

10. FULL APPLICATION – SINGLE STOREY EXTENSION TO HOUSE A NEW CLASS 7 MOT BAY AND RE-ROOF OF EXISTING ROOFS AT FROGGATT EDGE GARAGE, GRINDLEFORD ROAD, CALVER (NP/DDD/0618/0546, AM)

APPLICANT: MR SEAN MURPHY

Site and Surroundings

1. Froggatt Edge Garage is located just north of Calver on the east side of Grindleford Road. The site and existing buildings are in use as a vehicle repair garage and fuel station.
2. The existing buildings on site are set back from the road with the fuel station and parking areas to the front of the site. The existing buildings are constructed from a mixture of coursed gritstone and white painted render under shallow pitched roofs. There is an outdoor vehicle lift located on the southern boundary.
3. There are two access points directly off the main road. The nearest neighbouring properties are the adjoining dwellings located around the site. The closest two neighbouring properties being Orchard Lea to the west and Bramley View to the south.

Proposal

4. Extensions and alterations to the existing buildings on site to provide a class 7 MOT bay. A class 7 MOT bay would test commercial vehicles weighing between 3,000 and 3,500kg (such as heavy vans and minibuses).
5. The plans show that the existing single storey garage bay closest to the road and on the southern boundary would be extended out a further 5m towards the road and would also be increased in height to 4.9m to eaves (3m existing) and 5.9m to ridge (3.6m existing). This extension would have coursed gritstone walls to match and a pitched roof clad in blue slate. A roller shutter door in the gable would provide access to the class 7 MOT bay.
6. The existing flat roofed and mono-pitched roof buildings to the rear of the site would also be altered with new pitched roofs also clad with blue slate. The first floor windows facing north would also be altered.
7. The amended proposed block plan shows that four additional parking spaces are proposed in part of the existing grass verge. The existing outside life would be removed as part of the scheme.

RECOMMENDATION:

8. That the application be **REFUSED** for the following reasons.
 1. **By virtue of its scale and location the proposed extension would have an adverse visual impact upon the street scene contrary to Core Strategy policy GSP3, saved Local Plan policies LC4 and LE4 and the National Planning Policy Framework.**
 2. **By virtue of its scale and location the proposed extension would have a significant overbearing impact which would harm the residential amenity of occupants of the neighbouring property to the south of the application site known as Bramley View contrary to Core Strategy policy GSP3, saved Local Plan policies LC4 and LE4 and the National Planning Policy Framework.**

Key Issues

- The design and scale of the proposed extensions.
- The impact of the proposed extensions upon the amenity of neighbouring properties.

History

9. 2018: ENQ 33019: Pre-application advice in regard to current proposal. Officers gave the following advice:
 10. *“It is considered that a preferable location for the proposed MOT testing bay would be to the North East corner of the site. The location to the North East corner of the site would be well set back from the road and would be further away from neighbouring properties. If this is not possible, it may be acceptable to situate the proposed extension in the suggested location. The location you have proposed would be more prominent and is likely to result in further impact on neighbouring properties. Overall it is likely that the proposed plans would be acceptable, however the impact on the street scene and on neighbours are considerations that should be taken into account if this option is pursued. The use of improved materials across the site is welcomed, and these additions may help improve your chances of gaining an approval.”*
 11. 1990: Planning permission granted for extension to garage / petrol station. This permission was for the single storey garage bay currently proposed to be extended.
 12. 1990: Planning permission refused for extension to garage. This refused scheme was for a larger extension than was ultimately granted planning permission (see above).
 13. 1984: Planning permission granted for canopy over forecourt.

Consultations

14. Highway Authority – Raises no objections to amended plans and makes following comments.
 15. Whilst the 4 spaces shown along the southern boundary are generally inaccessible due to the depth of space behind them, this appears to reflect the current situation so I am satisfied that the extension in length of the garage (with the removal of the lift) will not negatively impact on parking in this area.
 16. Four additional spaces are demonstrated within the grassed area – whilst these are in tandem it is reasonable that this will be used to store vehicle pre-or post-repair and manoeuvring will be undertaken by the garage staff.
 17. Whilst, from inspection, it is apparent that the site has high levels of vehicular parking, with the allocated parking, I do not consider that an objection to these proposals would be sustainable.
 18. Please include a condition requiring parking to be provided prior to the proposals, the subject of the application being taken into use and retained thereafter free from any impediment to its designated use for staff or customer parking.
19. District Council – No response to date.
20. Parish Council – Support this proposal subject to the removal of the existing outside hydraulic lift being removed and hours of operation restriction being applied.

Representations

21. One representation has been received to date in support of the application from the owner of Bramley View. The reasons given in support are summarised below:
22. The development will remove the external ramp from the front of the garage forecourt and generally tidy up the area adjoining the length of my boundary.

Main Policies

23. Relevant Core Strategy policies: GSP1, GSP3, DS1, L1 and E1
24. Relevant Local Plan policies: LC4, LE4, LT10 and LT18

National Planning Policy Framework

25. In the National Park the development plan comprises the Authority's Core Strategy 2011 and saved policies in the Peak District National Park Local Plan 2001. Policies in the Development Plan provide a clear starting point consistent with the National Park's statutory purposes for the determination of this application. It is considered that in this case there is no significant conflict between prevailing policies in the Development Plan and more recent Government policy in the NPPF with regard to the issues that are raised.
26. Para 172. Of the NPPF states that great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty. The conservation of wildlife and cultural heritage are important considerations in all these areas, and should be given great weight in National Parks and the Broads.
27. Para 82. Of the NPPF states that planning decisions should enable the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings.

Peak District National Park Core Strategy

28. Policy GSP1 sets out the broad strategy for achieving the National Park's objectives having regard to the Sandford Principle, (that is, where there are conflicting desired outcomes in achieving national park purposes, greater priority must be given to the conservation of the natural beauty, wildlife and cultural heritage of the area, even at the cost of socio-economic benefits). GSP1 also sets out the need for sustainable development and to avoid major development unless it is essential, and the need to mitigate localised harm where essential major development is allowed.
29. Policy GSP3 sets out development management principles and states that all development must respect, conserve and enhance all valued characteristics of the site and buildings, paying particular attention to, amongst other elements, impact on the character and setting of buildings, scale of the development appropriate to the character and appearance of the National Park, design in accordance with the National Park Authority Design Guide and impact on living conditions of communities.
30. Policy L1 states that development must conserve and enhance valued landscape character and valued characteristics, and other than in exceptional circumstances, proposals in the Natural Zone will not be permitted.

31. Policy E1 and E2 both allow for alterations and extensions of existing business sites in settlements and in the countryside provided that the impact of development upon the character and appearance of the landscape is acceptable.

Peak District National Park Local Plan

32. Policy LC4 says that where development is acceptable in principle it will be permitted provided that its detailed treatment is of a high standard that respects, conserves and where possible enhances the landscape, built environment and valued characteristics of the area. Particular attention will be paid to scale, form, mass and orientation in relation to existing buildings, design details, landscaping, the amenity, privacy and security of the development and nearby properties and nuisance or harm to the rural character of the area caused by lighting schemes.
33. Policy LE4 says that expansion of existing business will not be permitted unless it is of modest scale in relation to the existing activity and / or buildings and does not extend the physical limits of the use, does not harm and where possible secures an enhancement to the amenity and valued characteristics of the area and provided that new or extended buildings are clearly justified and proper consideration has been given to the possibility of using existing buildings to meet the need.
34. Policies LT10 and LT18 require satisfactory parking provision and safe access as a pre-requisite of development within the National Park.

35. Supplementary Planning Documents

36. The Authority's adopted design guide and alterations and extensions detailed design guide are supplementary planning documents (SPD) and therefore should be afforded weight in the determination of this application.

Assessment

37. The property is a well-established garage and fuel station and the proposed extensions would facilitate additional facilities. The garage would remain of a scale to meet local need and the proposal would not extend the physical limits of the use. Therefore in principle the extension of the existing business is in accordance with relevant development plan policies.
38. The addition of the proposed class 7 MOT bay would be likely to generate additional traffic and parking on the site from customers dropping of and picking up vehicles awaiting testing and / or servicing and repair. Officers are aware that frequently vehicles are parked on this stretch of the highway and consider it important to ensure that this proposal does not increase off-street parking and the impact this has upon the amenity of the local area.
39. The amended block plan shows that four additional parking spaces would be proposed partly within the grass verge to the front of the site. Each additional parking space would be in tandem with an existing space meaning that vehicles would need to be moved to allow those in the new spaces to leave. Given the use of the property this is considered to be a reasonable arrangement as these spaces would be likely to be used to store vehicles pre or post repair with manoeuvring likely to be undertaken by staff.
40. Officers therefore agree with the advice from the Highway Authority that whilst it is apparent that the site has high levels of vehicular parking, with the proposed allocated parking it is considered that the scheme would not exacerbate the existing situation. Officers agree with the Highway Authority that if permission is granted a condition should

be imposed requiring the parking to be provided before the first use of the extension and thereafter retained in perpetuity.

41. The key issues therefore are considered to be the design and scale of the proposed extension and the impact upon the local area and the amenity of neighbouring properties.
42. The most significant element of the proposed development is the proposed extension to the front of the building to create the proposed class 7 MOT bay. The proposed extension would bring this element 5m closer to the highway and also increase the eaves height and ridge height of the building by 1.9m and 2.3m respectively. This would effectively increase the height of the building to two stories just lower than the eaves height of the neighbouring property to the south known as Bramley View.
43. Officers have viewed the proposed development from the roadside and also from the rear garden of Bramley View and do have significant concerns about the impact of the proposed development upon the street scene and the impact upon the residential amenity of occupants of Bramley View.
44. The proposed extension would be positioned closer to the road and also significantly higher than the existing building and this would significantly increase its prominence and impact upon the street scene. The height of this element would be the same as other parts of the garage building but those are located to the rear of the site and have a much lesser visual impact compared to the proposed extension which would be further forward.
45. The extension would be located on the southern boundary of the site which is shared with Bramley View. The extension would come forward in line with the front elevation of Bramley View and as noted earlier the eaves height of the extension would be only marginally lower than the eaves height of Bramley View. The extension would extend beyond the rear elevation of Bramley View along the shared boundary at effectively two stories.
46. Given the proximity of the extension to the boundary, the height and length beyond the rear wall of Bramley View Officers consider that the development would result in a significant overbearing impact upon occupants of Bramley View because the extension would be oppressive when viewed from the rear garden of that property.
47. For these reasons because of its scale and height the proposed development would have an adverse impact upon the street scene and the residential amenity of occupants of Bramley View contrary to Core Strategy policy GSP3 and saved Local Plan policies LC4 and LE4.
48. The proposed development would result in the removal of the existing outdoor vehicle lift and Officers acknowledge that this would be a benefit to the amenity of the area and that of neighbouring properties. However the proposed extension would have a greater impact and a more permanent impact than the vehicle lift which is not always in use.
49. It is noted that the current owner of Bramley View does not raise concerns about the proposed development. However in determining the application the Authority must consider the impact of development upon current and all future occupants of the development. Therefore a development may be considered to have an unacceptable impact even if the current occupant or owner does not raise any objection. It is also noted that the property is currently for sale which emphasises the point that occupants of any property change over time.
50. The proposed alterations to the roof form of two elements of the building at the rear of the site are considered to be less problematic because these alterations would introduce

an appropriate pitched form and use natural gritstone and blue slate which would reflect parts of the existing building and the built tradition.

51. These would therefore only modestly increase the scale of the building and would introduce a modest enhancement in materials and form. The alterations to the roof form would increase the height of these elements marginally but given the distance and relationship of these to neighbouring properties there are no concerns that these would harm their amenity or privacy.
52. This conclusion does not however override or outweigh the significant concerns raised about the impact of the proposed extension which is considered to be contrary to relevant development plan policies for the reasons given above.
53. Officers have discussed potential alternatives with the agent but have been unable to find an alternative solution which could be accommodated without affecting traffic flow through the site and the fuel station. The agent therefore requests that the Authority determine the application as submitted.

Conclusion

54. There are no objections in principle to the extension and alteration of the existing garage and fuel station, however the proposed extension by virtue of its location and scale would harm the street scene and result in a significant overbearing impact which would harm the residential amenity of occupants of Bramley View.
55. Officers note that the proposal is acceptable from a Highway Safety perspective and that the development would facilitate the removal of the existing vehicle ramp. None of these issues however overcome the harm that has been identified.
56. In the absence of any further material considerations the proposal is therefore considered to be contrary to the development plan and accordingly the application is recommended for refusal.

Human Rights

57. Any human rights issues have been considered and addressed in the preparation of this report.
58. List of Background Papers (not previously published)
59. Nil
60. **Report Author** – Adam Maxwell, Senior Planner