

**11. Full Application – Proposed Demolition of Existing Detached Dwelling and the Erection of a New Replacement Dwelling in the Same Location, Dale Head Farm, Ashford Road, Bakewell (NP/DDD/0814/0808, P11903, 31/10/2014, 420848/369049/CF/ALN**

**APPLICANT: MR P HUNT**

**Site and Surroundings**

The application site is located on land above the entrance to Deepdale Business Park off the A6 (Ashford Road). The application site comprises a bungalow and associated curtilage. The bungalow is currently unoccupied. The walls are constructed in a mixture of reconstituted 'Davie blocks' and render and the roof is clad with natural blue slates.

Access to the property is from the A6 by way of a narrow access track which has been referred to as David Lane in representations made to the Authority on previous applications at this site. The nearest neighbouring properties in this case are two dwellings located to the south west and north west of the site. There is an open paddock to the east of the site. The property lies within Bakewell's Development Boundary (Local Plan policy LB1), but outside of the designated Conservation Area.

**Proposals**

The current application proposes the demolition of the existing bungalow and its replacement with a one and a half storey dwelling.

The footprint of the new dwelling would be in the same position and largely the same size as the existing bungalow, other than the addition of a 5 metre long extension off the north east facing gable end. The dwelling would be orientated with its ridge running north-east to south-west in the same manner as existing. The eaves and ridge height of the dwelling would be approximately 1.3 metres higher than the existing bungalow. The first floor rooms would be lit by conservation rooflights on both roofslopes. As submitted, the plans showed that the walls of the dwelling would be constructed in a mixture of natural limestone and render, under a blue slate roof.

It is also proposed to erect a double garage to the south of the dwelling house. As submitted the plans showed that the garage would be constructed in timber with the two doors placed in the north west facing gable end.

**RECOMMENDATION**

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

- 1. Standard 3 year time limit to commence development.**
- 2. Adopt amended plans.**
- 3. Stonework to be in natural limestone - sample panel to be agreed.**
- 4. Remove permitted development rights for extensions, alterations and outbuildings.**
- 5. Restrict domestic curtilage to area edged red on submitted location plan.**
- 6. Development to be built to a minimum of Code Level for Sustainable Homes required of RSLs.**
- 7. Copy of the summary score sheet and Post Construction Review Certificate to be**

**submitted verifying that the minimum Code Level shall be achieved.**

- 8. Garage to remain available for the parking and private domestic vehicles in association with Dale Head Farm.**
- 9. Minor Design Details**
- 10. No trees to be felled or damaged without the Authority's prior written consent.**

### **Key Issues**

- whether the proposals would meet the requirements of Local Plan policy LH5.

### **History**

March 2011 – NP/DDD/0111/0046: application for demolition of bungalow and erection of replacement dwelling withdrawn prior to determination.

October 2011- NP/DDD/0911/0985: Planning permission granted conditionally for replacement dwelling, (this planning permission has not been implemented to date).

January 2013 – NP/DDD/1212/1275: consent granted for extensions and alterations to existing dwelling

January 2013 – NP/DDD/1212/1272: consent granted for incorporation of adjacent agricultural field into garden of dwelling

January 2014 – NP/DDD/1213/1157: application for the proposed demolition and replacement of the existing dwelling with a new larger family dwelling with detached double garage withdrawn prior to determination.

### **Consultations**

County Council (Highway Authority) - No objection subject to applicant maintaining 3no. off-street parking spaces clear of adequate manoeuvring space to enable all vehicles to enter and exit the site in a forward gear.

District Council – No response

Town Council – Recommend approval

### **Representations**

One letter of representation has been received from the owner of the property immediately to the north west of the application site ('Holmedene'). The letter raises the following points:

- David Lane is not a private access driveway but a historic lane with no known owner – it should not lose its identity.
- Concerned that double garage would block the second access to Dale Head from Deepdale Business Park. This second access point alleviates the need for vehicle turning which looks on the plans to be a problem for 4 cars in the confined area available.
- Previous approval for a new build dwelling was more suitable with fewer windows overlooking their garden to front and rear with a less pronounced frontage.

## **Main Policies**

In this case, saved policies LC4 and LH5 are considered to be especially relevant to the key issues in the determination of the current application.

Policy LC4 states 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 it enhances the landscape, built environment and other valued characteristics of the area. Particular attention will be paid to, amongst other things, the amenity, privacy and security of the development and of nearby properties.

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 neighbouring properties.
- (v) it will not be more intrusive in the landscape, either through increased building mass or the greater activity created.

LH5 also says the existing structure must be removed from the site prior to the completion of the replacement dwelling or within 3 months of the occupation of the new dwelling where the existing dwelling is a family house.

Policy LH4 of the Local Plan otherwise provides specific criteria for assessing householder extensions including outbuildings such as the garage proposed in this application. LH4 says extensions and alterations to dwellings will be permitted provided that the proposal does not:

- i. detract from the character, appearance or amenity of the original building, its setting or neighbouring buildings; or
- ii. dominate the original dwelling where it is of architectural, historic or vernacular merit; or
- iii. amount to the creation of a separate dwelling or an annexe that could be used as a separate dwelling.

The Authority has also adopted three separate supplementary planning documents (SPD) that offers design guidance namely the Design Guide, the Building Design Guide and the Detailed Design Guide on Alterations and Extensions. This guidance offers specific criteria for assessing the impacts of householder development on neighbouring properties and contains a number of suggestions for the appropriate design of outbuildings such as garaging.

## **Wider Policy Context**

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

Relevant saved Local Plan policies include: LC17, LT11 and LT18

Policy GSP1 states that all development in the National Park must be consistent with the conservation purpose of the National Park's statutory designation and where national park purposes can be secured, opportunities must be taken to contribute to the sustainable development of the area.

Policy GSP2 states that, when development is permitted, a design will be sought that respects the character of the area, and where appropriate, landscaping and planting schemes will be sought that are consistent with local landscape characteristics and their setting, complementing the locality and helping to achieve biodiversity objectives.

Policy GSP3 states that development must respect, conserve and enhance all valued characteristics of the site and buildings that are subject to the development proposals. Policy L1 states that development must conserve and enhance valued landscape character, as identified in the Landscape Strategy and Action Plan and other valued characteristics.

Core Strategy policy CC1 states that all development must make the most efficient and sustainable use of land, buildings and natural resources, must take account of the energy hierarchy and must achieve the highest possible standards of carbon reductions and water efficiency. Policies CC1 is also supported by the Authority's adopted supplementary planning document (SPD) on Climate Change and Sustainable Building.

L2 and LC17 promote and encourage biodiversity within the National Park and seek to safeguard nature conservation interests. LT20 seeks to safeguard important trees that might be affected by development proposals. LT11 and LT18 otherwise require development to be provided with appropriate access and parking provision that would harm the environmental quality of the National Park.

#### National Planning Policy Framework ('The Framework')

It is considered that the relevant policies in the Development Plan, noted above, are consistent with national policies in the Framework in this case because both local and national planning policies promote sustainable development that would be of a high standard of design and sensitive to the valued characteristics of the National Park.

#### **Assessment**

##### Proposed Garage

Whilst the proposed garage adds to the overall scale of new-build development proposed in this application, it is likely that a separate application for a garage to serve the existing bungalow, or a replacement dwelling, could be looked upon favourably subject to normal planning considerations. Therefore, it is not considered that the proposals for a new garage weigh heavily in the assessment of the acceptability of the replacement dwelling, particularly when assessing whether the replacement dwelling would be a similar size to the dwelling it would replace.

Amended plans have been received which show the garage constructed in natural stone rather than timber and the roof turned by 90 degrees such that the doors are under the eaves in the traditional manner. The design of the garage is now in complete accordance with the Authority's adopted design guidance and it would be not have a significant impact on the character and appearance of the local area by virtue of its relative modest size and scale and by virtue of its appropriate design. By virtue of its siting, the garage would not have any significant impact on the amenities of the nearest neighbouring properties and in itself, the garage would not have any significant impact on highway safety because it would not compromise existing access or parking provision on site or generate additional vehicular traffic to and from the site.

Therefore, the revised proposals for the garage are in conformity with policy LH4 that sets out specific criteria for householder development. The garage, as shown on the amended plans, would conform to the wider range of applicable design and conservation policies in the Development Plan and the Framework and could be granted planning permission. However, approval for the garage would be dependent on the acceptance of the parallel application on this committee agenda (NP/DDD/0814/0814), which proposes the change the use of the land on which the garage would sit from agricultural use to domestic curtilage. Approval of the garage also rests on acceptance of the replacement dwelling proposed in this application as it is not possible for the Authority to issue a split decision in the event the garage is determined to be acceptable but the replacement dwelling is not.

#### Background to proposals for replacement dwelling

In October 2011 permission was granted to replace the existing dwelling with a traditional two-storey house in a modest vernacular style. Although still extant, this consent has not been implemented. In January 2013 permission was granted for extensions and alterations to the existing bungalow. The consent is still extant and that approval allowed the roof of the bungalow to be raised and for extensions and alterations that would result in a building that would be very similar to the replacement dwelling now being proposed.

In these respects, amended plans have been received that have modified the original submission so the main difference between the scheme approved in 2013 and the replacement dwelling is that the 2013 scheme had a single garage attached to the south west gable end of the dwelling whereas in the current scheme the garaging would be provided by means of the detached double garage discussed in the previous section of this report and proposed in this application. The current scheme would also be 'handed' so as to locate that main entrance on the north west side closer to the point of access thereby providing improved outlook from the main living spaces.

The amended plans for the replacement dwelling proposed in this application shows a scheme that is similar to, if not marginally better in design terms than, the scheme of extensions and alterations to the existing bungalow approved in 2013. However, neither scheme reflects the local building tradition. This gives rise to one key issue in the determination of the application insofar as the design of the replacement dwelling would closely replicate a scheme that has previously been accepted but would not be significantly better in design terms than what has already been approved. Therefore, a replacement dwelling is not strictly required to achieve conservation and enhancement objectives unless it can be demonstrated that it is not preferable to extend and alter the existing dwelling.

#### Whether it is preferable to repair the existing dwelling

Local Plan policy LH5 permits the replacement of unlisted dwellings, provided that the proposals meet all the policy's five criteria of which, LH5 (ii) states that replacement dwellings will be permitted provide it is not preferable to repair the existing dwelling. The agent states that the decision to replace the existing dwelling rather than carry out extensions and alterations to the bungalow has been made due to its poor condition and uncertainty with regard to its ability to withstand the extent of works necessary to achieve reasonable levels of thermal efficiency.

The Design and Access Statement goes on to say that to provide sufficient insulation to the ground floor would necessitate raising the existing finished level significantly or alternatively taking up the whole floor and re-laying a new floor construction. External walls would require an internal dry lining system which would take 65mm of the dimensions of the rooms affected, some of which already show signs of dampness. The general disturbance to the load bearing walls, given the uncertain standard of their construction would necessitate such a high level of making good or rebuilding that it is considered better and more cost effective to rebuild completely, thereby providing a dwelling that is fully compliant with Building Regulations.

The existing bungalow does not make a positive contribution to its immediate setting by virtue of its design and materials used in its construction which are not in keeping with the local building tradition. Therefore, whilst there is some scope to repair and improve the existing bungalow, the existing building does not have any particular features that would warrant resisting its replacement, and officers consider it would be preferable to consider a replacement dwelling that has improved thermal efficiency (in accordance with Core Strategy policy CC1), rather than seek to retain an allow the existing building to be altered and extended provided that the other criteria of policy LH5 are met.

#### Scale of Proposed Dwelling

Criteria (iii) of LH5 requires a replacement dwelling to be a similar size to that which is replaces. The volume of the existing dwelling is approximately 388 cubic metres. Whilst the footprint of the new dwelling is almost the same (other than the 33.5 square metre extension off the north east facing gable), the proposed dwelling is higher and therefore the volume is approximately 690 cubic metres, an overall increase of 56%. In terms of volume, the replacement dwelling would be larger than the existing property and if the double garage proposed in this application were to be included in this calculation, there would be an additional volume of around 142 cubic metres to take into account.

Therefore, the current proposals do not fully meet the requirements of LH5(iii) and the garage would exacerbate this conflict if it were to be considered to be part and parcel of the replacement dwelling proposals. However, this aspect 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 for any particular site and its setting. In this case the replacement dwelling would be larger than the existing, so its acceptability therefore very much depends upon whether the proposals would contribute to the character of the area or offer up other planning gain that would outweigh any concerns about the increase in size.

This is an important point because the visual impact of the existing bungalow on its surroundings is limited by virtue of its relatively limited ridge height which is shown at 5.5m above the adjacent ground level on the submitted plans. Therefore, by approving this application, the Authority would not be replacing one form of inappropriate development with another more conspicuous form of inappropriate development on the site taking into account the design of the replacement dwelling is not in keeping with the local building traditions. However, as noted above, it should also be taken into account that planning permission has already been granted to extend and alter the existing bungalow in 2013 (which is still extant) and if this permission was implemented these alterations and extension would, in practice, result in a building that looks very similar to the replacement dwelling that is now being proposed. These issues are discussed in more detail in the next section of the report.

#### Landscape and Visual Impact

Clause (i) in policy LH5 requires that the replacement dwelling must contribute to the character and appearance of the area and clause (v) states that it should not be more intrusive in the landscape either through increased building mass or the greater activity created. In this case, given the flexibility offered up in clause (iii) in terms of the dwelling being of a 'similar' rather than the same size as the dwelling to be replaced, and in light of the acceptability of the extensions to the existing bungalow approved in 2013, officers consider that a slightly larger dwelling could be accommodated on this site without necessarily causing harm to the landscape.

As noted above, amended plans have been received which show improved detailing for the replacement dwelling and the amended scheme has elevations that offer an overall improvement on the 2013 scheme for alterations and extensions. However the basic design concept is still

suburban in character with a 'two room deep' plan form that results in wide gables (7.4m) and a dominant roof structure. Although the number of rooflights has been reduced there are still four on each roofslope. There would be some enhancement in that the walls of the dwelling would be constructed completely in natural limestone rather than the current artificial 'Davie block' and render.

Whilst buildings of this design are not usually appropriate in the National Park and are discouraged in the Authority's Design Guidance, in this case there are factors which must be weighed against this general presumption. Firstly, this is an area of Bakewell that is suburban in character with a number of other properties to the north and west that have similar characteristics. Secondly, the dwelling would be well screened from the A6 to the north and east and whilst the south east elevation would be seen from a section of the A6 to the south, the views would be from some distance (80m approx.) and therefore the dwelling would not be unduly conspicuous.

Thirdly, and perhaps most importantly, as explained previously there is an extant permission for an almost identical dwelling by extension and alteration of the existing bungalow. At the time planning permission was granted for these extensions and alteration to the existing bungalow it was concluded that these proposals would '*conserve the character, appearance and amenity of the existing building, its setting and that of neighbouring properties*'.

Consequently, taking all these factors into account, it is considered that the proposals would have a 'neutral' impact on the character and appearance of the area and the dwelling would not generally be more obtrusive through increased building mass than the existing bungalow, or the extended bungalow if the 2013 approval were to be implemented. Therefore, it is considered - on balance - that the proposals are compliant with clauses (i) and (v) of LH5.

On this basis and given the issue of the extant consent, the enhancements proposed in terms of materials and the opportunity to impose a condition requiring the development to reach the equivalent level in the Code for Sustainable Homes required of Registered Social Landlords (i.e. Code Level 3) can be given significant weight in favour of approving the current application. This is because a more sustainable development with a higher standard of design could be achieved by approving this application than could be achieved through the existing approval. However, it must also be demonstrated the replacement dwelling would not be unneighbourly before permission could be granted for the current application taking into account amenity issues have been raised in representations on this application.

#### Impact on Neighbours

Criteria (iv) of LH5 requires that replacement dwelling should not have an adverse effect on neighbouring properties. Core Strategy GSP3 and Local Plan policy LC4 have similar requirements.

The application site is relatively well screened by existing planting that blocks some views into and out of the site especially from ground level. There are a number of window openings at ground floor level in the existing building in any event. Consequently, there are no overriding concerns that the proposal would have any adverse impacts on the amenities of the nearest residential properties.

Notwithstanding this, at first floor level, there are rooflights proposed in the replacement dwelling facing towards the property directly to the north known as 'Holmedene'. However, the amended plans demonstrate that the lower rail of the rooflights would be some 1.8m above floor level and as such there would be no opportunities for overlooking Holmedene from the rooflights serving the bedrooms in the replacement dwelling.

Similarly, the proposed first floor window in the south west elevation could potentially overlook the neighbouring property to the south west because of the facing distance (10m) which could result in a loss of privacy for both sets of occupants. The amended plans show that this window would be obscurely glazed and non-opening which would overcome this issue.

There are otherwise no concerns that the proposed extensions would be overbearing to any neighbouring property or result in any significant loss of light because of the intervening distances and the orientation of the replacement dwelling relative to the orientation of the nearest neighbouring residential properties. Therefore, it is considered that the proposals would not detract from the amenity, security or privacy of the property or any neighbouring property and the replacement dwelling would comply with the provisions of LH5 (iv) , GSP3 and LC4.

### Access and Parking

In terms of other issues raised in representations about the neighbourliness of the proposed replacement dwelling, the Design and Access Statement explains that vehicular and pedestrian access will continue to be gained via the existing track known as David Lane. There is some disagreement as to whether the track is a private access or a historic lane, but this is not a material planning consideration. There is adequate visibility at the access point onto the A6 from David Lane and there would be no material intensification of the use of David Lane as a result of replacing one dwelling with another.

There have also been concerns raised that the garage will block a second access into the site from Deepdale Business Park. However, provided that one suitable access point is maintained, as proposed, this is not considered to be an issue that should be given weight in the current decision. The Highway Authority has not objected to access arrangements proposed in this application and the level of on-site parking and manoeuvring space proposed in the application is considered to be adequate. The proposals are therefore considered to be compliant with Local Plan policies LT11 and LT18 and there are no overriding objections to the proposals on highway safety grounds.

### Impact on Trees and Hedgerows

The application forms state that no trees will be affected by the development. However, there are trees and hedgerow plants on the northern boundary of the site along David Lane, which not only contribute to the character of the lane but also provide some screening between the proposed dwelling and the property immediately to the north. Therefore, it would be important to keep these trees, or secure replacements if they needed to be removed, which would be supported by Local Plan policy LT20 that aims to safeguard trees likely to be affected by development proposals. A condition requiring that no trees or hedgerows are removed without the Authority's prior consent is considered to be reasonable and necessary in this case.

### Conclusion

It is therefore concluded that, subject to conditions, the replacement dwelling proposed in this application is compliant with saved Local Plan policy LH5. Although the dwelling would be larger than the existing bungalow and suburban in character, it would not be preferable to repair the existing bungalow and the new dwelling would be in keeping with its immediate surroundings and would not be harmful to the landscape character of the area.

However, this is a finely balanced judgement and the fact that there is permission for a similar scheme involving extensions and alterations to the existing bungalow weighs in favour of approval of the replacement dwelling, as shown on the amended plans. The fact that a replacement dwelling could more readily achieve higher level of thermal efficiency than the scheme approved in 2013 also weighs in favour of approval of this application.



In all other respects, the replacement dwelling proposals are in conformity with the wider range of design and conservation policies in the Development Plan and national planning policies in the Framework and the garage that is also proposed in this application does not give rise to any other planning issues or overriding objections, as shown on the amended plans.

Accordingly, the current application is recommended for approval subject to conditions securing compliance with the amended plans in the interests of the proper planning of the local area, conditions ensuring the enhanced environmental performance that partly justifies a replacement dwelling is achieved, and a condition safeguarding the trees on site. It is also be reasonable and necessary to restrict the use of the garage to ensure adequate parking provision is retained on site and impose conditions specifying various design details including the requirement for a sample panel for the new stonework in the interests of the character and appearance of the completed development.

It is also considered that the exceptional circumstances exist in this case which justify removing permitted development rights for extensions and alterations to the replacement dwelling. In particular, some alterations if not managed properly may have an adverse impact on the amenities of the neighbouring properties. Moreover, the unfettered use of permitted development rights could have the effect of detracting from the appearance of the completed dwelling, which still remains at the boundaries of what might be deemed to be acceptable in design terms in a National Park.

### **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