

DELEGATED DECISION REPORT

HPK/2024/0517 4 THE AVENUE
Valid 23/12/2024 COMBS

**SINGLE STOREY REAR AND
FRONT EXTENSION,
CONVERSION OF GARAGE
AND REFURBISHMENT**

(FULL - HOUSEHOLDER)

MAIN ISSUES

- Design & Conservation
- Amenity
- Highway Safety

DESCRIPTION OF SITE

The application relates to a residential plot situated on the south-western side of a small cul-de-sac 'The Avenue' within the defined built-up area boundary of the village of Combs, located approximately 2 miles out from the nearest larger town of Chapel-en-le-Frith.

The Avenue is characterised by a series of bungalows (Nos.1-10) which other than Nos.1 and 2 are detached, laid out in a horseshoe formation, that extends north-westwards from its junction with Combs Road.

The site contains No.4 The Avenue, a bungalow that, like its immediate neighbour is finished in a rather unsympathetic peddledash render with similarly unsympathetic UPVC fenestration, with a small ancillary garage, a small front garden and private driveway and slightly larger rear garden forming the domestic curtilage.

The rear boundary of the site borders the Combs Conservation Area, and thus it is considered that the site is located within the setting of this heritage asset.

PROPOSAL

The application seeks various extensions and alterations to the existing property, which amounts to a single storey front extension to serve as a porch, a single storey rear extension, and works to facilitate the conversion of the existing ancillary garage and link with the main house, together with changes to fenestration, with the motivation to enhance the overall living experience for the current occupiers.

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
EQ7 Built and Historic Environment
CF6 Accessibility and Transport

National Planning Policy Framework

Achieving Sustainable Development	Chapter 2
Promoting Sustainable Transport	Chapter 9
Achieving Well Designed Places	Chapter 12
Conserving and Enhancing the Historic Environment	Chapter 16

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

None

CONSULTATIONS

Publicity

Site Notice expiry date: 6th February 2025
Neighbour consultation period ends: 27th January 2025
Press Advert: N/A

Public Comments

No comments received

Chapel Town Council

No objections

Derbyshire County Council Highways

It is noted that the application proposes the alteration to the parking provision to the front of the site with two new spaces being proposed and the drive/access being widened.

It is considered that there is sufficient space to accommodate the two additional spaces wholly within the curtilage of the property; the widening of the drive/dropped kerbs will require authorisation under S184 of the Highways Act 1980.

Based on the analysis of the information submitted and a review of Local and National policy the Highway Authority concludes that there would not be an unacceptable impact on Highway Safety or a severe impact on congestion. There are no justifiable grounds on which an objection could be maintained.

Conditions

1. *The development hereby approved shall not be brought into use until the access and parking facilities have been provided as shown on the submitted drawing(s).*

Reason: To ensure conformity with submitted details.

Informatives

The Local Highway Authority has no objection to the above subject to the applicant obtaining a section 184 license. The construction of a new access will require the extension of a verge and/or footway crossing from the carriageway under the Highways Act 1980 - Section 184 and the Applicant is required to obtain the permission of Derbyshire Highways details can be found at www.derbyshire.gov.uk/transport-roads/roads-traffic/licences-enforcements/vehicular-access/vehicle-accesses-crossovers-and-dropped-kerbs.aspx or email highways.hub@derbyshire.gov.uk before commencing any works on the highway.

OFFICER COMMENTS

Principle of Development

The application seeks permission for extensions and alterations to a residential property, all of which are contained within the residential curtilage, on a site that lies within the built-up area boundary of Combs, which is classified as a Smaller Village under the settlement hierarchy set out under Local Plan (LP) Policy S2, which allows for a limited amount of development. The site is not directly constrained by any statutory designation.

Owing to the limited nature of development and the planning policy context set out above, the principle of development is acceptable subject to consideration of all relevant planning issues.

Design & Conservation

Section 72(1) of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 states that with respect to any buildings or land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character and appearance of that area.

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.

LP Policy EQ7 has regard to the Built and Historic Environment. It states that the Council will conserve heritage assets in a manner appropriate to their significance. This will take into account the desirability of sustaining and enhancing their significance and will ensure that development proposals contribute positively to the character of the built and historic environment.

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.

Chapter 16 of the NPPF contains the national planning policies aimed at conserving and enhancing the historic environment. Paragraph 212-221 sets out how a local planning authority should assess the significance of a heritage asset and the potential impact of a development proposal upon that asset.

Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits.

The existing property is a bungalow that like its neighbours on the cul-de-sac, is understood to date from the 1960's. None of the bungalows in situ are considered to depict any particular architectural merit, either with regards to its form, use of materials, or architectural detailing. The visual sensitivity of the street scene is therefore considered to be low.

The rear of the property has a greater degree of sensitivity, being located within close proximity to the boundary with the Combs Conservation Area, and thus regard

has to be had to any potential impact on the setting of this heritage asset, resulting from the design and appearance of any rear extension or alteration.

The application in its original form drew concerns from Officers, as presented to the agent via email:

“Owing to the fact that the rear of the property is visible from Bellott Lane within the Conservation Area, it is important that the design of the rear of the property is carefully considered in order to preserve the setting of the Conservation Area. In the interests of good design and the setting of this heritage asset I would request that the fenestration in the rear gable is replaced with a simple singular window that sits centrally. I don’t object to the bi fold doors being retained in the side elevation of this gable.

Turning to the concerns relating to extensions and alterations to the front of the property, I find that whilst the cul-de-sac is home to bungalows that show a degree of variety with regards their character and appearance No.4 is read within the context of No.3, and to a slightly lesser extent No.5, which have a similar form and design with regards the principal elevation and associated ancillary garage. The introduction of the proposed porch to the front of No.4 would thus disrupt the uniformity and pattern of development of this part of the street scene and thus amount to conflict with Local Plan Policies S1 and EQ6, the Residential Design Guide SPD, Design Guide SPD and relevant paragraphs under Chapter 12 of the NPPF.

I don’t object to the principle of the alterations to the side of the property but would require that the depth of the extension is amended show that the principal elevation is clearly set back behind the main principal elevation of the house by approx. 300mm, with the principal elevation of the side aspect having a consistent width. A single window should be introduced to sit centrally into this side aspect which can be obscure glazed to protect privacy.”

In response to the above analysis, revised plans have been submitted, that whilst maintaining the layout of the proposed extensions, including the provision of a front extension, and link between the existing garage and main house, significant changes have been made with regards to the design and appearance of fenestration.

Permitted Development rights exist under Schedule 2, Part 1, Class D that permits a front porch to be introduced, albeit of a smaller scale than the one proposed. This is however a material consideration that needs to be taken into account and as a matter of design principle, condones a similar sort of extension to the principal elevation.

The proposed front aspect sits neatly and centrally on the property, has a very modest depth which is compatible with the permitted development rights for a front porch, and incorporates a dual pitched roof that sits below the main ridgeline, thereby reading as a subordinate addition. The revised plans show all fenestration to have a much greater degree of legibility and chronology throughout the principal elevation.

The connection of the garage to the main dwellinghouse and its conversion to additional living accommodation would not make the resultant house read as unbalanced or disproportionate and is therefore considered to be acceptable in design terms.

When taking the above into account, that the property and wider street scene has a low degree of sensitivity to change, the extensions and alterations to the front elevation do not give rise to any adverse harm to either the character and appearance of the house or wider street scene.

The proposed rear extension is shown to have a depth of 4 metres with a width that spans approximately half of the overall dwellinghouse, and a dual pitched roof that sits below the main ridgeline, constructed in materials commensurate with the existing house. Whilst the original plans were considered to be acceptable with regards to its layout, scale, height and massing, Officer raised concerns with regards to the design of fenestration of a more contemporary modern style, that this was somewhat incongruous to the legible and simple form of the existing dwellinghouse.

The revised plans show a marked improvement in this regard and is considered to have addressed previous concerns, which includes the potential impact on the setting of the Conservation Area to the south-west. A further review of the relationship with the Conservation Area reveals that there are in fact no public vantage points beyond the south-western boundary (e.g. PROW) whereby this elevation would be experienced. As such, any potential impact on the Conservation Area would be negligible.

However, in any event, the revised plans are considered to present a scheme that is acceptable with regards to its siting, scale, height, massing and visual appearance and whilst not amounting to high quality, does respect the existing character and appearance of the dwellinghouse and wider street scene, in accordance with 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.

The site lies to the south-western side of a cul-de-sac with properties surrounding the site on three sides. Due to the single storey nature of each aspect of the proposed extensions, there are not considered to be any overbearing impacts arising from the scheme.

Due to the distance between the existing house and the neighbour to the north (No.5), and the siting of the proposed extensions, there are not considered to be any harm to this neighbour by way of any loss of sunlight or overlooking. A condition is required to ensure that the window serving the dressing room on the northern elevation is obscure glazed in the interests of privacy.

The window in the front porch would be situated in excess of 21m from habitable windows on the opposite side of the street and therefore this aspect, nor the conversion of the garage and associated fenestration, would result in any harm to residential amenity.

Lastly with regards to the rear extension, the depth of the extension is commensurate with what can be achieved under Permitted Development rights (Schedule 2, Part 1, Class A), and would extend a similar distance to an existing extension that exists to the rear of its immediate neighbour to the south (No.3). Given its modest scale and height, and lack of windows in the eastern elevation, as well as its location to the north this aspect of the scheme would not result in any harm to this neighbouring property.

In light of the above analysis, it is considered that the proposal in its revised form would not result in any adverse harm to neighbouring residential amenity, in accordance with LP Policy EQ6, the Residential Design Guide SPD, and relevant paragraphs under Chapter 12 of the NPPF.

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 115 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 116 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 seeks to convert an existing ancillary garage to additional living accommodation which would create a three-bedroom dwellinghouse. Notwithstanding the fact that the dimension of this garage is thought to be substandard by modern standards, the loss of this parking space would not give rise to any adverse harm to highway safety, owing to the fact that the site can accommodate 2no. parking spaces within the domestic curtilage, thereby aligning with Parking Guidelines under Appendix 1 of the Local Plan.

Having regard to comments from the Highways Authority, and subject to the recommended compliance condition, there are not considered to be any harm to

highway safety arising from this development proposal in accordance with LP Policy CF6 and paragraphs contained 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-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 extensions and alterations to a residential dwellinghouse that lies within the built-up area boundary of Combs and is not directly constrained by any statutory designation. The principle of development is therefore acceptable.

The plans as submitted moved Officers to recommend changes in the interests of good design and to preserve the setting of the Conservation Area. In light of revised plans being submitted following discussions with the agent and a further review of the potential impacts upon this heritage asset, it is judged that the revised scheme is of an appropriate design, that respects the character and appearance of the dwellinghouse the street scene, and would have no material impact on the setting of the Conservation Area, thereby demonstrating compliance with LP Policies S1 and EQ6, EQ7, relevant Supplementary Design Guidance, and relevant paragraphs under Chapter 12 (Design) and 16 (Heritage) respectively, underpinned by Section 72 of the Act 1990.

The revised plans do not give rise to any adverse residential amenity or highway safety impacts.

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

OFFICER RECOMMENDATION: Approve with Conditions

Case Officer: James Stannard

Recommendation Date: 13th February 2025

X *B.S. Haywood*

Signed by: Ben Haywood

On behalf of High Peak Borough Council