph 135(c) of the NPPF states that development should be sympathetic to the character and history of the area, while not restricting change.

Policy EQ6 of the Local Plan states all development should be well designed and of a high quality that respects local distinctiveness and sense of place.

The Adopted Residential Design Guide (SPD) (2005) chapter 9.7 states that “ Garages and outbuildings should relate to the main dwelling in terms of size, proportion and appearance. They should be subordinate in size and height and match the materials of the existing house.”

The garden room is modest in size, occupying a floorspace of 15m.sq and a maximum height of 2.5m.

The dimensions of the outbuilding would allow it to fall under Permitted Development Class E. However, it is noted from the site plan the outbuilding appears to sit slightly forward of the principal elevation of the main dwelling and Permitted Development rights have been removed for this property. As such planning permission is required.

As far as the siting and scale of the outbuilding, its single storey nature and is clearly subordinate to the main dwelling house.

The outbuilding sits on the south western corner of the site, and is slightly higher than the boundary wall to the south which runs parallel to King Street. Upon visiting the site, due to the siting of the outbuilding it is possible to see the roof from the public highway. However, views of the outbuilding are minimal, with only the roof visible from King Street. Therefore, the development is not considered to cause harm to the street scene or the dwelling house. Additionally, the visibility of timber garden sheds or outbuildings from the street scene is not unusual in a domestic setting such as this.

The materials used in the construction of the outbuilding are timber clad walls and black corrugated aluminium, and glass reinforced plastic for the slightly sloping roof.

Whilst timber and corrugated aluminium are certainly not characteristic of the High Peak, such materials are commonplace for garden structures, such as sheds, outbuildings and summer houses. Given the positioning of the outbuilding, it is heavily screened by the boundary wall, the materials will weather and become more in keeping with the garden area and character of the host dwelling and surrounding stone properties. The grey roof and dark cladding make the outbuilding appear visually recessive within the context of the surrounding area.

Accordingly, the siting, scale and proposed materials are considered appropriate and accord with the requirements of policies S1, and EQ6, the Residential Design Guide SPD and the NPPF.

Amenity

Section 12 Paragraph 135(f) of the NPPF states that development should create places with a high standard of amenity for existing and future users.

LP Policy EQ 6 states that all development should achieve a satisfactory relationship to adjacent development and doesn't cause unacceptable effects by reason of vision intrusion, overlooking, shadowing, overbearing effect, noise, light pollution or other adverse impacts on local character and amenity.

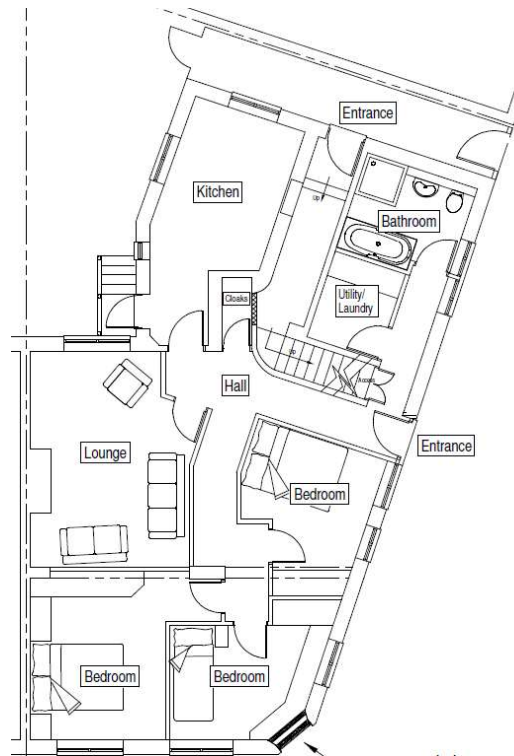
The Adopted Residential (SPD) (2005) paragraph 8.6.1 states that there should be 21 metres between adjacent habitable windows to provide an acceptable level of amenity.

A row of terrace houses sit to the north along Union Street. Regarding the French doors to the front elevation of the outbuilding these look out onto the garden of the subject property. There is some outlook into the rear gardens of No.7-11 Union Street. However, there is already mutual overlooking between these properties and the application site due to the slightly elevated position of the application site in comparison to Union Road. Furthermore, there is a distance of some 13m between the French doors and northern boundary which backs on to the gardens of these neighbours. As such, it is not considered there is detrimental overlooking or loss of privacy to these neighbours as a result of the garden room.

It has been noted two neighbouring objections have been received. The devaluation of property is not a material planning consideration and fire risk is a matter for the Building Regulations (noting that the applicant states the cladding material is fireproof). Regarding concerns the outbuilding is too close to the boundary wall, the building sits within the curtilage of the dwelling house, as such this is not cause for concern with regards to determining this planning application.

The application site has two neighbouring flats to the west, separated by the boundary wall at the application site and a passageway which provides access to the two flats at Kingston House, with approximately 2m between the outbuilding and Kingston House. It has been noted by officers that the outbuilding will inevitably obscure some of the light that serves the kitchen window on the east elevation of Flat 1 at Kingston House. However, according to the plans approved under HPK/2011/0024 changing

the use from a Public House to a 3 bed flat, there are two other windows that serve this kitchen (below), providing an alternative light source.



With respect to the neighbouring window that serves the kitchen on the east elevation, it has been considered there will inevitably be some loss of outlook from this window. However, as mentioned given the current position that this window previously outlooked on to the stone boundary wall and The Hollies dwelling house and associated rear garden, on balance, it is not considered the application could be refused on this basis.

The comment from Flat 2 at Kingston house regarding light being blocked from their entrance door has also been considered and assessed. The existing stone boundary wall is already the height of the entrance door for this neighbouring flat. Furthermore, the hallway the entrance door serves cannot be considered a habitable room, as this part of the flat is used for access only. Again, the application could not be refused on these grounds.

The design standard of the outbuilding is considered to be characteristic of many rear gardens with timber outbuildings typical in a domestic setting. The application is considered to be compliant with Local Plan Policy EQ6, the Residential Design Guide SPD, and the NPPF, with regards to potential impacts on neighbouring residential amenity.

Highway Safety

The proposal will not lead to an increase in bedrooms at the application site, therefore will not increase demand for off-street parking. Furthermore, the existing provision for off-street parking will not be impacted by the proposal. As such there are no highway safety concerns and the proposal complies with local plan policy CF 6.

Other matters

Reference is made in objections to personal circumstances of the neighbouring occupier including medical issues. Personal circumstances can be a material consideration but will rarely outweigh the provisions of planning policies and whilst these have been taken into account they do not alter the assessment above that the proposal will have an acceptable impact on neighbouring living conditions.

CONCLUSION / PLANNING BALANCE

The proposal is considered acceptable in terms of design and amenity and will not result in any adverse amenity impacts and is of acceptable design and is considered to be in accordance with the relevant policies put forward in the Local Plan and NPPF. Therefore, the application is recommended for approval.

OFFICER RECOMMENDATION : Approve with conditions

Case Officer: Jennifer Robb

Recommendation Date: 11/11/2024

X 

Signed by: Ben Haywood

On behalf of High Peak Borough Council