

**14. FULL APPLICATION - FOR THE DEMOLITION OF HILLCROFT AND A GARAGE. REPLACEMENT WITH A NEW DWELLING AND DOUBLE GARAGE AT HILLCROFT, SHERWOOD ROAD, TIDESWELL, BUXTON (NP/DDD/0720/0609 SPW)**

**APPLICANT: NEIL FOSTER AND CLARE READING**

**Summary**

1. The proposed replacement dwelling does not provide an enhancement nor accord with the basic principles of the Design Guide for designing in sympathy with the local building traditions. The result is a design which is not acceptable, does not achieve an enhancement of the site and which would harm the setting of the Conservation Area. The proposal is therefore contrary to the policies of the development plan in particular DMH9 which deals with the principle of replacement dwellings.

**Site and Surroundings**

2. Hillcroft is a detached dwelling located on Sherwood Road, Tideswell.
3. Next to the site to the north and south are garages. To the north there is Bockerly Lane which leads to Bockerly Lodge and through to Gordon Road. Bockerly Lane has a number of garages before it reaches Bockerly Lodge. The conservation area runs along Bockerly Lane but excludes the garages. To the south of the site there are garages on the road frontage (these have a mono pitch roof with corrugated sheet roof) in the same ownership as the applicant and then Lochiel Villa which is also in the same ownership. There are a number of mature trees in the curtilage of Hill Croft and a large mature sycamore tree close to the boundary but associated with Lochiel Villa. This however overhangs the boundary to Hillcroft, and is shown on the submitted plans.
4. Hillcroft benefits from a very long garden. Its eastern, western and part of its northern boundary adjoin the Conservation Area.
5. From the front, Hillcroft appears as a 20<sup>th</sup> century single storey bungalow. The site slopes such that at the rear it has two storeys. It is constructed of stone with hipped roof clad in natural blue slate and red ridge tiles, it has bay window to the front and overhanging eaves.
6. There are no listed buildings on the site. There is a ruin on the wider site (to the east) which sections of stained glass have been recovered by the applicant.
7. Most of the dwellings on the street are only set back from the road a very small amount.

**Proposal**

1. The proposal is to demolish the existing dwelling and a garage and replace it with a dwelling and double garage.
2. The walls would be constructed of split faced limestone.
3. There are a mix of materials for the roofs which are indicated on the plans and include natural blue slate and standing seam zinc roofs.
4. The dwelling would provide accommodation over two floors including 3 bedrooms, 3 bath/shower rooms, studio/flexible living space/, Open plan living and dining area, kitchen, Study and very large basement storage area lit by roof lanterns.

## **RECOMMENDATION:**

### **8. That the application be REFUSED for the following reasons -**

- 1. The proposal would not achieve an enhancement of the site or the wider National Park and it is therefore contrary to the replacement dwelling policy Development Management Policy DMH9, this is because its design is not in accordance with the 'Design Guide' and is contrary to core Strategy policy GSP3 and Development management policy DMC3.**
- 2. The proposal would harm the setting of the Conservation Area including views into and out of the Conservation Area so it is contrary to Core Strategy Policy L3 and Development Management Policy DMC8 and would harm the valued characteristics of the National Park so also contrary to Core Strategy policy GSP1 and L1.**

## **Key Issues**

### **9. The key issues are:**

- Design
- Will the proposal achieve an enhancement as required by DMH9
- Will the proposal conserve and enhance the setting of the Conservation Area
- Amenity.

## **History**

10. 2019 – (36976) Pre application enquiry in relation to a replacement dwelling – Advice on first scheme was that the issues presented by this proposal are related to design, landscape impact and amenity.
11. The scale form and massing of the building needed to be addressed before any forthcoming planning application is submitted. The existing dwelling is nestled into the site neatly set back an appropriate distance from the roadside in-keeping with the rest of the streetscape. The proposed development is set back from the roadside an excessive amount, creating a large courtyard area at the front of the property that is atypical and discordant with the streetscape. While the proposed materials are in-keeping with the local vernacular, the gable size may be an issue and also the form. Within the Authority's SPD, the Design Guide, gables are traditionally relatively narrow with a width of 5.5-6.0m. The local building tradition is for a simplicity of form, but the flat roofs make the massing overcomplicated and awkward, the design guides explicitly explain that flat roof are rarely appropriate. The flat roofs are an issue that needs resolving as well as being unacceptable in their own right they also result in a very complicated form. When viewed from the front the proportion of roof in comparison to the height of the walls would make the roof appear to be the dominant element. And from the front there would not be any stonework visible on the main body of the building due to the unfortunate flat roof protrusion. This unusual form is exacerbated by the extruded chimney feature. Cumulatively it has resulted in an unusual form which seems to be wide, top heavy and which has complicated massing which does not follow the Authority's guidelines in the SPD. "Rear elevations were traditionally less formal than the front and had fewer openings...Keep the number of openings on gables and rear elevations to the minimum wherever possible" (Design Guide SPD, page 22). The sheer amount of glazing placed on the rear elevation provides an overbearing horizontal emphasis. The overall horizontal shape of traditional dwellings was often balanced visually by vertical emphasis given by windows, doors and chimneys; however, in this instance, due to the volume of the glazing, it has the opposite effect. This not only impacts the design of the building but has great consequences in regard to light pollution and glare. The reflective qualities of

the glazing could have a detrimental impact on the surrounding landscape. “Keep the types and number of openings to a minimum and arrange them with care” (Design Guide SPD, page 22). The large amount of windows on the rear elevation also negatively affects this elevation’s solid to void ratio. The solid to void ratio of the building is not balanced either; almost all of the windows are contained on the rear elevation. There should be a formal front to this building and in comparison to the rear the importance of the front is belittled. This makes the front elevation appear of less importance than the rear. This requires some significant adjustment, I would suggest starting by removing the flat roofed sections and forming a formal front elevation in the normal manner, that is directly under the eaves with high portion of stone and openings with a vertical emphasis to provide the right solid to void ratio. Neighbour amenity should also be considered in regard to the balconies on the rear elevation. There are a number of surrounding properties in the area that could be at risk of being overlooked. It’s rare that balconies are appropriate so I will be interested to see how this develops as you revise the overall design.

12. A second design was submitted but officers remained concerned about the design, whilst it was different was not equally unacceptable, and still had many of the same issues (glazing volumes, large areas of flat roofs) as well as introducing new ones like a clerestory feature (a horizontal glazing feature between the walls and the roof wrapping around the building).

### **Consultations**

13. Derbyshire County Council Highways – No objection subject to the following conditions
14. Before any other operations are commenced, space shall be provided within the site for storage of plant and materials, site accommodation, loading, unloading and manoeuvring of goods vehicles, parking and manoeuvring of employees and visitors vehicles, laid out and constructed in accordance with detailed designs first submitted to and approved in writing by the Local Planning Authority. Once implemented the facilities shall be retained free from any impediment to their designated use throughout the construction period.
15. Before any other operations are commenced a new vehicular access shall be created to Sherwood Road in accordance with the approved application drawings, laid out, constructed and provided with 2.4m x 25m visibility splays in both directions, the area in advance of the sightlines being maintained throughout the life of the development clear of any object greater than 1m in height (0.6m in the case of vegetation) relative to adjoining nearside carriageway channel level.
16. The proposed access drive to Sherwood Road shall be no steeper than 1:15 for the first 5m from the nearside highway boundary and 1:10 thereafter.
17. The premises, the subject of the application, shall not be occupied until space has been provided within the application site in accordance with the application drawings for the parking and manoeuvring of residents’, laid out, surfaced and maintained throughout the life of the development free from any impediment to its designated use.
18. There shall be no gates or other barriers within 6m of the nearside highway boundary and any gates shall open inwards only.
19. No part of the development shall be occupied until details of arrangements for storage of bins and collection of waste have been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the agreed details and the facilities retained for the designated purposes at all times thereafter.
20. Tideswell Parish Council – No objections and support the application.

21. Derbyshire Dales District Council – No response to date
22. Natural England – No objection
23. Peak District National Park Authority Archaeology – Full response is available on the electronic file - the proposed development is along the already developed frontage along Sherwood Road, with the proposed new house and garage largely situated over the footprint of existing buildings and development. This significantly reduces the archaeological interest and potential of the development site, and makes the likelihood of this particular development encountering undisturbed archaeological remains that would help in the understanding of the development of Tideswell in the medieval and post-medieval period very unlikely.
24. Therefore, there are no archaeological concerns, further comments or need for archaeological conditions.
25. Peak District National Park Authority – Landscape – Don't have significant concerns over this application as a whole, the removal of the locally-important streetscape trees on the Sherwood Road frontage is a significant loss. I do not think that the proposed multi-stem tree has enough impact – while I do not object to the principle of the scheme, I would like to see a landscape scheme to the Sherwood Road frontage conditioned. This should look to increase the landscape area and incorporate a single stem standard tree in addition to the proposed multi-stem.
26. Peak District National Park Authority – Forestry - This application proposes the removal of four early-mature category 'C' trees, one early-mature category 'C' group and one semi-mature category 'U' tree. The loss to amenity through the removal of these trees will be moderate and the proposed replanting scheme is welcome, but it is recommended that there is replanting of seven, instead of six trees, to avoid loss of canopy cover and achieve biodiversity net gain. Ideally an extra tree to be planted at the front or side of the new development to mitigate the loss of trees from the frontage/ streetscape. The Tree Protection Plan is sufficient for protecting the remaining trees on site, as Tree Protection fencing to BS 5837 is proposed to create a Construction Exclusion Zone around the Root Protection Areas of the trees to be retained.
27. Suggested conditions –
28. All works to be undertaken in accordance with the submitted 'Tree Protection Plan HLT 03' (submitted 03-07-2020)
29. No retained tree shall be cut down, uprooted, destroyed, pruned, cut or damaged in any manner during the development phase and thereafter within 5 years from the date of occupation of the building for its permitted use, other than in accordance with the approved plans and particulars or as may be permitted by prior approval in writing from the local planning authority.
30. Prior to completion or first occupation of the development hereby approved, whichever is the sooner; full details of all proposed tree planting shall be submitted to and approved in writing by the Local Planning Authority. This will include planting and maintenance specifications and confirmation of location, species and sizes. All tree planting shall be carried out in accordance with those details and at those times. Any trees that are found to be dead, dying, severely damaged or diseased within five years of the completion of the building works OR five years of the carrying out of the landscaping scheme (whichever is later), shall be replaced in the next planting season by specimens of similar size and species in the first suitable planting season.
31. Peak District National Park Authority – Ecology – No objection to the application in principle, given that bats have used the property in the past, bat boxes are insufficient for planning gain. There are no cross sections provided with the application to determine

whether there is a loft space and whether this has potential to be suitable for bats. Please could we ask that details are provided to establish whether a bat loft could be incorporated here? The RAMS suggested are sufficient and should be conditioned that these measures are followed, unless otherwise agreed in writing. The incorporation of a wildlife pond and native planting into the landscape plan are great, but we would like to see further details of species, which could be conditioned. I would also like to see the native planting extended along the northern boundary to provide habitat linkage from the pond to the wider countryside. The above information is required before I can make further comment.

### **Representations**

32. Thirteen representation have been received five are in support, five object and 3 have no objections.

33. Support is raised on the following grounds -

- Improvement for the neighbourhood
- High amount of sustainability in the scheme.
- Support Passive Haus
- Will remove a non-traditional dwelling and replace it with a modern eco dwelling.
- Provides adequate off street parking
- The contemporary elements of the scheme help to build an ongoing narrative of the village.

34. Concern and objection are raised on the following points

- Design and appearance is contrary to the Design Guide requirements and would have an unacceptable and adverse impact on the landscape and the adjacent Conservation Area.
- Design conflicts entirely with the Conservation Area which surrounds it.
- Size and appearance will have a major negative impact on the area and the Conservation Area.
- The proposed large double garage is out of proportion to the surroundings and would have a major negative impact on the character of the site and its setting facing the conservation area. Its hugely increased size relative to the current garage and proximity to the road will give it a vertical emphasis which will not fit harmoniously into the landscape. The removal of views over the plot to hills beyond would damage the wider landscape setting.
- Object to the demolition of the current bungalow and replacement with a new eco-friendly dwelling. The existing building is similar in design to a row of bungalows south on Sherwood Road, so there is no design imperative favouring demolition over refurbishment. Refurbished, given that the structure looks to be sound but would need reroofing, would be preferable and in keeping with the area.
- The proposed building would overlook Bockerly Lodge and affect their privacy and that of other properties nearby. The wall which is elevation D would be extremely large and overbearing and totally out of character with the surrounding conservation area.
- The proposed new modern property will be out of character with the surrounding typical Peak District properties which are in the conservation area and will be detrimental to the characteristics of the landscape blocking the open aspects from Sherwood Road and Brockley Lane which currently have views across the valley to countryside beyond. All anyone walking down Brockley Lane will now see is a long expanse of a stone building looking more like an industrial building than a home.
- The view of the proposed building from Brockley Lane appears to be essentially a large wall which could appear like an industrial unit/Prison wall. Where currently there are trees

there will be a stone wall. In particular from our house this elevation will just be a large mass of stone wall which is extremely high and will look overbearing.

- The proposal would represent a radical change in the character of the site. Superimposing the existing structure on the proposed elevations suggests a two to three times increase in the built elevation areas from both perspectives.
- With reference to the plan long elevation D, the height for most of the proposed side elevation is level with the roof apex of our house. The result of this is that large portions of Ollerset House can be overlooked from the balcony. In addition this property currently enjoys an open and unobstructed view over the site, the skyline would be dominated by the view of a large expanse of stone wall which will be easily visible from our lounge window and front and rear gardens.
- The impact of the proposed rear balcony on our and nearby properties should be assessed. It appears that it will overlook our and other gardens and would damage our and other residents' enjoyment of our and their properties and also our and their privacy. It also appears that our side windows will be looked into and as we look out of our 2 side windows we will just be met with an overbearing very high stone wall. From our upper bedroom window the view currently open would also be changed with loss of privacy.
- The large expanse of glass would seem to be out of character for the surrounding conservation area where window size is generally restricted under current guidelines.
- The overall effect is that the proposed building does not fit into the lay of the land nor the landscape
- Will result in the loss of one verge parking space
- The landscape and street character will be significantly adversely affected by the proposal.
- The garage at the front will impact on the street and the cottages on the opposite side of the road.
- The current open green character of the site would be radically changed with a built stone frontage across the whole of the plot width.
- The roofline will be hugely raised across the whole plot width, to the height of the highest single point of the existing bungalows.
- Concern over highway safety.
- Masterplan does not provide any mitigation for the potential light pollution and loss of privacy, particularly from the rear elevation.
- Rear elevation will overlook and dominate neighbouring properties.
- The large sycamore tree is of very high amenity value and should be protected by a TPO.
- The proposal includes excavation of limestone from the site and major earthworks are proposed. Access difficulties for large plant are likely. Additionally, noise, dust and other significant inconvenience for nearby residents are likely over a prolonged period. Should the application be approved I urge the planning authority to impose conditions that minimise the extent and period that this nuisance may occur.

### **Main Policies**

35. Relevant Core Strategy policies: GSP1, GSP2, GSP3, GSP4, L1, L2, L3, HC1, CC1, CC2, T3, T7.
36. Relevant Development Management policies: DMC3, DMC5, DMC8, DMC11, DMC12, DMC13, DMH9.

### National Planning Policy Framework

37. The National Planning Policy Framework (NPPF) was published on 27 March 2012 and replaced a significant proportion of central government planning policy with immediate effect, the revised version was published in 2019. 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. In the National Park the development plan comprises the Authority's Core Strategy 2011 and the Development Management Policies 2019. 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 Government guidance in the NPPF.
38. Para 172. Of the NPPF states that 'great weight should be given to conserving 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 landscape and scenic beauty. The conservation of wildlife and cultural heritage are important considerations in all these areas, and should be given great weight in National Parks and the Broads.'
39. Para 77 In rural areas, planning policies and decisions should be responsive to local circumstances and support housing developments that reflect local needs. Local planning authorities should support opportunities to bring forward rural exception sites that will provide affordable housing to meet identified local needs, and consider whether allowing some market housing on these sites would help to facilitate this.
40. Para 78 - To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby.

### Core Strategy

41. 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.
42. 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.
43. Policy L3 says that development must conserve and enhance cultural heritage assets and other than in exceptional circumstances, proposals that result in a harmful impact will not be permitted.

#### **44. Development management Policies –**

45. DMC3 says that development will be permitted provided that its detailed treatment is of a high standard that respects, protects and where possible enhances the natural beauty, quality and visual amenity of the landscape, including the wildlife and cultural heritage that contribute to the distinctive sense of place. This policy states that particular attention will be paid to:
- i. siting, scale, form, mass, levels, height and orientation in relation to existing buildings, settlement form and character, including impact on open spaces, landscape features and the wider landscape setting which contribute to the valued character and appearance of the area; and
  - ii. the degree to which buildings and their design, details, materials and finishes reflect or complement the style and traditions of the locality as well as other valued characteristics of the area such as the character of the historic landscape and varied biodiversity assets; .....
- (x) the principles embedded in the design related Supplementary Planning Documents and related technical guides.
46. Policies DMC5 and DMC8 say that applications for development in a Conservation Area, or for development that affects its setting or important views into or out of the area, across or through the area should assess and clearly demonstrate how the existing character and appearance of the Conservation Area will be preserved and, where possible, enhanced. Applications should also be determined taking into account amongst other things, form and layout, street pattern scale, height, form and massing, local distinctive design details and the nature and quality of materials.
47. DMC13 states that information will be sought from applicants to assess impacts on trees and that trees and hedgerows, including ancient woodland and ancient and veteran trees, which positively contribute, either as individual specimens or as part of a wider group, to the visual amenity or biodiversity of the location will be protected. Other than in exceptional circumstances development involving loss of these features will not be permitted.
- a. DMH9 Replacement dwellings states that the replacement of a dwelling will usually be permitted. The policy states that all proposed replacement dwellings must enhance the valued character of the site itself and surrounding built environment and landscape, reflecting the guidance provided in the Peak District National Park Authority Design Guide (2007) or any successor adopted Design Guide. It goes on to say that larger replacement dwellings should demonstrate significant overall enhancement to the valued character and appearance of the site itself, and the surrounding built environment and landscape. In all cases the replacement dwelling must not create an adverse impact on neighbours' residential amenity. In all cases the replacement dwelling must exhibit high sustainability standards.

#### **Design Guide**

48. At Para 2.15 the Design guide acknowledges that it is not easy to introduce modern architecture successfully into an area of traditional styles, and advises on use of local materials and good quality workmanship. In paragraph 2.18 it goes on to say that 'it is preferable to find a design solution which reflects or reinterprets the local tradition and is also a product of our time....New modern buildings often fail in design terms when their designers are more intent on current architectural fashion than respecting the context they are working within.
49. Para 3.11 sets out that new buildings should be in harmony with the earlier buildings around them. Historic buildings are important in setting the context for new development.

The aim is to create a pleasing visual relationship between new and old. Para 3.12 goes on to set out that there are three main factors to consider in this: Form, Detailing, Materials.

50. Other relevant parts of the Design guide are referenced in the 'assessment' section below.

### **Assessment**

#### **51. Principle of development**

52. The main policy in relation to the principle of the proposal is DMH9 of the Development Management Policies. That does allow replacement of a dwelling subject to specific criteria.

53. In all cases policy DMH9 requires the replacement dwelling to achieve an enhancement. DMH9 also allows for dwellings which are larger than the ones they replace but in these cases there is a requirement that this results in a significant enhancement of the site and surrounding built environment.

54. The existing dwelling is not traditional and is of no historic or vernacular merit, it is however, not detrimental to the National Park, so provided the development achieves a significant overall enhancement then policy DMH9 would allow for the existing dwelling to be lost and replaced by a larger dwelling in principle.

#### **55. Design considerations**

56. Whilst this proposal has been subject to extensive pre application advice it has not had resulted in a scheme that we are able to support. This is the third scheme which has been proposed on the site and each of which have had significant changes from the former iteration. Our advice has been comprehensive, and we accept that the applicant and their architect have tried to address problems with earlier schemes, unfortunately each iteration while seeking to address one issue has only led to other issues arising.

#### **57. Scale, form and massing**

58. The proposal is substantially larger than the current dwelling and would have an unacceptably complicated form, and particularly in terms of it's massing. It is without a strong front elevation with the dwelling front set back significantly from the street behind the parking courtyard and the detached garage which is contrary the general streetscape.

59. The local building tradition is for simple forms and massing, a clear architectural front which enhances the street scene and strong solid to void ratios on the elevations and particularly with gables that are solid with no or only very limited openings.

60. From the street frontage the proposal looks like an over-complicated bungalow with an unresolved plan form as a result of its twin forward projecting asymmetrical gables linked by a combination of a flat and low pitched zinc roof and sitting in front of the main rear element which is set well back behind. These gables, in combination with the asymmetrical pitched roof of the garage, dominate the frontage in an uncharacteristic manner which fails to have sufficiently reflected the principles in our Design Guide; Paragraph 3.33 which explains the basic principles of designing in sympathy with the local building tradition and ensuring a simple form and appropriate scale and detailing.

61. In particular Para 3.21 of the Building Design Guide also states that 'there is no tradition of single storey houses in the Peak District. Bungalows are a modern day unwelcome addition in many settlements. With their deep plan and tall roofs that completely dominate the insignificant area of walling beneath, they are utterly alien. Single storey dwellings,

which have a traditional narrow plan, may be acceptable if they are designed to fit into the character of the locality.’

62. The Building Design Guide also sets out at para 3.16 that Peak District cottages and houses are traditionally only one room deep and, for the most part, single aspect. This gives a typical relatively narrow gable width of 5.5m–6.0m. In sharp contrast this scheme has a very deep internal plan well over 13m long. Whilst the design seeks to break this massing up externally into smaller elements this still has resulted in the sides of the dwelling being dominated by its over 13m deep gable side wall. This runs in one plane down the site and is topped with the further asymmetrical gable of the main rear element which is spaced off from the front projecting gables by a flat roof as well as being flanked on the south side by a lower but still large flat green roofed projection.
63. The representations received have expressed concern about the expanse of the development when observed from the side elevations, particularly Brockerly lane. This is a concern we share. From the garage at the frontage to the rear elevation the development is approximately 24m in length. For much of this it would be built up significantly along the boundary of the site and be somewhat overbearing due to the combination of its height and expanse and because the development is constructed right up to the boundary rather than being set back like the existing dwelling. The arrangement of the differing elements of the scheme along the side elevation with the changes to roof style serves to create a discordant and chaotic appearance from this elevation.
64. Objectors have also expressed concern in comparing the ridgeline of the proposed dwelling which is around 1.5 storeys to that of the existing. They suggest it will block much more of the open view from the street and nearby properties. The proposal would certainly block views that are currently available. However, the proposal has a strong horizontal emphasis on all elevations, which is not in keeping with the vernacular tradition. This is also emphasised by the strong vertical pattern on the street scene of largely two storey properties and the nearest dwelling Lochiel Villa having a very narrow vertical appearance.
65. The height of the roof is not the predominant issue with the design, rather it is the combination of flat and pitched roofs with asymmetric gable features and the clerestory is over complex and discordant. Simplicity of plan and roof form is identified in our adopted Design Guides as one of the key characteristics of the local building tradition. A complicated, unresolved plan form should be avoided.
66. The garage fronting onto the road has a cat slide roof which in combination with the rest of the garage results in the road facing elevation of the garage having a width of 7.75m which is excessive and will read as one overly-wide gabled form contrary to the local building traditions which is for gable widths of 5m-6m and often smaller for subservient outbuildings. In the north side elevation although the garage itself is stepped back from the main body of the house the linking building between it and the house simply exacerbates the dominating impact of the already over-long long side wall.
67. The main east elevation of the rear wing is dominated by a projecting single storey flat roofed addition with first floor terrace and glazed balustrade. Balconies or raised terraces are not a feature of our local building tradition and in this case the terraced addition is a further unacceptably dominating element in the design which is out of keeping with the character and appearance of the local tradition.
68. Overall the size and massing of the proposed development with the low horizontal frontage and over wide gable features, with the very long front to back appearance and the loss of existing landscaping would give the plot much more developed character than currently exists and this would have an adverse impact on the character and appearance of the area including the setting and views into and out of the Conservation Area.

69. Detailed design/fenestration

The design has a weak solid to void ratio of openings to wall area on the rear elevation along with a visually heavy terrace element as both the ground floor and lower ground floor elevations each are dominated by three wide openings to give an almost fully glazed wall to each.

70. In addition, it is also contrary to the local building tradition as the current proposal has a road facing elevation which has openings in the front facing gables, and a clerestory (horizontal glazing between the wall and the roof eaves) to the front elevation and main body of the house, although this is set well back behind the front gables.

71. The Design Guide at Para 3.29 acknowledges that whilst modern construction allows much larger openings than could traditionally be achieved. It goes on to say that ....It is interesting to note that successful modern buildings that fit well in the Peak District often have a high degree of visual solidity. Where large openings are necessary, they should be balanced by a complementary area of solid walling alongside. Getting the correct solid to void ratio is crucial, as the effect on the elevation is more far-reaching than the type of windows chosen.'

72. The rear elevation contains a large volume of glazing which would be reflective in the daylight and in the dark with lights on it would stand out when internally lit. There is insufficient solidity within this elevation. Solidity on other elevations does not assist in ameliorating this, especially from within the Conservation Area along Brockery Lane where the rear elevation would be open to view, and it would appear alien to the pattern and form of other development. This would erode the setting of the Conservation Area. The openings are in themselves harmful but the harm to the setting of the Conservation Area should be assessed against the tests in the NPPF. In cases like this where there is harm but it is less than substantial harm (substantial harm is wholesale loss of the interest) the public benefit of the development must be taken into account. In this case the benefits of the development are private and there is no arising public benefit to outweigh the harm to the setting of the conservation area.

73. The Building Design Guide sets out that although there is more freedom when it comes to detailing a building compared with resolving its overall mass, there are still some basic principles that need to be respected if the new is to harmonise successfully with the old. These relate to the three main characteristics of traditional elevations:

- A balance of proportions between the overall shape of the walls and the openings they contain.
- A high solid to void ratio in which the wall dominates.
- A simple arrangement of openings, usually formal (often symmetrical) in the case of houses, and informal in the case of outbuildings.

74. The proposal before us fails to take those considerations into account and as a result the fenestration is over glazed on rear elevation, and to a lesser extent on the front elevation where the openings are nevertheless inappropriately arranged and proportioned.

75. Design conclusions

76. We could support a modern design which is in accordance with the Design Guide and works in its context, properly referencing the local building tradition in a contemporary design, suitable for its location in Tideswell, in the Peak District National Park and which adjoins the Conservation Area. However, this proposal does not exhibit those qualities.

77. The proposal does not enhance the site or the National Park and would be significantly more harmful than the existing building. The scheme has fundamental problems with

scale, massing, fenestration and position relative to the street scene. These issues cannot be resolved by way of minor amendment to the existing scheme.

78. Therefore we consider the proposal is contrary to the replacement dwelling policy Development Management Policy DMH9, its design is not considered to be to a high standard nor in accordance with the 'Design Guide' so is contrary to core Strategy policy GSP3 and Development management policies DMC3 it and would harm the setting of the Conservation Area including views into and out of the Conservation Area so it also contrary to Core Strategy Policy L3 and Development Management Policy DMC8 and would harm the valued characteristics of the National Park so also contrary to Core Strategy policy GSP1 and L1.
79. There are also significant opportunities for enhancement on land adjoining the site which the application details have revealed are in the applicant's ownership. In particular there are three mono-pitched garages that have been excluded from the scheme but offer an enhancement opportunity via their removal. Failing to remove these as part of the scheme is also considered to be contrary to GSP2 and DMH9.

### Amenity

80. The representations raise amenity issues in relation to loss of outlook from the Conservation Area and neighbours gardens, the proposal being overbearing when viewed from Bockerly Lane and light pollution from the rear elevation as well as amenity issues from the proposed balcony due to overlooking.
81. Whilst the balcony is not an acceptable design feature in terms of its flat roof form and non-traditional feature, given the distance to nearby properties it will not adversely affect the amenity of neighbouring properties.
82. From Bockerly Lane a public view from within the Conservation Area can be achieved of the whole of the side elevation. As described earlier this is tall and long and built up to the boundary. This will harm the character of the area but it is not considered to be overbearing in the real sense on any dwellings to the extent of providing for an amenity based reason for refusal. For further information on overbearing development, the SPD on Alterations and Extensions sets out on page 32 the 45 degree rule which is a useful tool in assessing whether development would be overbearing.
83. While we consider that the rear elevation when internally lit will stand out as an inappropriate alien feature, it is not considered to be likely to harm the amenity of nearby properties by way of light pollution.

### Heritage

84. The report already establishes that the design will result in harm to the setting of the conservation area.
85. The proposal also raised issues in relation to archaeology as it includes significant excavations and because at the pre application stage there were some features revealed that suggested further investigation is necessary. This has been carried out and our archaeologists have scrutinised the submitted report and raised no objection to the proposal on archaeological grounds. The proposal is therefore considered to be in accordance with the policies of the development plan insofar as they relate to archaeology.

### Trees

86. A tree reports has been submitted as part of the application as pre application advice was that one would be needed as there are trees on or close to the site which could be affected. A tree reports has been submitted and this has been considered by our tree officers and the scheme by our landscape officers. The tree protection is adequate but if approved would need to be secured by way of planning conditions and further planting ought to be secured on the frontage to help soften the impact of the development and mitigate for the loss of the trees on the frontage. It is suggested by consultees that further planting on the road frontage and northern boundary to increase tree cover, biodiversity net gain and improved habitat. Again this could be required by planning condition.

### Ecology

87. In the pre application advice officers identified that a protected species survey would be required. This has been submitted with the application and considered by our ecologists. Bats have been found to use the building and the proposed bat boxes are not considered to be adequate biodiversity gain. Further enhancement would be needed to make the scheme acceptable and if approved this could be required by way of planning conditions. Our ecologists want further details of the species of planting, again this could be required by condition. These conditions would be necessary to ensure that the proposal complies with the policies of the development plan including Core Strategy policy L2 and Development management policy and the NPPF.

### Highways

88. Many of the objections from the representations raise issues about parking and access however the highways authority have considered the scheme and found it to be acceptable. The proposal is therefore considered to comply with the policies of the development plan insofar as they relate to highways.

### Environmental management

89. The proposed dwelling has pv solar panels on its south facing roofslopes and is designed to follow passive haus principles and to use triple glazing and a continuously insulated, well-sealed envelope with a whole house heating and ventilation system with heat exchanger. The applicants also propose to install a bore hole ground source heat pump. It would therefore comply with core strategy policy CC1. Details of bore hole ground source heat pump would need to be submitted and secured by planning condition or via another permission as they are not included in this application.

### Conclusion

90. The design of the replacement dwelling is not considered to be acceptable, nor in accordance with the SPD the 'Design Guide'. It has a complicated massing and therefore lacks the basic simplicity of form that the local building traditions exhibit, fails to be 'of the place' and does not conserve and enhance the character and appearance of the area and would harm its setting including the adjacent Conservation Area and the valued characteristics of the National Park. The scheme therefore achieves no enhancement of the site and is contrary to Development Management Policy DMH9 which deals with the principle of replacement dwellings.

### Human Rights

91. Any human rights issues have been considered and addressed in the preparation of this report.

List of Background Papers (not previously published)

92. Nil

93. Planning Officer – Steven Wigglesworth, Planner