

8. FULL APPLICATION – THREE NEW BUILD TERRACED HOUSES TO MEET AFFORDABLE LOCAL NEED AT UPPER YELD ROAD, BAKEWELL (NP/DDD/1220/1175, ALN)

APPLICANT: EMH HOUSING AND REGENERATION LIMITED

Summary

1. The application proposes the erection of a terrace of three affordable local needs dwellings on the site of a former playground.
2. As an exception, we consider that the community facility is no longer required and a playground of better quality is available in close proximity to the site.
3. It has been demonstrated that the dwellings would meet an identified local need for affordable housing and the houses are of a size and type that would remain affordable in perpetuity.
4. The development would not cause undue harm to residential amenity.
5. The application, as amended, is recommended for conditional approval.

Site and Surroundings

6. The application site is a former children's playground located on the southern outskirts of Bakewell, adjacent to the northern side of Upper Yeld Rd. The site is rectangular in shape. It lies just beyond the easternmost corner of the Lady Manners School playing fields. The site is bounded by the playing fields to the north and west, Upper Yeld Rd to the south and an adopted lane known as Stanton Rd to the east, which gives access to the rear of residential properties along Stanton View and Moorhall.
7. The site is within the Bakewell Development Boundary but outside of the Bakewell Conservation Area.
8. The boundaries of the existing playground are marked with timber fencing and hedgerows. There is large sycamore tree in the eastern corner of the site. There are also two triangular groups of trees growing just beyond the north and west sides of the site.

Proposal

9. Full planning permission is sought for the erection of three affordable local needs dwellings. The dwellings would be arranged in a terrace with the principle elevations facing south east towards Upper Yeld Rd. The development would occupy the area formerly used as a play area, and would also include a 3m wide strip of land along the western boundary of the playground, in an area that is currently occupied by a copse of trees.
10. The development would consist of two 2-bed (4 person) properties and one 1-bed (2 person) property.
11. The dwellings would be constructed in natural limestone under blue slate roofs. They would have painted timber casement windows. As amended, access and parking for all three properties would be to the front, off Upper Yeld Rd. Five parking spaces would be provided in total.

12. Existing hedgerows along the northern and western boundaries of the playground would be removed along with four other trees. New replacement hedgerows would be planted along the northern and western boundaries and a new tree in the eastern corner of the site.

RECOMMENDATION:

That the application be APPROVED subject to the Authority's standard section 106 agreement restricting occupancy to those in housing need and the following conditions:

1. **2 year time limit.**
2. **Adopt amended plans.**
3. **Prior to commencement of the development submit and agree details of the final finished levels of the dwellings hereby approved. Thereafter the dwellings to be constructed in accordance with agreed details.**
4. **Remove permitted development rights for alterations, extensions, outbuildings and boundaries.**
5. **No development shall be commenced until details of the construction and implementation of a relocated crossing point to Upper Yeld Road has been submitted to and approved in writing by the National Park Authority.**
6. **No development, including preparatory works, shall commence until a temporary access for construction purposes has been provided in accordance with a detailed design first submitted to and approved in writing by the National Park Authority. The detailed design shall also include appropriate visibility sightlines and measures for warning other highway users of construction traffic entering or emerging from the site access. The access shall be retained in accordance with the approved scheme throughout the construction period free from any impediment to its designated use.**
7. **Before any other operations are commenced, excluding construction of the temporary access referred to in Condition 6 above, space shall be provided within the site curtilage for storage of plant and materials, site accommodation, loading and unloading of goods vehicles, parking and manoeuvring of site operatives and visitors vehicles, laid out and constructed in accordance with detailed designs to be submitted in advance to the Local Planning Authority for written approval and maintained throughout the contract period in accordance with the approved designs free from any impediment to its designated use.**
8. **Throughout the construction period vehicle wheel cleaning facilities shall be provided and retained within the site. All construction vehicles shall have their wheels cleaned before leaving the site in order to prevent the deposition of mud and other extraneous material on the public highway.**

9. The development hereby permitted shall not be occupied until the new vehicular access to Upper Yeld Road has been constructed in accordance with the revised application drawing, laid out, constructed and provided with 2.4m x 43m 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.
10. The development hereby permitted shall not be occupied until space has been provided within the application site in accordance with the revised application drawings for the parking of residents' vehicles, laid out, surfaced and maintained throughout the life of the development free from any impediment to its designated use.
11. The proposed access drives to Upper Yeld Road shall be no steeper than 1 in 15 from the nearside highway boundary and measures shall be implemented to prevent the flow of surface water onto the adjacent highway. Once provided any such facilities shall be maintained in perpetuity free from any impediment to their designated use.
12. The development hereby permitted shall not be occupied until a bin store has been provided adjacent to Upper Yeld Road, so bins can be stored clear of the public highway on collection day.
13. There shall be no gates or other barriers located across the entire frontage of the property.
14. Prior to the commencement of the development hereby approved (including demolition and all preparatory work), a scheme for the protection of the retained trees, in accordance with BS 5837:2012, including a tree protection plan (TPP) and an arboricultural method statement (AMS) shall be submitted to and approved in writing by the Local Planning Authority.
15. Tree planting scheme to be submitted and agreed to include at least 3 new replacement trees.
16. No retained tree shall be cut down, uprooted, destroyed, pruned, cut or damaged in any manner during the development phase and for the life of the development unless otherwise approved in writing by the National Park Authority.
17. Recommendations at section 4 of the submitted Preliminary Ecological Appraisal by Peak Ecology to be adhered to.
18. Sample panel of stonework prior to erection of stonework and sample of roof slate to be agreed prior to commencement of roof.
19. Hard and soft landscaping scheme to be submitted and agreed.
20. Hedgerow on eastern boundary of the site to be retained in its entirety.
21. Details of air source heat pump to be submitted and agreed, including location, noise output, design and final finish.
22. Climate change mitigation measures as specified in the submitted Climate Change Statement to be fully implemented.

23. Minor architectural and design details.

Key Issues

- The principle of the loss of the community (playground) facility.
- Whether there is a local need for affordable housing and whether the size and type of housing would meet the identified need.
- The acceptability of the location and design of the proposed houses.
- Impact on sports facilities
- Impact on residential amenity.
- Highways and parking issues.
- Arboricultural and ecological considerations.
- Environmental Management

History

13. Pre-application advice was sought by the applicant in May 2019. Advised that it would need to be demonstrated that the criteria in policies HC4 and DMS7 with regard to the loss of community facilities would be met and also that there was a residual need for affordable housing following approved of the scheme for 30 houses on Shutts Lane. Also raised the issue of the large tree on the site.

Consultations

14. **Highway Authority** – *'The revised plans now show sole means of access to the site being taken from Upper Yeld Road. Reiterating previous highway comments, visibility onto Upper Yeld Road, from the proposed accesses is considered acceptable and in line with current design guidance.'*
15. *Internally, although the Highway Authority recommends driveways to classified roads are provided with on-site turning space to prevent reversing to or from the public highway, there is insufficient space to provide turning at this location. Given the majority of existing driveways in close vicinity of the site do not have on-site turning either, an objection on lack of turning is unlikely to be sustainable in this instance.*
16. *Regarding parking provision, 2 spaces are shown to each two-bedroom dwelling, which is considered acceptable. 1 space is proposed to the single-bedroom dwelling and whilst not ideal on street parking is already occurring in the vicinity and should a visitor be required to park on-street this is unlikely to result in material detriment to existing highway conditions. Therefore, the Highway Authority considers an objection due to limited parking would be unsustainable in this instance.*
17. *Concerning the tactile crossing and railings, the applicant has shown railings removed and the tactile crossing relocated to the east of the site. Removal of the railings and relocation of the crossing is considered acceptable; however it should be noted that the corresponding tactile paving will also require relocating, with these works requiring the applicant to enter a S278 Agreement with the Highway Authority. The precise relocation*

of the crossing is likely to require altering, due to the location of an existing road gully and potentially removing the small section of verge. However, it is considered this can be suitably conditioned.

18. Recommends conditions with regard to relocation of the crossing point; details of temporary access; provision of site compound; wheel cleaning facilities; new vehicular access; parking spaces; bin storage and gates.
19. **District Council** - no response
20. **Town Council** – *‘recommend approval (i) as it complies with Policy H1 of the Emerging Neighbourhood Plan (affordable housing for local people) (ii) on design and appearance grounds. This recommendation is subject to full compliance with any DCC Highways directions when provided.’*
21. **Sport England** – *‘The proposal would involve the construction of 3 houses on land that is currently occupied by children’s play equipment and trees on the far eastern edge of the school playing field that forms part of Lady Manners School.*
22. *The land does not form part of the playing field, and given the presence of trees and equipment would not be capable of being used for pitch sports. It is understood to have been used as a children’s play area for several years.*
23. *There is usable playing field immediately adjoining the application site boundary, which has a history of being marked out for pitch sports, but the development would not impact on the ability to layout pitches or to provide sufficient runoff between the pitches and the development site.*
24. *It is noted that there is a cricket pitch on the playing field, but the cricket square is in excess of the 80 metre strike zone within which a ball strike risk would need to be considered.*
25. *In view of the above the proposal is not judged to result in the loss of usable playing or to prejudice the use of playing field.*
26. *It is therefore considered to meet Sport England policy exception 3 and Sport England does not wish to raise an objection to the application.’*
27. **Authority’s Ecologist** - *An ecological survey has now been done and the report submitted – Upper Yeld Road, Bakewell Preliminary Ecological Appraisal February 2021 by BSG Ecology. I have also read the representation letters which detail concerns over the potential loss of wildlife and habitats.*
28. *The survey included an inspection of the mature Sycamore tree which was found to have low bat roosting and bird nesting potential. The report recommends that the tree is checked again for evidence of roosting bats and nesting birds between April and September before being felled and that good practice guidelines are followed to avoid disturbance to nesting birds elsewhere on site during development work.*
29. *To mitigate for any loss of habitat the report recommends that bat roosting boxes are incorporated into the new properties, boxes for swifts are put up on the new properties and that bat boxes and bird boxes are installed on suitable trees. The mature Sycamore which needs to be removed due to its proximity to the new housing will be replaced with a Rowan tree.*

30. *The applicant should follow the advice in the ecological report and carry out the recommended mitigation and habitat replacement measures and I am satisfied that if this is done reasonable steps will have been taken to ensure the avoidance of disturbance to protected species.'*
31. **Authority's Landscape Architect** - no landscape objections. Raises some minor issues with regard to soft landscaping.
32. **Authority's Tree Conservation Officer** – *'The requested tree-related information has been submitted. This has clarified that five trees in total (T1, T3, T4, T5, T6) require removal to facilitate this development. This will result in the loss of one Category 'B' tree, three Category 'C' trees and one Category 'U' tree. There is clearer identification of replacement tree planting for T1, although not specific to size of replacement tree. Tree replacement for the loss of the Category 'B' tree T5 does not appear to have been considered, nor replacement planting for loss of T4. I would recommend an additional two trees (three in total) to be planted to replace the loss of T1 and T5. Fastigate or smaller growing species could be used in order to accommodate more trees in a small space, providing a suitable replacement for the loss of T1 and T5, as well as amenity and biodiversity value, without impacting on the enjoyment of future occupation of the properties.'*

Representations

33. Three letters of objection were received from local residents to the application as submitted (one resident wrote two letters, which is classed as one representation). Following the re-consultation a further four letters of objection were received. The letters can be read in full on the Authority's website. We have considered them all in full. In summary the points raised are:
- Concerns about impact on ecology through loss of trees and hedges on this site.
 - It has not been demonstrated that the community use of the playground is no longer needed.
 - Concerns about potential on street parking in an area that is often congested with traffic and parked cars.
 - Visibility from the access is poor.
 - Construction phase parking would cause disruption.
 - Proposals would adversely affect the street scene.
 - Concerns with regard to adjacent houses being overlooked and overshadowed.
 - Three houses on the plot is not appropriate.
 - Sycamore tree is a valuable visual and attractive amenity.
 - Construction materials do not match the existing properties on Stanton View.
 - Questions about the need for the dwellings given the 30 houses permitted on Shutts Lane.
 - Concerns about drainage and flooding.

Main Policies

34. Relevant Core Strategy policies: GSP1, GSP2, GSP3, DS1, HC1, HC4, L2, T3, CC1
35. Relevant Development Management Plan policies: DMC3, DMC11, DMC13, DMH1, DMH2, DMH3, DMS7, DMB1, DMT3, DMT8

National Planning Policy Framework

36. 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 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 East Midlands Regional Plan 2009, 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.'
37. Para 77 states that 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.
38. The NPPF defines rural exceptions site as small sites used for affordable housing in perpetuity where sites would not normally be used for housing. Rural exception sites seek to address the needs of the local community by accommodating households who are either current residents or have an existing family or employment connection.

Core Strategy

39. 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).
40. 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. 21. Policy
41. GSP4 says that to aid the achievement of its spatial outcomes, the National Park Authority will consider the contribution that a development can make directly and/or to its setting, including, where consistent with government guidance, using planning conditions and planning obligations.
42. Policy DS1 sets out the Development Strategy for the National Park. Part D says that in named settlements such as Bakewell there is additional scope to maintain and improve the sustainability and vitality of communities. In or on the edge of these settlements amongst other things new building development for affordable housing is acceptable in principle.

43. Policy HC1 says that exceptionally, new housing can be accepted where the proposals would address eligible local needs and would be for homes that remain affordable with occupation restricted to local people in perpetuity. The provisions of HC1 are supported by policy DH1, DH2 and DH3 of the Development Management Policies, which gives more detailed criteria to assess applications for affordable housing to meet local need.
44. Policy CC1 states that development must make the most efficient and sustainable use of land, buildings and natural resources, taking into account the energy hierarchy and achieving the highest possible standards of carbon reductions and water efficiency.
45. Core Strategy policy HC4 C states that proposals to change the use of buildings or sites which provide community services and facilities including shops and financial and professional services to non-community uses must demonstrate that the service or facility is: I. no longer needed; or II. available elsewhere in the settlement; or III. can no longer be viable. Wherever possible, the new use must either meet another community need or offer alternative community benefit such as social housing. Evidence of reasonable attempts to secure such a use must be provided before any other use is permitted.

Development Management Plan

46. Policy DMS7 states: A. Development that would prejudice the continued use of community recreation sites or sports facilities, including those identified on the Policies Map, will not be permitted unless: (i) an assessment has been undertaken which has clearly shown the open space, buildings or land to be no longer required; and (ii) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or (iii) the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss. B. Exceptionally where sites can be shown to be no longer required, new uses should meet another community need (including those for affordable housing for local people). Evidence of reasonable attempts to secure such a use will be required before alternatives are permitted.
47. Policy DMH1 – New Affordable Housing
 - A. Affordable housing will be permitted in or on the edge of Core Strategy policy DS1 settlements, either by new build or by conversion; and outside of Core Strategy policy DS1 settlements by conversion of existing buildings provided that:
 - (i) there is a proven need for the dwelling(s); and
 - (ii) any new build housing is within the following size thresholds: Number of bed spaces and Maximum Gross Internal Floor Area (m²)

One person	39
Two persons	58
Three persons	70
Four persons	84
Five persons	97
 - B. Starter Homes will be permitted as part of a development of housing to enhance a previously developed site.
 - C. Self-Build and Custom Build housing will be permitted on rural exception sites in accordance with Part A regarding proof of need and size thresholds.
48. Policy DMH2 sets out tests for occupants of affordable housing.

49. Policy DMC3. A says where development is acceptable in principle, it 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.
50. Policy DMC11. A says that proposals should aim to achieve net gains to biodiversity or geodiversity as a result of development. In considering whether a proposal conserves and enhances sites, features or species of wildlife, geological or geomorphological importance all reasonable measures must be taken to avoid net loss.
51. Policy DMC13 says that planning applications should provide sufficient information to enable impact on trees, woodlands and other landscape features to be properly considered. Development should incorporate existing trees which should be protected during the course of the development.
52. DMB1 states that states that the future development of Bakewell will be contained within the Development Boundary.
53. Development Management Policy DMT3 states the development will only be permitted where, having regard to the standard, function, nature and use of the road, a safe access that is achievable for all people, can be provided in a way that does not detract from the character and appearance of the locality and where possible enhances it.
54. Development Management Policy DMT8 states that off-street parking for residential development should be provided unless it can be demonstrated that on-street parking meets highways standards and does not negatively impact on the visual and other amenity of the local community. It notes that the design and number of parking spaces must respect the valued characteristics of the area, particularly in conservation areas.

Bakewell Neighbourhood Plan

55. Although not yet adopted, the plan is at an advanced stage of preparation and should be afforded some weight in making planning decisions.
56. Policy H1 supports the development of new affordable housing within the development boundary of a range and number to address local need.

Assessment

The principle of the loss of the community (playground) facility.

57. Core Strategy policy HC4 C and Development Management Plan policy DMS7 require that development that would prejudice the continued use of community recreation sites will not be permitted unless an assessment has been undertaken to show that the facility is no longer required and the loss would be replaced by equivalent or better provision. Exceptionally where the site can be shown to be no longer required, new uses should meet another community need including those for affordable housing.
58. The application site was previously a public playground, maintained by Bakewell Town Council. The submitted Design and Access Statement explains that in March 2019 the Town Council took the decision to close the play area due to *'increasing maintenance and renewal costs, inappropriate usage and previous damage to the site.'* The play equipment was removed within the next few months. It is stated that the dense hedgerows surrounding the site prevents natural surveillance, which led to damage and vandalism. It is also stated that there was no record of any objection to the closure of the playground by local people.

59. The Design and Access Statement states that there are a number of similar or better recreation facilities within the vicinity of the site, accessible by foot and by car. In particular officers are aware that there is an alternative playground on Highfield Drive approximately 250m to the north west. This site has good quality play equipment and is open and well overlooked. Clearly under the current proposals the former playground would not be replaced by an equivalent new facility, however we consider that given the close proximity of a better quality alternative, it can be concluded, (as an exception under policy DMS7), that the facility is no longer required. The fact that the proposed use of the site is for affordable housing, which would continue to meet the needs of the local community, is a mitigating factor.

Whether there is a local need for affordable housing and whether the size and type of housing would meet the identified need

60. Policies DS1 and HC1 of the Core Strategy and Development Management Policy DMH1 state that housing that addresses eligible local needs can be accepted in or on the edge of named settlements.

61. As submitted the application did not include a copy of the latest Bakewell Housing Needs Survey nor any assessment of it in relation to the proposed development. We were aware that the last housing needs survey was carried out in July 2015. The Authority's Development Management Plan states that such surveys should be less than 5 years old (but that other evidence may be acceptable provided the Housing Authority has maintained its intelligence on housing needs over the intervening period, and this intelligence justifies a scheme of the size and type proposed).

62. Following discussions, Derbyshire Dales District Council Director of Housing has provided a '*Housing Needs Update - Bakewell*' paper, as supplemental evidence to the 2015 survey. The update is based upon the current Home Options system.

63. The report highlights that affordability in Bakewell Ward based on household disposable incomes is 12:1, compared to a regional ratio of 6.4:1. The lower quartile house price to income ratio in Bakewell Ward is 16:1. Bakewell is one of the least affordable wards in the Derbyshire Dales. A first time buyer would need to have a household income of £45,000 to £50,000 to buy a terraced house and £75,000 to £80,000 to buy a semi-detached house in Bakewell ward. Household income remains well below that necessary to find a property on the open market that would satisfy the housing needs of the vast majority of residents.

64. The report states that The District Council currently have 58 applicants registered who live in Bakewell and have a local connection to the Derbyshire Dales. The predominant need is very similar to that reported in 2015 with a preference for one and two bedroom properties. Turnover of existing stock is very low at less than 20 properties per year. The existing development of 30 homes in Bakewell (Shutts Lane), expected to complete in July 2021 will meet 50% of the expressed need from Home-Options. The report concludes that the 3 properties are needed and that there is no risk of oversupply.

65. Based on this updated evidence we are satisfied that there is a local need for the one and two bed roomed properties proposed. The two bed properties would each have a floor space 82 sqm and the one bed property would have a floor space of 58 sqm. These are within the size thresholds set out in Development Management policy DMH1 for two and four person properties. In addition, the residential curtilage associated with each property would be modest in size. Consequently the properties would be of a size and type that would remain affordable to local people on low to moderate incomes.

The acceptability of the location and design of the proposed houses

66. Development Management Plan policy DMB1 states that the future development of Bakewell will be contained within the Development Boundary. The application site is within the boundary and as such the location of the development accords with DMB1.
67. The application site is adjacent to the school playing field but visually it is also closely related to the housing estate at Moorhall to the east and north and to further residential development around Stoney Close and Yeld Close to the south. On that basis, and bearing in mind the previous use of the site, we consider that in principle a housing scheme on the proposed site would not appear out of keeping or at odds with its surroundings. The terraced arrangement is reflective of other terraces to the south.
68. The orientation of the properties, with principle elevations facing south and addressing Upper Yeld Rd is in keeping with the pattern of development of the houses immediately adjacent to the east. The gable widths of the two-bed properties are wide at 8.5m. This is presumably because the overall width of the plot is limited. This is not a traditional massing, as normally gable widths in the National Park are only around 5.5 to 6m. However the semi-detached properties immediately to the east also have gable widths of over 8m wide and the retention of trees to the west of the site would screen the west facing gable from the road. Consequently on balance, in this particular location it is considered to be acceptable. The width of the gable on the one bed property is narrower at 4.8m. The eaves height of the dwellings would be relatively low at 4.8m. Overall the massing of the proposed development would conserve the character of the area.
69. The proposed detailing of the properties is traditional with pitched roofs, chimney stacks, and timber casement windows. Following negotiations amended plans have been received showing the east facing gable of the one bed property articulated from the rear lean-to and the ground floor front facing (south) window on the one bed property reduced in width from a three-light to a two-light casement (in the interests of a better solid to void ratio). As amended we consider that the detailing is acceptable.
70. Proposed materials of construction are natural limestone to the walls and blue slate to the roof. Objectors have questioned whether the use of limestone is appropriate given that the properties to the east are constructed in gritstone. There is mixture of walling materials used on residential properties in the vicinity of the site. Those to the east and on Moorhall are predominantly gritstone, but the properties across the road to the south are reconstituted limestone 'Davey Block' and other properties to the south are artificial stone. In this context we consider that the use of natural limestone would not be out of keeping with the overall character of this part of Bakewell.
71. In summary, as amended, the location, massing and design of the proposed dwellings accords with policies GSP3 and DMC3.

Impact on Sports Facilities

72. A small amount of land, where the site is to be extended in the northern corner is currently part of the edge of the school playing field. The area amounts to around 20sqm. The land in question is not part of any of the playing pitches and is rough ground on the edge of the field where it meets the woodland copses.
73. Sport England have been consulted and have confirmed that '*the development would not impact on the ability to layout pitches or to provide sufficient runoff between the pitches and the development site.*' They conclude that the development would not prejudice the use of the playing field. Consequently the proposals accord with policies HC4C and DMS7 in respect of any impact on the playing field.

Impact on residential amenity

74. As explained above there are residential properties to the east and also to the south of the site on the opposite side of Yeld Rd. The properties that have the most potential to be affected by the development are no. 12 Stanton View to the east and properties on the south side of Yeld Rd known as 'Greenways' and 'Cartref'.
75. Turning to 12 Stanton View first, the occupier of this property has raised strong objections with regard to potential blocking of light and overlooking. This property is orientated with its principle elevations facing south, so that it would be sited 'side by side' with the proposed dwellings. The gable end of the property would be approximately 12.5m away from the gable end of the proposed one bedroom property. This gable to gable separation distance is significantly greater than many other properties in the immediate vicinity. Firstly with regard to overlooking, there are three windows on the west facing elevation of no. 12. There is a small first floor window (which appears to serve a landing) and two ground floor windows (which appear to serve a kitchen and dining room). However there are no windows proposed on the east elevation of the proposed dwellings and so there would be no opportunities for overlooking.
76. With regard to whether the proposed houses would block light, it is clear that there is a levels difference between no. 12 and the application site, so that the ground floor levels of the proposed dwellings would be around 2m higher than those at no.12. Normally if a building breaches a line of 25 degrees drawn above the horizontal taken from a point 2 metres above ground level on an existing house, it is likely that windows in the existing house will be overshadowed. In this case the one bedroomed property would slightly breach that line. As a result it is likely that there would be some overshadowing of the ground floor windows in question at certain times of the day. However a material consideration in this case is the fact that there is a large mature sycamore (approx. 8m high) in the south east corner of the application site. This currently overshadows the windows in question to a significant extent when it is in leaf. The tree would be removed as part of the proposals and replaced by lower growing trees. There is also an existing retaining boundary wall and mature hedgerow to the west of no.12 that will also block a certain amount of light at present. We also need to consider that fact that the proposed dwellings would only cast a shadow to the east during the evening and that the kitchen of no. 12 also has a large second window and a glazed door facing north over the back garden. Overall, with all this in mind, our view is that any overshadowing that would occur would not block light in the rooms in question to unacceptable levels nor be unacceptably overbearing when viewed from within the curtilage of the dwelling.
77. With regard to 'Greenways' and 'Cartref' these are both some 25m to the south of the proposed front elevations of the dwelling houses which is well outside the usual 21m separation distance guideline. Impact on amenity as a result of overshadowing and overlooking would therefore be minimal.

Highways and parking issues

78. As submitted the plans showed that vehicular access and parking for the two 2-bed properties would be to the south of the site, off Yeld Rd, while the one bed property would be served from the side road, Stanton Rd. Two parking spaces were shown for each property.
79. In their consultation response, the Highway Authority pointed out that Stanton Rd is an adopted highway and that visibility splays from the proposed access would need to be shown. This would have resulted in most of the hedgerow bounding the site along Stanton Rd being removed. We considered that this would cause unnecessary harm to

the landscape quality of the site. As a result, amended plans have now been received showing access and parking for all three properties off Upper Yeld Rd.

80. The Highway Authority has confirmed that visibility onto Upper Yeld Road is acceptable and in line with highway design guidance. Whilst on-site turning space is not provided, the great majority of other driveways in close proximity to the site do not have on-site turning either and a Highway objection on this basis would not be sustainable.
81. Minimum parking standards as set out in the Development Management Plan state that 2 spaces per unit should be provide for two bedroomed dwellings and for one bedroomed dwellings 1 space per unit plus 1 space per 2 units for visitors. In this case 2 spaces are proposed for the 2-bed units which is in line with the standards. Only 1 space is proposed for the single bedroom dwelling (for reasons of visual impact and in order to leave space for replacement tree planting), however should a visitor be required to park on-street this is unlikely to result in material detriment to existing highway conditions.
82. Objectors raise concerns about the busy nature of Upper Yeld Rd and the fact that the proposals could exacerbate the situation. Whilst this concern is recognised, essentially congestion and on street parking at certain times of the day is a situation seen across the Park in most settlements. In this area the problem is worsened to some extent by the nearby presence of Lady Manners School and associated traffic and parking demand that is generated. However any additional impacts on highway safety brought about by the proposed development would not be significant and any residual cumulative impacts on the road network would not be severe (the test set out in para 109 of the NPPF).
83. The proposed site is in a sustainable location on the edge of Bakewell and as such overall contributes to the Authority's policy aim to minimise the need to travel.

Arboricultural and ecological considerations

84. A tree survey was submitted with the application. In relation in particular to the loss of the sycamore tree (which residents have raised concerned about), the survey states that the sycamore has been reduced on at least two occasions. Consequently it has a grading of C2 (low quality tree with mainly landscape qualities). The ecological survey also found signs of rot where it has been pollarded. Its removal is therefore acceptable in principle. The tree survey did not, however, make clear how many trees would be removed in total.
85. Additional information with regard to trees has now been received. This clarifies that five trees in total would be removed to facilitate the development – one Category 'B' tree, three category 'C' trees (one of which is 50m of hedgerow on the western and northern boundaries of the site and one of which is the large sycamore)) and one category 'U' tree. The mixed group of trees on third party land to the west and north would be unaffected. The large sycamore would be replaced with one new rowan tree. However as the Authority's tree conservation officer has noted, replacements for the felling other trees has not been considered. It is recommended that 3 trees are planted in total (instead of one) to compensate for those being lost. This can be controlled by means of a condition.
86. An ecological appraisal has been submitted during the course of the application. The survey included a tree climbing inspection of the sycamore tree which was found to have low bat roosting and bird nesting potential. The other loss of habitat with regard to loss of trees and hedgerow was not considered likely to lead to a significant loss of available habitat for nesting birds or on nesting birds themselves subject to vegetation removal being carried out outside of the bird breeding season.

87. The report recommends that the sycamore tree is checked again for evidence of roosting bats and nesting birds between April and September before being felled and that good practice guidelines are followed to avoid disturbance to nesting birds elsewhere on site during development work. To mitigate for any loss of habitat the report recommends that bat roosting boxes are incorporated into the new properties, boxes for swifts are put up on the new properties and that bat boxes and bird boxes are installed on suitable trees.
88. In summary, the removal of the sycamore tree is unfortunate but necessary in order to facilitate the development. We consider that the loss of the trees and hedgerow can be adequately mitigated by replacement planting, including a new boundary hedgerow. The proposals would not have a significant impact on protected species subject to mitigation as described above.

Environmental Management

89. A submitted 'Climate Change Statement' demonstrates how the development has been designed to make the most efficient use of natural resources, taking into account the energy hierarchy and achieve the high standards of carbon reductions and water efficiency in accordance with policy CC1.
90. Firstly it states that houses are orientated with their living room and one bedroom window facing south, thus maximising solar gain, High levels of insulation and air tightness would help the building envelope perform 20% better than minimum building regulations.
91. It states that an air source heat pump is proposed for heating the interiors of the dwellings. Low energy light fixtures and extract fans are proposed The use of locally sourced, natural construction materials is proposed, for example including stone from local quarries and timber windows instead of uPVC, help to reduce carbon footprint. Water saving devices incorporated in the proposal include low water consumption toilets with a dual flush system and flow-reduced taps for all bathroom fixtures.
92. It is considered that the measures as outlined above are proportionate and appropriate with the scale of the development proposed and consequently accord with policy CC1.

Conclusion

93. As an exception, we are satisfied that the community facility is no longer required and is available elsewhere in close proximity in accordance with policies HC4 and DMS7. It has been demonstrated that the proposed dwellings would serve an identified local need and are of a size and type that would remain affordable in perpetuity in accordance with policies HC1 and DMH1.
94. As amended the layout and design would be in keeping with the local area. There would not be a significant impact on residential amenity. All other considerations have been taken into account and the application is recommended for conditional approval.

Human Rights

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

List of Background Papers (not previously published)

Nil