

DELEGATED DECISION REPORT

HPK/2024/0410
Valid 26/09/2024

67 MEADOW LANE
DOVE HOLES

**TWO STOREY SIDE
EXTENSION, SUNK PATIO,
AND ASSOCIATED
ENGINEERING OPERATIONS
AS APPROVED UNDER
((HPK/2023/0536) ON APPEAL
- APP/H1033/D/24/3340663)
AND FURTHER ENGINEERING
WORKS TO FORM SIDE
ACCESS PATH**

(FULL - HOUSEHOLDER)

MAIN ISSUES

- Design, Character and Appearance

DESCRIPTION OF SITE

The application refers to No.67 Meadow Lane, Dove Holes, a two storey end-of terrace cottage, situated in an elevated and prominent location above the main core of the village, being highly visible in both short and middle distant views from public footpaths and public highways including the A6.

No.67 sits at the end of a row of terraced cottages of a consistent depth and narrow width, constructed from a traditional local stone, with slate roofs characterised by chimney stacks. Whilst there some degree of variety with regards to the appearance of fenestration, the row of cottages does overall depict a number of traditional architectural details found throughout Dove Holes and the High Peak more generally, such as headers and sills and first floor windows situated just below the eaves of each property.

No.67 has at some point in time been the subject of minor changes to the principal elevation, which has seen the original doorway replaced with a small scale window – the original stone surround still in situ – and the introduction of a small side annex that now contains the main entrance to the property, in addition to a small storage area. This annex is finished in a white render consistent with the main gable, with a mono pitched tiled roof.

Beyond this annex to the east stands an area of grassland that sits approximately 1m above the finished floor level of the main house, separated from the public highway by a small dry stone retaining wall. This grassed area also rises away from the highway beyond the rear of the dwelling at the side of the rear patio. This grassed area, together with a small area of hard standing served by a widened

vehicular access, was the subject of a recent planning application (HPK/2023/0361) that sought part retrospective permission for this widened access, and the use of this land for domestic purposes to the enjoyment of the dwellinghouse. This application was approved on 2nd November 2023.

The site, which includes this area of land adjacent grassland, the dwellinghouse and yard area to the rear was subject to a recent application for a two storey extension, sunk patio and associated engineering operations assessed and determined under HPK/2023/0536. The application was refused on design grounds however was allowed on appeal by the Inspector (APP/H0133/D/24/3340663) on 4th July 2024.

PROPOSAL

This application seeks full planning permission for development allowed on appeal as described above in addition to additional modest cut and fill engineering operations which would facilitate a small private path leading from the highway to the rear sunken patio adjacent to the two-storey side extension.

The creation of this walkway would see a 1.9m retaining wall with a stone face being created which would be situated on its northern side, with the side gable elevation situated to the south.

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
- 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 2024

Achieving Sustainable Development Chapter 2
Achieving Well Designed and Beautiful Places Chapter 12

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

HPK/2022/0455	Two storey gable end extension and single storey mono pitched rear extension (Withdrawn)
HPK/2023/0361	Change of use of land to domestic use incidental to the enjoyment of the dwellinghouse No.67 Meadow Lane, Dove Holes. Retrospective permission for new vehicular access to Meadow Lane (Approved 2 nd November 2023)
HPK/2023/0536	Two storey side extension, sunk patio and associated engineering operations (Refused 12 th February 2024) Appeal Allowed (APP/H0133/D/24/3340663) – 4 th July 2024

CONSULTATIONS

Publicity

Site Notice expiry date: 14th November 2024
Neighbour consultation period ends: 21st October 2024
Press Advert: N/A

Public Comments

None

Chapel-en-le-Frith Parish Council Comments

No objection.

Derbyshire County Council Highways

No objection.

OFFICER COMMENTS

Principle of Development

The application seeks permission for domestic extensions and alterations that relate to a residential property situated within the built-up area boundary of a Larger Village (Dove Holes) on a site that is not constrained by any sensitive statutory designation. Moreover, the scheme is broadly similar to that allowed by Inspector on appeal in July 2024 which can be implemented at any time within the next 3 years. As such, the principle of development has been established and is supported.

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.

The application relates to a traditional end of terrace property that lies in a prominent and elevated location above the main core of Dove Holes village. No.67 and its neighbours are therefore highly visible in short distance views from nearby public footpaths including HP6/49/1 and Meadow Lane, and middle distance views from Dove Holes village, most notably from the A6.

Contrary to concerns raised by Officers as per the analysis contained within the Delegated Report that informed the decision to refuse permission on design grounds under HPK/2023/0536, the Inspector reached the following conclusions:

9. *The scheme would respect the building typology and key characteristics of the host terrace which include a flat fronted façade, a continuous roofline with the ridge punctuated by 6 chimney stacks, front doors set in stone surrounds and little by the way of adornment. As such, I see no reason why the extension cannot be laid out as a simple continuation of the main roof as proposed without being set lower than the parent building or set back from the building line. The new rendered gable end would have a new chimney on the ridge to reflect the current design. The appellant's description of a seamless addition is apt.*
12. *I consider overall that the proposed extension, although not strictly subordinate to the main form of the house, would otherwise display very careful design as it would result in a dwelling that is well designed in itself and in relation to the wider terrace of which it is a part and that contributes positively to the area's character of the cottage, the extension would harmonise sufficiently with the parent building and host terrace in terms of its*

size, design, materials and roof pitch and the style, position and proportions of the windows and doors, so adhering to some of the principles of design as set out in the SPD. It would make a visually positive contribution to its context and location and be respectful of local character and the established street scene along Meadow Lane as seen in near and more distant views.

13. *I find on the main issue that, whilst there would be some conflict with some parts of the SPD's, the proposal would not harm the character and appearance of the terraced property, the street scene and the wider locality. It would display the high design quality and the respect for the character, identity and context of High Peak's townscapes and landscapes that is required by Policies EQ6 and S1 of the High Peak Local Plan. Those policies are consistent with the Framework's objectives for achieving well-designed and beautiful places.*

Having regard to the above analysis and that the allowed appeal represents an established fall back position that can be implemented at any time within the next 3 years, the only consideration before Officers in relation to this amended proposal is the potential impact on the character and appearance of the site and wider street scene that arises from the additional engineering cut and fill operations to facilitate a walkway, including a stone retaining wall, to the side of the already approved two storey side extension.

The walkway is shown to have a width of approximately 1.2m, which would be flanked by a retaining wall that would separate the path from the adjacent area of grassed garden which has been found to be located within the residential curtilage of the property by virtue of the Certificate issued under HPK/2023/0361.

When viewed from the public footpath east of Meadow Lane and the public highway itself, this additional cut and fill is not judged to result in any noticeable change to the overall character and appearance of the site or wider street scene. Any views of the retaining wall when heading north on Meadow Lane would be in keeping with the character of the area, subject to a compliance condition that requires the stone used in the retaining wall to match that used in the construction of the extension.

In light of the above, it is concluded that subject to an appropriate condition relating to the choice of materials to be used in the construction of the retaining wall, the proposed development will (in light of the conclusions reached by the Inspector) preserve the character and appearance of the site and its wider context, in accordance with LP Policies S1 and EQ6, relevant Supplementary Design Guidance, and relevant paragraphs under Chapter 12 of the NPPF.

Other Matters

Highway Safety

The application would see the introduction of a new pedestrian walkway connecting the public highway with the sunken patio to the rear. In the absence of any objections from the Highways Authority, the proposed development is not considered

to give rise to any adverse harm to highway safety in accordance with LP Policy CF6 and relevant paragraphs under Chapter 9 of the NPPF.

Amenity

Owing to the fact that the pedestrian access and retaining wall is on the northern side of the property with no properties beyond, this new aspect of development has no material impact on the residential amenity of any property.

In alignment with previous analysis contained within the report associated with HPK/2023/0536 the side extension would not protrude beyond the rear elevation of the main house, and the rear patio would have a finished floor level consistent with the main house separated by existing boundary treatment. As such, it is clear that there would be no harm to neighbouring amenity resulting from all aspects of the proposed development in accordance with LP Policy EQ6, the Residential Design Guide SPD, and relevant paragraphs under Chapter 12 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-date⁸, granting permission unless:
 - i) the application of policies in this Framework that protect areas or assets of particular importance provides a strong 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 this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination

The application seeks full planning permission for extensions and alterations that relate to an existing residential property that lies within the built-up area boundary of a Larger Village on a site not constrained by any statutory designation. It is broadly consistent with the scheme allowed on appeal following a refusal issued by the Council under HPK/2023/0536. The additional development under consideration is

the introduction of a pedestrian walkway with an approximate width of 1.2m, and resultant retaining wall on its northern side standing some 1.9m in height, finished in stone.

The principle of development is established. In line with conclusions contained within the body of this report, Officers are satisfied that the proposed development is considered to continue to preserve the character and appearance of the site and wider street scene, aligning 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.

Similarly, no adverse harm to residential amenity or highway safety are judged to occur.

It is therefore concluded that the proposed development accords with relevant Local Development Plan policies and other material considerations and as such constitutes sustainable development. 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: 23rd January 2024

X 

Signed by: Jane Colley Signature

On behalf of High Peak Borough Council