
7. FULL APPLICATION – REPLACEMENT DWELLING – GATE CLOSE, THE FOLD, STONEY MIDDLETON (NP/DDD/1116/1164, P.9841, 23/11/2016, 422986 / 375584, MN)

APPLICANT: MRS JOY MASON

Site and Surroundings

Gate Close is a bungalow located on the Fold in Stoney Middleton. The property is constructed from natural stone under a concrete tiled roof and has a rectangular plan form with two small front facing gables.

The property has garden to all sides. Beyond the northern edge of the garden is additional land in the applicant's ownership that has for many years been given over to the growing of plants and produce and is populated by a number of polytunnel structures and a large dilapidated greenhouse.

The property is set down slightly from the highway due to the sloping ground, and is separated from it by a strip of garden and a boundary hedgerow. Across the lane to the west the land continues to rise with the rear of properties along Mill Lane above looking down toward those along the Fold.

The site is outside the Stoney Middleton Conservation Area, but bounds it to the eastern side of the garden and partially bounds it to the western side of the garden. The development within the conservation area to the south of the site is characterised by two storey traditional limestone buildings. On Mill Lane to the west the properties are of a greater range of age and type, some being modern bungalows and some being two storey houses.

There are neighbouring residential properties to the south – Fold House and Fold Barn being the closest – and further residential dwellings line Mill Lane to the west. Undercliffe and Stoney Croft are the closest of those on Mill Lane with their gardens extending down to the Fold.

The highway terminates a short distance north of the site, and continues as a public footpath in to the countryside up to Eyam.

Proposal

This application seeks planning permission for the demolition of the existing bungalow and the construction of a replacement house.

Specifically, the application proposes a detached two storey five bedroom dwelling built from natural gritstone under a pitched blue slate roof. It would have aluminium windows and door frames with stone surrounds. A projecting two storey gable is proposed to the front of the building, with a single storey gable projection to the northern end.

Access to the site would remain unchanged.

A number of energy management measures have been tentatively proposed and include a biomass boiler, equipment for grey water re-use, and ground and air source heat pumps. However, further details and plans showing which of these would be taken forward have not been included with the application.

RECOMMENDATION:

That the application be REFUSED for the following reasons:

- 1. The proposed replacement dwelling fails to accord with Local Plan policies LH5, LC4 and LC5. The replacement dwelling is not a similar size to the existing dwelling and, both on its own merits and in the context of the appearance of the existing building, the proposed massing and design are considered to harm the character and appearance of the built environment and conservation area, and would be more intrusive in the landscape than the existing building.**

Key Issues

1. Whether the principle of the replacement dwelling meets the requirements of saved Local Policy LH5.
2. Whether the proposed development would conserve or enhance the valued characteristics of the National Park.

Planning History

1978 – Planning permission granted for kitchen extension

Consultations

Derbyshire County Council – Highways – No objections subject to the dwelling not being taken into use until replacement parking provided.

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

Stoney Middleton Parish Council – Object to the proposal on grounds that it fails to comply with Local Plan policy LH5; by virtue of its design and size it would not fit in with the character of nearby dwellings and would be more obtrusive in the landscape.

Representations

8 letters of representation have been received in relation to the proposal. Four support the proposal, three object, and one makes general comments.

The grounds for objection are summarised as:

- The size would be overbearing on neighbouring properties;
- First floor windows would overlook neighbouring properties;
- The size of the building would be intrusive and harmful to the appearance of the area;
- The taller building would impact on the character and appearance of the conservation area.

The grounds for support are summarised as:

- It would represent a more traditional form of building, providing an enhancement over the non-traditional bungalow;
- It would be better suited to a family, helping sustain the village community
- The large plot is suited to a large property;
- The sloping site would ensure the property remains unobtrusive;
- The natural materials proposed are sympathetic to the appearance of the building;
- The distance from neighbours would ensure neighbouring amenity was maintained despite the introduction of first floor windows.

It was also noted that the access road to the site is narrow and so deliveries and construction traffic would need to be controlled in order to ensure highway amenity was unaffected during any building works.

Main Policies

Core Strategy

Policy 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.

Policy L1 requires that development must conserve and enhance valued landscape character, as identified in the Landscape Strategy and Action Plan, and other valued characteristics. Valued characteristics specifically identified in the pre-ambles to L1 include amongst other things – trees, woodlands, hedgerows, stone walls, field barns and other landscape features.

Policy CC1 requires development to take account of the energy hierarchy, to achieve the highest possible standards of carbon reductions and water efficiency, whilst CC2 encourages low carbon and renewable energy development where they can be acceptably accommodated.

Local Plan

Policy LC4 of the Local Plan 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 enhances the landscape, built environment and other valued characteristics of the area.

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.

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, and
- ii. it is not preferable to repair the existing dwelling, and
- iii. the proposed dwelling will be a similar size to the dwelling it will replace, and
- iv. it will not have an adverse effect on neighbouring properties, and
- 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 recently 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 and guidance are supported by a wider range of policies in the Development Plan listed below.

Wider Policy Context

Relevant Core Strategy (CS) policies: DS1, GSP1, GSP2, GSP4 and L1

Relevant Local Plan (LP) policies: LT11

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 guidance in the NPPF with regard to the issues that are raised.

Assessment

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

This aspect of the policy uses the phrase ‘similar size’ as a means to control the size of replacement dwellings to protect the landscape, instead of insisting upon a simple like-for-like floor space or volume calculation. This enables a degree of flexibility 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 dwelling and the proposed dwelling. Figures have been provided for both footprint and volume. However, members will be aware from 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 a building’s landscape impact than either floorspace or footprint.

	Existing house	Proposed replacement house (percentage increase/decrease)
Footprint (m ²)	130m ²	160m ² (23%)
Volume (m ³)	507m ³	961m ³ (89%)

As can be seen, the proposed two storey dwelling would have a larger footprint than the existing bungalow, but in terms of volume it would be significantly larger.

In allowing the principle of replacement dwellings the supporting text to Policy LH5 states that account will be taken of Policy LH4 – Alterations and extensions to dwellings. The preamble to policy LH4 notes that extensions to existing houses up to 25% are more likely to be acceptable than larger extensions. In this case the proposed dwelling would be 89% larger so would therefore result in a dwelling that is considerably larger than what the Authority would normally be likely to consider acceptable were the existing house to be extended.

It is therefore considered that the proposed building would not be a similar size to the existing dwelling it would replace, contrary to adopted policy.

Notwithstanding this view, the relative size of the proposed dwelling is only one criterion of the policy. Whilst all five provisions of policy LH5 need to be met to be policy compliant, equally size 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. These are discussed in detail below, and have led to the Officer conclusion that the increased scale is not acceptable in this context.

Whether the proposed dwelling meets the requirements of Local Plan policies LC4, LC5, and LH5 (i), (iv) and (v)

This application follows the withdrawal of a previous proposal to increase the roof height of the existing bungalow to provide addition living space within. Officers advised that the bungalow was never planned to be a two storey property and hence simply taking this plan up to two storeys would result in an untraditional and top-heavy appearance that would not conserve the

appearance of the building or the locality. Consequently officers advised that a two storey dwellinghouse would be more likely to be appropriate.

The existing dwelling does not reflect the building traditions of the area in terms of its form given that bungalows do not form part of the local vernacular. The proposed replacement building is more traditional in so much that it is a two storey dwelling. However, there a number of factors that mean it would not be considered to contribute to the character or appearance of the area.

The main issue is the scale and massing of the building. The proposal takes the footprint of the existing building and builds directly up from it. This means that the property takes on the untraditional and unfortunate design elements of wide gables and long front and rear elevations present in the existing bungalow.

The effect of this on a two storey building is a wider, longer, and taller building than is traditional in the area. The issue of the property appearing overly long is exacerbated by the addition of a single storey extension to the northern end of the building. It does not reflect or compliment the surrounding built environment either, which consists of two storey buildings of more traditional scale and massing, and bungalows.

During the course of the application revised plans have been received that introduce a break in the building line of the house, stepping the southern end of the building in at the front and rear. The break proposed is only very slight however, and whilst it does help to break up the uninterrupted frontage it has a less than significant effect on the massing, which is still considered to be unacceptable for the reasons noted above.

Overall, the scale and massing of the building is contrary to the local traditions and the advice of the Authority's Design Guide and is not considered to conserve the appearance of the built environment as required by policies LC4 and LH5(i).

In design terms there are some other elements of the proposal, as revised, that are considered to require improvement. Specifically, the open timber porch is not in keeping with the general design of the property, or the local building traditions. Storm porches are not typically a feature of local buildings but an enclosed stone porch would be more appropriate were one to be necessary. The ground floor opening to the south elevation is also considered to be too large; the local tradition is for blank or very limited openings on the gables of houses. As proposed it appears overly wide and incongruous.

If the proposal was considered to be acceptable in other more fundamental regards then these design matters could be resolved either through discussion with the applicant's agent or by planning condition.

In terms of its wider impact, the existing dwellinghouse sits down from the road and, at single storey, is modest in height. This means it is not prominent in the street scene, particularly given the boundary hedgerow along the roadside. The size of the building also means that it is not prominent in views from the footpaths to the north. The proposed building would, by virtue of its scale and massing, be much more prominent. Increased visibility in itself is not a concern in this location - which any two storey building in this position would result in - but by virtue of its massing it would become overly dominant and due to its untraditional appearance would appear incongruous.

It is therefore considered that the building would be more intrusive in the landscape to the detriment of the character of the area, contrary to policies LH5(v) and LC4. As it would also be more prominent in views in to and out of the conservation area this impact would result in harm to the character and appearance of the conservation area, contrary to policy LC5.

The closest properties are the immediate neighbours to the south and west (where they are separated from the application site by the highway), whose houses are between 15 and 30 metres away. Despite the proposed increase in height and mass, the proposed dwelling would not be overbearing and would not result in any significant loss of light to any neighbouring property due to its distance from them.

At two storeys in height the building would have the potential to further overlook neighbours. However, at over 20m from any principal facing windows and 10m from the edge of any formal gardens is not considered that this would have an unacceptable effect any neighbours' amenity.

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

This part of the policy addresses the merits of retaining the existing building. It refers in particular to repairs to the existing building, assuming that in the majority of cases the reason for replacement will be because the existing building is no longer fit for purpose.

In this case the property appears to be in a good overall condition and is currently in occupation as a dwelling. It is considered that such use could be continued without the need for any significant repair therefore.

The question then is whether it is preferable to retain the existing bungalow as existing, rather than to replace it, in the context of the proposed replacement. As noted above, the existing dwelling is a bungalow, which does not form part of the building tradition of the National Park.

It is however a good example of this type of development. The building is constructed of traditional gritstone walls, with a Hardrow tiled roof. Unlike many bungalow properties, it has a gable width of around 7m, helping to keep the massing of the roof down, which in turn prevents the roof appearing overly tall or dominant relative to the walls below.

Having considered the condition, appearance, and landscape impact of the existing building against the impacts of the proposed replacement - as discussed in the previous section - it is considered that it would be preferable to retain the existing building.

The development would therefore be contrary to policy LC5 part (ii).

Other matters

Environmental management

Core Strategy policy CC1 states that development must make the most efficient and sustainable use of land, buildings and resources and take account of the energy hierarchy.

The applicant has indicated that they are considering installing a biomass boiler, air or ground source heat pump, and grey water recycling – or a combination of these. However, no further details have been provided and no elevation or block plans incorporating the measures have been submitted. If Members were minded to approve the application it would be necessary to ensure that these details are secured by planning condition in order to comply with policy CC1.

Highways

The proposed dwelling would be served by the existing access which would be unaltered. There is space within the application site to park three vehicles clear of the highway and no changes to the site layout are proposed that would restrict onsite turning. The Highway Authority has advised that they have no objections subject to the parking being made available prior to the occupation

of the replacement dwelling; this could be controlled by planning condition if permission was to be granted. There are therefore no objections on highway grounds.

Protected species

The proposal falls outside of the Authority's requirement for a protected species survey because of the age of the building. The Authority is not aware of any protected species or habitat that could be affected by the proposal.

Conclusion

In summary, it is considered that the proposed replacement dwelling fails to accord with Local Plan policies LH5, LC4 and LC5. The replacement dwelling is not a similar size to the existing dwelling and, both on its own merits and in the context of the appearance of the existing building, the proposed massing and design are not considered to make a positive contribution to the character and appearance of the area, and would be more intrusive in the landscape.

In the absence of further material considerations, the proposed development is not considered to be in accordance with the development plan and is therefore recommended for refusal.

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