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**8. HOUSEHOLDER APPLICATION – INSTALLATION OF ROOFLIGHTS AND WINDOW OF REAR GABLE OF PROPERTY – BETHLEHEM CHAPEL, HUGH LANE, BRADWELL (NP/DDD/1115/1108, P.3754, 20/11/2015, 417282 / 381213, MN)**

This application was deferred by Members of the Planning Committee in February in order that design alterations to the gable window and rooflights could be negotiated by Officers, and so that the planning history and lawful use of the site could be clarified.

**APPLICANT: MR AND MRS KERN-LOWE**

**Proposal**

The addition of five double roof lights (reduced from six since the application was last considered by Members) and a gable window to the rear of the property to facilitate conversion of the loft space. The gable window has been reduced in scale and has an altered design to that considered by Members at February's committee meeting.

**Site and Surroundings**

Bethlehem Chapel is a former church, constructed in the 19<sup>th</sup> century. It is sited adjacent to Hugh Lane. The church graveyard lies to the immediate north whilst a small garden is situated to the south. Hardstanding for the parking of two vehicles (in parallel) is alongside the northern side of the building.

The property is now occupied as a single dwelling, and the building has rendered walls –most being dashed but with the principle elevation having a smooth rendered finish. To the rear is tall lean-to extension with external chimney stack projecting from it. A further subsidiary lean-to is built to the side of this. The building has a blue slate roof. It was recognised that it contributed to the character of the conservation area when permission was granted for its conversion in 1999.

The property is heavily windowed and retains traditional leaded windows to the principle elevation. The windows to other elevations have been replaced with ones of treated timber and a different subdivision to the previous windows. These windows are currently unauthorised due the permission permitting the conversion to a dwelling having removed permitted development rights and no planning permission having been granted for their replacement. An unauthorised flue has also been fitted to the north wall of the building.

Being within the core of the village there are neighbouring properties to all sides of the dwelling.

The property is within the Bradwell Conservation Area.

**RECOMMENDATION:**

**That the application be APPROVED subject to the following conditions:**

- 1. Statutory time limit**
- 2. Completion in accordance with the revised plans**
- 3. Rooflights to be conservation type, fitted flush with roofslope**

**Key Issues**

- 1. Whether the development has an acceptable impact on the character and appearance of the dwelling**

2. Whether the development has an acceptable impact on the character and appearance of the conservation area
3. Whether the development necessitates further off-road parking provision

### **History**

2014 – Enforcement case opened relating to unauthorised replacement of windows and installation of flue

1999 – Planning permission granted for conversion of the former church to a single dwellinghouse with studio.

At the last committee meeting the lawful use of part of the building was queried by the Parish Council and Members, as when this permission was granted in 1999 a condition stated that the ground floor shall be used only as a studio/office ancillary to Bethlehem Chapel and only used by the owner at that time. The owner had requested such provision within the house and correspondence shows that the purpose of the condition was to ensure the use remained ancillary to the house rather than leading to a commercial use of the site. The decision notice stated that the studio/office use shall be discontinued when the then occupier ceased to occupy the building. Whilst not explicit in the condition it is interpreted that at this point it was expected that the use of the studio/office space would return to residential use as part of the house, as has happened since the property was purchased by the current owners.

1999 – Advice given to owners at that time that openings similar to those now proposed would be likely to be acceptable

### **Consultations**

Derbyshire County Council – Highways – No objection subject to all use remaining private and ancillary and no loss of off-street parking

Derbyshire Dales District Council – No response at time of writing.

Bradwell Parish Council – Object to the proposal on the following grounds:

- The provision of the rooflights and gable window would adversely affect the appearance of the building
- The provision of additional bedrooms without additional parking spaces is contrary to intent of Neighbourhood Plan policy T2, and would further increase the on road parking pressures on a narrow section of road
- As a number of recent developments have been made to the building which are contrary to the 1999 planning consent for this building, the granting of permission for this application could be seen as endorsing these developments

### **Main Policies**

Core Strategy: GSP1, GSP3, DS1, L3

Policy DS1 allows for the extension of existing buildings in all settlements in the National Park.

Policy GSP1 requires all new development in the National Park to respect and reflect the conservation purpose of the National Park's statutory designation.

GSP3 states amongst other things that development must respect, conserve and enhance all valued characteristics of the site and buildings that are subject to the development proposals.

Core Strategy policy L3 seeks to conserve and enhance archaeological, architectural, artistic and historic assets.

#### Local Plan: LH4, LC4, LC5 and LT11

The policies of the development plan are generally permissive of householder development provided it will not harm the character and appearance of the original building or its setting and will not harm the amenities of the site, neighbouring properties or the area (policies LC4 and LH4).

These policies are consistent with the wider range of conservation and design policies in the Development Plan, which promote high standards of design and support development proposals that would be sensitive to the locally distinctive character of the site and its setting and the valued characteristics of the National Park.

Local Plan policy LC5 states that development in conservation areas should assess and clearly demonstrate how the existing appearance of the conservation area will be preserved and, where possible, enhanced.

Policy LT11 Residential parking states that the design and number of parking spaces associated with residential development, including any communal residential parking, must respect the valued characteristics of the area, particularly in Conservation Areas.

#### Neighbourhood Plan

Policy T2 of the Bradwell Neighbourhood Plan states that the removal of any current car parking facilities, both public and private, will be strongly opposed.

#### National Planning Policy Framework

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 these policies detailed are consistent with the core planning principles set out in paragraph 17 of the National Planning Policy Framework and the policies in the Framework when taken as a whole because both documents seek to secure high quality design, and promote the importance of landscape protection within the National Park.

#### **Assessment**

##### ***Impact on character and appearance of building***

The property's main interest lies in its architectural frontage due to its leaded windows, large date stone, arched doorway, unusual smooth render, and verge detailing. This would be unaffected by the development.

The rear elevation, which would accommodate the new window, has less significance. The tall, narrow, and perpendicular lean-to extensions, external chimney, and uncharacteristically squat windows at ground floor level all detract from its character.

The proposed window, which has been revised in size and design since Members considered the application in February, reflects the style of the windows in the property's principle elevation. It is simply detailed with an arched top, vertical proportions, and a cill. This is considered to be more in keeping with the building's character and is less dominating than the window previously proposed.

On the basis of the current appearance of this face of the building, the fact that the more traditional elevations would not be read in conjunction with the window in most views, and the more sympathetic approach proposed, the window is considered to conserve the character and appearance of the building.

The design of the rooflights has been clarified since the application was last presented to the committee. They would be single units with central glazing bar, of a conservation style and fitted flush to the roof slope. One has been removed from the southern slope since Members last considered the application, to reduce their impact on this more prominent elevation. Due to their modest size and the relatively large area roof of the building, their impact on the roofslope and on the character of the building as a whole is considered to be low and acceptable.

Overall, the development is considered to conserve the character and appearance of the building, as required by policy LC4.

### ***Impact on character and appearance of conservation area***

The building is visible from several points within the conservation area – most notably from the adjacent Hugh Lane and Smithy Hill to the west, and from Netherside (the main road through Bradwell) to the east.

From Hugh Lane and Smithy Hill, the rooflights would be visible but the gable window would not as this faces in the opposite direction. The rooflights would not be unique to the area, with several other nearby buildings having one or more. Given this and their modest size relative to the roof it is considered that subject to being fitted flush with the roofslope they would conserve the character and appearance of the conservation area.

The gable window would only be seen in public views from the east at a distance of 70m or more. These views would be limited by the properties fronting much of Netherside, which screen the application from view in many locations from this road. Given the distances involved and the limited nature of views of the building the impact of the window on the appearance of the conservation area is not considered to be significant.

As discussed above, the development is also not considered to have a significant impact on the character of the building in its own right as an important building within the conservation area.

### ***Parking***

The Parish Council considers the development to be contrary to neighbourhood plan T2, as it provides additional bedrooms without providing additional parking. However, T2 only specifies that the removal of any current car parking facilities will be strongly opposed, and in this case no parking spaces will be lost and so officers consider that the development is not in conflict with this policy. The policy pre-amble does however state that there is strong concern in the village that there is congestion caused by excessive on-street parking, which inhibits the free flow of traffic and impedes access for emergency services.

The Highway Authority has raised no objections to the proposal subject to no loss of parking. Additionally, the locally adopted parking standards require a maximum of 3 spaces for both 4 and 5 bedroom properties. Whilst the property already has less than this, an increase in bedrooms from 4 to 5 would not normally necessitate an additional parking space.

Having considered the above Officers are of the view that an objection on grounds of insufficient parking provision is not sustainable.

### ***Other matters***

Due to the relatively large and numerous windows to both sides of the building, it is not considered that the rooflights would lead to any significant increase in overlooking of nearby properties. The gable window is also not considered to affect neighbouring privacy due to the distance from the nearest neighbour in this direction – over 30m to the end of the nearest facing garden.

### ***Conclusion***

The form, design and size of the rooflights and window are all considered to conserve the character and appearance of the built environment and conservation area as required by the policies of the Development Plan. Officers also consider that as proposed the application would not result in a need for further parking provision having considered the advice of the Highway Authority and adopted parking standards.

Given these considerations, and having taken account of all other material matters, the application is recommended for approval.

### **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