

DELEGATED DECISION REPORT

HPK/2024/0394
Valid 19/09/2024

3 CARRIERS MEADOW
CHAPEL-EN-LE-FRITH

TWO STOREY SIDE
EXTENSION AND SINGLE
STOREY REAR EXTENSION

(FULL - HOUSEHOLDER)

MAIN ISSUES

- Design, Character and Appearance
- Amenity
- Parking Provision and Highway Safety

DESCRIPTION OF SITE

The application relates to No.3 Carriers Meadow, a two storey semi-detached property that sits at the head of a small cul-de-sac, which in turn forms part of a larger relatively modern housing estate built out in the early 2000's. A review of the planning history shows that whilst some plots within the larger estate have seen Permitted Development rights removed for domestic development, this plot retains such rights.

The existing semi-detached block is shared with No.2 Carriers Meadow, with both benefiting from a private driveway and modest front garden. To the rear of No.3 is a patio area, beyond which is a significant change in land levels to the rear boundary.

The property shares its western boundary with the rear garden walls associated with the two storey terraced properties No.42-48 Burrfields Road, with the rear habitable windows standing some 27m distant from the boundary with No.3 Carriers Meadow.

A short distance to the north and north-west of the site stands the rear elevations and habitable windows associated with terraced properties on Poplar Terrace, with No.8 being the closest to the host property with a distance of 8m separating both rear elevations, albeit not in a direct line of sight.

For the purposes of the Local Development Plan, the site lies within the built-up area boundary of Chapel-en-le-Frith and is not constrained by any sensitive statutory designation.

PROPOSAL

The application in its original form sought full planning permission for a two storey side extension. During the consultation period, the applicant withdrew a Prior Notification application for a single storey rear extension and submitted revised plans that incorporate this aspect into this application.

As a consequence, the applicant has agreed to amending the description of development to account of this change. The application has been subsequent to a full 21-day re-consultation with neighbours and members of the public.

Further to Officer negotiation, this report considers the latest Floor and Elevation Plans (Rev C).

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Section 38(6) of the Planning and Compulsory Act 2004 requires proposals to be determined in accordance with the Development Plan taking into consideration any material considerations relevant to the determination of the application.

The Local Development Plan for this site comprises the Chapel-en-le-Frith Neighbourhood Plan (2015) and the High Peak Local Plan (2016). Adopted Supplementary Planning Guidance documents and the National Planning Policy Framework (NPPF) are also material considerations in determining applications.

Chapel-en-le-Frith Neighbourhood Plan (2015)

No relevant policies

High Peak Local Plan 2016

- S1 Sustainable Development Principles
- S1a Presumption in Favour of Sustainable Development
- S2 Settlement Hierarchy
- EQ6 Design and Place Making
- CF6 Accessibility and Transport

Supplementary Planning Documents

Residential Design Guide SPD (2005)
Design Guide SPD (2018)

National Planning Policy Framework 2023

Achieving Sustainable Development	Chapter 2
Promoting Sustainable Transport	Chapter 9
Achieving Well Designed and Beautiful Places	Chapter 12

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

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|---------------|--|
| HNT/2024/0007 | Application to determine if prior approval is required for Single Storey Rear Extension, measuring 4m beyond the original rear wall of the dwellinghouse, 3.15m maximum height and 2.95m height to eaves (Withdrawn) |
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CONSULTATIONS

Publicity

Site Notice expiry date: 24th October 2024
Neighbour consultation period ends: 10th October 2024
Neighbour re-consultation period ends: 26th November 2024

Press Advert: N/A

Public Comments

None

Chapel-en-le-Frith Parish Comments

No Objections

Derbyshire County Council Highways

No objection.

OFFICER COMMENTS

Principle of Development

The application seeks permission for extensions and alterations to an existing residential property that lies within the built-up area boundary of Chapel-en-le-Frith, identified as one of the larger Market Towns that sits at the top of the settlement hierarchy under Local Plan (LP) Policy S2. Chapel is identified as an area which is suitable for new housing and economic growth. The site is not constrained by any sensitive statutory designation. As such, the principle of development is acceptable subject to an assessment of all other material planning considerations.

Design Character and Appearance

LP Policy S1 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.

LP Policy EQ6 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 High Peak Residential Design Guide SPD (2005) and more recently adopted Design Guide SPD (2018) contains further design guidance for extending and altering domestic properties. Extensions and alterations should respect the scale and height of the parent building reading as a subordinate and secondary addition and

respecting the character and appearance of the building through an appropriate choice of materials.

Paragraph 135 of the NPPF states amongst other things that decisions should ensure that developments will add to the overall quality of the area; are visually attractive as a result of good architecture; and are sympathetic to the surrounding built environment.

Carriers Meadow is a small cul-de-sac which, like other properties within the larger housing estate, presents houses which are finished in a natural stone, with slate tiled roofs. Both Nos.3 and No.5 benefit from a small mono-pitched entrance porch which extend a short distance beyond the principal elevation.

The application originally sought permission for a two storey side extension. However, during the consultation process, a single storey rear extension was introduced, leading to a change in description of development and re-consultation with neighbours.

In its original form, the proposed two storey side extension was shown to sit flush with the principal elevation, incorporating a front porch which read as a continuation of the existing porch with the principal elevation presented a dual pitched gable.

In assessing these plans, Officers accepted that the overall scale height and massing of the extension was proportionate to that of the main house, and that the choice of materials respects the character and appearance of the house and wider street scene.

However, it was identified that the failure to set the principal elevation of the extension behind that of the main house and similarly to set the ridgeline of the extension down from the main house would result in a poor form of design that would not preserve the character and appearance of the site and to a lesser extent the wider street scene. The introduction of the porch was also a concern as it was considered that this amplified the fact that the extension fails to read as a subordinate and secondary feature, respecting the dominance of the main house. The dual pitched gable was considered to be at odds with the minimal detailing of the existing house.

Following ongoing discussions, the latest plans (Rev C) for consideration shows the principal elevation to incorporate a small but nevertheless important recession from that of the main house, and a similar recession below the main ridgeline. Further, the dual pitched gable has been removed and replaced with a simple roof form which is consistent with the main house. The porch has not been omitted, as requested and therefore a judgement is required as to whether its presence results in a degree of harm to the character and appearance of the house as a consequence of poor design that warrants a substantive reason for refusal in its own right.

Whilst it would be desirable to see the principal elevation including the porch to be set back behind the principal elevation of the main house, it is considered that due to the location of this property at the far end of the cul-de-sac and its relationship with the wider street scene, that there would not be a sufficient degree of harm resulting

of its inclusion that would warrant a substantive reason for refusal that could be defended at appeal. As such, the two storey side extension as shown on the latest set of revised plans (Rev C) is considered to be acceptable with regards to its design and its relationship with the main house and wider street scene.

Turning to the proposed single storey rear extension, this aspect has a modest depth of 3m and due to its modest scale and height, is considered to read as a subordinate and secondary addition that respects the dominance of the parent building. The choice of materials is also consistent with those used in the main house.

In light of the above analysis, it is considered that the application in its latest revised form is acceptable with regards to its scale, height, massing and visual appearance, and aligns with the design principles set out under LP Policies S1 and EQ6, relevant Supplementary Design Guidance, and relevant paragraphs under Chapter 12 of the NPPF.

Amenity

LP Policy EQ6 requires all new development to have a satisfactory relationship with existing land and buildings and protects the amenity of the area, which includes residential amenity of neighbouring properties. Aspects of residential amenity include impacts such as a loss of sunlight, overshadowing and overbearing impacts, loss of outlook, and loss of privacy.

The High Peak Residential Design Guide SPD requires extensions to preserve the residential amenity of neighbouring properties, having regard amongst other things to the relationship between existing and proposed development, the positioning of windows, and the change in land levels. A minimum of 21m should be achieved between existing and proposed habitable windows.

Paragraph 135 of the NPPF states that planning should create places with a high standard of amenity for existing and future users.

The application is surrounded on four sides by residential development. Firstly, the principal elevation of the proposed two storey side extension faces the blank gable of No.4 Carriers Meadow, albeit the side elevation of the extension running parallel with the blank gable. Owing to this relationship and the lack of habitable windows in this neighbouring side elevation there will be no adverse harm to the amenity of this property.

Turning to properties to the west of the site, the proposed two storey side extension would be built up to the boundary wall that borders the large rear gardens of No.42-42-48 Burrfields Road. The rear elevations and habitable windows in these properties are located some 27m distant from the proposed extension. At this distance and given the lack of habitable windows contained in the side elevation of the two storey side extension, there are not considered to be any adverse impacts to the residential amenity of these properties resulting from the proposed development.

To the rear of the site stands the row of two storey terraced properties that stand adjacent to Poplar Terrace, with the end terrace No.8 situated some 8m from the

rear elevation of the proposed two storey extension. Whilst there is no direct line of sight between existing and proposed first floor windows, at this distance there is potential for harm to privacy. It is noted that the neighbour has a single storey rear extension with no windows facing toward the application site. The closest first floor window in the neighbours rear elevation is a frosted window. However, the proposal has been designed so that the first floor window in the rear elevation is a bathroom window, and thus subject to an appropriate condition requiring this window to be obscure glazed, this will ensure that the amenity of occupiers at No.8 and indeed all other properties Poplar Terrace will be protected.

With respect to number 4 Frood Close, immediately to the rear, this property is detached and due to changes on ground levels sits below the application site, with a timber fence forming the boundary. This property is positioned 21m from the existing rear elevation of application site, and therefore as a consequence of the extension the rear windows would be positioned 18m from its rear elevation. Whilst this distance fails to comply with the Councils privacy standards, as noted above this element of the application could be constructed under permitted development rights. Therefore, this fallback position is a material consideration, which is considered realistic and achievable, if pursued by the applicant. Therefore, despite the loss of privacy which will occur, the fallback position provides sufficient justification to support this application.

Lastly, the property shares a partition wall with No.2 Carriers Meadow, the other half of the semi-detached block to the east. Beyond the rear elevation the boundary is characterised by a timber fence that has a height of approximately 1.7m, and extends outwards by some 4.7m, after which the boundary becomes a hedgerow. A habitable window is positioned immediately beyond that fence.

Whilst the introduction of a single storey extension, having an eaves height some 700mm above the height of the boundary fence would not result in any overbearing impacts, or overlooking, there would as a consequence of the depth, be a minor breach of the 45 degree angle taken from the centre point of the nearest habitable window, and thus result in loss of sunlight.

However, the above harm must be considered alongside permitted development rights under Schedule 2, Part 1, Class A of the GPDO, relating to domestic extensions and alterations. These permitted development rights remain intact for this property, which is a material consideration in the assessment and determination of the application. Such rights permit the provision of a single storey rear extension that extends 3m beyond the rear extension, and thus this aspect of development could reasonably be implemented without planning permission.

Taking all of the above into account, it is concluded that the proposed extensions will be compliant with LP Policy EQ6, the Residential Design Guide SPD, and paragraph 135 of the NPPF.

Parking Provision and Highway Safety

LP Policy CF6 seeks to ensure that development can be safely accessed in a sustainable manner and that all new development is located where it can be

satisfactorily accommodated within the existing highway network and provides suitable off-street parking provision in accordance with guidelines set out under Appendix 1 of the Local Plan.

Paragraph 114 of the NPPF states that in assessing sites for specific applications, it should be ensured that safe and suitable access to the site can be achieved for all users. Paragraph 115 goes on to state that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impact impacts on the road network would be severe.

The application proposes an extension which would create a fourth bedroom, and therefore in line with the Council's parking guidelines, triggers the need for the applicant to demonstrate that the site is capable of accommodating a total of three off-street parking spaces. The Site Plan does indeed demonstrate that the site is capable of accommodating this level of off-street parking, and in the absence of any objections from the Highways Authority, there are not considered to be any adverse highway safety impacts arising from this application, thereby demonstrating compliance with LP Policy CF6 and relevant paragraphs under Chapter 9 of the NPPF.

CONCLUSION / PLANNING BALANCE

LP Policy S1a reflects the presumption in favour of sustainable development contained within the National Planning Policy Framework. It states that planning applications that accord with relevant policies in the Local Plan will be approved without delay.

Paragraph 11 of the NPPF sets out the presumption in favour of sustainable development. For decision taking, this means approving development proposals that accord with an up-to-date development plan without delay; or, where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission, unless:

- the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

The application in its latest form subject to a full re-consultation seeks full planning permission for a two storey side extension and single storey rear extension to a property that is situated on a site located within the built-up area boundary of Chapel-en-le-Frith not constrained by any sensitive statutory designation. The principle of development is therefore acceptable.

Further to ongoing discussions with the agent, it has been possible to secure amendments to the original proposals that address initial concerns relating to the

design of the proposed extensions and its impact on the character and appearance of the dwellinghouse and wider street scene, in a manner that preserves residential amenity and highway safety.

The application in its revised form is considered to constitute a sustainable form of development, and in line with LP Policy S1a and paragraph 11 of the NPPF the application is recommended for approval subject to appropriate conditions.

OFFICER RECOMMENDATION : Approve with Conditions

Case Officer: James Stannard

Recommendation Date: 4th December 2024

X 

Signed by: Jane Colley Signature

On behalf of High Peak Borough Council