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**11. FULL APPLICATION – DEMOLITION OF FORMER DWELLING AND THE ERECTION OF A NEW OPEN MARKET DWELLING AT HOPE VIEW COTTAGE, PINDALE ROAD, CASTLETON. (NP/HPK/1014/1108), P2105, 415198 / 382695/JK)**

**APPLICANT: MR HENRY WALKER**

The application is brought to the Committee, since views of the Parish Council are contrary to the Officer recommendation.

**Site and Surroundings**

Hope View Cottage is a derelict dwelling (last in residential use in 1984), currently occupying a rising plot of land on the south side of Pindale Road, towards the eastern entrance to the village. The roadside elevation is bounded by a traditional drystone wall with no pavement between the boundary and the road. What remains of the structure indicates that it was a simple vernacular two storey dwelling, with a footprint of approximately 90m<sup>2</sup> and located 6m back from the road towards the centre of the plot.

The plot measures approximately 25m long x 17m deep and is currently overgrown with some mature trees and shrub. Pedestrian and vehicular access to the site is directly off Pindale Road. Bordering the site to the west is a row of traditional cottages (Winhill Terrace) and on the eastern boundary of the site is Hope View House, a two storey property of vernacular design. The land rises steeply to the rear (south) of the plot, towards the limestone ridge beyond. To the north are open views across the valley towards Lose Hill. The plot itself is sited within the village Conservation Area.

**Proposal**

Permission is being sought to demolish a former dwelling (now derelict) and the erection of a new open market dwelling. The submitted plans show a two storey four bedroomed dwelling, constructed of natural limestone under a pitched blue slate roof. The property would have an external floorspace of approx.160 m<sup>2</sup> and sited to the centre of the plot. The submitted Design & Access Statement suggests that the area in front of the proposed dwelling will be laid out to provide parking spaces for two vehicles, although this is not represented on the submitted plans.

**RECOMMENDATION:**

**That the application be REFUSED for the following reasons:**

- 1. Contrary to Policy HC1C II, that the proposed development is not required to conserve or enhance the site and the wider Conservation Area.**
- 2. Inappropriate scale and design of the new dwelling, contrary to policies GSP3, L3, LC4 and LC5.**

**Key Issues**

- Principle of development
- Impact upon the character & appearance of the Conservation Area.
- Impact upon the privacy and amenity of neighbouring properties.
- Highway impact

**History**

No planning history on file.

## **Consultations**

Highway Authority – No response at the time of writing the report.

Parish Council - Agree with the proposed development of the site, as it would improve that area of land. However it would be incumbent on the PDNPA to ensure the two parking spaces are completed, as this road is already congested.

Natural England – No objections

PDNPA Tree Officer - No issues with tree removal as per the submitted Arboricultural Report. Suggest some re-planting with appropriate native species.

PDNPA Ecology - Recommend further survey and assessment being undertaken at the site. If bats are found to be roosting, detailed mitigation /compensation measures need to be included in any subsequent reports.

PDNPA Built Environment - Agree that renovating the site would be an improvement, but state that once the vegetation is removed, any building proposed is of an appropriate size/massing and sensitive design.

## **Representations**

One letter of representation has been received from the neighbouring property Hope View House, summarised as follows:

1. What impact would this new property have on existing parking?
2. Would like to be reassured as the neighbour, how this would impact on my privacy, since the house has been vacant and with no plans for development since I purchased my property.
3. The development would impact on the loss of trees on the site and again potentially impact on privacy.

## **Main Policies**

Relevant Core Strategy policies: GSP1, 2, 3, DS1, HC1, L3

Relevant Local Plan policies: LC4, LC5, LT11, LC17, LC20

### National Planning Policy Framework

It is considered that in this case, there is no significant conflict between prevailing policies in the Development Plan and Government guidance in the NPPF.

## **Development Plan Policies**

### Core Strategy

GSP1, GSP2 and GSP3, jointly seek to secure national park legal purposes and duties through the conversion and enhancement of the National Park's landscape and its natural and heritage assets.

DS1 sets out at para C, that conversion or change of use to housing and a number of other uses is acceptable in principle and would preferably be done by re-use of traditional buildings.

HC1 states, provision will not be made for housing to solely meet open market demand. However exceptionally, new housing from the reuse of existing buildings can be accepted where there is a local need or where in accordance with policies GSP1 & GSP2, is required in order to achieve conservation and/or enhancement of valued vernacular or listed buildings or required in order to achieve conservation or enhancement in settlements listed in policy DS1.

L3 is particularly relevant, as it deals with Cultural heritage Assets. It explains that development must conserve and where appropriate enhance or reveal the significance of historic assets and their setting. Other than in exceptional circumstances development will not be permitted where it is likely to cause harm to the significance of any cultural heritage asset or its setting.

#### Local Plan

LC4 seeks to ensure that where development is permitted its detailed treatment is to a high standard that respects, conserves and, where possible, enhances the landscape, built environment and other valued characteristics of the area.

LC5 states that applications for development in a Conservation Area should assess and clearly demonstrate how the existing character and appearance of the Conservation Area will be preserved and where possible enhanced.

LT11 states, 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.

LC17 relates to sites, features or species of wildlife, geological or geomorphological importance. This states that for statutorily designated sites, features or species of international, national or regional importance, development applications in the vicinity of designated sites will be carefully considered to assess the likelihood of adverse effects.

LC20, states amongst other things, that planning applications should provide sufficient information to enable their impact on trees, woodlands and other landscape features to be properly considered.

SPD advice is provided on Design & Renewables.

#### **Officer assessment**

##### Principle to open market dwelling

DS1 provides the development strategy. It allows conversion or change of use for a number of uses including housing, preferably by re-use of traditional buildings, subject to other policies within the Plan.

Core Strategy Policy HC1 provides the detailed housing policy. This explains that provision will not be made for housing solely to meet open market demand. Exceptionally, new local needs housing or key agricultural or forestry workers dwellings may be permitted.

The most relevant provision to the current proposal is part C, which in accordance with GSP1 and GSP2, HC1C (II) that development is required in order to achieve conservation or enhancement.

Paragraph 12.11 of the Core Strategy (CS) sets out the key aspects of policy HC1, as follows:  
*“Occasionally, new housing (whether newly built or from re-use of an existing building) may be the best way to achieve conservation and enhancement (for example of a valued building) or the treatment of a despoiled site. Sometimes this requires the impetus provided by open market*

*values, but wherever possible and financially viable, such developments should add to the stock of affordable housing, either on the site itself or elsewhere in the National Park. It is accepted that for small schemes capable of providing only one dwelling (whether new-build or changing the use of a building such as a barn) this is unlikely to be viable. However, unless open-market values are demonstrably required for conservation and enhancement purposes, all other schemes of this type that provide new housing should be controlled by agreements to keep them affordable and available for eligible local needs in perpetuity”.*

This application has been submitted solely for open market housing. The key judgment is therefore whether an open market dwelling on the site is required to achieve its conservation or enhancement.

Officers consider that replacing the derelict building with a new house and subsequent landscaping would probably have minimal impact on the street scene than had previously been the case when the dwelling and land stood fully occupied. However, it is considered that in planning policy terms, the proposal does not meet the criteria in Core Strategy Policies which require an exceptional justification to approve an open market dwelling.

In this case, the plot in its present overgrown and returning to a natural state, so it is considered not to impact in a negative way on the street scene or the Conservation Area. It is considered that some appropriate management of the site and attention/refurbishment to the roadside boundary wall would be sufficient to conserve the site, without the need for further redevelopment. Therefore the impetus of an open market property is deemed not required in order to achieve the conservation or enhancement of the site and consequently the wider Conservation Area, therefore weakening the argument that the proposal is required to achieve enhancement and therefore comply with Policy HC1C.

#### Affordable local need option

In this situation, it is considered the applicant has not fully explained why the proposal is ‘required’ to conservation and/or enhancement, with which to meet the test of Policy HC1C, and that this could not have been achieved by other uses acceptable within policy, such as affordable local needs housing.

Given the policy objection with regard to HC1C, Officers had briefly suggested the option of achieving conservation or enhancement through an affordable housing scheme, as this would in principle meet eligible local need and could be supported in policy terms. However, this had not been regarded or addressed within the current application, and the application has been submitted solely for open market housing.

#### Design

LC4 considers design, layout and landscaping and points out that particular attention will be paid to scale, form, mass and orientation in relation to existing buildings. Design principles are set out in the Authority’s Supplementary Planning Documents.

In terms of the scale and external appearance of the building, it is considered that the proposed dwelling is too large within the plot, appearing very long in relation to its height, with the gable width being deeper than traditional. The scheme also includes non-traditional features such as bay windows, large glazed openings and an external chimney stack. For these reasons alone, the external scale, design and appearance are unacceptable and cannot be supported in its present form. Whilst no further design amendments have been sought at this stage, should Members be minded to approve the application in principle, then Officers would still have very strong concerns on design grounds, particularly given the location of the site in the Conservation Area.

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### Protected species

A bat survey has been submitted with the application, concluding the property has potential for roosting bats that has not been fully investigated. Further survey has been recommended in the report at Section 5. The Authority's Ecologist supports this view that a further survey and assessment be undertaken. If bats are found to be roosting, detailed mitigation /compensation measures need to be included in any subsequent reports.

### Landscape

A submitted Arboricultural Survey has concluded that the existing tree and shrubs on the site have been poorly managed and therefore do not contribute to the conservation of the site/location. The Authority's Tree Officer has no issues with tree removal (as indicated in the Arboricultural Report) and suggests some re-planting with appropriate native species would be beneficial to any future development of the site.

### Other issues

Whilst the neighbouring property (Hope View House) has submitted concerns over amenity and parking, Officers are confident (should members be minded to approve) that a scale, design and orientation of the building will overcome any perceived amenity issues. In addition, it would be the responsibility of the applicant/agent to submit a parking scheme acceptable to both the Planning and Highway Authorities.

### Conclusion

The application is for an unrestricted open market dwelling. In this case, Officers consider that the proposal to develop with an open market dwelling the site is not required to achieve enhancement and that other uses such as affordable housing would be preferable and more readily supported within policy. Given the policy objection to HC1C, should members be sympathetic to the local need argument, then a more appropriate solution would be to refuse this submission and invite an application for a local needs dwelling/s on the site. In addition to this, there are strong design grounds to refuse the current application, notwithstanding the policy objections

### 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