

DELEGATED DECISION REPORT

HPK/2025/0124
Valid 28/03/2025

LAND REAR OF
HALLSTEADS
DOVE HOLES

APPLICATION FOR THE
VARIATION OF CONDITION 2
IN RELATION TO
HPK/2016/0488 TO ENABLE
THE ADDITION OF A SMALL
REAR EXTENSION TO THE
APPROVED DWELLING.

(RESERVED MATTERS -
LARGE-SCALE MAJOR APPS)

MAIN ISSUES

- Principle of development
- Design
- Amenity
- Highways

DESCRIPTION OF SITE

The application relates to the residential development at Hallsteads which is underway following the grant of outline planning permissions for the whole site under HPK/2013/0319 and HPK/2013/0625, and reserved matters approval for 21 dwellings in phase one under HPK/2015/0563. The outline permission was re issued on 16 December 2018 under HPK/2018/0526 to facilitate a phased discharge of highways conditions and phased development.

Application for approval of the remaining reserved matters in phases two and three was approved by the Council's Development Control Committee in January 2017 under HPK/2016/0488. The formal decision notice was issued on 25 October 2019.

Since then there have been a number of s73 applications and Non material amendments applications to make variations to individual plots.

PROPOSAL

The proposal is that condition 2 of HPK/2016/0488 should be varied to include in the list of drawings a new drawing number to facilitate a substitute house type on Plot 51 only.

The new drawing reference number L558/147 Plot 51 Extension, is to be added to the list of approved drawings in condition no.2.

This shows the plot and its neighbouring plots, the proposed site block plan, elevations and floor plans. The variation between this and the approved scheme is the addition of a single storey rear extension, with footprint 4m x 4.2m and ridge height 4.2m. This will facilitate internal rearrangement with the front lounge and rear bedroom exchanging positions, with the new rear lounge utilising the proposed extension. It will remain a three bedroomed dwelling as per the approved scheme.

The originally approved dwelling is found on other phase three plots and thus original drawings L558/23 Rev B and L558/66 Rev G must be retained on that list.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

High Peak Local Plan 2016

S 1 Sustainable Development Principles
S 1a Presumption in Favour of Sustainable Development
EQ 6 Design and Place Making
CF 6 Accessibility and Transport

National Planning Policy Framework

5 – Delivering a sufficient supply of homes
12- Achieving well designed places

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

As detailed in the site description above

CONSULTATIONS

Publicity

Site Notice expiry date: expired
Neighbour consultation period ends: expired
Press Advert: expired

Public Comments

2 comments from one address received:

- Developer should not be allowed to amend plans and elevate property price
- Construction traffic not entering via the Meadows
- Vehicles stopping on the A6
- Wheelwash Blocked

Applicant response:

- Developer is entitled to submit minor amendments
- Developer profit is not a planning matter
- Application was approved in a normal and proper way
- Publicity should be proportionate

Chapel-en-le-Frith Parish Comments

No comments received.

Derbyshire County Council Highways

No comments received.

County Archaeologist

No objection

Lead Local Flood Authority

No comments to make.

EHO

Reserved matter application HPK/2013/0319 included contamination/remediation conditions, which should be carried forward to this plot, unless it has specifically been discharged.

Derbyshire Wildlife Trust

No comments to make

OFFICER COMMENTS**Principle of Development**

The principle of the dwelling on this plots has been established through the grant of outline and reserved matters consents for the wider site. The main issues in the consideration of this application are the acceptability of the proposed single storey extension in respect of plot 51 and in terms of design, amenity and highways.

Design

The substantive changes to plot no.51 is a single storey rear extension

The proposed extension is a simple pitched roof form and reflect that of the main house. The materials would also match. The rear extension would be lower than the main ridge of the house and at single storey would appear subservient. Fenestration comprises a large bi-fold door in the rear elevation and a side window, which are typical of these type of rear extension, many of which are added under PD Rights. The rear extension would be largely concealed in the rear garden area and would not have any significant effect on the visual amenity of the area. In view of these factors it would not appear unduly prominent in the street scene and accords with Policy EQ6 of the LP.

Amenity

The proposed boundary treatments will be sufficient to prevent any overlooking from the windows of the proposed extension, including the side window. The extension is set sufficiently far from the boundary with Plot 52 to avoid any breach of the 45 degree from windows in the rear elevation. The side elevation of the extension would face the rear elevation of plot 48, but this is a similar relationship to the side of the existing house with the neighbouring plot 49. In fact, the situation is preferable, as plot 45 is angled slightly away from plot 52, and the height of the proposed extension is lower than that of the main house. In terms of amenity the proposed changes to plot 51 comply with policy EQ 6

Highway Safety

The dwelling will retain the approved the bedrooms and parking spaces, in accord with the Council's standards. Parking for plot no.51 is unaffected. In the absence of any objection from the Highway Officer it is not considered that there are any highway grounds for refusal.

Nutrient Neutrality

The site lies within the catchment of the River Wye which forms the Peak District Dales Special Area of Conservation (SAC). The Council has been notified that action must be taken to address exceedances of phosphorus in the River. As such, the Council cannot grant consent for development unless it can rule out "likely significant effects" on the SAC. A Habitats Regulations Assessment (HRA) will be required when the plan or project creates a source of water pollution or has an impact on water quality and when it is within the catchment of the SAC. Initially, a screening assessment will be required to consider if "likely significant effects" (alone or in-combination) on the SAC can be ruled out. If not, this will be followed by an "Appropriate Assessment" where the impact of the plan or project is considered in detail.

Screening Assessment

The proposal is not directly connected with or necessary for the conservation management of a European site. The proposal will not increase overnight stays. However, the proposal does involve additional roof area and will therefore increase surface water run-off. However, given the very limited extent of the additional roof and the fact that in part the areas concerned (parking area) are already hard surfaced it will not significantly increase run-off from the site and in turn will not risk having a significant negative effect on the SAC either on its own or in combination with other proposals and therefore it is not necessary to carry out an Appropriate Assessment.

Other matters

Third party comments are noted. However, the developer is entitled to make applications to amend the scheme. These should be judged on their merits. Developer profit is not a material planning consideration, the planning system cannot intervene in a free market economy.

Concerns regarding breaches of conditions relating to construction traffic management would need to be reported and investigated as a separate breach of planning control. Conditions from the original approval should be replicated to the decision notice on this s73 application. Similarly with regard to the EHO comments, conditions from the original approval have been reproduced and positively worded where appropriate. The imposition of further requirements on this minor amendment would be unreasonable.

CONCLUSION / PLANNING BALANCE

The principle of development is established and the extension is acceptable in terms of design, amenity and highway safety. The proposal complies with the relevant LP policies in this regard and in the absence of any other material considerations is recommended for approval.

OFFICER RECOMMENDATION : Approve with conditions

Case Officer: Ben Haywood

Recommendation Date: 27th June 2025

X 

Signed by: Jane Colley Signature

On behalf of High Peak Borough Council

