

**10. HOUSEHOLDER APPLICATION – DEMOLITION AND REBUILD OF WESTERN SECTION OF DWELLING (RETROSPECTIVE); RENOVATION AND ALTERATIONS AND ALTERATIONS TO THE VEHICULAR ACCESS. PRIMROSE COTTAGE, WINDMILL. (NP/DDD/0918/0855 DH)**

**APPLICANT: Mr S Meakin**

**Site and Surroundings**

1. Primrose Cottage stands on the south side of Windmill, a small hamlet which is not a named settlement, lying between Great Hucklow to the east, and Little Hucklow to the north-west. There are no listed buildings in Windmill and there is no designated conservation area.
2. The cottage appears on the 1st, 2<sup>nd</sup> and 3rd Edition Ordnance Survey maps (dated 1880, 1898 and 1922 respectively) and is considered to be a non-designated heritage asset. Most of the development in Windmill is laid out in a linear pattern to the north side of the road through the hamlet. There are just three dwellings on the south side, including Primrose Cottage, which stands behind the other two which front the road, all three having a very close relationship to each other.
3. The property is a two storey detached dwelling in a generous curtilage with a small paddock to the west of the site. There is vehicular access from the Windmill road to the north and the main B6049 road to the east. The house has evolved over time, and had two doors in the principal elevation. The western end of the building seems to have originally been a very small cottage with a cellar, with a more substantial part to the east side being Victorian. To the rear there is a single storey part under a cat slide roof which results in an eccentric gable in views from within the hamlet. It was rendered under a Hardrow tile roof. The owner has commenced works to rebuild sections of the dwelling which include the removal of the render, the demolition of the western end of the property along with the roof. The eastern part of the roof has had its roof timbers replaced and is felted. Alterations to the access have also been implemented but works have now ceased pending the outcome of this application.
4. The nearest neighbouring properties are the other two properties to the south of the road through Windmill; St Anne's Cottage stands directly to the north, and Windmill Cottage is to the north-east.

**5. Proposal**

6. The application is partly retrospective, with permission sought for the demolition and rebuild of the western section of the dwelling, renovation and alterations including a small amount of extension to the west side together with alterations to the vehicular access.

**RECOMMENDATION:**

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

1. **That the development shall be in complete accordance with the amended plans, received by the Authority 18 February 2019.**
2. **The full length glazed opening to the cellar area shall be reduced in scale, to be agreed in writing with the Authority**
3. **The door to the west gable shall be provided with a simple gritstone lintel, not a full surround, details of the door to be reserved by condition for approval in writing**

**with the Authority**

- 4. All new stonework to be natural limestone to match the existing**
- 5. Pointing to be recessed**
- 6. Quoins, door lintels, window surrounds and mullions to be natural gritstone**
- 7. Roof to be re-clad in Hardrow old stone slates**
- 8. Verge detail**
- 9. All pipework internal except for rainwater goods**
- 10. Rainwater goods black cast metal and fixed to stonework on brackets**
- 11. New windows and doors timber and recessed same depth as existing**

**7. Key Issues**

8. The key issues are whether the proposed development is of a suitable design, scale, form and massing, and whether it would have an adverse effect on the character and appearance of the dwelling or its setting. Also, whether the proposal raises any amenity issues upon the dwelling itself, any neighbouring properties, or the wider area.

**9. History**

10. Enforcement case file reference 18/0120 regarding the unauthorised demolition of part of the property and the unauthorised alterations to the access.
11. NP/DDD/0818/0730 - Alterations and extension to include removal of existing extension and construction of new side extension – Withdrawn - 06/09/2018

**12. Consultations**

13. Derbyshire County Council (Highway Authority): No objections.
14. Derbyshire Dales District Council: No response.
15. Great Hucklow, Little Hucklow, and Grindlow Parish Council: Object to the proposal to raise the roof line since this will cause the building to overshadow neighbouring properties, and to the proposed changes to the windows which would result in them overlooking neighbouring properties.
16. The PC also raise concerns regarding the extent of the proposed development as, “Any permission should only be granted on the basis of the work on the property being sufficient and necessary to make it suitable for full time family residence.” Additionally they state that, “the proposed changes to access are similar to plans which have been rejected in the past. Any decision made needs to be consistent with previous planning history at the property.”
17. Finally, the PC state that, “While the property is not listed, it does have heritage asset value and we are concerned that any decisions made need to reflect a consistent application of policy and guidance from all the relevant statutory authorities/departments.”

18. PDNPA Conservation Officer: As submitted the application did not include an assessment of the significance of the non-designated heritage asset. Although some enhancements are offered by the proposals, the proposed alterations and remodelling will have a detrimental impact on the significance of the building.

19. *Further to this consultation response a Heritage Assessment and amended plans addressing the concerns were received 3 January 2019. Further amended plans were received 18 February 2019, which addressed remaining concerns.*

## **20. Representations**

21. During the initial consultation period, the Authority received three representations which all object to the development, though all three acknowledge that the property was in need of extensive works to renovate it to a habitable standard. To date no further representations have been received regarding the amended plans received 18 February 2019 which were provided to the interested parties and the Parish Council.

22. The concerns raised by the objectors are:

- The increase in height of the main roof, cited as being between 2 to 3 feet in one representation and 50cm and 100cm in another
- Increase in height of the lean-to at the rear
- Enlargement of the window openings
- Proposed rooflights in rear elevation would overlook neighbouring property
- The symmetry of the property has been lost by the alteration to the roof
- The application is partly retrospective

## **23. Main Policies**

24. Relevant Core Strategy policies: GSP1, GSP2, GSP3, DS1 & L1

25. Relevant Local Plan policies: LC4 & LH4

26. The NPPF states in Chapter 12 that the creation of high quality buildings and places is fundamental to what the planning process should achieve.

## **27. Wider Policy Context**

28. National Park designation is the highest level of landscape designation in the UK. The Environment Act 1995 sets out two statutory purposes for national parks in England and Wales:

29. Conserve and enhance the natural beauty, wildlife and cultural heritage

30. Promote opportunities for the understanding and enjoyment of the special qualities of national parks by the public

31. When national parks carry out these purposes they also have the duty to:

32. Seek to foster the economic and social well-being of local communities within the national parks.

33. National Planning Policy Framework

34. The National Planning Policy Framework (NPPF), which was revised February 2019, is considered to be a material consideration which carries particular weight where a development plan is absent, silent or relevant policies are out of date. 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.

35. Paragraph 172 of the NPPF states that *'great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in all these areas, and should be given great weight in National Parks and the Broads.'*

36. Paragraph 108 of the NPPF states that when considering development proposals it should be ensured that safe and suitable access to the site can be achieved for all users.

37. Peak District National Park Core Strategy

38. Policy GSP1 sets out the broad strategy for achieving the National Park's objectives having regard to the Sandford Principle, (that is, where there are conflicting desired outcomes in achieving national park purposes, greater priority must be given to the conservation of the natural beauty, wildlife and cultural heritage of the area, even at the cost of socio-economic benefits). GPS1 also sets out the need for sustainable development and to avoid major development unless it is essential, and the need to mitigate localised harm where essential major development is allowed.

39. Policy GSP3 sets out development management principles and states that all development must respect, conserve and enhance all valued characteristics of the site and buildings, paying particular attention to, amongst other elements, impact on the character and setting of buildings, scale of the development appropriate to the character and appearance of the National Park, design in accordance with the National Park Authority Design Guide and impact on living conditions of communities.

40. Policy L1 identifies that development must conserve and enhance valued landscape character and valued characteristics, and other than in exceptional circumstances, proposals in the Natural Zone will not be permitted.

41. Policy DS1 sets out what types of development are acceptable within the National Park.

42. Saved Local Plan Policies

43. Saved Local Plan Policy LC4 states that where development is acceptable in principle, it will be permitted provided that its detail treatment is of a high standard which respects and conserves the landscape, built environment and other valued characteristics of the local area.

44. LH4 allows extensions and alterations to existing dwellings, provided that these are of a high standard of design in accordance with adopted design guidance which conserve the character, appearance and amenity of the existing building, its setting and that of neighbouring properties.

45. Policy LT11 states that parking spaces associated with residential development must respect the valued characteristics of the area, particularly in Conservation Areas. LT18 requires vehicular access to be safe and suitable for their designated purpose.

46. Development Management Policies

47. The Authority has reached an advanced stage in the production of Development Management Policies. The process has now moved beyond publication and examination, taking into account earlier representations and the Inspector's interim views on soundness. Owing to the advanced stage of the document, the Authority considers that a revised version of the Publication Document (incorporating all proposed modifications) addresses the remaining soundness issues and as such may be afforded significant weight as a material consideration. When adopted these policies will replace the existing saved Local Plan policies (adopted 2001) in their entirety.

48. DMC3 repeats the provisions of Saved Local Plan Policy LC4. DMH7 relates to extensions and alterations to existing dwellings; DMT3 relates to access and design criteria, and DMT8 to residential off street parking.

49. Supplementary Guidance

50. The Authority has a Supplementary Planning Document (SPD) on alterations and extensions. Chapter 3 relates to extensions to dwellings and states that there are three main factors to consider, massing, materials, detailing and style. All extensions should harmonise with the parent building, respecting the dominance of the original building. The original character of the property should not be destroyed when providing additional development. Side extensions should take their cue from the front elevation alongside, and constructing an extension from the same materials as the existing house helps the extension sit well alongside the host. Chapter 4 of the SPD deals with other material planning considerations, neighbourliness, outlook and amenity, privacy and daylight are fundamental considerations when altering or extending a property.

51. Assessment

52. Background - The application is a resubmission of NP/DDD/ 0818/0730, which sought to regularise the works which had already been undertaken without the benefit of planning permission, and to extend the property. That application was subsequently withdrawn following officer advice that the development description was not accurate and the scale of the proposed side extension was not acceptable as it resulted in an overlong frontage which had an adverse impact on the character and appearance of the property.

53. During the course of this application amended plans were received 18 February 2019 which address the concerns raised by the Authority's Conservation Officer. The Parish Council and nearest neighbouring properties were re-consulted, additionally, a further Site Notice was displayed. To date no further comments have been received by the Authority.

54. Principle

55. The Authority's policies, in principle, allow for extensions and alterations to existing dwellings provided that they are of a suitable design, scale, form and massing and do not raise any amenity issues upon the dwelling itself or any neighbouring properties.

## 56. Design

57. The retrospective works comprise part rebuilding, extension and the removal of the render from the building followed by repointing the stonework. Revealing the stone masonry offers a visual enhancement to the building. The roof which has been removed is part re-laid with new timbers. This has entailed adding a wall plate for the rafters to sit on and increasing the size of the timbers to meet modern structural requirements which means the ridge of the main part of the building would be approximately 15cm higher than it was previously. The increase in height to the main ridge is evidenced by the chimney stack which has remained in place throughout the works that have taken place to date. The increase is small and not so significant that it would have an adverse impact on the character and appearance of the building. The cat-slide roof at the rear also has slightly raised eaves for the same reasons, again the increase is negligible in its overall impact.
58. The amended plans show the western demolished section rebuilt but slightly longer than previously by 2m. The size and scale of the extension in relation to the existing is modest and would be subservient to the original dwelling, to accord with the extension policy and design guidance. Following design discussions the rebuilt section will have its front wall slightly set back from the main part of the building. The footprint of the rear single storey element over the existing cellar is to be rebuilt on the original footprint and therefore the amended cat-slide roof extension will be to the centre of the elevation, rather than to one side. As the render has been removed to reveal the stonework which is in good condition, quoins will be included in the re-build to differentiate the main part of the frontage from the rebuilt 'extension'. The roof line of the extension will be a continuation same roofline on the main section to retain the simplicity of the building and reflect the previous iteration. As the single storey element to the rear would no longer extend flush with the gable as before, the narrower house gable width will be expressed, which offers an enhancement in terms of the views of the property from within the village of Windmill.
59. In terms of the fenestration the door which was previously in the south elevation of the western part is to be moved to the west gable and shown to be fully glazed and having a full stone surround to match the front doorway. Due to the topography of the site the land to the west is higher than that of the ground level of the new extension, which means that this opening would not be seen from public vantage points in full. However, such a formal surround and indeed the presence of a doorway in the gable would not normally be acceptable. It is therefore suggested that a condition is required seeking an amended, simpler opening to reduce its impact and better reflect the character and appearance of the cottage as well as meeting adopted design guidance. The window openings in the west part of the building are to be increased in size so that their proportions and detailing match those in the main part of the building, in line with guidance in the Authority's SPD. The mullions which have been removed over time will be reinstated. The new window frames would be timber and would require a painted finish, the precise details of which would need to be controlled by condition in the absence of such details with the application. Two new conservation rooflights are to be introduced to the cat slide roof, measuring 980mm x 660mm. A smaller conservation rooflight measuring 750mm x 550mm is proposed nearer the ridge of the rebuilt part. It is considered that the rooflights do not have a detrimental effect on the appearance and character of the property, and would in any case normally be permitted development.
60. In summary it is considered that the scale of the proposed extension is modest, the massing respects the existing, and the amended design and use of materials in the extension and the alterations to the re-built part of the dwelling offer enhancements to the

property. As such the proposals are considered to be acceptable and in line with policies DS1, LC4 and LH4 and the adopted SPD on alterations and extensions.

61. Amenity Considerations

62. The property has an extremely close relationship with the other two properties on the south side of Windmill. The proposals would not have an increased adverse impact on those dwellings amenity from that which previously existed, as the increase in height is not so significant that it would be any more overbearing or create more over-shadowing or lack of privacy than which previously existed. The extension itself would lie to the west side and so away from these properties. The proposals, as amended, will therefore not have a detrimental effect upon the character and appearance of the existing building, nor do they detract from the surroundings by having any detrimental effect on the site itself or its setting or the character and appearance of the local area.

63. Access Considerations

64. The access to the site has also already been altered and visibility splays provided which are to be bounded by drystone walls. These works are compliant with policy LT18 and do not have an adverse impact on the setting of the property or the wider area.
65. Therefore it is considered that the proposals comply with the requirements of GSP3, L1, LC4 and LH4 and national planning policy.

66. Other Considerations

67. The concerns of the Parish Council and local residents about the roof height are noted. It is considered that the roof height increase is justified in this case as the original rafters sat directly on the stonework and were not fixed, and the roof had spread. It was therefore necessary to insert a wall plate to ensure a proper 'footing' for the rafters to sit on. Additionally the rafters which were removed were only 75mm by 75mm and as such were undersized to carry the load of the roof. The replacement rafters are 150mm by 50mm rafters to meet structural requirements and to accommodate insulation. The single storey part at the rear is under a cat slide roof, as it was previously, there is a minimal change in height to the eaves, but as the land has been excavated to deal with the damp issues this may give the perception of them being raised more. As set out above it is considered that the height difference is not so great that it would have any increased adverse impact on the amenities of the nearby neighbouring properties, which, due to their existing very close relationship, were overshadowed by the property prior to any works taking place.
68. With regard to the alteration to the windows in the rear elevation, the changes to windows at ground floor are considered to be permitted development under Part 1, Class A of the Town & Country Planning (General Permitted Development) Order 2015. Similarly, rooflights, as proposed, are permitted development under Part 1, Class C.
69. The application is for householder development and no change of use proposed. In respect of the access there is no history of similar changes to the access in the Authority's records. The changes to the access have been assessed by the Highway Authority who have not raised any concerns. The changes to the access is therefore considered to be safe and compliant with policies LT11 and LT18.
70. In respect of concerns over the enlargement of the window openings the plans show that the size of the window openings in the rear lean-to are not significantly increased, and in any event, these works would be deemed to be permitted development. Similarly due to the nature of rooflights they are not readily looked through, and in any event, the introduction of rooflights would be deemed to be permitted development.

71. The point made about the lost symmetry of the property is noted and is considered to have been addressed by the amended plans. The rear cat-slide extension is more symmetrical than previously and additionally, as seen from the road through Windmill, the original gable width would now be expressed, instead of the previous asymmetric form.
72. Finally concerns about the application being partly retrospective are acknowledged, but such applications are a feature of the planning system and as Members are aware all such work is at the applicants own risk as retrospective applications are assessed on their own merits in exactly the same way as if the works were proposed prior to the development.

**73. Conclusion**

74. It is concluded that the amended scheme is in compliance with national planning policies in the NPPF, policies GSP1, GSP2, and GSP3 of the Core Strategy and saved Local Plan policies LC4, LH4, LT11 and LT18. Accordingly, the application is recommended for conditional approval.

**75. Human Rights**

76. Any human rights issues have been considered and addressed in the preparation of this report.
77. List of Background Papers (not previously published)
78. Nil
79. Report author – Denise Hunt, Planning Assistant