

11. FULL APPLICATION – ERECTION OF NEW HOUSE AND GARAGE INCORPORATING CHANGES TO APPROVAL GIVEN FOR SIMILAR ON THE SITE (REF NP/DDD/0311/0196) AT FORMER GLEN COTTAGE, RIDDINGS LANE, CURBAR (NP/DDD/0415/0283, P.5601, 424735 / 375345, 29/04/2015/AM)

APPLICANT: MS MARITA OURY

Site and Surroundings

The application site is situated on the north-east side of Riddings Lane, about 450m south of the Froggatt Crossroads, between Froggatt and Curbar. The site fronts onto Riddings Lane and there is a private track to the north which serves two neighbouring properties. The level of the site rises eastwards away from Riddings Lane and is bounded by mature trees and hedges which largely screen the site from adjacent public vantage points.

Access to the site is via Riddings Lane. The nearest neighbouring properties in this case are Windrush to the north east and White Croft to the south west.

The site was previously occupied by a single storey detached dwelling (Glen Cottage) which was constructed of white-painted brick and dark-stained weatherboarding under a pitched roof clad with red clay tiles and which formed one of the ribbon of residential properties along Riddings Lane which lie outside of and between Curbar and Froggatt. Glen Cottage has now been demolished after planning permission was approved in 2011 for the erection of a replacement house and garage. Building works are currently underway on site.

Proposal

This application seeks planning permission for the erection of a different house and garage on the site. The proposed two storey, three bedroom house and detached garage would both be constructed from natural gritstone under pitched roofs clad with natural blue slate. There is also a one bedroom flat proposed above the garage which would be occupied as ancillary accommodation to the main house. The design and siting of the proposed house and garage is closely based upon the design of the house and garage approved in 2011.

The submitted plans show that the house and garage would be located in the same positions on the site. The proposed house design incorporates the following changes as compared to the house approved in 2011.

1. The width of the element which projects from the front (south facing) elevation would be increased by 1.3m to provide space for a laundry room at ground floor and increased bedroom space at first floor. A new window is proposed in this part of the building.
2. The gable width of the two easternmost sections of the main building would be increased by 0.9m to provide additional space for living accommodation. The roof to this part of the building would continue on the same plane over the additional floor space below.
3. Provision of natural gritstone surrounds around the approved window and door openings.
4. Re-location of central chimney from above the eaves on the front (south facing) elevation to the ridge of the main roof.
5. Change roof materials from natural stone slate to natural blue slate.
6. Removal of external stone staircase and doorway from rear (north facing) elevation and reduction in size of approved roof light.

The proposed garage design incorporates the following changes to the scheme approved in 2011.

1. The garage would be the same size and located on the same position on the plot but the plan form of the building would be reversed so that the openings would be on the opposite side of the building compared to the garage approved in 2011 and the external stone staircase would be on the southern elevation of the garage rather than the north.
2. A new window opening is proposed on the side (north facing) elevation of the garage.
3. Change roof materials from natural stone slate to natural blue slate.
4. New chimney to the ridge of the building on the front (west facing) elevation.
5. Solar panels are proposed on the side (south facing) roof slope.

The plans also show proposed changes to the ground levels of the garden. Three terraces would be created to the south of the proposed house within the garden as the land rises away from Riddings Lane.

A total of three off street parking spaces are proposed with no alteration to the width of position of the existing access onto Riddings Lane. This is the same as approved in 2011.

Officers have visited the site and met the applicant as it had become apparent that the building works on-going on site incorporate the design changes proposed by this application for a new house and garage proposed (compared to the development approved in 2011). Therefore this application should be treated as retrospective in this regard.

RECOMMENDATION:

That the application be APPROVED subject to the following conditions.

1. **Development not to be carried out otherwise than in accordance with specified amended plans.**
2. **Removal of permitted development rights for external alterations, extensions outbuildings, solar or photovoltaic panels, hard standing, walls, fences and other means of enclosure to approved dwelling.**
3. **None of the existing trees to be felled unless in accordance with a detailed scheme (to include details of trees to be felled along with species and size of any replacement trees) which shall have first been approved by the Authority.**
4. **Detailed scheme of landscaping to be submitted and approved prior to the first occupation of the dwelling (including trees to be retained, new planting, earth mounding, re-seeding, walls, gates and hard standing) and to be implemented as part of the development.**
5. **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, rainwater goods, solar panels and omitting chimney from garage.**
6. **Parking and turning areas to be laid and constructed prior to occupation and maintained in perpetuity.**

- 7. The flat above the garage hereby approved shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling hereby approved. The main house and ancillary accommodation shall be maintained as a single planning unit.**

Key Issues

- Whether the proposed development is acceptable in principle.
- Whether the scale and design of the proposed development are acceptable.
- Whether the development is acceptable in all other respects.

History

2011: NP/DDD/0311/0196: Planning permission granted conditionally for demolition of house and garage to be replaced with new house and garage.

2013: NP/DIS/1013/0897: Application to discharge conditions 4, 16 and 17 on permission NP/DDD/0311/0196 accepted.

2015: NP/DDD/0315/0216: Application to vary or remove condition 2 on permission NP/DDD/0311/0196 withdrawn prior to determination.

Consultations

Please note that this report was written before the end of the consultation period. Consultation responses and letters of representation received to date are summarised below. Any further responses received before the meeting will be updated verbally by Officers.

Highway Authority – No objection provided applicant maintains the levels of off-street parking which was previously approved.

District Council – No response to date.

Parish Council – No response to date.

Representations

One letter of objection has been received to date. The reasons for objection are summarised below. The letter is available to read in full on the Authority's website.

- This is an application for a new dwelling on a vacant site at the end of ribbon development along Riddings Lane. As a proposal for a new dwelling the application does not conform to policy HC1 and should be refused.
- Planning permission was previously granted for demolition and replacement of a now removed dwelling (NP/DDD/0311/0196). That application was approved at Planning Committee in October 2011. In that case the key policy was LH5 rather than HC1.
- The proposed house is unacceptably large on a difficult and tight site. The proposed new dwelling would contravene policy LH5 even if that policy were still relevant. The majority of the footprint of the building is shown considerably widened to the north. On the south elevation a large laundry area has been added.

- The proposed changes disrupt the vernacular simplicity of the previously approved elevations. The ridge height may also have been increased which would worsen the size issue. The sum effect of the proposed development is seriously to undermine the design that was approved in 2011 and to unacceptably to increase the footprint, size, volume and mass of the building.
- The application proposes natural slate; only natural stone slates would be acceptable.
- The garage has been handed so that the steps are against the south boundary. This makes poor use of the site and emphasises size, volume and mass. The garage would now read as a detached and prominent building where the previously approved plans would be hidden in the bank at the boundary. The external stone steps to the garage are unnecessary and should be omitted.
- There should be no chimneys on the garage building because the building has the proportions of a traditional outbuilding or small agricultural building which would have not had a chimney. The solar panels proposed on the garage would destroy the traditional form and character of the building in this setting. The proposed sliding door is also a non-traditional feature.
- The proposed design incorporates quoins and jambs into the fenestration. These details should be subject to agreement with the Authority.

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

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 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

Principle

Planning permission was granted in 2011 for a replacement dwelling on this site and that planning permission has been implemented by the applicant. The house currently being built on site is not in accordance with the plans approved in 2011, but the house is located in the same position and could, if required, be modified to comply with the 2011 planning permission. Therefore it is considered that the 2011 permission remains extant.

In any case, the fact that the Authority granted planning permission recently in 2011 for a replacement house and garage of a similar design on the site to that now proposed is considered to be a material consideration to which Officers' attach significant weight. It is therefore considered that most relevant policy in this case is saved Local Plan policy LH5 which deals with replacement dwellings, rather than Core Strategy policy HC1 which is relevant for new houses in the National Park.

Planning permission was granted in 2011 because the Authority considered that the replacement dwelling would be in accordance with LH5 as it would make a positive contribution to the character and appearance of the area, would be a similar size to the original building, and would not be intrusive in the landscape. The key issue in this case is therefore considered to be whether the proposed development, and in particular the changes compared to the development approved in 2011, are acceptable in the context of relevant Development Plan policies.

Whether the scale and design of the proposed development is acceptable

As stated earlier in this report, the position and orientation of the proposed house and garage on the site would be unchanged. Two changes to the design of the proposed house are proposed. The depth of part of the house would be increased by 0.9m on the rear elevation to provide additional space for accommodation at ground and first floor and the width of the 'lean-to' which projects beyond the front wall of the house would be widened by 1.3m to provide space for a laundry room. Otherwise, the overall eaves and ridge height and dimensions of the house would be the same as that approved in 2011. The garage and accommodation above would be the same size and height as previously approved.

The volume of the house and garage approved in 2011, when combined, would be 22.5% greater than the original house, but in terms of footprint would actually be 4% smaller. The volume of the house and garage now proposed would be 34% greater than the original house and in terms of footprint would be 5% larger.

It is therefore clear that when combined, the proposed house and garage would have a larger footprint and volume compared to the development approved in 2011. This is an important consideration in the context of LH5 (iii) and (v) which requires replacement dwellings to be of a similar size to the existing and not be intrusive in the landscape.

The proposed increase in size is considered to be relatively modest in the context of the scheme approved in 2011 and the original house. The footprint of the proposed development would be similar to the original house.

The majority of the increase in volume would be as a result of the proposed alteration to the rear wall of the dwelling. There would be no increase in the overall height or length of the house and the rear part of the building would not be easily visible due to mature tree planting around the northern boundary of the site and therefore the building would not be read as significantly larger than that previously approved. The proposed increase in width of the 'lean-to' on the front elevation would be visible from public vantage points but it would still read as a subordinate element against the main mass of the building and would not have any significant impact.

It is therefore considered that the impact of the proposed development in terms of increased size and massing from public vantage points would not be significant and that the proposed development would not be more intrusive in the landscape, in accordance with LH5 (iii) and (v).

The design of the proposed development is closely based upon the house and garage which were approved in 2011. The proposed house retains a stepped form with narrow gable widths which rise up the sloping site. The increase in gable width to the rear of the building would not undermine acceptability of the overall form of the building and would not have an impact upon the heights of the stepped roof. The projecting 'lean-to' element on the front elevation would retain a simple character and be subordinate to the main building.

The provision of gritstone quoins and jambs would be in accordance with the built tradition and the proposed amendments to the position of the chimney and reduction in size of the roof light on the rear elevation would result in modest improvements to the design. The application proposes natural blue slate for the roof instead of natural stone slate which was approved in 2011. Natural blue slate is considered to be an appropriate building material in this location because there is a mixture of blue slate and stone slate on traditional buildings in the local area.

The overall design of the proposed garage is very similar to the design approved in 2011. The garage has been 'handed' so that the plan of the building is reversed and the external stone steps are now on the southern side of the building. The overall design of the proposed garage reflects that of a traditional outbuilding and is considered to be acceptable. Officers are concerned about the introduction of a chimney to this building because it would domesticate a building which is otherwise designed to reflect a traditional agricultural building and have recommended that this be omitted.

The application proposes to install solar panels on the south facing roof of the garage. These panels would be visible from the roadside and would have the potential to be prominent and visually intrusive if poorly detailed. However, slim dark coloured panels integrated into the blue slate roof would have much less impact and would be an acceptable way of integrating renewable energy into the development without impacting upon the main building. Details of the proposed solar panels have not been provided and therefore a condition would be recommended for this to be submitted and agreed prior to the erection of the roof to the garage building.

There are no objections to the proposed changes to the garden levels which are minor and would provide level garden space on the rising ground in a way which would reflect the stepping of the main house. The proposed terraces would be relatively shallow and would not have a harmful visual or landscape impact.

It is therefore considered that the proposed development is of a high standard of design in accordance with adopted design guidance and therefore that the proposed development, if approved, would make a positive contribution to the local area in accordance with LH5 (i).

Other Issues

The proposed development would not have any harmful impact upon the privacy, amenity or security of any neighbouring property due to the orientation of the proposed buildings and the intervening distances. The proposed development is therefore in accordance with LH5 (iv).

The proposed off-street parking and turning space is the same as that approved in 2011. A total of three off-street parking spaces are proposed (including the garage) which is acceptable. The vehicle access would not be altered. The Highway Authority has no objections because the access, parking and turning areas would be the same as that approved in 2011.

The application proposes a flat at first floor above the garage to provide additional accommodation which would be occupied ancillary to the main house. This was also part of the scheme approved in 2011. There are no objections to this accommodation because it would be small scale and not harm the character or appearance of the development or the landscape. If permission is granted, a condition would be recommended to restrict the occupancy of this accommodation to ancillary to the main house only. This is because the use of the flat as an additional independent dwelling would be contrary to Core Strategy policy HC1.

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.

Conclusion

It is considered that the size, design and form of the proposed dwelling and garage is acceptable and will positively contribute to the character and appearance of the area and would not be more intrusive in the landscape compared to either the original dwelling or the development which was approved in 2011. The proposed development would otherwise not harm the amenity, security or privacy of any neighbouring property or land use or have any harmful impact upon highway safety. The proposed development is therefore considered to be in accordance with relevant Development Plan policies and it is therefore recommended for approval subject to conditions.

As development has commenced on site it is not necessary to impose a planning condition specifying the statutory start date. It is, however, necessary to impose a condition requiring development to be carried out in accordance with the proposed plans along with conditions to secure appropriate design details, landscaping and to restrict occupancy of the flat above the garage ancillary to the main dwelling only.

A condition requiring parking and turning space to be laid out prior to occupation of the house and maintained in perpetuity is also considered to be necessary in the interests of highway safety. Finally, a condition to remove permitted development rights for various types of domestic development is considered to be necessary in this case because such development could, over time, have an adverse impact upon the high quality design of the dwelling which would undermine a key reason why the development is considered to be acceptable.

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