

## **APPENDIX 1**

### **9. HOUSEHOLDER APPLICATION – UNDERGROUND GARAGE/WORKSHOP TO REPLACE EXISTING TEMPORARY WOODEN STRUCTURES AT SLALEY HALL COTTAGE, LEYS LANE, SLALEY - (NP/DDD/1119/1248, SC)**

**APPLICANT: PETER O HALLORAN**

#### **Summary**

1. The application seeks permission for a detached undergrounded garage and workshop for domestic residential use. The key considerations are, the potential impact on the character and appearance of the host property and the street scene, the privacy and amenity of neighbouring dwellings and highway safety. In this case, the impacts are acceptable and the application is recommended for approval.

#### **Site and Surroundings**

2. Slaley Hall Cottage is a traditional two storey dwelling situated on the north side of Leys Lane, approximately 100m north east of Slaley Hall and forms part of a group of buildings towards the north eastern edge of the hamlet. The development subject of this application would be sited approximately 25m west of the main property. The land at this point is at a higher level than the host building with a rising bank behind and open fields beyond. A range of timber outbuildings currently occupies the land. Access would be directly off Leys Lane with the nearest neighbouring property 'Homestead' located at an elevated level to the west of the development site.

#### **Proposal**

3. Planning consent is being sought, to erect a partially undergrounded garage and workshop building with a terrace area above. Amended plans have been submitted showing the building set back two metres from the nearside carriageway edge, which alleviates previous concerns raised by the Highway Authority regarding visibility and safe access. These changes are considered acceptable and subsequently the amended plans form the basis of the current application.

#### **RECOMMENDATION:**

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

1. **Standard 3-year time limit.**
2. **Compliance with amended plans and details.**
3. **Submission of details prior to the garage being brought into use for the roofing of the garage and omission of the steps to the garage roof.**
4. **Design and materials.**
5. **Workshop to remain ancillary to main dwelling.**

6. **Garage to remain for garaging of private domestic vehicles only.**
7. **The roof of the garage shall not be used for any recreational or domestic purpose.**
8. **Source of local stone and timber to be submitted for approval.**

#### **Key Issues**

4. The potential impact on the character and appearance of the host property and the street scene, the privacy and amenity of neighbouring dwellings and highway safety.

#### **Relevant History**

5. 2019: NP/DDD/0119/0061 - Underground garage/workshop/storage plus ancillary accommodation to rear of scheme, to replace existing temporary wooden structures. Refused on scale and design grounds.
6. 2010: NP/DDD/1109/0995 - Ground and first floor extension to property - Granted conditionally.
7. 2014: NP/NMA/1014/1077 - Non-material amendment to design of side-extension accepted.

#### **Consultations**

8. Highway Authority - No objections, subject to the building being set back a minimum of 2m from the carriageway edge.
9. District Council - No response to date.
10. Parish Council - ...'*object to the proposed development on the grounds that the design and appearance, and layout and density of the proposed buildings, were not in keeping with the character of the surrounding area*'.

#### **Representations**

11. None.

#### **National Planning Policy Framework**

12. 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: Which are; to conserve and enhance the natural beauty, wildlife and cultural heritage and promote opportunities for the understanding and enjoyment of the special qualities of national parks by the public. When national parks carry out these purposes they also have the duty to; seek to foster the economic and social well-being of local communities within the National Parks.

13. The National Planning Policy Framework (NPPF) has been revised (2019). This replaces the previous document (2012) with immediate effect. The Government's intention is that the document should be considered as a material consideration and carry particular weight where a development plan is absent, silent or relevant policies are out of date.
14. In particular, paragraph 172 states that great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, which have the highest status of protection in relation to these issues.
15. In the National Park, the development plan comprises the Authority's Core Strategy 2011 and the new Development Management Policies (DMP), adopted May 2019. These Development Plan Policies provide a clear starting point consistent with the National Park's statutory purposes for the determination of this application. In this case, it is considered there are no significant conflicts between prevailing policies in the Development Plan and government guidance in the NPPF.

### **Main Development Plan Policies**

#### **Core Strategy**

16. GSP1, GSP2 - *Securing National Park Purposes and sustainable development & Enhancing the National Park*. These policies 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.
17. GSP3 - *Development Management Principles*. Requires that particular attention is paid to the impact on the character and setting of buildings and that the design is in accord with the Authority's Design Guide and development is appropriate to the character and appearance of the National Park.
18. DS1 - *Development Strategy*. Supports extensions in principle, subject to a satisfactory scale, design and external appearance.

#### **Development Management Policies**

19. DMC3 - *Siting, Design, layout and landscaping*. Reiterates, that where developments are acceptable in principle, Policy requires that design is to high standards and where possible enhances the natural beauty, quality and visual amenity of the landscape. The siting, mass, scale, height, design, building materials should all be appropriate to the context. Accessibility of the development should also be a key consideration.
20. DMC5 - *Assessing the impact of development on designated and non-designated heritage assets and their setting*. The policy provides detailed advice relating to proposals affecting heritage assets and their settings, requiring new development to demonstrate how valued features will be conserved, as well as detailing the types and levels of information required to support such proposals. It also requires development to avoid harm to the significance, character, and appearance of heritage assets and details the exceptional circumstances in which development resulting in such harm may be supported.

21. DMH8 - *New Outbuilding and alterations and extensions to existing outbuildings in the curtilages of dwelling houses.* States, that new outbuildings will be permitted provided the scale, mass, form, and design of the new building conserves and enhances the immediate dwelling and curtilage. In addition, the use of the buildings will be restricted through conditions, where necessary.
22. DMH7 - *Extensions and alterations.* States that extensions and alterations to dwellings will be permitted provided that the proposal does not detract from the character, appearance or amenity of the original building, its setting or neighbouring buildings.
23. DMT3 *Access and design criteria.* States amongst other things, that a safe access should be provided in a way that does not detract from the character and appearance of the locality and where possible enhances it. Whilst DMT8 - *Residential off street parking.* Says, that off-street parking for residential development should be provided and the design and numbers of parking spaces associated with the residential development respects the valued characteristics of the area.
24. The Authority has also adopted three separate supplementary planning documents (SPD) that offers design guidance on householder development namely the Design Guide, the Building Design Guide and the Detailed Design Guide on Alterations and Extensions. This guidance offers specific criteria for assessing the impacts of householder development on neighbouring properties.

## **Assessment**

### **Principle of development**

25. The provision of ancillary domestic garaging is in effect an extension. There are no objections in principle to extending a dwelling, subject to satisfactory scale, design and external appearance and where development pays particular attention to the amenity, privacy and security of nearby properties, in accordance with policies DS1 & DMC3 in particular.

### **Design and materials**

#### **Proposed garage/workshop building**

26. The Authority's design guidance advises, that an underground garage solution can be considered, should it minimise the garages obtrusiveness where the form of the garage is deliberately played down and effectively 'lost' behind walls and planting. Further stating, that if a garage results in a building of a size that cannot be considered to be of a design that is sympathetic to the property it serves, e.g. they do not appear subservient or are out of proportion with the house itself, these considerations will outweigh any issues of car storage.
27. The proposed garage and workshop would replace an array of timber structures to the south west of the main dwelling. Part of the roadside drystone walling to the site would also require re-aligning, in order to curve

round and join up with the garage development. The existing garden steps would also be re-modelled, allowing access to the workshop and the upper garden area, whilst also providing a sheltered bin area.

28. The building itself would be set back 2m from the roadside, with a footprint measuring around 7.5m in depth x 9m in length, with the visible roof of the building being proposed as a terraced area. The front roadside elevation of the building, would measure around 3.4m at its highest point, with the walls of the building being constructed of natural stone to match the existing dwelling and the surrounding vernacular. All doors would have gritstone headers and be vertically boarded timber.
29. In this case, the garage/workshop building would appear subordinate in scale and massing in relation to the main dwelling and in the wider street scene. Moreover, it would reflect a design and use of materials that would complement the host building, helping to preserve its traditional character and appearance. Consequently, the development by virtue of its siting, scale, design and use of materials, would accord with policies GSP3, DMC3, DMC8 & DMH7 respectively.

### **Amenity impact on neighbouring properties**

30. Outlook, amenity, privacy and daylight are fundamental considerations when altering or extending a property. This is to ensure that habitable rooms achieve a satisfactory level of outlook and natural daylight, there is adequate privacy and outdoor private amenity space and that no overbearing or harmful overshadowing of neighbouring property results.
31. The nearest neighbouring property that would be most affected is 'Homestead' which is sited around 25 metres west of the proposed development and at a higher level. It is considered the development, whilst close to the boundary of this neighbouring property, would be sited far enough away from the dwelling itself, not to harm the quiet enjoyment of the occupants of this dwelling. However, the application site is separated from the garden of the Homestead by another piece of land in the ownership of the residents of Hillside Cottage. The use of this land is ambiguous, but appears to be in low level domestic use. Although the land is not currently in a condition to be used as a garden, the use of the proposed terrace on the garage would be over bearing and overlooking of the land and would have a significant impact on neighbour amenity. This would be contrary to policies GSP3 & DMC3 in these respects. However, it's considered that the use of the roof of the roof of the garage as a terrace can be limited by condition and the scheme can be made acceptable in this respect.

### **Highway Impact**

32. The Local Highway Authority has raised no objections, subject to the garage/workshop building being set back 2 metres from the roadside edge. In this case, amended plans have secured this, therefore the proposal is considered acceptable in highway safety terms, according with policy DMT8 in these respects.

### **Environmental Management**

1. Labour: A good contact base of local tradesmen has been built up by the owner, who intends to use a team of builders that only need to travel short distances.
2. Materials: Locally sourced stone and timber materials will be used, which in turn reduces the carbon emitted in terms of journey time from source.

### **Conclusion**

3. In conclusion, the proposed garage and workshop building is considered of an appropriate scale, design and appearance in relation to the existing property, uses natural materials in keeping with the local surroundings and would have no adverse impact on nearby residential amenity or highway safety. Consequently, the scheme is considered in accordance with National Development Plan Policies, adopted Design Guidance, and recommended for approval to members, subject to appropriate and reasonable conditions.

### **Human Rights**

4. Any human rights issues have been considered and addressed in the preparation of this report.
5. List of Background Papers (not previously published)
6. Nil

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