

10. FULL APPLICATION – DEMOLITION OF FLAT-ROOFED EXTENSION, CONSTRUCTION OF DEPENDANT RELATIVE ACCOMMODATION AND LEAN-TO EXTENSION, BARLEY CROSS, CHURCH LANE, GREAT LONGSTONE (NP/DDD/0315/0259, P.6942, 420159/371943, 30/03/2015/KW)

APPLICANT: MR NEIL CROSSAN

Site and Surroundings

Barley Cross is a 1950's detached dwelling situated on the southern side of Church Lane on the northern edge of the village, and within Great Longstone Conservation Area. It is situated centrally within a fairly large garden (0.13 ha) and is set back around 23m from Church Lane.

The dwelling is bounded by fields and paddocks on its western and southern boundaries. Part of its eastern boundary abuts the garden boundary of the adjacent dwelling to the east (Croft Lodge). The remainder of the eastern boundary abuts the tree-lined rear access drive to the former Croft Hotel.

Barley Cross comprises a detached dwelling of a non-traditional design, constructed of limestone Davy Block stone under a blue slate roof. The dwelling, which was extended in the late 1950's has an unusual asymmetrical roof form and an unresolved appearance to its front elevation, with twin gables of different sizes and a higher eaves height to the later gabled extension than the original low 1½-storey eaves height of the original dwelling.

On the eastern side of the dwelling is a small, pitched roof double garage positioned at an angle to the main dwelling frontage and linked to the main dwelling via a flat-roofed link extension. There is another flat-roofed addition to the rear of the garage. To the rear of the double garage are two timber sheds positioned adjacent to the eastern garden boundary wall. This eastern boundary wall is constructed of natural limestone to a height of around 1.6m (average measurement).

There are three mature beech trees on the other side of this wall, the nearest of which is around 800mm away from the wall, the other two trees being around 2.0m away from the wall. The southern and western garden boundaries are enclosed by established hawthorn hedging to heights of 1.6m and 2.6m respectively.

Proposal

The current application proposes demolition of the flat-roofed addition to the rear of the double garage, removal of the existing nearby timber sheds and erection of a single-storey building to provide ground floor dependant relative accommodation on the ground floor and a first floor study within part of the roof space.

The main building footprint measures 10.8m x 6.3m x 3.7m/6.0m to the eaves/ridge (maximum dimensions). This main building is then linked to the rear of the garage via a smaller and lower pitched roof link building (13.5m² internal floor area), which is to provide a second bedroom and future accommodation for a carer. The internal floor area of the building (including the link building) measures around 65.5m². The dependant relative building is to be linked to the main house via a small glazed corridor link building, which is clad with a zinc roof.

The proposed building is to be constructed of natural limestone under a natural blue slate roof. Whilst the building form and materials follow the local building tradition, contemporary detailing has been incorporated into the scheme, which includes the provision of an oversailing gable roof, which extends beyond the outer gable wall of the building and provides cover for a small outdoor balcony/sitting area, which is supported on a raised decking structure. This oversailing gable feature is supported on timber piers and the triangular outer gable end section has an open

timber truss detail with full-height glazing to the main body of the building, which is recessed 1.2m back from the oversailing gable.

The application description and submitted drawings also show the provision of a 5.0m x 3.9m single-storey, rear lean-to dining room extension to the main house. Although shown on the plans, this extension is permitted development and does not, therefore, form part of this planning proposal.

RECOMMENDATION:

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

- 1. Statutory 3-year time limit.**
- 2. The development hereby permitted shall not be carried out otherwise than in complete accordance with the amended plan no.s 14121/101 Rev E, 102 Rev E, 103 Rev E, 104 rev E & 105 Rev C, subject to the following conditions or modifications.**
- 3. The accommodation hereby approved shall be ancillary to the residential use of Barley Cross and shall not be occupied other than by members of the family of the occupier of that dwelling.**
- 4. Pile foundations and concrete slab to be constructed entirely in accordance with an Arboricultural Impact and Method Statement based on the submitted tree report prepared by John Coe Tree Services dated 2 December 2014. The Arboricultural Impact and Method Statement shall be submitted to and agreed in writing by the Authority prior to the commencement of the development. The development shall then be carried out entirely in accordance with the approved Arboricultural Impact and Method Statement**
- 5. At the time of installation, the windows to the bedrooms and wet room in the east Elevation shall be obscure-glazed and shall then be permanently so maintained.**
- 6. The parking and manoeuvring area including garaging, shown on the approved plans shall remain unobstructed for use at all times.**
- 7. The external walls of the extensions hereby permitted shall be clad with random-coursed natural limestone.**
- 8. Submit and agree stone sample**
- 9. All roofs (except for the glazed corridor link) to be clad with natural blue slate.**
- 10. All window and door frames shall be recessed a minimum of 75mm (approximately 3 inches) from the external face of the wall.**
- 11. The window openings to the carer's room on the east elevation shall be provided with natural gritstone lintels and the window openings to the bedroom/wet room shall be provided with natural gritstone lintels and sills.**
- 12. The window openings on the west elevation shall be provided with full natural gritstone surrounds.**
- 13. The external doors shall be of timber construction.**

14. The window frames shall have a white finish to match the existing.
15. The metal flue pipe shall be painted matt black at the time of erection and shall be permanently so maintained.
16. The rooflights shall be fitted flush with the roofslope.
17. The roof verges shall be flush cement pointed, with no barge boards or projecting timberwork.
18. The rainwater goods shall be cast metal style, with a black finish. The gutters shall be fixed directly to the stonework with brackets and without the use of fascia boards. There shall be no projecting or exposed rafters.
19. All pipework, other than rainwater goods, shall be completely internal within the building.

Key Issues

1. The principle of the proposed dependant relative accommodation.
2. Design issues, the impact of the proposed building on the character and appearance of the existing dwelling and the Conservation Area.
3. The impact upon the residential amenities of the adjacent property (Croft Lodge).
4. The impact of the proposal on the adjacent mature beech trees.

Relevant Planning History

March 1953 – Outline and full planning consent for the erection of a detached two-storey, three-bedroomed dwelling with attached single garage (Barley Cross).

March 1958 – Full planning consent granted for the erection of a two-storey side extension (now built).

February 1963 – Full planning consent granted for the erection of a flat-roofed front entrance porch.

May 1963 – Full planning consent granted for an extension to the single garage, forming a double garage (built).

July 1964 – Full planning consent granted for a single-storey games room extension (not built, now expired).

December 1964 – Full planning consent granted for a single-storey games room/study (not built, now expired).

September 2010 – Letter from the Authority to the applicant advising that the removal of the existing flat-roofed front entrance porch and its replacement with a pitched roof porch would be permitted development, if it was constructed within the permitted size parameters for porches. The replacement porch was subsequently built.

Consultations

Highway Authority - No objection subject to all uses remaining private and ancillary, and no loss

of parking.

District Council – No reply to date.

Parish Council – Raise concerns over the scale of the extension, which is not on designated development land.

Main Policies

Relevant Core Strategy policies: GSP1, GSP2, GSP3, GSP4, DS1 and L3

Relevant Local Plan policies: LC4, LC5, LC20, LH4, LT11

The National Planning Policy Framework ('the Framework') was published on 27 March 2012 and replaced a significant proportion of central government planning policy with immediate effect. The Government's intention is that the document should be considered to be 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 saved policies in the Peak District National Park Local Plan 2001. In this case, policies DS1, GSP1, GSP2, GSP3 and L3 in the Authority's Core Strategy (CS) provide a clear starting point consistent with the National Park's statutory purposes for the determination of this application. It is also considered that in this case there is no significant conflict between prevailing policies in the Development Plan and more recent Government guidance in the Framework with regard to the issues that are raised.

As the development proposals are within a Conservation Area, of particular note is that the Framework says local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation. New development involving heritage assets should make a positive contribution to local character and distinctiveness. These stated aims and objectives within the NPPF are essentially the same criteria that are set out in CS L3.

CS policies GSP1, GSP2 and GSP3 set out requirements for development proposals to be of a high standard of design sensitive to the locally distinctive and valued characteristics of the National Park. These objectives alongside the conservation and enhancement of the National Park's cultural heritage are consistent with the core planning principles set out in the Framework. CS policy DS1 otherwise states that in all settlements and in the countryside outside the Natural Zone extensions to existing buildings will be acceptable in principle.

The key policy in respect of the principle of the provision of dependant relative accommodation is Local plan policy LH4. This policy relates to extensions and alterations to dwellings, and states that these will be permitted provided that the proposal does not:

- (i) Detract from the character, appearance or amenity of the original building, its setting or neighbouring buildings;
- (ii) Dominate the original dwelling, where it is of architectural, historic or vernacular merit;
- (iii) Amount to the creation of a separate dwelling or annexe that could be used as a separate dwelling.

Assessment

Issue 1 - The principle of the proposed dependant relative accommodation.

The agent's supporting Design and Access Statement states that the proposal is a response to the needs of the applicants to provide ancillary living accommodation for their elderly parents, both of who are in need of daily care and supervision. They have looked at the options for moving, however, no properties with suitable accommodation for their parents have been found. The scheme therefore proposes purpose built ground floor accommodation by erecting an ancillary outbuilding in close proximity to the main house, which is linked to the main house via a glazed corridor link.

The accommodation provides two separate bedrooms, a wet room and an open-plan kitchen/dining/living room space, which is designed to accommodate a wheelchair. The internal floorspace of the accommodation extends to 65.5m², which is the equivalent to a three-person local needs dwelling, however, the proposed floorspace is larger in order to accommodate wheelchair users.

The living space is open plan and all the accommodation is designed on a single accessible level. The rooms are generous enough to allow for a wheelchair user to turn. Full ramped access is configured around the side of the house and along a path to the rear entrance porch. The scheme also proposes a study area within part of the roofspace to enable the applicants to work from home, thus enabling them to care for their parents and to be on hand, if required.

In respect of criterion (i) of policy LH4 the existing dwelling has been extended in the past and is a non-traditional building of no particular architectural merit. Notwithstanding this, it has a 'quirky' charm and appearance, and is well maintained. It is well set back and on a slightly lower level to Church Lane, and is situated centrally within a large garden. Consequently, it does not presently impose on the character of Church Lane or the locality.

The proposed dependant relative building is situated behind the existing double garage, within the rear garden, but in close proximity to the house. Although the ridge of the building projects 400mm above the ridgeline of the existing garage, it will be largely screened by the garage, and as it has a single-storey form, it would not detract from the character or appearance of the original building.

Furthermore, views of the length of the building are screened by the adjacent boundary walling and the line of mature beech trees and interspersed yew planting along the neighbouring driveway on the eastern boundary of the site. Given its single-storey form and position at least 12m away from the nearest dwelling (Croft Lodge), it is not considered that the proposed building would adversely impact upon the amenity of this dwelling. Whilst this is a fairly large building, it is considered that in the context of this dwelling and its fairly large garden it would not amount to overdevelopment and would 'read' as a subsidiary traditional outbuilding when viewed from Church Lane.

In respect of criterion (ii) of policy LH4, the existing dwelling is not considered to be of particular architectural, historic or vernacular merit but, in any case, for the reasons given in the preceding paragraphs, the proposed building would not dominate the original dwelling.

In respect of criterion (iii), it is acknowledged that the proposed accommodation provides all the attributes of a separate dwelling, however, by virtue of its proximity to the main dwelling, shared access and garden facilities, and first floor study, it would not be capable or suitable for occupation as dwelling other than by members of the family occupying the main house. Moreover it is considered that the occupation of the dependant relative unit could be adequately controlled through the attaching of a planning condition requiring that the accommodation be

ancillary to the residential use of Barley Cross, and that the proposed accommodation shall not be occupied other than by members of the family of the occupiers of that dwelling.

Given the stated need for the proposed accommodation, it is considered that it will 'read' from public viewpoints as a subsidiary traditional outbuilding that will preserve the character and setting of the original building and will not amount to the creation of a separate dwelling. Consequently, it is considered that the principle of the proposal complies with all aspects of Local plan policy LH4 subject to an appropriate occupancy restriction that retains the annex as ancillary living accommodation attached to Barley Cross.

Issue 2 - Design issues, the impact of the proposed building on the character and appearance of the existing dwelling and the Conservation Area.

Core strategy policy GSP3 requires that all development must respect, conserve and enhance all valued characteristics of the site and buildings that are subject of the development proposal; GSP4 requires the Authority to consider the contribution that a development can make to its setting including the appropriate use of planning conditions.

Core Strategy policy L3 requires that development must conserve and where appropriate enhance or reveal the significance of archaeological, architectural, artistic or other historic assets and their settings. Local Plan policy LC5 further states that applications for development within a Conservation Area or for development that affects its setting or important views into or out of the area, should assess and clearly demonstrate how the existing character and appearance of the Conservation Area will be preserved and, where possible, enhanced.

Core Strategy policy GSP3 and Local Plan policy LC4 set out further criteria to assess the acceptability of all new development in the National Park. These state that where development is acceptable in principle, it will be permitted provided that its detailed treatment is of a high standard that respects conserves and where possible it enhances the landscape, built environment and other valued characteristics of the area. Additionally, these policies state that particular attention will be paid to the scale, form, mass and orientation in relation to existing buildings, settlement form and character, landscape features and the wider landscape setting. Attention should also be paid to the degree to which design details, materials and finishes reflect or complement the style and traditions of local buildings.

As previously stated, it is considered that the form, massing and natural materials proposed for the building are appropriate and would not detract from the character and setting of the existing dwelling or its setting within the Conservation Area. Views of the proposed building are well screened from the only public viewpoint (Church Lane), by the existing double garage and surrounding boundary walling and established tree and hedge planting.

In terms of the opening details these reflect the local building tradition on the outer facing east elevation and amendments and amended plans have been submitted omitting a proposed external chimney stack. However, a more contemporary design approach has been adopted on the outer facing gable, which faces into the rear garden. This takes the form of an oversailing gable roof, which extends beyond the outer gable wall of the building and provides cover for a small outdoor balcony/sitting area, which is supported on a raised decking structure. This oversailing gable feature is supported on timber pier and the triangular outer gable end section has an open timber truss detail with full-height glazing to the main body of the building, which is recessed 1.2m back from the oversailing gable.

The agent considers that this contemporary detailing retains the simple form and character of the building and provides an airy internal space that is well served by natural light and provides a protected outdoor sitting space for the elderly occupants. The internal west-facing elevation, which faces across the rear elevation of the main house, is provided with large casement window openings, in order to provided ample natural light to the kitchen and dining rooms. The

need for generous natural light provision is particularly important because of the overshadowing impact of the adjacent mature beech trees.

Given the non-traditional style of the existing house it is considered that this contemporary detailing is acceptable and given the screened positions of these elevations it is further considered that the character and setting of the dwelling and the setting Conservation Area will be preserved.

Moreover, this design approach also accords with the Authority's recently adopted Supplementary Planning Document (SPD), Detailed Design Guidance on alterations and extensions. This states that in relation to the detailing and style of extensions an alternative valid approach to copying the detailing and style of the original building is to detail the extension in a more contemporary style. The SPD further states that this contemporary approach is more easily achieved if the other two variables of massing and materials are both treated in a traditional manner, that is, the correct shape of extension, built in matching materials, as is the case with the current proposal.

It is considered, therefore, that the proposed development will not adversely impact on the character and setting of the existing dwelling, and will preserve the character and setting of the Conservation Area in compliance with the above-stated Core Strategy and Local Plan policies and the Authority's adopted SPD an alterations and extensions.

Issue 3 - The impact upon the residential amenities of the adjacent property (Croft Lodge).

Core Strategy policy GSP3 and Local Plan policy LC4 state that where development is acceptable in principle, particular attention will be paid, amongst other things, to the amenity, privacy and security of the development and of nearby properties. The eastern elevation of the main building is within close proximity to the boundary of the private driveway to The Croft Hotel. The eastern elevation of the smaller link building is in close proximity to the corner of the garden boundary of the adjacent dwelling Croft Lodge).

Whilst it is considered that there are no significant overlooking issues from the windows or rooflights serving the bedrooms and wet room, the scheme proposes that the windows be obscure-glazed to resolve any perceived overlooking impacts. This is considered to be an acceptable approach and subject to the attaching of a planning condition would resolve any un-neighbourly impacts in compliance with policies GSP3 and LC4.

It should also be noted that the nearest neighbours at Croft Lodge and The Croft Hotel have been notified of the proposal by the Authority and a site notice has been displayed. The applicants have also consulted the owners of these properties separately. No third party representations have been received at the time of the preparation of this report.

Issue 4 - The impact of the proposal on the adjacent mature beech trees.

Local Plan policy LC5 further states that applications for development within a Conservation Area or for development that affects its setting or important views into or out of the area, should assess and clearly demonstrate how the existing character and appearance of the Conservation Area will be preserved and, where possible, enhanced.

Additionally, local Plan policy LC20 states that planning applications should provide sufficient information to enable their impact on trees to be properly considered. Moreover this policy states that where development that involves a risk of damage to trees is acceptable, adequate space must be left for their replacement with appropriate species of trees and shrubs. Appropriate maintenance that respects wildlife interests will be required.

The proposed main building and link building are situated within the canopy and assumed root spread of three mature beech trees which are situated on the opposite side of the Barley Cross site boundary adjacent to the private rear driveway to the adjacent property (former Croft Hotel). These mature beech trees form the northern end of a larger avenue of trees along the driveway, which are prominent local feature in the landscape and contribute to the character and setting of the Conservation Area.

In acknowledgement of the proximity and possible impacts on the root spread of these trees, the application is accompanied by a tree report prepared by a qualified arboriculturalist. This states that following a site inspection he is satisfied that it is possible to build the proposed accommodation without adversely affecting the health or stability of the trees on the neighbouring land, within whose root protection area (RPA's), some of the construction would take place.

This assessment is dependent firstly on the proposed building having a specific foundation design that adheres to specific criteria and methods of construction, and secondly upon the construction process being carried out in a manner that avoids damage to roots and rooting area soils. The requirements of the arboriculturalist are in accordance with the guidance in *BS5837: 2012 Trees in relation to design, demolition and construction – Recommendations*.

These stipulations basically require that the building should have piled foundations, with the exact location of the concrete piles within the RPA's being determined following hand excavated investigation to ensure that no major roots are severed. The piled foundations will then support a raised concrete slab floor. This slab will have a void beneath, with free air movement allowing for gaseous exchange by the root system, while also preventing compaction.

It will also be necessary to incorporate a design feature whereby rainfall falling on the new building's roof area can be redirected evenly across the soil of the newly covered rooting area. Further requirements are laid out in respect of the construction methods during the build in order to prevent either compaction or contamination of soils within the RPA's.

The Authority's Tree Officer has been consulted and considers that the impact on the trees will not be significant, subject to the detailed requirements and working methods laid out in the accompanying tree report. This is particularly in relation to the need for hand digging to explore the root structure before positioning the concrete piling.

It is considered, therefore that provided the foundations for the proposed buildings are carried out strictly in accordance with the requirements laid out in the submitted tree report, there will be no significant or adverse impact upon the adjacent mature beech trees. It is considered that these requirements can be addressed through the attaching of an appropriate planning condition. Subject to these requirements, therefore, it is considered that the proposal complies with the above-stated policies LC5 and LC20.

Conclusion

In conclusion, it is considered this is a well-designed extension that 'reads' as subsidiary traditional outbuilding to the main dwelling and due to its proximity to the main dwelling and the shared access and garden is not capable of being occupied as a separate dwelling. Its design, form, massing and detailing is appropriate and will preserve the character and setting of the existing dwelling and the character and setting of the Conservation Area.

The extension is also to be constructed in a manner which will ensure that there will be no adverse impacts upon the adjacent mature beech trees, thus preserving the character and setting of the Conservation Area. The scheme also proposes measures to ensure that there will be no significant un-neighbourly impacts upon the residential amenities of the neighbouring properties. Consequently, it is considered that the proposal complies with the above-stated Core Strategy and Local Plan policies subject to appropriate planning conditions.

In this case, a condition requiring the living accommodation to remain ancillary to the host property is considered necessary to make the proposals acceptable in planning terms also taking into account an independent dwelling would otherwise be contrary to the Authority's housing policies and national policies in the Framework. Conditions are also required to ensure the mature trees on site would be retained, and to secure appropriate design details in the interests of the character and appearance of the development and safeguarding the amenities of the neighbouring properties. Finally, conditions imposing a time limit for commencement of the development and securing compliance with the approved plans are necessary in the interests of the proper planning of the local area.

Accordingly, the current application is recommended for approval subject to these conditions as listed in full in the above report.

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