

11. FULL APPLICATION – PROPOSED DETACHED HOUSE (EXISTING DWELLING ON ADJOINING SITE TO BE REMOVED) AT THORNEYCROFT STABLES, NEIGHBOUR WAY, KETTLESHULME (NP/CEC/1215/1170, P.10733, 398636 / 378794, 27/01/2016/AM)

APPLICANT: MR AND MRS J SHARP

Site and Surroundings

Thorneycroft Stables is located in open countryside approximately 600m to the south of Kettleshulme. The property includes a range of former agricultural buildings which are used as commercial stables by the applicants. Within part of the field to the south west of the group of buildings is a timber clad twin unit caravan which is occupied as a dwelling by the applicants.

Access to the property is via an unclassified road known as Neighbour Way which serves neighbouring properties to the south and runs north where it joins Side End Lane and further on the B5470. The nearest neighbouring property are the farmhouse and holiday cottages at Thorneycroft Farm which are located adjacent to the access to the application site.

Proposal

This application seeks planning permission for the erection of a new two storey detached dwelling on land to the west and immediately adjacent to the stable buildings. The submitted plans show that the existing twin unit caravan would be removed as part of the development and the land upon which it is sited restored to agricultural land.

The application proposes a detached two storey, four bedroom house built from natural gritstone under pitched roofs clad with blue slate. It would have painted timber windows and door frames with stone heads and sills. The proposed house would be set within a modest garden area with a total of three parking spaces provided with the curtilage.

RECOMMENDATION:

That the application be APPROVED subject to the following conditions or modifications.

- 1. Statutory three year time limit for implementation.**
- 2. Development not to be carried out otherwise than in accordance with specified approved plans.**
- 3. No development shall commence until full details of foul drainage to a package treatment plant have been submitted to and approved in writing by the Authority.**
- 4. Within two months of the date of first occupation of the new dwelling hereby approved the existing twin unit caravan shall be removed from the site and any adjacent structures including the raised patio area shall be demolished and removed from the site.**
- 5. Prior approval of detailed scheme of landscaping (including restoration of the site of the caravan, planting, earth mounding, re-seeding, walls, gates and hard standing) to be implemented as part of the development.**
- 6. Conditions to specify or require prior approval of architectural and design details for the dwelling including, stonework sample panel, window and door details, roof verge and rainwater goods.**

7. **Prior approval of a scheme of energy saving measures to be incorporated into the approved development to be submitted to and agreed in writing by the Authority.**
8. **Removal of permitted development rights for external alterations, extensions outbuildings, hard standing, walls, fences and other means of enclosure to approved dwelling.**
9. **Underground service lines only on land under the applicant's ownership and control.**
10. **Parking and turning areas to be laid and constructed prior to occupation and maintained in perpetuity.**

Key Issues

- Whether the principle of the replacement dwelling meets the requirements of Policy LH5.
- Whether the proposed development would otherwise conserve or enhance the valued characteristics of the National Park and be acceptable in all other respects.

Relevant Planning History

1994: Certificate of lawfulness granted for siting of residential caravan.

1997: Planning permission granted at appeal for the use of buildings for keeping horses and indoor riding arena.

1998: Planning permission refused for the erection of dwelling, garage and stables.

2003: Certificate of lawfulness granted for removal of mobile home and replacement with a twin unit caravan.

2015: Planning application for erection of replacement dwelling to replace an existing dwelling on adjacent site along with subsequent restoration of land to grazing land withdrawn prior to determination.

Consultations

Highway Authority – Raise no objection and make the following comment.

There are no material highway implications associated with this development proposal, there is sufficient space within the site for off street parking provision to be in accordance with CEC minimum standards and the site is accessed from an un-adopted private road some 380m from its junction with the nearest adopted highway, Side End Lane.

Furthermore, the daily traffic generation associated with the development of one dwelling would not have a material impact on the adjacent or wider highway network.

Cheshire East Rights of Way Team – Raise no objection and make the following comment.

The property is adjacent to public footpath No.14 Kettleshulme as recorded on the Definitive Map held at this office. It appears unlikely, however, that the proposal would affect the public right of way, although the PROW Unit would expect the planning service to add an advice note to any planning consent to ensure that developers are aware of their obligations.

Parish Council – Raise no objections.

Representations

No representations have been received at the time this report was written.

Main Policies

National Planning Policy Framework

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 National Planning Policy Framework with regard to the issues that are raised.

Relevant Core Strategy policies: GSP1, GSP2, GSP3, DS1, L1, L2, L3 and CC1

Relevant Local Plan policies: LC4, LC5, LC17, LH5, LT11 and LT18

Saved Local Plan policy LH5 is directly relevant for the current application and other key policies relate directly to landscape character, appropriate design and climate change mitigation and adaptation in the National Park.

Local Plan policy LH5 – Replacement Dwellings states that the replacement of unlisted dwellings will be permitted provided that:

- i. The replacement contributes to the character or appearance of the area.
- ii. It is not preferable to repair the existing dwelling.
- iii. The proposed dwelling will be a similar size to the dwelling it will replace.
- iv. It will not have an adverse effect on neighboring properties.
- v. It will not be more intrusive in the landscape, either through increased building mass or the greater activity created.

Adopted design guidance within the 'Design Guide', the adopted Climate Change and Sustainable Building Supplementary Planning Document (SPD) and the Authority's Landscape Strategy and Action Plan offer further guidance on the application of these policies. These policies are supported by a wider range of policies in the Development Plan.

Assessment

Whether the principle of the replacement dwelling meets the requirements of Local Plan policy LH5 (ii)

The twin unit caravan has been sited on the land for the past twelve years following confirmation from the Authority that the use of the land for the siting of domestic caravan was lawful and immune from enforcement action.

This case is unusual in that the existing dwelling is a caravan rather than a building which typically forms the basis for a replacement dwelling application. But it is clear from the planning history that the use of the land for the siting of the caravan and it is equally clear from the substantial size of the caravan, the materials used in its construction and its location within part of the field to the south and away from the stable buildings that the existing caravan does not reflect the form or detailing of traditional vernacular dwellings typically found within the local area. It is also considered that the existing caravan is visually prominent especially where viewed from the west and results in an adverse visual and landscape impact.

It is therefore considered that, in principle, the replacement of the existing caravan with a dwelling of a more appropriate design which enhances the site and its surroundings and incorporates enhanced energy saving measures would be acceptable in principle and in accordance with LH5 (ii).

Whether the proposed dwelling is of a similar size to the dwelling it will replace (Local Plan policy LH5 criteria (iii)).

This part of the policy uses the phrase 'similar size' as a parameter to control the size of replacement dwellings to protect the landscape, instead of a simple like for like floor space or volume calculation. This enables a degree of flexibility necessary to both achieve enhancement of the Park and to allow the scale of a replacement dwelling to respond to what is appropriate in the context of different sites and their setting.

The table below shows the difference in size between the existing caravan and the proposed house. The figures include footprint, however, Members will be aware of Officer advice in previous replacement dwelling applications that volume is considered to be a more reliable indicator of 'similar size' in relation to the key issue of landscape impact.

	Existing Caravan	Proposed House (percentage change compared to existing)
Footprint (m ²)	112	105 (6% decrease)
Volume (m ³)	370	635 (70% increase)

Although the proposed two story dwelling would actually have a smaller footprint than the existing caravan as a result of providing accommodation over two floors, perhaps unsurprisingly it would increase the volume of the building. Therefore the proposed building would not be a similar size to the existing dwelling it will place. Notwithstanding this point, the relative size of the proposed dwelling is only one criterion of the policy and should not be looked at in isolation from the context of the site or its setting within the landscape. In these respects criteria (i), (iv) and (v) of Local Plan policy LH5 are particularly relevant and have led to the officer conclusion that the increased scale is acceptable in this context.

Whether the proposed dwelling meets the requirements of Local Plan policy LH5 (i), (iv) and (v)

The agent has entered into pre-application discussions with the Authority's Officers following the withdrawal of the last application and before making this planning application. Since the application was submitted further minor design amendments have been sought to simplify window and door fenestration detailing.

The form of the dwelling is a relatively simple two story house with a horizontal mass and narrow gables reflecting the local vernacular. The proposed form, massing, materials and detailing are all considered to be in accordance with adopted design guidance and better reflect the local vernacular compared to the existing twin unit caravan.

The proposed dwelling would be taller than the existing caravan but in its proposed location it would be read against the adjacent stable buildings whereas the existing caravan is in a more isolated position which projects out into the fields to the south of the buildings. A significant part of the increased volume of the proposed building would also be contained in the proposed projecting rear element which itself would not be visually prominent from public vantage points and effectively concealed behind the main part of the building.

Overall, it is considered that the proposed replacement dwelling would make a positive contribution to the character and appearance of the area in accordance with saved Local Plan policy LH5 (i). If permission is granted, officers would recommend that architectural details and specifications are secured by condition and that a condition to remove permitted development rights for alterations and extensions is also necessary to ensure that the Authority retains control of domestic development which could undermine the character and appearance of the development and the amenity of the area.

It would also be essential to ensure that the existing caravan is removed from the land and that the land is restored to an agricultural field in accordance with the approved plans within a reasonable time period from the date the replacement dwelling is first occupied.

The property is located within the Southwest Peak landscape character area identified within the Landscape Strategy and specifically within the slopes & valleys with woodland landscape character type. The landscape around the application site is characterised by low lying, gently undulating topography, a network of streams with gritstone villages and outlying farms with associated dwellings within pastoral farmland enclosed by hedgerows and some dry stone walls. As such, the landscape around the application site reflects a great deal of the identified landscape character.

In this case the application proposes a replacement dwelling which better reflects the local built vernacular and in these respects the proposal would make a positive contribution to identified landscape character. The proposal would not encroach into nearby fields, skyline or be more visually obtrusive in wider views from the surrounding landscape. Any increase in activity on the site from the proposed four bedroom dwelling would not be so significant to be any more intrusive in the landscape.

It is therefore considered that the proposed replacement dwelling would not be more intrusive in the landscape and that the proposal would conserve the character of the surrounding landscape in accordance with Local Plan policy LH5 (v). If permission is granted a condition would be recommended to require submission and agreement of a detailed scheme of landscaping including planting, walls and hard standing.

Given the distance from the site of the proposed dwelling to the nearest neighboring properties there are no concerns that the proposed dwelling would be overbearing or result in any loss of daylight or sunlight to habitable rooms or garden of any neighboring property. There are no facing windows between properties which could give rise to any issues of overlooking.

Therefore it is considered that the proposed replacement dwelling would not have an adverse impact upon neighboring properties in accordance with Local Plan policy LH5 (iv).

In summary, it is considered that the proposed replacement dwelling is in accordance with Local Plan policy LH5. Although the replacement dwelling is not a similar size to the existing caravan, in the context of this site and its setting within the landscape, the proposed dwelling would make a positive contribution to the character and appearance of the area, would not have an adverse impact upon neighbors and would not be more intrusive in the landscape or street scene either through increased building mass or greater activity.

Environmental Management

Officers have discussed the potential to incorporate enhanced insulation, renewable energy technology and energy saving measures into the development. In particular the site may suit the inclusion of solar and / or photovoltaic panels, air source or ground source heat pumps into the development. The agent has indicated that he intends to submit additional information on these matters which are expected in time for the meeting. It is recommended that any measures are secured by an appropriate planning condition to ensure compliance with Core Strategy policy CC1.

CC1 and the Authority's Climate Change and Sustainable Building SPD require all new housing (including agricultural workers dwellings) to be built to a minimum sustainability standard equivalent to that required by the government of affordable housing by Registered Social Landlords (RSLs).

A written statement to parliament from the Department for Communities and Local Government dated March 2015 is a material consideration in this respect. In the decision taking section of the written statement it says that Government Policy is that planning permissions should not be granted requiring or subject to conditions requiring compliance with any technical housing standards other than for those areas where there are existing policies on access, internal space or water efficiency.

CC1 requires development to meet an equivalent to that required by Government of affordable housing by Registered Social Landlords rather than a specific standard. The Government do not currently do not require RSLs to meet any specific standard. Therefore at this point in time it would be unnecessary to impose conditions requiring development to meet technical standards.

Other Issues

The proposed dwelling would be served by the existing access which would not be altered. There is ample space within the application site to park three vehicles clear of the highway and the agent has submitted plans to show the proposed layout. The Highway Authority has been consulted and raises no objection to the proposals. Therefore subject to appropriate conditions to require the parking and turning space to be laid out and maintained in perpetuity it is considered that the proposed development would be served by satisfactory parking and access arrangements in accordance with saved Local Plan policies LT11 and LT18.

The submitted plans show that foul sewerage would be disposed of to the existing septic tank. The National Planning Policy Framework and Planning Practice Guidance are clear that in locations such as this foul sewerage should be treated by a package treatment plant to reduce the impact of development upon the water environment. Officers have discussed this with the agent and recommend that if permission is granted that a planning condition is imposed to require a package treatment plant to be installed to replace the existing septic tank.

The proposal falls outside of the Authority's requirement for a protected species survey because of the age and construction of the caravan which is to be removed. The Authority is not aware of any protected species or habitat that could be affected by either the removal of the caravan or the construction of the new dwelling as this would be sited on the existing yard area. Although it is considered that the proposed development would be unlikely to have an adverse impact upon any nature conservation interests an advisory footnote is recommended to remind the developer as a precautionary approach.

Conclusion

It is therefore concluded that the proposed development dwelling is in accordance with Local Plan policy LH5 because although the replacement dwelling is not a similar size to the existing dwelling, in the context of this site and its setting within the landscape, the proposed development would make a positive contribution to the character and appearance of the area, would not have an adverse impact upon neighbors and would not be more intrusive in the landscape either through increased building mass or greater activity.

There are no objections to the proposed access, parking and maneuvering space or garage and the proposals would not harm the valued characteristics of the National Park including its landscape character and biodiversity.

In the absence of further material considerations, the proposed development is considered to be in accordance with the development plan and accordingly is recommended for approval subject to conditions.

Human Rights

Any human rights issues have been considered and addressed in the preparation of this report.

List of Background Papers (not previously published)

Nil