

DELEGATED DECISION REPORT

HPK/2024/0507
Valid 03/01/2025

BRENTWOOD FARM
NURSERY GLOSSOP ROAD
CHARLESWORTH

2 NO. DORMER BUNGALOWS
WITH ASSOCIATED
ANCILLARY GARAGES,
ACCESS, INFRASTRUCTURE
AND LANDSCAPING WORKS
FOLLOWING THE
DEMOLITION OF FARM
BUILDINGS.

(FULL - MINOR)

MAIN ISSUES

- Principle of Development
- Design, Character and Appearance
- Amenity
- Ecology
- Parking Provision and Highway Safety

DESCRIPTION OF SITE

The application relates to a square parcel of land situated north of an existing 4x4 agricultural access track that extends south-eastwards from its junction with Glossop Road terminating at Brentwood Farm, which adjoins the site to the south-east. This access serves a small number of residential properties which includes the existing Farmhouse, and 2no. detached bungalows that sit side by side to the west, which are under construction and nearing completion after being allowed on Appeal under APP/H/1033/W/23/3317979.

The site contains a number of redundant buildings and structures which historically were associated with the horticultural operations in connection with the former Charlesworth Nursery located a short distance away, which has been redeveloped to accommodate 3no. Bungalows accessed from Glossop Road, which are now completed and occupied.

For the purposes of the Local Development Plan, the site lies outside of the built-up area boundary of any settlement in the open countryside and in the Green Belt.

PROPOSAL

The application seeks full planning permission for the demolition of existing buildings on the site and the erection of 2no. bungalows, of a broadly consistent scale, layout, height and appearance with the adjacent bungalows nearing completion and nearby bungalows that are occupied.

Each unit provides an area of hard standing to the front serving off-street parking and turning provision, with gardens situated to the rear, bounded by domestic planting and typical domestic boundary treatment.

Both properties are shown to have an identical layout, scale and form, with Unit 2 situated fractionally forward of the building line of Unit 1, having a simple rectangular form, with the principal south-western elevation characterised by a central gable.

The dwellinghouses are shown to have living space in the roof (one and a half storeys) with the ground floor serving communal Living, Kitchen and Dining Areas, together with 1no. Bedroom and a second Bedroom which could also be a Study. A further 2no. Bedrooms are shown to be situated at first floor level.

Both Units are shown to benefit from a small ancillary garage adjoining the side elevation.

In its original form, a third garage, in addition to two ancillary garages serving Plots 1 and 2, was shown to be located close to Plot 2, that was intended to serve as an ancillary garage and workshop to Brentwood Farm. However, owing to concerns raised by Officers, this aspect of development has been omitted from the final scheme, and therefore the description of development has been amended accordingly.

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 High Peak Local Plan (2016). Adopted Supplementary Planning Guidance documents and the National Planning Policy Framework (NPPF) are also material considerations in determining applications.

High Peak Local Plan 2016

- S1 Sustainable Development Principles
- S1a Presumption in Favour of Sustainable Development
- S3 Strategic Housing Development
- EQ2 Landscape Character
- EQ3 Rural Development
- EQ4 Green Belt
- EQ5 Ecology
- EQ6 Design and Place Making
- H1 Location of New Housing Development
- H3 New Housing Development
- CF6 Accessibility and Transport

Supplementary Planning Documents

Residential Design Guide SPD (2005)
Landscape Character Assessment SPD (2006)
Design Guide SPD (2018)

National Planning Policy Framework 2024

Achieving Sustainable Development	Chapter 2
Delivering a Sufficient Supply of Homes	Chapter 5
Promoting Sustainable Transport	Chapter 9
Achieving Well Designed Places	Chapter 12
Protecting Green Belt Land	Chapter 13
Conserving and Enhancing the Natural Environment	Chapter 15

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

HPK/0000/9491	Proposed alterations to roof and extension to farm buildings (Approved)
HPK/0001/0741	For proposed renewal of consent for wholesale growing area for alpiners and dwarf conifers and retention of tunnel greenhouses (Approved)
HPK/0001/2023	Proposed mixing shed for nursery, tool shed and nursery office (Approved)
HPK/0001/6742	Proposed renewal consent for mixing shed, tool shed and office (Approved)
HPK/0002/0889	Renewal consent for compost mixing shed, tool shed and office (Approved)
HPK/0002/5238	Erection of dwelling for proprietors of existing wholesale nursery (Refused 21/04/1987)
HPK/0002/5634	Siting of static residential caravan for temporary period (Approved 29/09/1987)
HPK/0002/6041	One House (Approved 10/12/1987)

CONSULTATIONS

Publicity

Site Notice expiry date: 6th February 2025
Neighbour consultation period ends: 5th February 2025
Press Advert: N/A

Public Comments

None

Charlesworth Parish Council

OBJECTS on following grounds:

1. The Council regrets the loss of horticultural land and buildings and the potential business opportunity and employment potential they represent (notwithstanding that this site has been unused for many years and is currently derelict).
2. The Council continues to be concerned about the appropriateness of his development in the Green Belt which is under pressure locally; the application represents insensitive overdevelopment, opportunist in nature and having little regard for local need
3. The Council see no assessment in the application of the need for higher priced housing; the finished development will comprise seven identical dwellings, none of which will provide opportunities for first time buyers or local families
4. The continued design of the bungalows, all identical pays little regard to the local vernacular and continues to give the impression of being imported with no regard to local character

AES Waste

Properties should be planned so bins can be stored within the property boundary and be moved to the presentation point without the need to go up or down steps or through the property. Garden gates need to be wide enough to accommodate a standard 240l wheeled bin.

Collection vehicles are unable to access private driveways or unadopted highway as shown in this application so the properties will need to present their bins at a point next to the nearest adopted highway.

Environmental Health

No objections subject to appropriate conditions

Derbyshire Wildlife Trust

Initial Comments

We have reviewed the information submitted including the Preliminary Ecological Appraisal report (EPS Ltd, Dec 2024) and the Derbyshire Biological Records Database. The latter shows no records of priority habitats or protected/notable

species records within the site or any designated sites adjacent to it. However, records show badgers and red kites are present in the area.

Given that the application affects only existing hardstanding and buildings we agree with the BNG exemption.

The PEA report identifies the presence of non-native invasive Himalayan Balsam but rules out presence of badgers, reptiles and great crested newts. Nesting birds may use the buildings onsite.

The buildings were assessed as having 'low' potential for use by bats although section 5.12 of the PEA report recommends that a potential Roosts Assessment (PRA) is completed to confirm this and determine further survey work as required. Therefore, and in line with recommendations in the PEA a Preliminary Bat Roost Assessment (PBRA) should be undertaken prior to determination by a suitably qualified ecologist.

Any evidence of nesting bird activity should also be recorded. This survey can be undertaken any time of the year and no works of any kind should be undertaken to the building until this assessment has been undertaken and a decision has been made by the LPA.

Paragraph 99 of Circular 06/2005 states "it is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before planning permission is granted, otherwise all material considerations may not have been addressed in making the decision. The need to ensure ecological surveys are carried out should therefore only be left to coverage under planning conditions in exceptional circumstances".

The results of the assessment should be presented in accordance with current guidelines, such as Ecological Report Writing (CIEEM, 2019) and Bat Conservation Guidelines (Collins, 2023). The report should make clear the requirement for any further survey work and it should be noted that if further survey is required, this should be undertaken prior to determination of the planning application. These surveys will need to be undertaken at the appropriate time of year, in line with the good practice guidelines (Collins, J. (ed.) (2023) Bat Surveys for Professional Ecologists: Good Practice Guidelines 4th Edition. Bat Conservation Trust). The report should include any requirement for licensing and details of mitigation and enhancement measures appropriate to the site.

Once the PBRA report and any additional survey work are completed we will be happy to comment on the results and recommend suitable wording for conditions with regards to bats, nesting birds, INNS and biodiversity enhancement.

Further Comments

We have reviewed the information submitted including the Preliminary Ecological Appraisal report (EPS Ltd, Dec 2024), Preliminary Roost Assessment & Dusk Emergence Survey report (EPS Ltd, October 2024) and the Derbyshire Biological Records Database. The latter shows no records of priority habitats or

protected/notable species records within the site or any designated sites adjacent to it. However, records show badgers and red kites are present in the area.

Given that the application affects only existing hardstanding and buildings we agree with the BNG exemption.

The PEA report identifies the presence of non-native invasive Himalayan Balsam within the site. However, the presence of certain protected species such as badgers, reptiles and great crested newts is unlikely.

Bat surveys were undertaken at the site including a building assessment and nocturnal survey. The buildings have the potential to support nesting birds although none were noted during the surveys. There are several local records of hedgehogs and the site maybe used by this species for foraging and shelter. We would therefore recommend the following conditions be applied to any permission.

1. Prior to the installation of lighting fixtures, a detailed lighting strategy shall be submitted to and approved in writing by the LPA to safeguard bats and other nocturnal wildlife. This should provide details of the chosen luminaires, their locations and any mitigating features such as dimmers, PIR sensors and timers. Dependent on the scale of proposed lighting, a lux contour plan may be required to demonstrate acceptable levels of light spill to any sensitive ecological zones/features. Guidelines can be found in Guidance Note 08/23 - Bats and Artificial Lighting at Night (BCT and ILP, 2023). Such approved measures will be implemented in full.
2. Site clearance shall be undertaken in a manner by which to safeguard hedgehogs. All rubble piles, leaf piles, compost heaps, dense vegetation and other general debris that could be used for shelter shall be carefully cleared by hand to a location such as a skip, other container or raised pallets. This shall be undertaken prior to machinery entering site and avoiding the core hibernation period (November-February). If a hedgehog is discovered during clearance it shall be moved immediately and carefully with gloved hands to an area of shelter such as beneath adjacent hedgerow/bushes. A short statement of compliance shall be submitted to the LPA upon completion of clearance works to discharge this condition.
3. No demolition or vegetation clearance shall take place between 1st March and 31st August inclusive, unless preceded by a nesting bird survey undertaken by a competent ecologist no more than 48 hours prior to clearance. If nesting birds are present, an appropriate exclusion zone will be implemented and monitored until the chicks have fledged. No works shall be undertaken within exclusion zones whilst nesting birds are present.
4. Prior to the commencement of development, an invasive non-native species protocol shall be submitted to and approved by the local planning authority, detailing the containment, control and removal of Himalayan balsam on site. The measures shall be carried out strictly in accordance with the approved scheme.

5. Prior to building works commencing above foundation level, a Biodiversity Enhancement Plan shall be submitted to and approved in writing by the Local Planning Authority. Approved measures shall be implemented in full and maintained thereafter. The Plan shall clearly show positions, specifications and numbers of features, which will include (but are not limited to) the following:

- universal nest boxes at ratio of 1:1, in line with British Standard 42021:2022.
- integrated bat boxes in dwellings.
- insect bricks in dwellings
- fencing gaps 130 mm x 130 mm to maintain connectivity for hedgehogs in all gardens (if required)
- summary of ecologically beneficial landscaping (full details to be provided in Landscape Plans).

A statement of good practice including photographs should be submitted to the local planning authority prior to the discharge of this condition, demonstrating that the enhancements have been selected and installed in accordance with the above.

United Utilities

No objection – informative requested to be added

Derbyshire County Council Highways

‘The application proposes alterations to the site access which involve increasing the access width and improving exit visibility on to Glossop Road, both of which are welcomed. The site boundary feature is to be set back and the fronting ‘verge’ increased to improve visibility. Whilst this is considered acceptable, the highway boundary will need to be clearly demarked; currently the site/highway boundary is demarked by a low level wire fence. It is considered that the proposed access width and internal road dimensions are appropriate to serve the proposed dwellings.

The development site also serves as access to another area of land controlled by the applicant. It is understood that this area of land is used for agriculture/horticulture, although the formal use classification is unclear. Regardless, the access from Glossop Road through to this area is considered suitable to accommodate the size and type of vehicle which is likely to require access.

The proposed on site parking and manoeuvring space is considered appropriate for the size of the dwellings proposed. A bin dwell area adjacent to the highway boundary is required and should be conditioned accordingly.’

However, the location plan submitted for HPK/2019/0362 showed the approved land being within the red line boundary, but the location proposed under HPK/2024/0507 does not show this land being within either the red or blue boundaries. Therefore, as long as the proposed dwellings have the legal right to cross/drive over this land, the HA offer no objections as there appears to be no material impact on the public

highway and therefore the HA recommend the following Condition is appended to any consent granted:

1. Before the first occupation of the dwellings, a bin dwell area for the storage of bins and collection of waste shall be provided adjacent to the highway boundary with the facility being retained for the designated purposes at all times thereafter.

OFFICER COMMENTS

Principle of Development

The application seeks full planning permission for 2no. detached bungalows on land which lies outside of the built-up area boundary of any town or larger village in the open countryside and in the Green Belt.

Local Plan (LP) Policy EQ3 sets out the types of residential development that would be supported in principle in the rural areas, and includes the following:

“Limited infilling of a small gap capable of accommodating no more than 2no. dwellings of a similar size and scale to surrounding dwellings in an otherwise continuous built frontage“

LP Policy EQ4 states that applications in the Green Belt must be considered in line with national planning policies contained under Chapter 13 of the NPPF.

Paragraph 143 of the NPPF sets out the five purposes of including land within the Green Belt as follows:

- a) *to check the unrestricted sprawl of large built-up areas;*
- b) *to prevent neighbouring towns merging into one another;*
- c) *to assist in safeguarding the countryside from encroachment;*
- d) *to preserve the setting and special character of historic towns; and*
- e) *to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.*

Paragraph 153 of the NPPF states that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt, including harm to its openness. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. ‘Very special circumstances’ will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

Paragraph 154 goes on to set out the exceptions whereby new buildings in the Green Belt are not inappropriate and thus acceptable in principle. This includes the following:

e) *limited infilling in villages*

Paragraph 155 has been added following the publication of the latest version of the NPPF in December 2024, and states the following:

The development of homes, commercial and other development in the Green Belt should also not be regarded as inappropriate where all the following apply:

- a. The development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan;
- b. There is a demonstrable unmet need for the type of development proposed;
- c. The development would be in a sustainable location, with particular reference to paragraphs 110 and 115 of this Framework

“Grey Belt” is defined in the NPPF glossary as follows:

“For the purposes of plan-making and decision-making, ‘grey belt’ is defined as land in the Green Belt comprising previously developed land and/or any other land that, in either case, does not strongly contribute to any of purposes (a), (b), or (d) in paragraph 143. ‘Grey belt’ excludes land where the application of the policies relating to the areas or assets in footnote 7 (other than Green Belt) would provide a strong reason for refusing or restricting development.”

The recent Appeal Decision (APP/H1033/W/23/3317979) that overturned the Council's decision to refuse planning permission for 2no. Bungalows under HPK/2021/0717 to the west is pertinent to this application.

In allowing the appeal, the Inspector (Paragraphs 7-12) considered that the site (the parcel of land immediately adjacent to this application site) lies within Charlesworth village within its loosely developed fringes and that the development did amount to limited infill.

In light of this appeal decision, and that the application site is now positioned between 2no. Bungalows and the existing Brentwood Farm farmhouse, in addition to the 3no. Bungalows immediately to the south of the 4x4 access track, it is considered that having regard to the characteristics of the site, this development amounts to limited infill within a village.

It is considered that the application complies with Paragraph 154 of the NPPF. In light of the above analysis, it is concluded that the proposal does not constitute “inappropriate development” in the Green Belt and is therefore acceptable in principle.

Design and Landscape Character

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 EQ2 seeks to protect, enhance and restore the landscape character of the Plan Area by requiring development to have particular regard to maintaining the aesthetic and biodiversity qualities of natural and man-made features within the landscape, and that are sympathetic to and are informed by the distinctive landscape character areas as identified in the Landscape Character Supplementary Planning Document.

LP Policy EQ3 refers to rural development proposals which lie outside of the defined built-up area boundaries and seeks to ensure that new development is strictly controlled in order to protect the landscape's intrinsic character and distinctiveness.

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 Landscape Character SPD (2006) provides useful guidance for new development in the rural areas within specific Landscape Character Areas (LCA). The application site lies within the 'Settled Valley Pastures' LCA which has the following guidance for the form and detail of new buildings:

Building Form

- Plain elevations with doors and windows recessed into walls
- Broad front elevations with narrow sides and steep roof
- Simple robust building form with minimal detailing

Building Detail

- Particular consideration to be given to design and proportion of windows
- Roofs should be flush to walls and no fascia or barge boarding
- Downpipes and guttering should be discreet, black and located close to eaves
- Windows should be set below roofline and not break the continuity of the eaves. Dormer windows are appropriate
- Materials, colours and textures should reflect local traditional buildings
- Chimney should be low and robust

The High Peak Design Guide SPD (2018) provides further guidance for designing new development in a manner that is appropriate for its context, requiring new proposals to respect the grain of the settlement, and be designed through an assessment and understanding of the character of the area

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 site is made up of redundant hard standing and dilapidated buildings that together are considered to contribute negatively to the character of the immediate rural landscape.

The application site lies immediately adjacent to and within close proximity to existing development which is of a similar scale, height, massing and visual appearance. Contrary to objections from the Parish Council, the architectural style submitted with this application has therefore become part of the overall character of the immediate area.

The application has responded positively to pre-application advice which sought for any ancillary garages to be detached from the main house and for any ancillary outbuildings forward of the building line to be omitted.

The supporting Design and Access Statement carries out an assessment of the site context, which includes visual evidence of a variety of architectural styles and finishes in the vicinity of the site, which includes a number of dormer windows.

Whilst design guidance for this LCA makes clear that dormer windows are not appropriate, it is clear that dormer windows are a feature within the immediate landscape and as such would not look or appear out of place. The proposed dwellings are of a modest and proportionate scale and together with the ancillary garage associated with Plot 2, are constructed of traditional materials that would contribute positively to the character and appearance of the area.

The plans as submitted included the provision of a single ancillary garage to serve each property positioned behind the rear elevation and to the side. Officers identified that each garage failed to meet the minimum internal dimensions (3m x 6m) and therefore requested that these garages be slightly increased in size to comply with these dimensions. In addition, it was also requested that rather than being constructed from timber, which is a material more associated with domestic sheds, each garage should be constructed in stone, in keeping with the parent building. Revised plans have duly been submitted that satisfactorily address these issues.

In addition to the above, the Layout Plan as submitted showed an additional 'Garage/Workshop' building, that is shown on the supported Plans and Elevations to have a main rectangular form with a rear outrigger formed by a gable with cat slide roof. Whilst located very close to Plot 2, clarification from the agent revealed that in actual fact this aspect was intended to serve as an ancillary building to Brentwood Farm.

Notwithstanding the fact that Officers had minor concerns regarding the layout and form of this building, far greater concerns were raised with regards to the fact that the building does not appear to read or function as an ancillary building, owing to the fact that lies beyond the domestic curtilage of Brentwood Farm, that it benefits from a

separate access which also serves Brentwood Farm, and also that there is a very deliberate separation from Plot 2 in the form of a hedgerow.

When taking the above into consideration, this building is considered to read as being a separate planning unit to the adjacent bungalow and there is not considered to be any justification for its inclusion within the scheme. Further to proactive and positive discussions with the agent, the latest Layout and Landscaping Plans show the omission of this aspect, thereby addressing the above concerns.

The revised plans show the garages serving Plots 1 and 2 to have a slightly larger footprint in order to meet minimum dimensions for a single garage (3m x 6m), in line with Officers request, and are considered to continue to read as proportionate, subordinate and ancillary structure, with regards to their scale height and massing.

The latest revised plans incorporate traditional materials and finishes that are considered to be appropriate for its setting and as such satisfies matters of boundary treatment and soft landscaping. Such measures can be controlled through compliance conditions.

As such, the application in its final revised form is considered to respect and respond positively to the character and appearance of the site, together with the immediate and wider rural landscape, in accordance with LP Policies S1, EQ2, EQ3 and EQ6, relevant Supplementary Design Guidance and relevant paragraphs under Chapter 12 of the NPPF.

Ecology

The Environment Act (2021) came into force in 2024 and places a legal requirement on all developments to provide a 10% uplift in Biodiversity Net Gain either on site or off site unless otherwise exempt in line with the limited number of exceptions.

LP Policy EQ5 requires all new development proposals to demonstrate that any protected species and habitats within the site will not be adversely affected and seeks to promote a net gain in biodiversity by securing appropriate mitigation and ecological enhancements where appropriate.

Paragraph 187 of the NPPF states that decisions should contribute to and enhance the natural and local environment by (amongst other things):

- d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures and incorporating features which support priority or threatened species such as swifts, bats and hedgehogs;

Paragraph 193 of the NPPF states that when determining planning applications, local planning authorities should apply the following principles: a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.

Firstly with regards to BNG, Derbyshire Wildlife Trust (DWT) have accepted that owing to the existing character of the site that is dominated by hard standing and existing buildings, the application is exempt from its legal duty to provide an uplift in BNG.

Further to additional surveys being submitted and considered, DWT have confirmed that there are no outstanding issues relating to protected species or habitats subject to appropriate conditions being applied to the decision notice. As such, subject to compliance with relevant conditions, it is considered the application is in accordance with LP Policy EQ5, relevant paragraphs under Chapter 15 of the NPPF, and the Environment Act (2021).

Amenity

LP Policy H3 requires all new housing development to provide a high standard of amenity for occupiers by demonstrating compliance with Nationally Described Space Standards (NDSS) published by DCLG (2015) which sets out minimum dimensions for bedrooms based on occupancy, and minimum total floor area for residential units based on the number of storeys, number of bedrooms and occupancy.

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.

LP Policy EQ10 seeks to ensure that people and the environment are protected from adverse impacts relating to issues including air pollution, noise, light pollution or any other nuisance or harm to amenity, by securing appropriate mitigation by way of planning conditions and obligations.

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.

Paragraph 196 of the NPPF require local authorities to ensure that all developments assess and remediate land contamination issues, whilst Paragraph 198 requires appropriate mitigation measures to be in place to prevent adverse impacts in relation to noise and light pollution.

Firstly with regards to NDSS, it is clear that both properties far exceed the minimum overall floor area for a 1.5 storey 4 bedroom property. Three bedrooms exceed the minimum dimensions for a double bedroom. However, the bedroom that is also shown to serve an office fails to comply with minimum standards for a double room, and therefore a condition is required to restrict the total occupancy level to 7 persons

at any one time. Subject to this condition, the application is compliant with LP Policy H3.

Turning to matters of residential amenity, both properties are sited and orientated in a manner consistent with neighbouring properties of a similar scale and height, and as such would not give rise to any overbearing impacts or loss of sunlight. Given the spatial relationship between existing and proposed development, and having regard to boundary treatment there would also be no adverse impacts with regards overlooking or loss of privacy. As such, it is considered that the proposed dwellings would not adversely affect neighbouring residential amenity in accordance with LP Policy EQ6, the Residential Design Guide SPD and paragraph 135 of the NPPF.

Lastly with regards matters of public amenity, the Environmental Health Officer has identified that work is required in order to assess and remediate land contamination issues and recommended conditions in regard to this and also hours of demolition and construction, which are considered reasonable and necessary. Subject to these conditions, it is considered that all matters of public amenity have been satisfactorily addressed, in accordance with LP Policy EQ10 and relevant paragraphs under Chapter 15 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 of the NPPF 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 site is located adjacent to a single 4x4 track that extends to and terminates at Brentwood Farm to the east. The access to the site would utilise this existing track, which serves the two neighbouring bungalows nearing competition to the west, and would be subject to a private gated access, as shown on the Enclosure Details Plan.

The Highways Authority have commented noting that the site was not covered by any red or blue edge under HPK/2019/0362 which granted permission for the three neighbouring bungalows, and that there are no objections to the proposed access providing that future occupiers would have a legal right to access this land, subject to conditions.

As with all applications, civil matters are not a material consideration in the planning process. The access is shown to replicate that associated with the neighbouring plots, with a private driveway serving each property with an appropriate level of off-street parking provided to the front and side of each property.

At the request of Officers, minor revisions have been secured which show the footprint of each ancillary garage increased to meet the minimum dimensions of 3m x 6m.

On the basis that the Highways Authority have no objections with regards to the location of the proposed access and any potential intensification of the lane as a consequence of further residential development, and that sufficient parking is shown to serve each property, there are not considered to be any adverse impacts to highway safety in relation to this development proposal, and thus the application is considered to be compliant 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-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 2no. detached dwellinghouses that lie outside of the built-up area boundary of any town or larger village, in the open countryside and in the Green Belt.

In line with pre-application advice issued prior to this application being received, it is accepted that when taking into account the analysis of the Planning Inspector in allowing the Appeal for 2no. adjacent bungalows, this site amounts to limited infill within a village, and thus is compliant with LP Policies EQ3 and EQ4, and relevant paragraphs contained within Chapter 13 of the NPPF.

Further to revised plans being submitted that address minor design concerns relating to ancillary garages and the Garage/Workshop adjacent to Plot 2, an assessment of all relevant planning considerations has found that the proposal in its final revised form complies with all relevant Local Development Plan policies, Supplementary Design Guidance, and relevant paragraphs contained within the NPPF.

Therefore subject to appropriate conditions, the application 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.

OFFICER RECOMMENDATION: Approve with Conditions

Case Officer: James Stannard

Recommendation Date: 14th April 2025

X 

Signed by: Ben Haywood

On behalf of High Peak Borough Council