

**11. Full Application – Change of Use of Former Sunday School to form Dwelling (as approval NP/DDD/0314/0341) and erection of a garage building - School House Parke Road Tideswell. (NP/DDD/0914/0989, P.9262, 24/09/2014, 415078/375698, MN)**

**APPLICANT: MR JOHN DEVEREUX**

**Site and Surroundings**

The former URC church hall, also known as the School House, is located at the junction of Parke Road and Sherwood Road to the west of the village centre. The application site comprises the church hall and the land to its immediate north which is bounded by Parke Road to the south, Sherwood Road to the west and a private road to the north leading to Sherwood Copse, a small estate of four private dwellings to the north of the site. Attached to the east side of the church hall is 'Caretaker's Cottage', which is already in use as a separate dwelling. To the east of this sits the detached former URC Church. The whole of the site is situated within the Tideswell Conservation Area. In 2013 the church hall received planning permission to be converted to a market dwelling, with the URC church receiving permission for conversion to two market dwellings.

Vehicular access is via an existing access and driveway in the north-west corner of the site off Sherwood Road which runs immediately south of and parallel with the private road to Sherwood Copse. This access also serves the Caretaker's cottage, the former church along with a separate property, The Manse, located to the east of the church building. The Sherwood Road frontage (western boundary) is enclosed by a 2.5m high (approx.) rubble limestone wall. The northern boundary is enclosed by a 1.6m high (church side) rubble limestone wall.

The Church Hall is a prominent and imposing building occupying the south-western corner of the site and abutting two road frontages (Sherwood Road and Parke Road). There are residential properties situated opposite along Parke Road and Sherwood Road. The building is faced mainly with render, with three stone piers between the tall arched window openings on the main Parke Road frontage. The main entrance is via a stone gabled porch off Parke Road. The Church Hall is bounded on its southern side by an attractive section of limestone walling and iron railings. The internal floor level is higher than the adjacent Parke Road level and the floor levels of the residential properties opposite. There are some later single-storey additions to the rear of the Church Hall. The building is not listed and is of an unusual appearance; however, because of its position and the containment it offers to the street scene, it does make a significant contribution to the character and appearance of the Conservation Area.

**Proposal**

A revised scheme by the new owner of the site for the conversion of the Church Hall building to a single open-market dwelling, together with a detached single garage and store.

**RECOMMENDATION:**

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

- 1. The development shall not be carried out otherwise than in complete accordance with the revised plans**
- 2. Space shall be provided within the site for storage of plant and materials in accordance with the approved plans**

3. The ground levels of the access road and car parking/manoeuvring areas shall be no higher than the existing ground levels.
4. The surfacing for the parking area shall be permeable block paving to match that of the URC Church and Caretakers Cottage
5. There shall be no external lighting other than in accordance with the approved plans
6. The arched window openings facing Parke Road (South Elevation) and the first floor window openings facing Sherwood Road (West Elevation) shall be obscure-glazed and non-opening.
7. All new door and window frames shall be recessed from the external face of the wall the same depth as existing frames.
8. The external doors and windows shall be of timber construction.
9. All pipework, other than rainwater goods, shall be completely internal within the building.
10. The existing cast iron guttering and downpipes shall be retained in their existing positions.
11. No external meter boxes shall be installed without the prior approval of the Authority.
12. The metal flue pipe shall be factory finished or painted matt black at the time of erection and shall be permanently so maintained.
13. The new vehicular access, access road and car parking/manoeuvring areas shown on the approved plans shall be completed prior to the occupation of the dwelling.
14. Removal of permitted development rights for alterations and extensions, means of boundary enclosure, outbuildings.
15. The northern boundary wall between the application site and Sherwood Copse shall be permanently maintained at its present height.
16. Retain garage in designated use for parking of domestic vehicles with associated domestic storage for School House only.

### **Key Issues**

Given the recent grant of consent for conversion of the School house to a market dwelling, which remains extant, the principle of the conversion is acceptable. The main issues are therefore as follows:

1. Whether the addition of the garage conserves and enhances the valued character of the building, and conservation area.
2. The impact of the fenestration changes on the appearance of the building, the site, and on the character and appearance of the Conservation Area.
3. The impact of the development on highway safety and access.
4. The acceptability of the proposed environmental management measures, and wildlife

enhancement and lighting schemes.

5. The impact of the development on neighbouring amenity.

### **History**

1962 – Approval for the erection of an outdoor w.c. extension to the Church Hall.

1973 – Approval for flat-roofed extensions to the rear of the Caretaker's Cottage.

1990 – Approval for a single-storey toilet building to the rear of the Church Hall.

2013 – Planning permission granted conditionally for the Demolition of attached outbuildings and change of use from Sunday School (D1 use) to dwelling house and new site access road and parking including demolition and rebuilding of roadside frontage wall.

2014 – Section 73 application approved in relation to the 2013 permission, making minor amendments to the design of the building.

### **Consultations**

Derbyshire County Council (Highways) – Reply awaited on amended plans. Initially responded on submitted drawings that it was not possible to assess whether the minimum criteria for garages, parking spaces and disabled access have been demonstrated. Required revised, suitably scaled drawings demonstrating that the above criteria can be met before commenting further.

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

Tideswell Parish Council – No response at time of writing.

### **Representations**

4 letters of objection have been received raising the following concerns:

- The location and design of the garage would detract from the character and appearance of the site, Conservation Area and locality.
- Unacceptable impact on the amenity of neighbours.
- The level of parking is excessive.
- The plans are not scaled and should not have been validated. [*Officer note: Whilst drawn to scale, the scale used was not marked on the originally submitted plans; revised plans since received incorporate marked scales*]
- The red-lined site area includes the access road from Sherwood Road and the turning area for the two Church and Caretaker's units, which are not in the ownership of the applicant. [*Officer note: Revised plans since received clarifying land in ownership and land over which the applicant has access rights*]
- The building does not require windows for its proposed purpose, leading to concerns that the developers are attempting to secure a dwelling or holiday let property under the guise of a storage building/garage.
- The revision of the scheme from 3 bedroom as original approved to 4/5 bedroom has

resulted in a storage need that could otherwise be met within the main building.

- The change of use of the site was approved on the basis that an appropriate landscaping scheme including garden would be incorporated, and this is compromised by the proposal.
- The original permission granted in 2013 for the change of use of the building to a dwelling included a single storey building in the location of that currently proposed for the garage, but was removed from the scheme based upon officer concerns that it would be harmful to the appearance of the Conservation Area. To approve the current proposal would contradict that decision, when there have been no planning policy or other material considerations that have changed since that time
- The developers have removed quality aspects of the scheme and are not complying with planning conditions imposed. [*Officer note: This comment relates to the development of the application site and the adjacent URC church site.*]
- The Authority has approved changes through non-material amendments that have resulted in a scheme that is materially different to that approved. No account has been taken of these cumulative effects. [*Officer note: This comment relates to the development of the application site and the adjacent URC church site; no non-material amendments have been submitted or agreed on the application site*]
- There are concerns over the space allowed for both the size of proposed parking bays and space allowed for turning, and that parking could take place outside of the garage and designated areas and spill over onto the access drive. This would restrict access and could lead to obstruction of the highway to the inconvenience and risk of highway users.
- The scheme will result in overdevelopment of the area.

## **Main Policies**

### Development Plan

Relevant Core Strategy policies: GSP1, GSP2, GSP3, GSP4, DS1, L3, T1

Relevant Local Plan policies: LC4, LC5, LC8, LT11, LT18

CS Policy HC1 sets out the Authority's approach to new housing in the National Park; HC4 sets out the approach for the provision and retention of community services and facilities and sets out the criteria that have to be satisfied when assessing proposals to change the use of buildings or sites which provide community facilities; GSP1 requires all new development in the National Park to respect and reflect the conservation purpose of the National Park's statutory designation and promotes sustainable development; GSP2 supports development that would enhance the valued characteristics of the National Park; L3 requires that development must conserve and where appropriate enhance or reveal the significance of archaeological, architectural, artistic or historic assets and their settings and, other than in exceptional circumstances, not cause harm to cultural heritage assets;

LC5 sets out the approach for assessing development in a Conservation Area, such proposals should demonstrate how the existing appearance and character of the Conservation Area will be preserved and, where possible, enhanced; LC4 and GSP3 set out further criteria to assess the acceptability of all new development in the National Park; T1, LT11 and LT18 require that transport infrastructure and access arrangements are safe and conserve the National Park's valued characteristics. 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.

### National Planning Policy Framework

In this case, it is considered that relevant Development Plan policies are in accordance with the Framework (NPPF). The two documents seek a high standard of design which conserves or enhances the character and amenity of the area and heritage assets including the designated Tideswell Conservation Area.

### **Assessment**

#### *Introduction:*

This application is similar in most regards to the scheme approved in 2013, and the section 73 application that amended it earlier this year. The significant difference is that a detached garage is now proposed to the north of what would be the dwellinghouse.

Following the granting of the previous planning permission for the conversion of both the school house and URC church to open market dwellings both sites were sold by the church and each site is now in separate ownership. At this time the URC Church merged with the Tideswell Methodist Church and the URC church's congregation and operation have now relocated to the Methodist Church site at Fountain Square.

The permission to convert the church hall building to a dwelling has been implemented as an outbuilding within the application site has been demolished, the vehicular access has been created and some alterations to openings been completed, all in accordance with the approved plans. The site therefore has an extant permission for use as a market dwelling and consequently the policy principle and other material considerations relating to the change of use to a dwelling are not revisited within this report. The report therefore focuses on the key differences between the two proposals; principally the proposed addition of a garage to the site.

Some concern has been expressed by those making representations that the proposals for the conversion of the URC church and the church hall were originally considered together (albeit with two separate applications), but that these are now being altered separately on a piecemeal basis that could erode the intent and effect of the original permissions.

The two sites are however now in different ownerships and it is commonplace that new owners seek to make alterations to the schemes they inherited in order to meet their needs. Officers are obliged to consider each new application or amendment on its own merits, but never do so in isolation. As part of such assessments, considerable weight is attached to the impact of each proposal on its wider setting, neighbouring amenity and on the Conservation Area, whilst always bearing in mind any cumulative impacts of successive changes on the application site itself and on adjoining sites.

#### *Garage – design and siting:*

A single garage with a store is proposed in what will become the garden of the dwelling. The garage has been reduced in size from that shown in the submitted plans in an effort to allay the concerns of neighbours that it could be used as a separate dwelling. Officers consider that it is too small for such a use and in any case any such change of use would require the submission

and approval of a fresh planning application.

As amended, the garage would have a simple, traditional form and would be constructed of natural local materials. It was originally proposed to be render to all but the front elevation, but the proposal has now been revised to include natural stone to the front and gable elevations as Officers considered this to be more in keeping with the buildings setting. The rear elevation would be largely obscured by the tall roadside wall and so the finish of this wall is considered to be acceptable in render.

The garage would be sited to the northern end of the garden, set back from the communal access/turning area and behind the sites own parking spaces. Comparisons have been drawn in letters of representation to a bungalow that was proposed on the site when the previous owner made the original application to convert the hall to a dwelling. At that time the proposed bungalow was removed at the request of Officers due, in part, to its perceived impact on the setting of the site and Conservation Area. It is not considered that the impact of the proposed garage is comparable to that of the bungalow. The bungalow was a much larger structure, located near to the centre of the site, and as a result was read in close relation to both the school house and the URC church. The garage, by comparison, would be a much more modest structure that would be set at the edge of the site behind an existing tall wall. It is considered that this will have only a minor impact on the open character of the site, and will not detract from the character and appearance of the traditional buildings, the site, or the Conservation Area.

The surfacing for the parking spaces outside the garage is proposed to be block paving to match the adjacent development. This is a dark grey paving and is considered suitably unobtrusive and in keeping, and will ensure a sense of unity across the wider development site.

#### *Garage – highways matters:*

The proposed length of the parking spaces now exceeds those originally approved (over 5m rather than the original 4.8m). Since the determination of the previous application the recommended minimum sizes advocated by the Highway Authority have increased and they are now advocating spaces of 5.4m in length. Since the initial consultation response from the Highway Authority the plans have been revised and a response to the reconsultation had not yet been received at time of writing. Only one space in the proposed scheme fails to conform to the revised standard, being only 5.1m instead of 5.4m long. Given the extant permission and the fact that only one of the spaces is affected, it is not considered reasonable to rigidly apply these updated specifications, particularly on a site where vehicles would not impede directly on to the public highway were they to project beyond the spaces. Similarly, the space within the garage also fails to meet the 6m Highway Authority recommendation in terms of length. However, it is considered that a length of 5.5m internally as proposed is sufficient to accommodate most domestic vehicles comfortably and keeps the scale modest to suit its role as an ancillary domestic outbuilding, particularly when the garage provides storage space to the side, reducing the likelihood of any storage use impeding on the available length. There are no issues regarding garage door clearance on the revised scheme as the parking bays are not in front of it. The size and layout of parking spaces is therefore, on balance, considered to be acceptable in this case, albeit contrary to the revised highway standards.

In terms of the number of parking spaces provided, the originally approved scheme was for a 3 bedroom property. The later Section 73 application subsequently approved the conversion into either a 4 or 5 bedroom dwelling. The current application makes no changes to those numbers. Highways guidance is that dwellings of 4 or more bedrooms should provide 3 parking spaces which the current application provides. Representations have raised concerns that if the garage were not to be used for parking then this could lead to an overspill of parking outside of the property's curtilage. There is an informal further parking space in front of the garage that would help mitigate this, but this is substandard in terms of size. In this location, officers had already considered that it would be both reasonable and necessary if permission is granted that a condition be imposed requiring that the garage is retained for its designated purpose only. With

such a condition it is therefore considered that the scheme proposes sufficient parking provision.

In terms of manoeuvring space, this is provided by the shared access area to the east of the proposed garage and parking spaces. That area was approved in the original applications, subject to the adjustment of the position of the parking spaces for the caretaker's cottage (which have since been adjusted and approved). This area remains unaffected and unimpeded by the current proposal and hence the turning space is therefore considered acceptable.

The submitted application does not propose any changes to the previously approved access arrangements. The access into the site has already been widened in accordance with the previous permission, although the alterations to the access remain uncompleted at time of writing. The works to the driveway are being undertaken by the developer of the former URC church building, whose permission for conversion includes the same conditions pertaining to access visibility requirements. It is therefore considered that whilst currently the access works have yet to be completed, the required visibility splays are already secured by another permission that has been implemented and can be enforced against separately – if necessary. It is therefore considered that separate conditions requiring the creation of the visibility splays on this application would not be required were permission to be granted.

The plans also demonstrate that plant and materials to be used during the works would be stored on the area to be established as garden. It is considered that this space would be sufficient to prevent the works from impeding upon the highway.

*Alterations to the main building:*

Some revisions to the previously approved designs of windows and doors on the property are now proposed. These adjustments are minor and include frame profile and panelling alterations and are considered to retain the traditional appearance of the openings. In terms of the impact of the openings on neighbouring amenity, those previously considered to pose a risk of overlooking neighbours – specifically those to the south elevation and those at first floor to the west – are still proposed to be obscure glazed. Subject to also being non-opening it is considered that this will preserve neighbouring amenity as in the original application. If permission is granted, this would need to be controlled by planning condition.

Overall it is considered that the proposed design amendments are minor and would conserve the character and appearance of the building and its setting within the designated Conservation Area, in accordance with relevant policies and legislation. If permission were to be granted, conditions would be required to secure the amended plans.

The application building is within the designated Conservation Area but is not listed. Having regard to the conclusion that the proposed external works would conserve the character and appearance of the building and the surrounding Conservation Area, in the absence of any overriding exceptional circumstances it is considered that a condition requiring the internal layout of the building to be maintained in perpetuity (subject to prior approval of the Authority) would not be reasonable or necessary. Any external changes which otherwise could adversely impact upon the buildings character or neighbours amenity would be controlled by the suggested condition removing permitted development rights.

*Environmental management:*

The applicant has provided a statement outlining the environmental management measures that they are proposing to undertake. These include the installation of a category A condensing system boiler and pressurized hot water storage tank which would feed under floor heating and high efficiency radiators at first floor level. The boiler would also have a programmable unit to control the demand to each heat zone. A secondary heating source would be provided by a log burner in the living room. The fabric of the building would have an upgraded thermal envelope that targets an approximate equivalent of CfSH level 4 thermal efficiency and all lighting would be

high efficiency LED lighting. Outside, water butts would be provided to recycle rainwater for garden irrigation. It is considered that these measures represent a substantive effort to improve the energy usage credentials of the property. Due to its traditional character, setting, and the likely conversion costs of the building more significant measures such as solar, ground source heat or wind capture technologies are unlikely to prove viable or to conserve the character and appearance of the building or Conservation Area. The proposal is therefore considered to comply with the requirements of the Authority's climate change policies.

*Ecological interests:*

The applicant has proposed a number of nest boxes incorporating bat roost facilities to the private elevations of the house and garage. These are considered to have a minimal impact on the character and appearance of the house and any impact is considered to be outweighed by the ecological benefits.

*Lighting:*

A scheme of external lighting has been proposed. This is limited to 3 traditionally styled lanterns, two fixed to the walls of the dwelling and one to the garage. The proposed model has a maximum 60w output and operates on a PIR motion sensor. It is considered that this will not disturb the amenity of neighbouring properties due to the proposed brightness, distance from neighbouring buildings, and frequency of operation. The positioning of the lights is such that it is also not considered to have any adverse effects on the character or appearance of the Conservation Area.

**Conclusion**

The main alteration to the extant permission for the change of use of the school house to a dwelling is the addition of a garage to the site. Due to its scale, siting, design, and materials this is considered to conserve the character and appearance of the site, and those of the Conservation Area. The alterations to the parking layout are not considered to adversely affect the movements or parking of vehicles within the site, and are also considered acceptable. The other alterations to the main building have only a very minor and acceptable impact on the buildings appearance.

The proposal is considered to conserve neighbouring amenity subject to conditions, and the environmental, ecological, and landscaping and lighting schemes are considered to meet the Authority's policy requirements.

The application is therefore found to be in accordance with the relevant Development Plan policies, the requirements of the NPPF, and all other material considerations, and 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