

DELEGATED DECISION REPORT

HPK/2025/0027
Valid 13/02/2025

19 YORK STREET
NORTH ROAD
GLOSSOP

APPLICATION FOR
VARIATION OF CONDITION
1
APPLICATION HPK/2021/0436
(FULL - MINOR)

MAIN ISSUES

- Design, Character and Appearance
- Amenity
- Parking Provision and Highway Safety

DESCRIPTION OF SITE

The application relates to a parcel of land to the east of York Street, Glossop, north of an existing detached bungalow No.17 York Street, which forms part of a wider site that was subject to planning permission (Reserved Matters) under HPK/2005/0827 for two dwellings, one of which has been built to the rear of No.15 York Street (Plot A now known as No.15A), whilst the remaining dwelling on this site (Plot B) is yet to be constructed.

The parcel of land north of No.17 therefore has an extant permission to build a two storey dwellinghouse with an associated ancillary garage.

The approved plans shows this dwellinghouse to have a rectangular form with hipped roof, orientated with its principal elevation facing westwards towards a driveway and properties situated adjacent to York Street beyond. The ancillary garage is shown to be located north-west of the property facing southwards down the driveway. A garden area is shown to be located to the front side and rear.

The site has been subject to a material amendment (S73 Variation to amend Condition 1 relating to HPK/2005/0827) to removal a turning area that was previously required to facilitate delivery vehicles at the end of York Street which was considered necessary by the County Council at the time of assessing the application due to the presence of the Bus Depot, which has now been demolished in place of a small housing estate. This application was assessed and determined (approved) under HPK/2021/0436, which now supersedes HPK/2005/0827.

PROPOSAL

Further to a Non-Material Amendment application being withdrawn following advice from Officers that the proposed amendments to the latest approved plans constitute a material change, this S73 application seeks to vary Condition 1 relating to HPK/2021/0436 which specifies the approved plans that the development is required

to be built in accordance with. The description of development in its original form made reference to the 2005 application however following discussions the applicant has agreed to amend the description so that the application subject of the proposed variation is the latest 2021 consent.

The application has been subject to revisions owing to concerns raised in connection with the siting design and appearance of the property, and its relationship with the neighbouring property No.17 York Street.

The application seeks to have the following plans approved:

- Proposed Site Plan (Ref: 2HD-YS-001 Rev L)
- Proposed Floor Plans (Ref: 2HD-YS-012 Rev A)
- Proposed Elevation Plans (Ref: 2HD-YS-013 Rev C)
- Garage Plans and Elevations (Ref: 2HD-YS-014)

These plans would replace the approved plans relating to 'Plot B' listed as follows:

- Proposed Front Elevation (Ref: 2HD-YS-008 Rev A)
- Proposed Side Elevation 1 (Ref: 2HD-YS-009 Rev A)
- Proposed Rear Elevation (Ref: 2HD-YS-010 Rev A)
- Proposed Side Elevation 2 (Ref: 2HD-YS-011 Rev A)

The changes amount to a dwellinghouse with a smaller footprint which is orientated so that the front elevation would face westwards with the garage remaining in the same place as previously approved.

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
- S2 Settlement Hierarchy
- S3 Strategic Housing Development
- H1 Location of New Housing Development
- H3 New Housing 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
Delivering Sufficient Supply of Homes	Chapter 5
Promoting Sustainable Transport	Chapter 9
Achieving Well Designed Places	Chapter 12

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

HPK/2002/1180	Outline application for residential dwellings (Approved 31/10/2002)
HPK/2005/0827	Reserved Matters application for two detached dwellings (Approved 19/12/2005)
NMA/2011/0012	Non Material Amendment in relation to HPK/2005/0827 (Approved 27/05/2011)
HPK/2021/0436	Variation of Condition 1 in relation to HPK/2005/0827 (Approved 03/12/2021)
HPK/2021/0437	Variation of conditions 3 & 4 and removal of condition 8 in relation to HPK/2002/0468 (Approved 10/12/2021)
NMA/2024/0031	Non Material Amendment in relation to HPK/2005/0827 (Withdrawn)

CONSULTATIONS

Publicity

Site Notice expiry date: 9th April 2025
Neighbour consultation period ends: 19th March 2025
Press Advert: N/A

Public Comments

None

Town / Parish Comments

N/A

Derbyshire County Council Highways

Notes that the Decision Notice HPK/2005/0827 is not available to view on planning portal and the submitted application form states:

'Two detached dwellings at 15 York Street, Glossop - application No HPK/2005/0827 (approval of reserved matters - determined on 19/12/2015). Variation of condition 3 & removal of conditions 4 & 8 in relation to HPK/2002/0468 - application No HPK/2021/0437 - (Outline planning permission for development determined on 10th December 2021). Variation of Condition 1 in relation to HPK/2005/0827 - application number HPK/2021/0436 (Approval of reserved matters - determined on 3rd December 2021)..... Application number HPK/2021/0436 - Determined on 3rd December 2021 Application No HPK/2021/0437 - determined on 10th December 2021 Application No HPK/2005/0827 - determined on 19/12/2015).'

Therefore, clarification is required on the following:

1. Is application HPK/2025/0027 for the Variation of Condition 1 of HPK/2005/0827 only?
2. Do the applications mentioned in the application form (see above) have any relevance to HPK/2025/0027?
3. Can you provide a copy of Decision Notice HPK/2005/0827.

OFFICER COMMENTS

Principle of Development

The site lies within the built up area boundary of Glossop on an unallocated site that is not constrained by any statutory designation and is therefore complies with Local Plan Policies S1, S2, S3 and H1, in principle together with relevant paragraphs contained under Chapter 5 of the NPPF.

In any event, the site benefits from an extant permission issued in 2005 for two dwellings (and varied in 2021), one of which has been completed and is occupied. As such, the principle of development has been established.

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.

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 proposed amendment in this latest form would see the re-orientation of the proposed dwellinghouse so that it shares a driveway, but at a slight angle, as opposed to being completely parallel to No.17.

In design terms, this re-orientation continues to broadly respect the overall pattern of development in this area of Glossop, which is characterised by detached properties orientated at different and varying angles, together with rows of traditional terraces.

The scale and height of the proposed dwellinghouse is considered to represent an enhancement comparable to the much larger house that was originally proposed and approved, with the amended plans showing a dwellinghouse that is considered to be much more proportionate for the plot in which it is situated.

The proposed dwellinghouse, as per the latest elevations (013 Rev C) is shown to be constructed walls finished in reconstituted stone with tiled roof. The single storey lean to outrigger is of a modest scale and respects the dominance of the main form of the dwellinghouse.

The introduction of Solar PV Panels to the rear roof slope is not considered to have any material impact on the character of the street scene, owing to the fact that this roof would not be visible from any public vantage point.

Fenestration is of a proportional and symmetrical nature and similarly is considered to be acceptable in design terms.

The scale, height, massing and appearance of the garage is consistent with that approved in 2005, and has been submitted on a separate plan owing to the fact that the plans and elevations of the dwellinghouse originally approved was presented together with the garage on the same plan.

In light of the above, it is considered that the revised siting design and appearance of the proposed dwellinghouse and its spatial and visual relationship with the existing pattern of development is acceptable and aligns with the design principles set out under LP Policies S1 and EQ6, relevant Supplementary Design Guidance, and relevant paragraphs contained under Chapter 12 of the NPPF.

Amenity

LP Policy H3 requires all new housing developments to provide a high standard of amenity for future occupiers by demonstrating compliance with Nationally Described Space Standards (NDSS) published by DCLG (2015).

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. 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.

Firstly with regards to the standard of amenity for future occupiers, the property benefits from a large garden to the rear and extends to the side of the house, and also an ancillary garage. Having regard to NDSS, the property is two storey and contains three double bedrooms, all of which have a total floor area in excess of the minimum 11.5m² required, with the total floor area of the property exceeding the minimum 102m² required to serve maximum occupancy.

As such, the proposed amendment is considered to result in a dwellinghouse that would provide standard of amenity for future occupiers in accordance with LP Policy H3.

Turning to potential impacts on neighbouring residential amenity, the eastern gable end of the two storey property would be located some 15m from the side (blank) elevation of No.26 Sunningdale Drive, with the western gable standing some 25.4m from the nearest rear elevation on York Street. It is considered that the amenity of neighbouring properties on Sunningdale Avenue and York Street would be preserved.

The nearest property to this proposed dwellinghouse with its amended siting and design is the adjacent bungalow No.17 York Street. This bungalow is orientated with its principal elevation facing westwards on to the driveway, with a gable facing northwards towards the proposed dwellinghouse characterised by a large habitable window.

In its original and initially revised form, the proposed development would be considered to result in significant harm to the amenity of this property, with principal habitable windows having a direct relationship with this existing neighbouring window located just 9m distant.

The latest revisions show the house re-orientated so that the principal elevation fronts the shared driveway, with the side elevation facing south-eastwards towards this nearest neighbour. Subject to a condition requiring the en-suite bathroom window in this elevation to be obscure glazed, it is considered that the proposed dwellinghouse would not result in any overlooking or loss of privacy.

The re-siting and smaller scale of the property compared to what was approved originally actually results in a marginal betterment with regards to residential amenity, being sited further away from the boundary.

In light of the above, the proposed variation in its revised form having regard to Site Plan (Ref: 2HD-YS-001 Rev L); Proposed Floor Plans (Ref: 2HD-YS-012 Rev A); Proposed Elevations (2HD-YS-013 Rev C), provides a high standard of amenity for future occupiers and satisfactorily preserves the amenity of all neighbouring properties, 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 site would be served via a shared access with the dwellinghouse benefiting from a private driveway and ancillary garage as per the approved drawings that relate to the 2005 application and retained in relation to the 2021 variation.

Whilst it is noted that the Highways Authority have requested clarification on matters relating to this application, Officers are of the view that it is clear that as there is no change to the access, parking and turning layout is proposed, and that there continues to be sufficient off-street parking provision to serve the proposed dwellinghouse, no further comments from the Highways Authority are required to assess and determine this application.

The proposed variation will not result in any material change to the access and parking provision serving the property beyond which was approved in 2005 and in 2021 and as such the application is considered to be in full accordance 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

This S73 application seeks to vary approved plans relating one of two dwellinghouses relating to an extant permission granted in December 2005 and subsequently varied in 2021. The principle of development is therefore established.

The description of development has been amended to reflect the fact that this variation relates to the latest S73, which in turn superseded the original consent granted in 2005.

In its original form, the application was found to be deficient with regards to its siting and design, and its relationship with the nearest neighbouring property. However, further to positive and proactive discussions, the latest set of revised plans have been found to be acceptable having regard to all material planning issues.

The application is therefore considered to be compliant with the Local Development Plan, and all other material planning considerations and constitutes a sustainable form of development.

In line with LP Policy S1a and paragraph 11 of the NPPF the application is recommended for approval subject to all relevant conditions that were applied to the 2021 continuing to apply and an additional condition requiring that the bathroom window on the southern elevation be obscure glazed.

OFFICER RECOMMENDATION : Approve with Conditions

Case Officer: James Stannard

Recommendation Date: 10th July 2025

X *J Colley*

Signed by: Jane Colley Signature

On behalf of High Peak Borough Council