

Planning Committee 13th September 2022

APPLICATION NUMBER		22/00439/FUL	
SITE ADDRESS:		38 Beech Drive, Ashbourne, Derbyshire, DE6 1HL	
DESCRIPTION OF DEVELOPMENT		Proposed subdivision of house to form 2no. dwellinghouses with associated widening of access	
CASE OFFICER	Mr Joe Baldwin	APPLICANT	Mr Eccles
PARISH/TOWN	Ashbourne	AGENT	Mr D Wright
WARD MEMBER(S)	Cllr Archer Cllr Donnelly	DETERMINATION TARGET	14/09/2022
REASON FOR DETERMINATION BY COMMITTEE	Due to local objection	REASON FOR SITE VISIT (IF APPLICABLE)	For Members to appreciate the site in its context and the surrounding area.

MATERIAL PLANNING ISSUES

- Principle of development
- Impact on highway safety/car parking provision

RECOMMENDATION

- Granted with conditions

1.0 THE SITE AND SURROUNDINGS

- 1.1 The application relates to a 4 bedroom semi-detached property located on the western side of Beech Drive. The property is of red brick construction and has benefitted from previous extensions/alterations. Access to the property is gained directly off Beech Drive. The main garden area of the property extends to the north and is occupied by a number of existing outbuildings and enclosed by existing boundary hedgerows. The property is surrounded by neighbouring residential dwellings to the south and east on Beech Drive and properties on Hazel Close to the north.



2.0 DETAILS OF THE APPLICATION

- 2.1 Planning permission is sought for the sub-division of the existing dwelling to form a 3 bedroom property within the original dwellinghouse and a 1 bedroom property within the later extension as shown on the submitted plans. It is also proposed to widen the existing access to allow for a single parking space to the front of both properties. No external alterations are proposed to the property to facilitate the development.

3.0 PLANNING POLICY AND LEGISLATIVE FRAMEWORK

Adopted Derbyshire Dales Local Plan (2017)

- S1: Sustainable Development Principles
- S3: Development Within Defined Settlement Boundaries
- S8: Ashbourne Development Strategy
- PD1: Design and Place Making
- HC1: Location of Housing Development
- HC9: Residential Sub-Division of Dwellings
- HC19: Accessibility and Transport
- HC21: Car Parking Standards

Ashbourne Neighbourhood Plan (2021)

- DES1: Design
- TRA1: Transport

- National Planning Policy Framework (2021)
- National Planning Practice Guidance

4.0 RELEVANT PLANNING HISTORY:

03/01/0003	First floor side extension	Granted with conditions	12/03/2003
02/09/0749	First floor side extension	Refused	14/11/2002
02/05/0404	Two storey rear extension	Refused	10/07/2002
0385/0239	Extension to dwelling	Granted with conditions	10/05/1985

5.0 CONSULTATION RESPONSES

Ashbourne Town Council:

5.1 No objection

Derbyshire County Council (Highways)

5.2 No objection (subject to condition and advisory notes).

Cllr Robert Archer

5.3 Residents have raised concerns about the impact of this proposed development on parking and access. The road is narrow and there are already several cars that park on the street making access for some residents difficult. The drawings do not show the other access driveways that are opposite and adjacent to the property and there is concern that highways may not have fully understood the impact of this development in the true context of the location if they only conducted a paper exercise rather than visiting the site.

6.0 REPRESENTATIONS RECEIVED

6.1 A total of 5 representations have been received. A summary of the concerns raised is outlined below:

- a) Concerns regarding existing parking situation at the property and surrounding area which may be exacerbated if permission is granted and more cars would be on site.
- b) The potential for increased parking on the highway may impact on the ability of emergency vehicles and refuse collection vehicles accessing the road.
- c) Concerns regard the loss of value of the adjoining property which would become an end of terrace property rather than a semi-detached property.
- d) Concerns regarding the visual impact of storage of bins on the frontage of the property and its impact on the character and appearance of the area.
- e) Concerns regarding potential future applications on site.
- f) The proposed planting of trees would cross neighbouring boundaries.
- g) The submitted drawing does not show the driveways of 17 and 19 Beech Drive opposite.

7.0 OFFICER APPRAISAL

The following material planning issues are relevant to this application:

- Principle of development
- Impact on highway safety/car parking provision

Principle of Development

7.1 The application site is located within the Settlement Boundary as defined by policy S2 of the Adopted Derbyshire Dales Local Plan (2017). Ashbourne is identified as a first tier

settlement and should therefore be considered a primary focus for growth and should continue to provide significant levels of jobs and homes.

- 7.2 Policy S3 sets out a number of criteria which development must meet in order to be acceptable within defined settlement boundaries including the provision of a safe layout and access, appropriate parking provision and ensuring that the development is of an appropriate scale/design such that it would not result in any harm to the character and appearance of the surrounding area. Subject to the above, the principle of subdividing an existing dwelling to form two residential dwellings in this location is considered to be acceptable.
- 7.3 Policy HC9 of the Adopted Derbyshire Dales Local Plan (2017) deals specifically with Residential Sub-Division of Dwellings and states that when considering application for such development proposals the District Council will have regard to:
- a) the provision of adequate vehicular access, car parking, amenity space and facilities for recycling and refuse storage;
 - b) the adequacy of the internal accommodation in terms of privacy, natural light and outlook relative to the intensity of occupation envisaged;
 - c) the likely impact on the character and appearance of the immediate neighbourhood of the design, scale, form and footprint of any proposed extension or alteration;
 - d) no significant new extension should be made to any dwelling located outside defined settlement development limits: minor extension may be permitted only where essential in order for the new units to achieve basic living standards;
 - e) the sustainability of the new development based around the site location and its relationship to the Plan's settlement hierarchy, including accessibility to shops, services and facilities;
 - f) the need to minimise built form through the conversion of any existing outbuildings.
- 7.4 No external alterations or extensions are proposed to the dwelling so the impact on the character and appearance of the area as a result of the proposed development is neutral. As highlighted above, the site is located within a First Tier Settlement and therefore is a highly sustainable location due to its access to local services and facilities. Subject to the development providing adequate amenity space, vehicular access and car parking provision (which will be assessed below) the development is in accordance with policies S2, S3 and HC9 of the Adopted Derbyshire Dales Local Plan.

Impact on highway safety/car parking provision

- 7.5 Concerns have been raised by neighbouring residents that the development would exacerbate an existing issue at the site regarding a number of vehicles parking on the highway which could potentially cause further nuisance for neighbouring residents and could potentially cause issues with access for refuse and emergency vehicles.
- 7.6 The Local Highway Authority have raised no concerns with the proposed development in terms of car parking or highway safety subject to the new car parking being provided prior to the occupation of the new dwelling. Whilst it is acknowledged that neighbouring residents have raised concerns that the Highway Officers have not fully appreciated the site and the relationship with other neighbouring properties/driveways which are not visible on the submitted plans, confirmation has been sought that the Local Highway Authority did not deem a site visit to be necessary in this case and that a desktop survey utilising street view images and the submitted information was sufficient in providing formal comments.
- 7.7 Policy HC21 of the Adopted Derbyshire Dales Local Plan (2017) sets out the appropriate levels of car parking for developments. The existing single car parking space would be retained for the original dwelling which would be reduced in scale to a three bedroom

property. The new one bedroom property would be provided with a single new parking space which is sufficient level of off-street parking. Therefore, whilst the concerns of local residents are noted, the application does demonstrate that the development would be provided with sufficient off-street parking. Therefore there is no justification for a refusal of planning permission on parking or highway safety grounds.

- 7.8 Subject to a condition securing the new car parking space prior to occupation of the new dwelling, the development is considered to be in accordance with policies S3, HC9 HC19 and HC21 of the Adopted Derbyshire Dales Local Plan (2017) and policy TRA1 of the Ashbourne Neighbourhood Plan (2021) with regard to the level of car parking proposed and the impact on the safety of highway users.

Other Issues

- 7.9 Whilst the property is surrounded by neighbouring residential properties, there are no external alterations proposed as part of the development and as a result is not deemed to be any additional overlooking/loss or overshadowing suffered by neighbouring occupants.
- 7.10 Concerns have been raised regarding the loss of value of the adjoining property due to its change in status from a semi-detached dwelling to an end of terrace property. This is not a material planning consideration and therefore cannot be afforded any weight.

Conclusion

- 7.11 On the basis of the above, the development, subject to conditions is considered to be in accordance with the relevant parts of the Adopted Derbyshire Dales Local Plan (2017) and the Adopted Ashbourne Neighbourhood Plan (2021). A recommendation of approval is made on this basis.

8.0 RECOMMENDATION

That planning permission be granted subject to the following conditions:

1. The development hereby permitted must be begun before the expiration of three years from the date of this permission.

Reason:

This is a statutory period which is specified in Section 91 of the Town and Country Planning Act 1990.

2. Prior to the first occupation of the new 1 bedroom dwelling hereby approved, the designated parking and manoeuvring area shall be laid out, constructed and available for use in accordance with the submitted site layout plan (Drg no 9647/Site). The parking and manoeuvring area shall be maintained thereafter free from any impediment to its designated use throughout the lifetime of the development hereby approved.

Reason:

In the interests of highway safety in accordance with policies S3, HC9, HC19 and HC21 of the Adopted Derbyshire Dales Local Plan (2017).

9.0 NOTES TO APPLICANT:

1. The Local Planning Authority considered the application as submitted to be acceptable. On this basis, there was no need to engage with the applicant in a positive

and proactive manner to resolve any planning problems and permission was granted without negotiation.

2. The Town and Country Planning (Fees for Applications and Deemed Applications, Requests and Site Visits) (England) Regulations 2012 (SI 2012/2920) stipulate that a fee will henceforth be payable where a written request is received in accordance with Article 30 of the Town and Country Planning (Development Management Procedure) Order 2010. Where written confirmation is required that one or more Conditions imposed on the same permission have been complied with, the fee chargeable by the Authority is £97 per request. The fee must be paid when the request is made and cannot be required retrospectively. Further advice in regard to these provisions is contained in DCLG Circular 04/2008.
3. Pursuant to Section 184 of the Highways Act 1980 prior notice shall be given to the Highway Authority before any works commence in the highway on the proposed widened vehicular access. Email: highways.hub@derbyshire.gov.uk
4. This decision notice relates to the following documents:
 - Design and Access Statement
 - Site location Plan
 - Block Plan
 - Site Layout Plan
 - Plans as Existing
 - Plans as Proposed