

**10. FULL APPLICATION – DEMOLITION OF EXISTING BUNGALOW AND ERECTION OF REPLACEMENT DWELLING AT MILL FIELD, DUNLOW LANE, EYAM (NP/DDD/0115/0068, P.4917, 421233 / 376449, 27/04/2015/AM)**

**APPLICANT: MR JOE SIMPSON**

**Site and Surroundings**

Mill Field is a single storey bungalow situated on the western side of Dunlow Lane as it turns northwards and becomes Windmill Lane. The property is not a traditional dwelling, the walls of the property are clad with a mixture of natural gritstone and gritstone render under pitched roofs clad with clay tiles. The property has timber window frames, with two bay window openings on the principal (west facing) elevation. It is currently unoccupied.

The property is located on the western edge of Eyam and outside of the designated Eyam Conservation Area. There are open agricultural fields to the north and west of the site. The land rises to the north west away from the application site up to the level of Tideswell lane. Access to the property is via Dunlow Lane.

The nearest neighbouring properties in this case are Dunlow Farm to the south, and two residential properties known as 'Robinlye' and 'Wayleaves' to the east. The dwelling at Dunlow Farm is a single storey building set back from the road, whereas Robinlye and Wayleaves are larger two storey houses.

**Proposal**

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

The application proposes a detached two storey, three bedroom dwelling built from natural gritstone under pitched roofs clad with blue slate. It would have painted timber windows and door frames with stone lintels and cills. The submitted plans show that the finished floor level of the proposed dwelling would be dug down into the site, 1m lower than the floor level of the existing bungalow. The plans show that the main building would face east towards Dunlow Lane with a subordinate element to accommodate a garage, workshop and utility projecting towards the front and a two storey gable projecting to the rear.

The three proposed bedrooms would be provided at first floor. The kitchen, dining room and living accommodation would be provided at ground floor. The existing access will be retained with parking and turning space provided to the front of the new dwelling.

**RECOMMENDATION:**

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

- 1. Statutory 3 year time limit for implementation.**
- 2. Development not to be carried out otherwise than in accordance with specified amended plans.**
- 3. Removal of permitted development rights for external alterations, extensions outbuildings, hardstandings, walls, fences and other means of enclosure to approved dwelling.**

4. **No renewable technologies (including solar / photovoltaic panels, ground / air source heat pumps or biomass boilers) shall be installed other than in accordance with a scheme which has first been approved by the Authority.**
5. **Prior approval of detailed scheme of landscaping (including trees to be retained, new planting, earth mounding, re-seeding, walls, gates and hard standing) to be implemented as part of the development.**
6. **Conditions to specify or require prior approval of architectural and design details for the dwelling including, stonework, roof materials, windows and door design and finish and rainwater goods.**
7. **Prior approval of space within the site for accommodation, storage of plant, materials and parking for site operative's vehicles during construction works.**
8. **Prior approval of bin storage space.**
9. **Parking and turning areas to be laid and constructed prior to occupation and maintained in perpetuity.**

**Footnote re: protected species**

### **Key Issues**

- Whether the principle of the replacement dwelling meets the requirements of saved Local Policy LH5.
- Whether the proposed development would otherwise conserve or enhance the valued characteristics of the National Park and be acceptable in all other respects.

### **Relevant Planning History**

The only relevant planning history relates to two pre-application enquiries made in March and July 2014. Officers advised that a replacement dwelling would be acceptable in principle provided that the proposed design was an enhancement in accordance with relevant policies. Officers made various suggestions to the applicant and his agent with regard to design amendments.

### **Consultations**

Highway Authority – No objections

District Council – No response to date.

Parish Council – Recommend approval by a majority.

### **Representations**

At the time of writing there are a total of 22 letters of representation supporting the application and 3 letters objecting have been received by the Authority. The reasons for support / objection are summarised below. The letters can be read in full on the Authority's website.

## Support

- The proposed design is in keeping with the surrounding area.
- The proposal would be an enhancement over the existing situation in accordance with the Authority's Core Strategy, Local Plan policy LH5 and design guidance.
- The form and massing of the proposed dwelling is in accordance with the Authority's design guidance.
- The proposed house is smaller than almost every other dwelling in the area. It would not be possible to design a new building that is smaller than the current one.
- The proposed development would allow a local couple to return to the village.
- The proposed accommodation would allow the applicant to work from home.
- The proposed development would utilise a ground / air source heat pump for heating.
- The proposed development would be less visible than other replacement dwellings which have been approved in the local area.

## Object

- The siting of the building is not within the same curtilage as the existing.
- The size and mass of the replacement dwelling is not similar to the existing.
- The design of the proposed replacement dwelling would be contrary to the Authority's design guide.
- The proposed dwelling would have a greater visual impact than the existing which would not be mitigated by proposed landscaping.
- The block containing the garage increases the mass of the building, bringing it closer to the road which will impact upon the street scene and views from Windmill Lane, Tideswell Lane and surrounding footpaths.
- The proposed dwelling would be 1.2m higher than the existing building and would be higher than neighbouring properties.
- The proposed dwelling will skyline and be more prominent from within the village, Hawkhill Road, Eyam Edge and beyond.
- One representation letter says that if permission is granted conditions should be imposed to require agreement of any construction compound, retention of boundary walls and removal of permitted development rights.

## **Main Policies**

### 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.

### Development Plan policies

Relevant Core Strategy (CS) policies: GSP3, L1 and CC1

Relevant Local Plan (LP) policies: LC4 and LH5

Saved LP policy LH5 is directly relevant for the current application and other key policies relate directly to landscape character, appropriate design and climate change mitigation and adaptation in the National Park.

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.
- 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.

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.

## **Wider Policy context**

Relevant Core Strategy (CS) policies: DS1, GSP1, GSP2, GSP4 and L2

Relevant Local Plan (LP) policies: LC17, LH4, LT11 and LT18

## **Assessment**

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

The existing dwelling was built after 1930 and has no particular architectural or historic merit. The low massing of the building and large bay window openings do not reflect the form or detailing of traditional vernacular buildings within Eyam and in the National Park more generally.

The building is in a poor state of repair and is no longer occupied. In this case, it is considered that the replacement of the existing building with a more appropriate design which enhances the

site and its surroundings and incorporates enhanced energy saving measures would be acceptable in principle and in accordance with LH5 (ii).

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 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 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 of 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 landscape impact than either floorspace or footprint.

	<b>Existing house</b>	<b>Current application</b> (percentage change compared to existing)
<b>Footprint (m<sup>2</sup>)</b>	93	142 (52%)
<b>Volume (m<sup>3</sup>)</b>	366	789 (115%)

The proposed two storey dwelling would have a larger footprint than the existing bungalow and, as a consequence of providing accommodation over two floors, the volume of the proposed dwelling would be more than double that of the existing building. Therefore the proposed building would not be a similar size to the existing dwelling it will replace. Notwithstanding this point, the relative size of the proposed dwelling is only one criterion of the policy and 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 and in this case have led to the officer conclusion that the increased scale is acceptable in this context.

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

The agent has entered into extensive pre-application discussions with the Authority’s officers before making this planning application. Since the application was submitted further design amendments have been sought by officers and incorporated into the scheme to reduce the size of the projecting front element and to simplify window fenestration detailing.

A number of representation letters have raised concerns in regard to the design of the proposed house and its impact upon the street scene. The main form of the dwelling is a relatively simple two storey house with a horizontal mass and narrow gables which would reflect the local vernacular. There is a single storey projecting element to the front and a two storey element which would project to the rear.

Concern has been raised that the proposed single storey projecting element would impact upon the street scene along with views from Windmill Lane, Tideswell Lane and nearby footpaths. Officers are sympathetic to these concerns and have sought amendments from the agent to reduce the length of this part of the dwelling. The revised single storey element dwelling would be set back 5.4m from the lane and the main two storey building would be set back 12m. Neighbouring properties are set back approximately 10m from the lane and it is therefore considered that the proposed layout would not unduly impinge upon the street scene or otherwise look out of keeping compared to nearby existing properties.

It is not unusual for traditional properties to have outbuildings or subordinate projecting elements to the front elevation. The proposed front projection would be a workshop and garage and therefore has been detailed to reflect a traditional outbuilding. The scale of the front projecting element is clearly subordinate to the main building in terms of eaves and ridge height and gable width. This part of the building would be visible from along Windmill Lane, Tideswell Lane and nearby footpaths but would not have a harmful impact where seen or have a significant impact upon local views from these vantage points.

The rear two storey projecting element would also be read as subordinate to the main building in terms of ridge height and narrower gable width. Officers sought amendments to the fenestration detailing of the building to reduce the amount of glazing and improve the solid to void ratio of the rear of the building in accordance with the Authority's adopted design guidance.

It is therefore considered that the proposed form, massing, materials and detailing as shown on the amended plans are considered to be in accordance with adopted design guidance and better reflect the local vernacular compared to the existing building.

The proposed dwelling would be seen from the adjacent lane and from the footpath and Tideswell Lane to the north west. The proposed dwelling would be viewed in the context of the houses on the east side of Windmill Lane rather than the neighbouring single storey dwelling at Dunlow Farm because that property is set back significantly from the lane. The overall height of the proposed dwelling would be taller than the existing bungalow, however, the submitted plans show that the finished floor levels of the proposed dwelling would be dug into the site by 1m which would mitigate any impact of the dwelling upon the street scene and the wider landscape and reduce the resultant increase in ridge height to 1.2m above that of the existing bungalow.

The proposed dwelling would be viewed from a higher level along Tideswell Lane and the nearby footpath. From these viewpoints the proposed dwelling would be viewed with the existing houses on the east side of Windmill Lane which are larger than the proposed dwelling. The existing mature trees within the north west corner of the application site effectively screen most of the application site from views from Tideswell Lane and would act to visually break up the size of the proposed building. In this context it is considered that the increased size of the proposed dwelling would not be out of keeping with existing buildings in the local area or have a harmful visual impact upon the local area.

Overall, it is considered that the proposed replacement dwelling would make a positive contribution to the character and appearance of the area, in accordance with saved LP policy LH5 (i). If permission is granted, officers would recommend that architectural details and specifications are secured by condition and that a condition to remove permitted development rights for alterations and extensions is also necessary to ensure that the Authority retains control of domestic development which could undermine the character and appearance of the development and the amenity of the area.

The property is located within the White Peak landscape character area identified within the Landscape Strategy and specifically within the limestone village farmlands landscape character type. The landscape around the application site is characterised by gently undulating topography, pastoral farmland with limestone walls, scattered boundary trees and clusters of stone dwellings.

In this case the application proposes a replacement dwelling which better reflects the local built vernacular and in these respects the proposal would make a positive contribution to identified landscape character. There are only limited views into the site in the wider landscape due to the surrounding topography. In more distant views the increased size of the proposed dwelling would not have any significant landscape impact. The proposed development would be contained within the curtilage of the existing bungalow and not encroach into nearby fields.

It is therefore considered that the proposed replacement dwelling would not be more intrusive in the landscape and that the proposal would conserve the character of the surrounding landscape

in accordance with Local Plan policy LH5 (v). If permission is granted a condition would be recommended to require submission and agreement of a detailed scheme of landscaping including the retention of existing trees on the site, new planting, walls and hard standing. A condition to require finished floor levels to be submitted and approved is not necessary in this case because this is shown on the amended plans.

Despite the proposed increase in height, the proposed dwelling would not be overbearing and would not result in any significant loss of daylight or sunlight to habitable rooms or garden of any neighbouring property because of the intervening distances. There are no facing windows between properties which could give rise to any issues of overlooking.

Therefore it is considered that the proposed replacement dwelling would not have an adverse impact upon neighbouring properties in accordance with Local Plan policy LH5 (iv).

Therefore it is considered that the proposed replacement dwelling is in accordance with Local Plan policy LH5. Although the replacement dwelling is not a similar size to the existing dwelling, in the context of this site and its setting within the landscape, the proposed dwelling would make a positive contribution to the character and appearance of the area, would not have an adverse impact upon neighbours and would not be more intrusive in the landscape or street scene either through increased building mass or greater activity.

### Environmental Management

Core Strategy policy CC1 and the Authority's Climate Change and Sustainable Building SPD require all new housing to be built to a minimum sustainability standard equivalent to that required by the government of affordable housing by Registered Social Landlords.

A recent written statement to parliament from the Department for Communities and Local Government dated March 2015 is a material consideration in this respect. In the decision taking section of the written statement it says that Government Policy is that planning permissions should not be granted requiring or subject to conditions requiring compliance with any technical housing standards other than for those areas where there are existing policies on access, internal space or water efficiency.

CC1 requires development to meet a standard equivalent to that required by Government of affordable housing by Registered Social Landlords rather than stipulating a specific standard. The Government currently do not require RSLs to meet any standard. Therefore at this point in time having had regard to recent Government Guidance it is considered unnecessary to impose conditions requiring development to meet technical standards.

The submitted application does however state that the dwelling would be built with a high level of insulation and incorporate low energy and water fittings and appliances. The submitted application also states that consideration will be given to incorporating renewable technologies such as solar / photovoltaic panels, ground or air source heat pump, biomass boiler and grey water recycling. None of these technologies are incorporated in the submitted plans. Officers encourage the incorporation of these technologies provided that they can be accommodated without harm to the design or the local area. Therefore, if permission is granted a condition would be recommended to ensure that no renewable technologies are installed other than in accordance with a scheme approved by the Authority.

### Other Issues

The proposed dwelling would be served by the existing access which would not be altered. There is ample space within the application site to park three vehicles clear of the highway. The Highway Authority has been consulted and raise no objection to the proposals. Therefore subject to appropriate conditions to require details of a construction compound to be agreed and the parking and turning space to be laid out and maintained in perpetuity it is considered that the

proposed development would be served by satisfactory parking and access arrangements in accordance with saved LP policies LT11 and LT18.

Foul sewerage would be disposed of to the main sewer which is acceptable and in accordance with Government guidance within the National Planning Practice Guidance.

The proposal falls outside of the Authority's requirement for a protected species survey because of the age of the building. The Authority's officers are not aware of any protected species or habitat that could be affected by the proposal. Although it is considered that the proposed development would be unlikely to have an adverse impact upon any nature conservation interests, an advisory footnote is recommended to remind the developer as a precautionary approach.

### **Conclusion**

It is therefore concluded that the proposed development dwelling is in accordance with Local Plan policy LH5 because although the replacement dwelling is not a similar size to the existing dwelling, in the context of this site and its setting within the landscape, the proposed development would make a positive contribution to the character and appearance of the area, would not have an adverse impact upon neighbours and would not be more intrusive in the landscape either through increased building mass or greater activity.

There are no objections to the proposed access, parking and manoeuvring space or garage. The proposal would not harm the valued characteristics of the National Park including its landscape character and biodiversity.

In the absence of further material considerations, the proposed development is considered to be in accordance with the development plan and accordingly is recommended for approval subject to conditions.

### **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