

7. OUTLINE APPLICATION – PROPOSED ERECTION OF TWO LOCAL NEEDS SELF BUILD AFFORDABLE HOMES AT DRIVEWAY BETWEEN GREYSTONES & JESMOND, TIDESWELL (NP/DDD/0421/0433, AM)

APPLICANT: Mr James Isaac and Emma Isaac

Summary

1. The site is an agricultural field to the west of Sherwood Road, Tideswell.
2. The application is a resubmission following the refusal of a similar application in December 2020. It is an outline application and proposes two affordable houses to be first occupied by the applicants.
3. The proposed dwellings would not be affordable by size or type or meet the need of the applicants or the wider community. The development would harm the landscape and would be an inappropriate design. Insufficient information has been provided about sustainable construction and climate change and potential impact on trees.
4. This report concludes that despite the modifications that have been made to the application and the arguments put forward by the applicants, the proposal is still open to fundamental objections because of the backland location of the proposed houses and the impact that this would have on the historic landscape around Tideswell. There are also remaining concerns about the size and design of the proposed dwellings, but even if these could be addressed, the site is unsuitable for any form of residential development. The application is therefore recommended for refusal.

Site and Surroundings

5. The site is an agricultural field to the west of Sherwood Road accessed from an existing track located between the dwellings known as Greystones and Jesmond.
6. The field forms part of the strip field system that rises west from Tideswell. The site is outside of the designated Tideswell conservation area.
7. The nearest neighbouring properties are the dwellings on the north and west side of Sherwood Road.

Proposal

8. The application is for outline planning permission but the application form states that no matters are reserved (access, appearance, landscaping, layout and scale). Consequently the application is, in effect, a full application. The application proposes the erection of two 3-bedroom, self-build, affordable houses on the site to be first occupied by the applicants. The application is a resubmission following the refusal in December 2020. The key differences in the plans are a reduction in the height of the dwellings by 300mm, a reduction in the length of the garages by 2.5 metres so that they no longer project beyond the main elevation, the addition of solar panels on the south-facing elevation, the addition of gritstone detailing, such as quoins, and the addition of chimneys to the gable ends.
9. The dwellings would be sited to the north of the field and the existing farm access would be extended to provide access and driveways to each dwelling.
10. The dwellings would be link detached and constructed from natural limestone and blue slate with timber windows and doors and gritstone lintels. Each dwelling would have a gross internal floor area of approximately 97 m² for each dwelling excluding integral garaging.

RECOMMENDATION:

That the application be **REFUSED** for the following reasons

1. **The proposed dwellings are larger than the size justified by the identified housing need, and as a result the proposals are contrary to Core Strategy policy HC1 and Development Management policies DMH.**
2. **The proposed site is a backland plot very poorly related to the historic built form of Tideswell and would introduce development into the historic strip field system in a manner that would harm the significance of the strip fields and valued landscape character contrary to Core Strategy policies GSP1, GSP3, L1 and L3, Development Management policies DMC3, DMC4 and DMC5 and the National Planning Policy Framework.**
3. **By virtue of its form and massing the proposed development would be an inappropriate design that would fail to reflect or respect the character of the local area contrary to Core Strategy policies GSP3, Development Management Policies DMC3, our adopted design guide and the National Planning Policy Framework.**

Key Issues

11. The impact of the proposed housing on the historic landscape around Tideswell.
12. Whether there is justification for the proposed local needs affordable housing and whether the proposed housing is in accordance with policies HC1, DMH1 and DMH2.
13. The design of the proposed development.

History

- 1996 NP/DDD/0696/257 - Erection of dwelling. Refused.
- 1996 NP/DDD/1296/483 - Erection of dwelling. Refused.
- 1997 - Appeal dismissed.
- 1998 - Erection of agricultural buildings. Granted
- 2005 - Erection of agricultural buildings. Granted
- 2007 - Erection of agricultural buildings. Granted
- December 2020 - NP/DDD/0820/0723. – Outline application for erection of two self build affordable local needs dwellings. Refused

Consultations

14. Parish Council – “*The Parish Council continue to support this application. This application is fully supported by the Parish Council and we have no objections*”
15. Highway Authority – No objections subject to conditions in the event of an approval.
16. District Council – No response to date.
17. PDNPA Archaeology – Makes the following comment:

This application is a resubmission of application NP/DDD/0820/0723. As nothing materially has changed with the application and as previously no archaeological assessment has been submitted, the archaeological consultation comments provided for application NP/DDD/0820/0723 remain relevant to this application.

However, in addition to these I offer the following comments. The current application includes with a 4-part design and access statement setting out comments on previous reasons for refusal. This relates to archaeology at para.30. However, much of what it asserts is either not correct or is not supported by the evidence required:

- It states that the field boundaries of the field are not characteristic or diagnostic of the fossilised medieval field system. This is not the archaeological consultation response for the previous application clearly states that ...The surviving drystone field walls that define the northern and southern edges of the proposed development plot form the boundaries of one such surviving strip (or small group of strips) forming a long linear plot.
- It states that an archaeological study was carried out in the year 2000 by the National Park archaeologists on the proposed building plot and found nothing of interest. This is not the case, the 2000 'study' was a walkover survey carried out on the strip of land to the rear of this plot but did not include the building plots itself.
- It states that a 2003 archaeological survey by the national park archaeologists found nothing of interest. This is not the case, and as the archaeological consultation response for the previous application clearly sets out, surveys in surrounding fields indicate that the site has potential to retain belowground remains relating to medieval and post-medieval agricultural activity, such as dewponds, lost boundaries, evidence of historic ploughing and arable cultivation etc.
- The statements on archaeology in the design and access statement fails to set out, or appreciate, the nature and circumstances of both the 2000 and 2003 surveys. These surveys were rapid walk over surveys of farm holdings to identify extant surface archaeological features and earthworks to enable informed management of the land through agri-environment and land management schemes. These were rapid walkovers of the holdings with identified features being plotted on base mapping. No record search or archive study was carried out. They do not consider archaeological potential only identified features and do not describe significance as required by para. 189 of NPPF.
- The statement also asserts that site 'is not virgin ground', that it has been previously used as a builders yard, and has a service trench running across it. It is acknowledged that previous development or ground impacts can affect the survival or state of preservation of buried archaeological remains and features. However, no evidence of this previous use, development or disturbance has been provided on which I can make as assessment of this.

Therefore, on the basis of the evidence available I must conclude, as set out in the attached archaeological consultation response for the previous application, that the site retains potential for belowground remains relating to medieval and post-medieval agricultural activity, such as dewponds, lost boundaries, evidence of historic ploughing and arable cultivation. Any such remains would have a degree of archaeological interest but would likely be of no more than local significance within the context of local and regional research questions and gaps in knowledge, for example in relation the development of Tideswell's field system from the early medieval period onwards, which is currently not fully understood and the impact of the move to sheep husbandry with the private enclosure of former arable fields and resulting changes in farming practice.

Consequently, as per previously comments, should the planning balance be favourable conditions are recommended (see previous consultation response on website for full details).

18. PDNPA Tree Officer – No response at time of writing

Representations

19. We have received 21 representations to date. 5 object to the development and 16 support. The reasons given are summarised below:

Object

- Planning proposals have historically been refused for this area, (in 1978 and twice in 1996), don't see why it should be any different now.
- Note that in the previous refusal in 2020 officers advised that the overriding concern of the siting is unresolvable.
- With a few minor 'tweaks' this application is the same and therefore our objections are unchanged.
- Approval of the application would set a precedent for further development of the fields behind Sherwood Road.
- This site has been deemed unsuitable by the Peak Park. The proposed development would not be affordable by size or type.
- Strip fields create a unique back drop to the existing properties and as such is an enhancement to the surrounding area which has been threatened by modern farming practices. There are very few examples of strip fields remaining in our area.
- The tree line forms a unique area of woodland in this part of Tideswell. If this development is allowed the existing tree root system would be severely threatened resulting in a total loss of woodland, the wildlife habitat and screening. This field and proposed site was a beautiful woodland before the felling of many mature trees, (see Google maps), that we believe were healthy, felled prior to the failed application in October 2020)
- There remain a number of unoccupied affordable houses available in Tideswell. We believe this negates the need for any more to be built.
- The proposal for nearby future developments of affordable housing should also be considered as this could meet the applicants' needs.
- We withhold our opinion that this site is very elevated. The proposed houses would look directly into, and over each of the 6 bungalows southeast of the proposed site. These include children's bedrooms and bathrooms.
- The proposed buildings do not reflect the built form of development on the north side of Sherwood Road and do not constitute in-fill development. This area of Sherwood Road, the village boundary, is laid out to bungalows.
- The development would result in the loss of valuable agricultural land.

Support

- There is a need in Tideswell for both social and privately built local needs homes. We should allow the next generation to aspire to be home owners. Approval of this local need application would allow two locals to remain in Tideswell.
- The development will allow the applicants to continue living close to their places of work.
- James and Emma are correct in planning for a 3 bedroom house from the start and this will be a lot cheaper in the long run and safer for their families as they will not need to extend the houses while they are living there.
- The negative comments of the previous planning permission is unfair due to the fact the view is not restricted by a village structure or historical monument, it is just a plain field with trees and walling in the distance.
- The development will not be visible and will not harm the character of Tideswell.
- Tideswell is a sporadic settlement and does not have rows of houses in straight lines everywhere. The proposed houses will fit in well on this site and compliment the layout of the village.

- Agree that houses where possible should have garages - when driving around Tideswell and other villages in the Peak Park many roads are impassable because of parked cars on either side of the Road.
- Trees were removed from the site following advice from the PDNPA.
- There is a need for 3 bedroom properties in the village and it is preferable to build a 3 bedroom property rather than extend at a later date.
- There is an email of support from James' manager at Tarmac Quarry, Peak Dale. He and many other employees at Tarmac have been lucky enough to buy their own homes locally. Support local needs homes which will then allow the homes to be kept available for the next generation of locals and possibly even Tarmac employee's. We are committed to helping the local communities and part of this is to employ and train local people.

Main Policies

20. Relevant Core Strategy policies: GSP1, GSP2, GSP3, GSP4, DS1, CC1, HC1, L1 and L2
21. Relevant Development Management policies: DMC3, DMC4, DMC5, DMC11, DMC12, DMC13, DMH1, DMH2, DMH3, DMH11, DMT3, DMT8, DMU1 and DMU2.

National Planning Policy Framework

22. The National Planning Policy Framework (NPPF) 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 our 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. There is no significant conflict between prevailing policies in the development plan and the NPPF and our policies should be given full weight in the determination of this application.
23. Paragraph 172 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.'
24. Paragraph 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.
25. 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.

Peak District National Park Core Strategy

26. Policy DS1 sets out the Development Strategy for the National Park. Part D says that in named settlements such as Tideswell 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.
27. 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.
28. 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). GSP1 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.
29. 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.
30. Policy 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.
31. 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.

Development Management Policies

32. The most relevant development management policies are DMH1 and DMH2. Policy DMH11 is also relevant as it states the need for a planning obligation to secure the affordability of the dwellings in perpetuity if the scheme were permitted.
33. 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.

34. Policy DMH2 First occupation of new affordable housing

In all cases, new affordable housing must be first occupied by persons satisfying at least one of the following criteria:

- (i) a person (and his or her dependants) who has a minimum period of 10 years permanent residence in the Parish or an adjoining Parish inside the National Park and is currently living in accommodation which is overcrowded or otherwise unsatisfactory; or
- (ii) a person (and his or her dependants) not now resident in the Parish but having lived for at least 10 years out of the last 20 years in the Parish or an adjoining Parish inside the National Park, and is currently living in accommodation which is overcrowded or otherwise unsatisfactory; or
- (iii) a person who has an essential need to live close to another person who has a minimum of 10 years residence in a Parish inside the National Park, the essential need arising from infirmity.

35. 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.

36. Policy DMC3 B sets out various aspects that particular attention will be paid to including: siting, scale, form, mass, levels, height and orientation, settlement form and character, landscape, details, materials and finishes landscaping, access, utilities and parking, amenity, accessibility and the principles embedded in the design related SPD and the technical guide.

37. Policy DMC4 A says that planning applications should provide sufficient information to allow proper consideration of the relationship between a proposed development and the settlement's historic pattern of development including the relationship of the settlement to local landscape character. The siting of the development should complement and not harm the character of these settlements.

38. Policy DMC5 says that planning applications for development affecting a heritage asset must clearly demonstrate its significance including how identified features of value will be conserved or where possible enhanced and why the proposed development are desirable or necessary. Development of a heritage asset will not be permitted if it would result in any harm to, or loss of, the significance, character and appearance of a heritage asset (from its alteration or destruction, or from development unless in the case of less than substantial harm the harm is weighed against the public benefits of the proposal.

39. 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.

40. 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.

Assessment

Principle of affordable housing

41. The Authority's adopted policies do not allow new build housing in the National Park unless there are exceptional circumstances. One circumstance where housing can be permitted is under policy HC1 A where development would meet eligible local need for affordable housing.
42. The site is located on the edge of Tideswell, so the erection of affordable housing could be acceptable in principle if there is a proven need for the dwellings, the housing is within our maximum size thresholds and if the applicants satisfy the adopted policy occupancy criteria in accordance with policies DMH1 and DMH2, and the site is otherwise acceptable.
43. The applicants are the intended first occupants of the dwellings. The applicants are siblings and state that they have lived in Tideswell their whole lives and therefore satisfy criteria (i) of policy DMH2. The applicants have both registered with Home-Options and provided correspondence with the Housing Authority. This demonstrates that both applicants are in need of affordable housing and are eligible to bid for available homes. The letters show that both applicants were registered in July 2020. For the purposes of policies DMH1 and DMH2 it is therefore accepted that the applicants are in housing need, and their residency history means that they would meet the local occupancy criteria set out by DMH2.
44. When the last application was considered there was no evidence of a property search to demonstrate that any available housing cannot meet their need. As part of the current application the applicants have submitted details of 2 and 3 bedroomed properties that have been for sale in Tideswell over the last year; the cheapest of these is for offers in the region of £210,000. None of the properties appear to be those approved by the National Park Authority with local occupancy restrictions on them. Some are likely to be former Council houses so these would have a "Derbyshire clause" which restricts occupancy to people who have lived or worked in Derbyshire for the past 3 years; whilst this is likely to have some discounting effect, it is not as significant as the Authority's occupancy restriction.
45. A housing need survey for Tideswell was carried out by the Housing Authority in 2017. This identifies that around 20 households are in need of affordable housing. The predominant need is for 2 bedroom houses for couples and smaller families with a smaller requirement for 3 bedroom houses and some bungalow provision.
46. The application proposes the erection of two link detached 3 bedroom houses. The gross internal floor area of each dwelling would be 97m², without the garages. Whilst this would not exceed the 97m² maximum for a five person dwelling allowed by policy DMH1, it does not reflect the applicants' current needs. At the Planning Committee in December 2020 there was some discussion about whether the garage space should be included in the floorspace calculation; this was also a matter which the applicants and their father raised with officers in subsequent discussions and correspondence. Officers have now made it clear that whilst garages are not included in the floorspace calculation, they inevitably have an impact on the affordability of the proposed dwellings, particularly for any subsequent purchasers.

47. The Housing Authority have assessed that Mr Isaac's household has a need for a 2 bedroom three person dwelling (70 m² maximum) and Ms Isaac's household has a need for a 2 bedroom two person dwelling (58 m² maximum). Therefore, the proposed 3 bedroomed dwellings would be significantly larger than both the applicants need. The proposed dwellings would therefore not be affordable due to their size, and would not meet the need of the applicants identified by the Housing Authority or meet wider community need identified by the housing need survey.
48. The purpose of defining size thresholds based on the identified housing need in policy DMH1 is to create a range of stock types to address the varied needs of the National Park's communities, and to allow a range of affordability of properties; accepting every new affordable home at any size proposed up the maximum threshold would entirely defeat these objectives, and would ultimately deliver only a stock of larger dwellings that remained unaffordable and oversized for many of those with identified housing needs; particularly those seeking to get on to the first rung of the property ladder. Whilst the desire of individual applicants to build the maximum size allowed under policy DMH1, and in doing so avoid the possible need to extend at a future date if their circumstances change, is understandable, this is clearly contrary to the purpose and spirit of the exceptions policy and to Government policy on affordable homes.
49. Therefore, whilst the applicants may be able to demonstrate that they have a local qualification and are in need of affordable housing, it is clear that the proposed dwellings would be in excess of the size that would be affordable or meet their need, contrary to policies HC1 and DMH1. Moreover, there is no evidence that this is the only site available in Tideswell to provide affordable housing and the Authority is currently considering a scheme of 23 affordable houses on the field between Sherwood Road and Richard Lane.
50. In the resubmission the applicants have drawn attention to the fact that the dwellings would be self-build and that the Authority should give significant weight to this, in accordance with Government policy and the Inspector's comments on the Development Management DPD following the Examination in 2018. Whilst the applicants are correct to draw attention to this, the Authority's policies on self-build are part of, and consistent with, our policies for affordable housing for local need. The fact that houses would be self-build does not set aside the constraints and considerations placed on affordable local needs housing. In practice, most small-scale (i.e. non-Housing Association) schemes of affordable housing are self-build or at least self-managed.

Siting and landscape impact

51. The site is an agricultural field within one of the strip fields that rises up west from Sherwood Road. The proposed houses would face south, at right angles to Sherwood Road and the linear development along it, and beyond existing modern agricultural buildings. The site is located within the Limestone Village Farmlands landscape character type.
52. The site is within an area of ancient enclosure as identified in our Historic Landscape Character Assessment. These are fossilised medieval strip fields that relate to the medieval open field system of Tideswell. These are a rare and important landscape character type in the national park and a non-designated heritage asset of archaeological interest and intrinsic landscape value. The inter-war and post-war development along Sherwood Road is linear and single plot in depth. It forms the western edge of Tideswell with only two groups of farm buildings extending beyond the houses along the entire length.
53. Although the land rises up away from Sherwood Road, the applicant has submitted plans which demonstrate that the proposed development would not be particularly visible from Sherwood Road, there is a public footpath to the north from which the houses would be

apparent and they are likely to be so in wider views to the east. The existing tree planting to the southern boundary of the site, if retained, would provide some mitigation to views from the south but would not affect views from the north or the wider landscape.

54. Notwithstanding the lack of significant visibility of the development from Sherwood Road, the proposal would introduce new residential development beyond the established edge of Tideswell and into the historic field system. The development would not reflect the historic built form of the village and would result in further linear development into the strip field system.
55. Therefore, the development would not conserve or enhance the landscape character of the area and would result in harm to the historic and archaeological significance of the strip field system contrary to policies GSP1, GSP3, L1, L3 and DMC4 and DMC5. This harm would be “*less than substantial*” (in the terminology of such assessments, where there is still acknowledged harm) and therefore must be weighed against any potential public benefits.
56. Whilst the provision of affordable housing can, in principle, offer a public benefit if it meets the need of the local community and would be retained in perpetuity, in this case it is considered that the harm to the historic landscape is so significant and that the siting of houses in this location to the rear of the linear development on this part of Sherwood Road so fundamentally at odds with Authority’s policies on the protection of the landscape and cultural heritage, that this benefit cannot outweigh the harm. This is consistent with National Park Authority statutory purposes, with the provision of affordable housing falling within the duty, which must be given less weight if they are in conflict.
57. In the Planning History section above it is noted that two planning applications for the erection of a dwelling were refused in the mid-1990s and a subsequent appeal was dismissed in 1997. These were not referred to in the Planning Committee report in December 2020, but the Inspector’s conclusions are relevant and noteworthy, particularly if the current application is refused and is appealed. In dismissing the appeal for a single local needs dwelling in November 1997 the Inspector looked at two issues – the effect of the dwelling on the setting of Tideswell and whether the proposed dwelling would meet a local need for affordable housing. At that time the dwelling was for the current applicants’ father. The appeal was dismissed on both grounds, but the conclusions on the landscape impact is most relevant as those conclusions still apply today:

“The western side of Sherwood Road is developed with a variety of dwellings occupying modest plots on the frontage only. I saw no other backland development in the vicinity of the appeal site. The rear gardens of these dwellings adjoin the open countryside on the west side of the village and in my opinion they establish a clear physical demarcation between the built up area of Tideswell and the open landscape in which it is set”

He goes on to say “...I consider that the backland form of development you propose would be uncharacteristic of this part of Tideswell and would conflict with the objectives of Structure Plan policy C2.....I conclude on the first issue that the proposed development would extend beyond the well defined boundary of the built up area of Tideswell into the adjoining open countryside to the detriment of the landscape of the National park and the rural setting of the village”.

58. In the resubmission the applicants point out that policy DS1 Development Strategy states that in designated villages such as Tideswell there is additional scope to maintain and improve the sustainability and vitality of communities across the National Park by permitting new build development for affordable housing in or on the edge of settlement and that other than in Bakewell, no development boundaries will be drawn. This last point should not be taken to mean that there is no limit to where development can be

located, but that there is no identified boundary to the settlement as each case is assessed on its own merits through an assessment of the form and character of a settlement. Whilst this site may be on the edge of the village, it is very poorly related to the historic character and built form of the settlement, as explained above.

59. In the supporting documents for the current application the applicants have sought to argue against the archaeological objection, but the views of the Authority's Senior Archaeologist remain unchanged (see above).
60. To conclude on this issue, the proposed development would have a harmful impact is considered on the historic landscape character of this part of Tideswell and its setting, including the historic strip field system. This harm is not outweighed by the benefit that affordable local needs housing could, in principle, provide.

Design, sustainable building and climate change

61. The proposed dwellings would be constructed from natural limestone and blue slate and would be provided with pitched roofs. Windows and doors would be timber with natural gritstone lintels. The current submission has added gritstone quoins, gable end chimneys, solar panels and reduced garage lengths to bring them flush with the main elevation. The overall height has also been reduced by 300mm.
62. Whilst the amendments are slight improvements, the dwellings still have a deep plan form which results in very wide gables and significant areas of roof above the walls. The linked garages also produce a very suburban appearance; this may be more acceptable within a housing estate layout, but is not appropriate in this location. Whilst the materials and detailing of the dwellings would reflect local building traditions, the form and massing of the dwellings would more characteristic of modern suburban development and would not reflect the traditional built form, which is characterised by narrow gables, horizontal form and low eaves.
63. In conclusion, whilst the amendments are an improvement on the earlier scheme, the design of the proposed dwellings does not reflect or respect the traditional vernacular within the conservation area and is not in accordance with our adopted design guide.
64. The application states that the scheme has been designed to comply with requirements for insulation and low energy fixtures and fittings. However, there is no information provided with the application to demonstrate how it has been designed to reduce energy, water consumption, and mitigate the impacts of climate change through sustainable design and construction.
65. Policy CC1 and the NPPF require development to make the most efficient and sustainable use of land, buildings and natural resources, take account of the energy hierarchy and achieve the highest possible standards of carbon reductions and water efficiency.
66. The current application now includes solar panels on the south-facing, front elevations of the two dwellings and the applicants have provided a statement setting out how the dwellings would meet the requirements of policy CC1 and our adopted Supplementary Planning Guidance 'Climate Change and Sustainable Building'. This includes electric car charging points. The application is now considered to be acceptable in this regard.

Impact upon amenity

67. A number of concerns have been raised in representations about the potential impact of the development upon the amenity of neighbouring properties, particularly those to the south east along Sherwood Road.

68. The field and proposed site is elevated above the level of the neighbouring dwellings but at the closest point, the new dwellings would be approximately 45m away from the dwelling known as Kirkstone, and approximately 21m from its rear garden. Therefore whilst the development would be visible from these dwellings given the separation distances, the development would not result in any significant overlooking or loss of privacy to neighbouring dwellings.
69. Concern has also been raised about the impact noise and light on amenity, particularly from vehicle movements. The development would generate vehicle movements but these would be relatively infrequent and given the distance from the development from neighbouring properties would not be significant or harm the amenity of neighbouring properties.
70. Similarly, due to the distances involved there are no concerns that the development would be overbearing to neighbouring properties or result in any significant loss of light. Therefore, it is concluded that the development would not be contrary to the Authority's detailed design guidance in respects of amenity and not harm the amenity, security or privacy of any neighbouring property.

Trees and protected species

71. The site is improved grassland and there is no evidence of any protected species or habitat within the field that could be affected by development. Given the distance to any designated site the development would not result in a harmful impact.
72. From assessing aerial photographs and from representations it appears that a number of mature trees have been removed from the site. It is understood that this work took place in 2020, before the first application was submitted. However, these trees were not subject to a tree protection order (TPO) or within the conservation area and therefore the Authority's consent was not required for their removal.
73. There are a number of mature trees remaining along the southern boundary of the site. These are away from the location of the proposed dwellings but the proposed drive would extend past these trees and potentially affect their root system. These existing trees make a positive contribution to the landscape and character of the area. The current application includes details of these trees, showing the tree root protection area following BS 5837 2012 recommendations. The tree root protection area will be fenced off during construction to stop heavy vehicles damaging the tree roots. This demonstrates that there are unlikely to be any impacts on trees as a result of the development, subject to appropriate protection during construction and if any mitigation is required during construction, in accordance with policy DMC13.

Other Issues

74. If approved, a planning condition would be required to ensure that onsite utilities infrastructure is installed underground this would ensure the proposal is in accordance with policies DMU1 and DMU2.
75. The development would be provided with adequate off-street parking and turning space in accordance with our local standards and having regard to advice from the Highway Authority we agree that subject to conditions that the development would not harm highway safety in accordance with policies DMT3 and DMT8.

Conclusion

76. The proposed site is very poorly related to the historic built form of Tideswell and would introduce a form of backland development into the historic strip field system in a manner that would harm the significance of the strip fields and valued landscape character

contrary to policies GSP1, GSP3, L1, L3, DMC3, DMC4 and DMC5. This harm would not be outweighed by any public benefits arising from the provision of affordable local needs housing.

77. Whilst the application has demonstrated that the proposed occupants have a local qualification, the proposed dwellings would be five person dwellings that would be in excess of what is required to meet the needs of the applicants, contrary to policies HC1, LH1 and LH2.
78. The form and massing of the proposed dwellings is suburban in character with wide gables, vertical proportions and high eaves and therefore does not reflect traditional built form, contrary to policies GSP3, DMC3 and our adopted design guidance.
79. Since the refusal of the planning application in December 2020 the applicants and their father have had an online meeting with officers and they have sent many emails and documents to support their case. In these documents they have often asked lengthy and detailed questions and made statements about the planning process being discriminatory. They have also drawn attention to other applications and developments which they believe are comparable and which either support their case or show discrimination in how they have been dealt with. Officers have tried to respond to these statements and questions and to explain the differences between the cases referred to. In particular we have tried to encourage the applicants to focus on addressing those issues with their own application that are capable of resolution, but we have consistently pointed out that the location and siting of the two dwellings is a fundamental problem on this specific site that officers believe cannot be overcome.
80. Having taken into account all material considerations and issues raised in representations we conclude that the proposed development is contrary to the development plan. Material considerations do not indicate that planning permission should be granted. Therefore, the application is recommended for refusal.

Human Rights

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

List of Background Papers (not previously published)

82. Nil
83. Report Author: Adam Maxwell, Senior Planner