

## DELEGATED DECISION REPORT

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HPK/2022/0390  
Valid 26/08/2022

152, STATION ROAD,  
HADFIELD, GLOSSOP,  
DERBYSHIRE, SK13 1AA

NEW ACCESS DOOR TO  
FRONT ELEVATION AND  
PROPOSED FIRST FLOOR  
REAR EXTENSION

(FULL - MINOR)

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### MAIN ISSUES

- Principle of Development
- Design
- Residential Amenity
- Highway Safety and Parking

### DESCRIPTION OF SITE

The application relates to mid terrace style property featuring a commercial convenience shop at ground floor and an existing one bedroom first floor flat above. The existing roof space is used for storage.

The property is located in the centre of Hadfield and adjoins two residential properties either side, no 150 to the north and no. 154 to the south. To the rear is a shared space accessed from Railway Street, adjacent to the side of Hadfield Library. This shared space is used to access the rear of properties fronting Station Road. Adjacent to this rear access is the rear amenity area of no. 14 Railway Street.

The existing building is finished in local stone and neighbouring properties along Station Road feature different forms of rear extension, the majority of which are single storey.

### PROPOSAL

Planning permission is sought for the extension of the first floor to provide a larger three bed flat combined with the conversion of second floor to provide a one bed single occupancy flat. A first floor rear extension above an existing ground floor rear projection is proposed in order to extend the first floor flat. The roof of this extension will extend from the rear roof of the main property. Revisions to the ground floor front elevation are also proposed to facilitate a new separate entrance to access the two flats via a new staircase.

An approximate area for each dwelling is summarised below.

First floor three bed 5 person flat: 88.7m<sup>2</sup>  
Second floor one bed 1 person flat: 40.1m<sup>2</sup>

The application has been amended since initial reception to include the removal of a flat roof and overall scaling down of the proposal to the rear. This has resulted in the reduction of the second floor flat from a three bed flat to a one bed flat and the reconfiguration of the first floor flat to a smaller three bed flat.

## **RELEVANT LOCAL AND NATIONAL PLANNING POLICIES**

### **High Peak Local Plan 2016**

S1 Sustainable Development Principles  
S1a Presumption in Favour of Sustainable Development  
S2 Settlement Hierarchy  
S6 Central Sub-area Strategy  
EQ1 Climate Change  
EQ6 Design and Place Making  
EQ7 Built and Historic Environment  
EQ11 Flood Risk Management  
H1 Location of Housing Development  
H3 New Housing Development  
CF5 Provision and Retention of Local Community Services and Facilities  
CF6 Accessibility and Transport

### **National Planning Policy Framework**

|                                       |            |
|---------------------------------------|------------|
| Achieving Sustainable Development     | Chapter 2  |
| Building a Strong Competitive Economy | Chapter 6  |
| Promoting a Sustainable Transport     | Chapter 9  |
| Making Effective Use of Land          | Chapter 11 |
| Achieving Well Designed Places        | Chapter 12 |

## **SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS**

None at this location.

## **CONSULTATIONS**

### **Publicity**

Site Notice expiry date: 07/09/2023  
Neighbour consultation period ends: 07/09/2023  
Press Advert: 07/09/2023

### **Public Comments**

One neutral representation received containing the following comments (summarised):

I am concerned about the possible lack of amenity for 154 Station Rd as the new development could further block light to this building. There will be very little room for wheelie bins for the extra dwelling. I am also concerned about the trees near to the

development and hope these will not be damaged in the process. The building will also be overlooked by the Library and also will overlook dwellings on Railway St. Although Highways have no comments the prospect of extra cars parked in this area will increase the congestion in Hadfield.

**Case Officer comments:**

The principle of the proposal is considered in the assessment section of this report. The points raised around neighbour amenity and parking are also addressed in the assessment section of this report. It is noted that since the above comments were received, amended plans have been received by the LPA.

**Town / Parish Comments**

No comments received.

**Derbyshire County Council Highways**

No objection.

**Environmental Health**

No objection subject to conditions.

**OFFICER COMMENTS**

**Principle of Development**

The determination of a planning application is to be made pursuant to section 38(6) of the Planning and Compulsory Purchase Act 2004, which is to be read in conjunction with section 70(2) of the Town and Country Planning Act 1990. Section 38(6) requires the local planning authority to determine planning applications in accordance with the development plan, unless there are material circumstances which 'indicate otherwise'. Section 70(2) provides that in determining applications the local planning authority "shall have regard to the provisions of the Development Plan, so far as material to the application and to any other material considerations." The Development Plan consists of the High Peak Local Plan Policies Adopted April 2016. Other material considerations include the National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG).

Paragraph 11 of the National Planning Policy Framework (NPPF) promotes a 'presumption in favour of sustainable development'. For decision takers this means (c) approving development proposals that accord with an up-to-date development plan without delay; or

(d) where there are no relevant development plan policies, or the policies which are more important for determining the application are out-of-date, granting permission, unless:

i) the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

ii) Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

Paragraph 8 of the NPPF identifies three dimensions to sustainable development as being economic, social and environmental.

In accordance with policies S1 and S1a of the High Peak Local Plan the Council will expect all new development to make a positive contribution towards the sustainability of communities and to protecting, and where possible enhancing the environment.

When considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework (NPPF). Development will be directed towards the most sustainable locations in accordance with the settlement hierarchy set out at LP (Local Plan) Policy S2.

Development is directed towards the most sustainable locations in accordance with the settlement hierarchy outlined by policy S2. The spatial strategy seeks to focus future growth within the largest settlements in the High Peak, namely Buxton, Glossop, Chapel-en-le-Frith, New Mills and Whaley Bridge, in order to strengthen their role as service centres. As a 'larger town' new development will also be directed towards Hadfield, sited under the aforementioned settlements as set out in policy S2 of the LP.

The Local Plan seeks to deliver a wide choice of high quality housing in appropriate locations to meet the needs of all residents in the Borough in order to support the local economy and to address the housing needs of the Borough. Policy H1 relates to the location of housing development and promotes the effective re-use of land by encouraging housing development including the change of use of existing buildings to housing on all sites suitable for that purpose.

Policy H1 promotes the effective reuse of land by encouraging housing development including redevelopment, infill, conversion of existing dwellings and the change of use of existing buildings to housing, on all sites suitable for that purpose. The site lies within the built up area boundary of Hadfield within a predominantly residential area. The proposed dwellings will be compatible with neighbouring uses and the site is within a sustainable location in terms of access to services and public transport with this town centre location being considered a sustainable location.

Taking account of the presumption in favour of sustainable development outlined by the NPPF and accordance with policies S1, S1a, and H1, the principle of development is considered to be acceptable subject to all other policies in the Local Plan and National Planning Policy Framework.

## **Design**

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, in terms of scale, height, density, and layout.

The High Peak Residential Design Guide SPD (2005) and adopted Design Guide SPD (2018) contains further design guidance for extending and altering buildings to facilitate changes of use and states that the improvement or alteration of a site is generally preferable to redeveloping a site, but should be undertaken with care, taking note of what is already there before preparing the design and to work with, not against, the building's character; the aim being to revitalise the building without the altering its fundamental character. The guidance states that it always best to use existing openings to the full before considering their alteration.

Paragraph 130 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.

Following amendments the proposed design is considerably scaled down over the previously proposed scheme and removes a dormer feature as previously proposed to extend the second floor into a much larger flat. The proposed first floor rear extension is subservient to the existing building and represents an acceptable design being completed in materials to match the existing building to also compliment the existing and neighbouring forms of development.

Whilst the revisions to the front elevation of the building would lose the legibility of the double fronted shop front, the creation of a new doorway to serve the flats would not result in an unacceptable design or layout when viewed in the context of neighbouring properties which includes terraced dwellings with similar front entrances. The use of skylights in the front roof space is also not a common feature along this section of Station Road however, on balance, these can be considered an acceptable addition also and details of these can be secured by means of condition in the event of an approval.

The proposed development is therefore acceptable and complies with Policy S1, EQ6 of the adopted High Peak Local Plan and the National Planning Policy Framework.

### **Residential Amenity**

LP Policy EQ6 seeks to secure development that does not result in unacceptable effects on the amenity of the area by reason of visual intrusion, overlooking, shadowing, overbearing effect, noise, light pollution or other adverse impacts on local character and amenity.

Similarly, LP Policy EQ10 states that the Council will protect people and the environment from unsafe, unhealthy and polluted environments. Given the scale of the buildings and their positions relative to nearby dwellings, it is not considered that they do or would give rise to harm in terms of visual intrusion, overbearing, loss of light or overshadowing.

Additionally, the High Peak Residential Design Guide SPD requires extensions and conversions 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.

Paragraph 130 of the NPPF states that planning should create places with a high standard of amenity for existing and future users.

The application would see the existing first and second floors of the building converted into two self-contained dwellings. It is acknowledged that the existing layout features a self contained dwelling at first floor (the existing one bed flat).

During the determination process and attempts to improve the proposed arrangement between future occupiers of the proposed first floor and second floor dwellings and occupiers of no. 14 Station Street. Following on from this the applicant submitted amended plans showing removal of the second floor rear extension and a revised first floor layout including a reduction in scale of this flat and removal of part of the first floor rear extension as previously proposed.

The arrangement as originally proposed would have resulted in an unacceptable separation distance between the rear the new dwellings and existing properties along Station Street as well as the shared space to the rear of the application site and the rear of adjoining properties as highlighted by the public comments submitted alongside this application. While the revised layout attempts to overcome this concern a further assessment of amenity for future occupiers of the proposed dwellings has to be taken into consideration.



*Above: The view and existing arrangement from the rear of the application property at no. 152 Station Rd towards no. 14 Station St.*

The above photo highlights the existing outlook from the rear of the application property based on the existing arrangement and layout. The proposed layout of the proposed first floor dwelling would result in a separation distance significantly shorter than the existing layout with a distance of approximately 9m between the rear elevation of the first floor flat and the boundary shared with the rear garden area of no. 14 Station Street. Furthermore, this elevation will contain windows to a proposed combined kitchen and living space which is highly likely to cause an intense overbearing and overlooked relationship into the rear garden area of no. 14 Station Street. While it is acknowledged that the existing relationship demonstrates a degree of overlooking owing to the open aspects and lack of formal boundary treatment to the rear, the proposed first floor extension and first floor layout would cause a detrimental impact to the amenity of occupants of no. 14 Station Road.

When looking to the neighbouring property at no. 154 Station Road, the presence of an existing Kitchen window to the party wall at first floor is noted, overlooking the rear yard/garden area of adjoining no. 154. The proposed layout would see this window serving a bedroom as shown by the proposed drawings. The existing flat at first floor features a living space away from the kitchen meaning that a change to a habitable room would naturally result in a great chance of overlooking and loss of privacy to occupants at adjacent no. 154.

Combined with the change from kitchen to bedroom the first floor extension, projecting some 4.3m from the rear first floor elevation of the application property would result in a two storey massing along the boundary shared with no. 154. Chapter 9 of the High Peak Residential Design Guide SPD can be applied in this instance which explains *'an extension should not unduly reduce outlook from a main habitable room window or produce a tunnelling affect. To prevent this, extensions affecting neighbouring property should not normally extend more than 2.5 m from the rear of the affected home. All planning applications for domestic development should be careful to include scaled plans indicating the position of neighbouring property.'*

When looking at the proposed layout and resulting impact on the rear elevation of no. 154, it is considered that the proposed first floor extension would have an adverse impact on the amenity of occupants at this neighbouring address by means of loss of outlook and creation of a perceived tunnelling affect.

While it is appreciated that the applicant has gone some way to try and address the concerns raised by the LPA during the determination period, the revised plans do not address the concerns raised in respect of impacts on neighbouring occupiers.

With regard to the amenity for future occupiers, the proposals meet the minimum floor space requirements of the NDSS which are

3 bed 5 person 1 storey dwelling 86m<sup>2</sup>  
1 bed 1 person 1 storey dwelling 39m<sup>2</sup>

Having regard to the above analysis, the application is not considered to preserve the residential amenity of neighbouring residents in accordance with LP Policy EQ6, the High Peak Residential Design Guide SPD and paragraph 130 of the NPPF.

## Highway Safety

LP Policies EQ6 and CF6 seek to ensure that all new development is served by safe and satisfactory access.

The Highways Authority have no objections to the proposal based upon the sustainable location in close proximity to public transport options.

As such it is judged that the proposed use would not result in any harm to highway safety in accordance with LP Policy CF6 and paragraph 110 of the NPPF.

## CONCLUSION / PLANNING BALANCE

The local planning authority considers that the proposed development is unacceptable in principle at this location. While some amendments were secured it has not been possible to work with the applicant in a positive and proactive way to secure a development that will improve the economic, social, and environmental conditions of the area in line with the NPPF.

**OFFICER RECOMMENDATION :     Refuse**

**Case Officer: John Van Eker**

**Recommendation Date: 31<sup>st</sup> December 2024**

X *B.J. Haywood*

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Signed by: Ben Haywood

**On behalf of High Peak Borough Council**