

DELEGATED DECISION REPORT

HPK/2024/0270
Valid 01/07/2024

40 , GLOSSOP ROAD ,
CHARLESWORTH ,
DERBYSHIRE , SK13 5EZ

PROPOSED DETACHED
GARAGE, REVISED
OUTBUILDING AND DRIVE
LEVELS TO THE FRONT.

(FULL - HOUSEHOLDER)

MAIN ISSUES

- Principle of development
- Design and impact on designated heritage assets
- Neighbour amenity
- Highway safety
- Trees

DESCRIPTION OF SITE

The application relates to a residential site located in the Charlesworth area of Derbyshire.

The site has recently been cleared in anticipation of the construction of a new dwelling approved under application no. HPK/2023/0343.

For the purposes of planning policy consideration, the application site is located within Charlesworth Ward, and is within Charlesworth Conservation Area, there are no Listed buildings/structures or protected trees which need to be considered. The site back onto fields and there is a defined curtilage which is identified in the aforementioned 2023 replacement dwelling application also.

The closest neighbouring dwelling is no. 38 Glossop Road, sited to the south west of the application site.

The site is located within the limits of the Charlesworth conservation area.

PROPOSAL

Planning permission is sought for a new detached garage and outbuilding located to the rear garden area of the property. The proposed outbuilding will be located adjacent to the boundary shared with the neighbouring property at adjacent no. 38 to the rear. This building will feature a footprint of 4.4m in width x 8.1m in length and a maximum height of 2.5m.

The proposed garage will be located to the rear area of the property, adjacent to the boundary to the north east side of the property. This building will feature a footprint of

6m in width x 8.1m in length and a maximum height of 5.38m to the ridge and 3.18m to the eaves.

Permission is also sought for revisions to the levels and layout of the driveway to the front of the property. This will include a new retaining wall, approx. 1m in height, to the front of the property, in materials to match the dwelling, and a lower profile of the driveway as it runs from the access of the site at the front to the back of the site.

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
S5 Glossopdale Sub-area Strategy
EQ5 Biodiversity
EQ6 Design and Place Making
EQ7 Built and Historic Environment
CF6 Accessibility and Transport

National Planning Policy Framework (2024)

Paragraph 11 The Presumption in Favour of Sustainable Development
Section 4 Decision-making
Section 12 Achieving well-designed places
Section 16 Conserving and enhancing the historic environment

Supplementary Planning Documents and Guidance

Residential Design SPD (2005)
High Peak Borough Council Design Guide SPD (2018)

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

HPK/2023/0343
Demolition of existing bungalow and proposed two storey detached house and outbuilding.
Approved with conditions 19/01/2024

CONSULTATIONS

Publicity

Site Notice expiry date: N/A

Neighbour consultation period ends: 22/04/2021

Press Advert: N/A

Public Comments

One neutral representation received, summarised below.

- Appreciate the revised and reduced office building height. Given that this substantial building can be seen from the road, this will make it less obtrusive in the conservation area. Our other comment is that the office building should be at least 1m from the fence line to comply with building regulations.

Officer comments: an assessment of the proposed development has been included in the amenity section of this report. During the determination of this application there is no requirement for any outbuilding to be sited 1m from any shared boundary.

Town / Parish Comments

At its meeting on 17th July 2024 Charlesworth Parish Council considered this application for a detached garage and outbuilding as a variation to the consent granted under HPK/2023/0343) and resolved to raise no objection.

Highways

No objection subject to the following proposed conditions,

1. The development hereby approved shall not be occupied until the access, parking and turning facilities have been provided as shown on the submitted drawing A3/PM3D 1148. Reason: To ensure conformity with submitted details.
2. The proposed garage and outbuilding shall remain ancillary to the main dwelling and shall be used for personal use only.

HPBC Tree Officer

No objection subject to the following condition,

No operations (including initial site clearance) shall commence on site in connection with development hereby approved until a suitable scheme (Arboricultural Method Statement) for the protection of existing trees and hedgerows has been submitted and its installation on site has been approved in writing by the Local Planning Authority. All protection measures must fully detail each phase of the development process taking into account demolition/site clearance works, all construction works and hard and soft landscaping works. Details shall include the following: Full survey of all trees on site and those within influencing distance on adjacent sites in accordance with BS5837*, with tree works proposals. All trees must be plotted on a site plan**, clearly and accurately depicting trunk locations, root protection areas and canopy spreads. A plan** detailing all trees and hedgerows planned for retention and

removal. A schedule of tree works for all the retained trees specifying pruning and other remedial or preventative work, whether for physiological, hazard abatement, aesthetic or operational reasons. All tree works shall be carried out in accordance with BS 3998. Timing and phasing of works. Site specific demolition and hard surface removal specifications Site specific construction specifications (e.g. in connection with foundations, bridging, water features, surfacing) Access arrangements and car parking Level changes Landscaping proposals showing a no dig driveway design for within root protection areas. A Tree protection plan** with associated method statement in accordance with BS5837* detailing all methods of protection, including but not restricted to: locations of construction exclusion zones, root protection areas, fit for purpose fencing and ground protection, service routes, works access space, material/machinery/waste storage and permanent & temporary hard surfaces. Soil remediation plans, where unauthorised access has damaged root protection areas in the construction exclusion zones. All tree protection methods detailed in the approved Arboricultural Method Statement shall not be moved or removed, temporarily or otherwise, until all works including external works have been completed and all equipment, machinery and surplus materials have been removed from the site, unless the prior approval of the Local Planning Authority has first been sought and obtained. *Using the most recent revision the of the Standard ** Plans must be of a minimum scale of 1:200 (unless otherwise agreed by the Local Planning Authority)

Reason: To ensure appropriate tree protection in the interests of protecting the visual amenity of the area, contributing to the quality and character of the local environment, air quality and adapting to and mitigating climate change in accordance with policies EQ1, EQ2, EQ5 and EQ9 of the Local Plan.

OFFICER COMMENTS

Principle of Development

The determination of a planning application is to be made pursuant to section 38(6) of the Planning and Compulsory Purchase Act 2004, which is to be read in conjunction with section 70(2) of the Town and Country Planning Act 1990. Section 38(6) requires the local planning authority to determine planning applications in accordance with the development plan, unless there are material circumstances which 'indicate otherwise'. Section 70(2) provides that in determining applications the local planning authority "shall have regard to the provisions of the Development Plan, so far as material to the application and to any other material considerations." The Development Plan consists of the High Peak Local Plan Policies Adopted April 2016. Other material considerations include the National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG).

Paragraph 11 of the National Planning Policy Framework (NPPF) promotes a 'presumption in favour of sustainable development'. For decision takers this means (c) approving development proposals that accord with an up-to-date development plan without delay; or (d) where there are no relevant development plan policies, or the policies which are more important for determining the application are out-of-date, granting permission, unless:

- i) the application of policies in the Framework that protect areas or assets of particular importance provides a clear 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 the Framework taken as a whole.

Paragraph 8 of the NPPF identifies three dimensions to sustainable development as being economic, social and environmental.

In accordance with policies S1 and S1a of the High Peak Local Plan the Council will expect all new development to make a positive contribution towards the sustainability of communities and to protecting, and where possible enhancing the environment.

When considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework (NPPF). Development will be directed towards the most sustainable locations in accordance with the settlement hierarchy set out at LP (Local Plan) Policy S2.

The principle of a residential garage and outbuilding along with revisions to the front driveway area is considered acceptable at this location. The principle of such uses has been set by the presence of the existing dwelling as well as the previously approved application for a replacement dwelling at this location, HPK/2023/0343.

Design and impact on designated heritage assets

Policy EQ6 refers to design and states that all development should be well designed and be of a high quality that responds positively to both its environment and the challenge of climate change, whilst contributing to local distinctiveness and sense of place. New development should be well designed to respect the character, identity and context of the High Peak's townscapes and landscapes. Development is expected to contribute positively to an area's character, history and identity in terms of scale, height, density, layout, appearance, materials and the relationship to adjacent buildings and landscape features.

The NPPF requires the design of a development to add to the overall quality of an area, by being sympathetic to local character and by being visually attractive as a result of good architecture.

The Council's Design SPD outlines the Council's expectations in respect of design and states that well-designed buildings respond to the character and setting of their surroundings and make a positive contribution to making places better for people. It acknowledges that design should reflect to the past but meet the demands of today's lifestyles. New development should be complementary, rather than identical to, surrounding buildings.

In the context of the recently approved dwelling at this location, alongside neighbouring forms of development, the proposed alterations and additional garage and outbuilding are not considered to appear out of character with the conservation or neighbouring residential land uses. The proposed garage and outbuilding would

not be visible from key vantage points within the Glossop conservation area and would be broadly screened by existing forms of development as well as the recently approved dwelling. The proposed garage will be constructed from materials to compliment the replacement dwelling while the outbuilding will feature a more contemporary design however this feature will have a lower height and remain less visible from vantage points away from the rear of the application site.

The application is accompanied by a design, access and heritage statement which highlights that the new buildings proposed will have a low impact, sited to the rear of the site. Furthermore, the proposed alterations to the front of the property including the driveway and new retaining wall will remain discreet and in keeping with the frontages along this section of Glossop Road.

When assessed against local planning policy, the proposed development would preserve the character and appearance of the Conservation Area and would comply with policies S6, EQ6 and EQ7 of the High Peak Local Plan 2016 - which taken together seek to ensure that development proposals protect the historic environment, contribute to an areas character, and contribute positively to the character of the built and historic environment. There would also be no conflict with paragraph 203 of the National Planning Policy Framework which states, amongst other things, in determining planning applications account should be taken of sustaining the significance of heritage assets.

Neighbour Amenity

Local Plan Policy EQ6 requires that all development achieves a satisfactory relationship with adjacent properties. It must not cause unacceptable effects by reason of visual intrusion, overlooking, shadowing, overbearing effect, noise, light pollution or other adverse impacts on local character and amenity. Part 9 of the High Peak Residential Design SPD sets out the parameters against which residential extensions will be assessed.

Considering the small scale, single storey nature of the proposed outbuilding as well as the fact that the outbuilding, while adjacent to the boundary, would accord with the requirements of Class E of the General Permitted Development Order, this feature is considered acceptable. This single storey element would be no taller than 2.5m and would result in an acceptable relationship when considering the occupiers of no. 38 Glossop Rd adjacent to the application site.

Similarly, when assessing the proposed garage, it is not considered that the proposal would not have a significant, harmful impact on the amenity of the neighbouring properties. There would be no loss of privacy, light or any harmful overbearing impacts to no. 38 adjacent or to other neighbouring properties over the existing arrangement. On balance the proposed garage and outbuilding is considered acceptable and complies with the requirements of policy EQ6.

The concerns raised by the neighbours have been taken into consideration. Building Regulations are a separate regime to planning and therefore not a material consideration. For the reasons outlined above, it is not considered that the new

buildings to the rear of the site would have a detrimental effect on the amenity of surrounding neighbouring properties.

The development is therefore considered to be in accordance with Policies S1, and EQ6, the guidance contained within the Residential Design SPD, High Peak Design Guide, and Section 12 of the National Planning Policy Framework.

Highway Safety

There is adequate parking and turning within the site and areas for bin storage, such aspects will remain unchanged by this application over the previously approved scheme. There should be no detrimental effect on highway safety, and the proposal is considered to comply with policy CF6 of the Local Plan.

Trees

An additional Arboricultural Survey Report & Method Statement has been submitted alongside this application at the request of the Council's Tree Officer who has recommended that a suitably worded condition be attached in the event of an approval to ensure mitigation methods during construction. With the implementation of this condition, the proposed development is considered to have an acceptable impact on the trees to the rear of the application site.

CONCLUSION / PLANNING BALANCE

Overall, this planning application is considered to represent an appropriate form of development in this location. The design is considered to be acceptable and there are not considered to be any negative impacts on the amenity of neighbours or future residents, nor would it be harmful to the character and appearance of the local area. As such the application is recommended for approval subject to the conditions previously mentioned.

OFFICER RECOMMENDATION : Approve subject to conditions

Case Officer: John Van Eker

Recommendation Date: 11/02/2026

X 

Signed by: Ben Haywood

On behalf of High Peak Borough Council