

11. HOUSEHOLDER APPLICATION; PROPOSED EXTENSION OF DWELLING AT JUBILEE LODGE, THE GREEN, FROGGATT, S32 3ZA. (GRID REF 424574-376251 / JK)

1. APPLICANT: MR AND MRS HARDWICK

2. Summary

3. This is a revised scheme following a refusal under delegated powers of a similar application earlier this year (NP/DDD/0221/0195).
4. The current scheme proposes the same scale and form of extension to raise the north western end of the bungalow up to two storeys. The key differences between this and the previous refusal are the omission of a single storey study extension off the north-east gable of the proposed main extension and a more traditional fenestration in the raised central section replacing previously proposed full height glazed panels.
5. The proposed extensions do not adequately reflect adopted design guidance, principally in terms of scale and massing. The proposal is excessive in scale and not subservient to the host property and would only continue the pattern of more extensions adding to the bulk, and further complicating the form and massing of the property. These would detract from the property itself and exacerbate its already dominant and harmful impact upon the landscape setting and the significance of the surrounding Conservation Area which is not outweighed by any public benefits.
6. The application is therefore recommended for refusal being contrary to the Extensions and Alterations SPD, the Design Guide, Policy GSP3, L1 L3 DMC3 DMC5 DMC8 and Policy DMH7 and the NPPF

7. Site and Surroundings

8. Jubilee Lodge is a stone built detached split level bungalow which sits within a large plot on the rising hillside close to the eastern edge of Froggatt village, to the south of The Green (a no through road), and just to the west of the A625 Froggatt Edge Road.
9. It has been significantly extended over the years and now has a complicated and unresolved building form which is far removed from its origins as a simple rectangular bungalow.
10. It sits on a rising hillside so from the rear it is single storey in height however from the SW front it is one and a half storey's high with a raised entrance terrace and undercroft storage. Additionally there is a large projecting two gabled form to the SW front housing living areas and a conservatory at first floor above garaging.
11. The property benefits from an extant 2009 consent for further extension/remodelling at the north-western end to create a low two storey form facing The Green with eaves dormer windows. Work commenced just sufficient to implement the consent but was then paused.
12. The property lies within the Froggatt Conservation Area and is prominent in close views from 'The Green' close to the site. Due to its scale and location it is also prominent in wider views from across the valley where it can be clearly seen sitting within the large plot

13. Proposal

14. Extension of the dwelling to create a full two storey form on the northern half of the property. The additional accommodation would create two bedrooms with en-suite bathrooms at first floor with one bedroom with en-suite bathroom and dressing room at ground floor.
15. The extensions would comprise raising the roof over the existing central section (which formed the original bungalow) to create a new first floor. This would then link to a two storey gabled extension sitting at 90degrees which would be raised higher than previously approved to full two storey level (thus doing away with the previous need for eaves dormer windows). This section would have a 35degree roof pitch to match the ridge line of the central section which would have a 30 degree roof pitch and a 450mm lower eaves line.
16. The walling and roofing materials would match the existing. Window and door frames would be white uPVC. The proposed fenestration in the raised SW facing central section facing down to the main body of the village would comprise one single and one two light casement window. Within the ground floor elevation the existing patio doors would be removed and the opening widened to accommodate a set of 4 leaf bi-fold doors.
17. The less formal rear elevation of this raised section would have a single two light casement with lintel and sill to match existing ground floor openings. Four 'sun tunnels' would be fitted to the roof of the raised central section, two to each roof slope.
18. The SW gable end would have a three light window with full stone surrounds and mullions centrally placed at both ground and first floor. Similarly the north-west elevation which faces The Green would have a pair of two light casement window openings at ground and first floor with full stone surrounds and mullions.

19. RECOMMENDATION:

20. That the application be REFUSED for the following reason

The scale, massing and design of the extensions are not subservient to the host property. They would represent a dominant and intrusive form development which would detract from the host dwelling and cause harm the character and appearance of the street scene, the landscape setting and the significance of designated Froggatt Conservation Area contrary to Core Strategy policies GSP1, GSP3, L1 and L3, Development Management policies DMC3, DMC5, DMC8 and DMH7 our adopted design guide Supplementary Planning Document and the National Planning Policy Framework.

21. Key Issues

22. Whether the development would conserve the character, appearance and amenity of the existing property, its setting, that of neighbouring properties and the significance of the Froggatt Conservation Area.

23. History

24. The property has been significantly extended as follows;
25. 1983 - According to our records the original rectangular bungalow was first enlarged with an extension to the south east gable.

26. 1996 - A further extension was added to the 1983 extension extending it forward of the main elevation with a two storey projecting gabled form with single storey car port.
27. 2002 – An extension over the existing carport was granted to form a first floor conservatory and decking area, which was amended in 2003 to alter the materials used on the conservatory.
28. 2008 – Refusal on design grounds for Extension to bedroom 3 & construct bedroom 4 at the northern end of the dwelling. The design grounds, in summary, comprised the significant amount of additional floorspace and volume together with its height which would have competed physically and visually with the original bungalow to the detriment of its identity and integrity, detracting from its scale and character, the local building tradition, and the wider Conservation Area. Furthermore the proposed dormers were not considered appropriate and would set a clear precedent for others to follow in similar circumstances.
29. 2009 – Approval for redesigned extension to provide bedrooms no 3 & 4 and 2 en-suite bathrooms – development commenced with footing's in place but was not progressed further (NP/DDD/1008/0879). Plans show the permission would raise the northern end to two storey with dormers and a central 'front door' to give the dwelling a more traditional low two storey 'frontage' and main elevation facing the street.

30. Consultations

31. Highway Authority – No objection subject to subject to space for a minimum of three vehicles to park and manoeuvre within the site being retained, each space measuring a minimum of 2.4m x 5.5m.
32. District Council – No response to date
33. Parish Council – No response to date

34. Representations

35. There have been 7 representations received in support which make the following summarised points that are material planning considerations relevant to the case;
36. The nearest property, Yew Tree Cottage is the only house in the Green with any part view of jubilee Lodge, as with the 2 of other 90 houses in the village Yew Tree Cottage has no view of the proposed bi-fold windows, 87 of other properties having no view of the property at all.
37. Cleans up an unfortunate elevation (west gable) created due to need at that time.
38. Restores the PDNA's preference for a 2 story house being dominant with subservient other accommodation which provides for a more correct architectural solution than significantly increasing the footprint with a part subterranean extension.
39. The roof height is no greater than necessary and no higher than other 2 story houses in the village
40. There are no adjacent properties where roof sight lines may be compared and the property is inside the height of tree cover on all publically accessed elevations.

41. The property cannot be seen from the Calver - Grindleford road in terms of recognisable Architectural detail.
42. The application meets the Authority's objectives: to strengthen the two storey element on an atypical bungalow and should be enabling this enhancement.
43. Improves the character and appearance of this modern building by simplifying its form by removing the small gables on the NW and SW elevations.
44. The two storey element is only slightly larger than on the previously approved scheme.
45. The neighbouring buildings are so far away that this proposal cannot detract from them,
46. There will be no deleterious effect on the Conservation Area.
47. The footprint is not being increased.
48. This proposal will not harm the character of this modern building or the amenity of the area in any way.

49. Policy

50. National Park designation is the highest level of landscape designation in the UK. The Environment Act 1995 sets out two statutory purposes for national parks in England and Wales:
 - i. Conserve and enhance the natural beauty, wildlife and cultural heritage
 - ii. Promote opportunities for the understanding and enjoyment of the special qualities of national parks by the public.

When national parks carry out these purposes they also have the duty to:

Seek to foster the economic and social well-being of local communities within the national parks.

51. In considering whether to grant planning permission for the proposal the Authority is obliged to have special regard to the desirability of preserving the conservation area. We must give great weight to the desirability of conserving a designated heritage asset weighing against any public benefit where harm is less than substantial.

52. National Planning Policy Framework (NPPF)

53. The Government's intention is that the document should be considered as a material consideration and carry particular weight where a development plan is absent, silent or relevant policies are out of date.
54. In the National Park, the development plan comprises the Authority's Core Strategy 2011 and the Development Management Policies (DMP), adopted May 2019. These Development Plan Policies provide a clear starting point consistent with the National Park's statutory purposes for the determination of this application. In this case, it is considered there are no significant conflicts between prevailing policies in the Development Plan and government guidance in the NPPF.

55. Paragraph 176 of the NPPF states that great weight should be given to conserving and enhancing 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 these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in all these areas, and should be given great weight in National Parks and the Broads.
56. Para 195. Of the NPPF states that Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.
57. Para 197. Of the NPPF states that in determining applications, local planning authorities should take account of: a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and c) the desirability of new development making a positive contribution to local character and distinctiveness.
58. Para 199. Of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
59. Para 200. Of the NPPF states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.
60. Para 202. Of the NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

61. Main Development Plan Policies

62. Core Strategy

63. GSP1, GSP2 - *Securing National Park Purposes and sustainable development & Enhancing the National Park*. These policies jointly seek to secure national park legal purposes and duties through the conversion and enhancement of the National Park's landscape and its natural and heritage assets.
64. GSP3 - *Development Management Principles*. Requires that particular attention is paid to the impact on the character and setting of buildings and that the design is in accord with the Authority's Design Guide and development is appropriate to the character and appearance of the National Park.
65. DS1 - *Development Strategy*. Sets out that most new development will be directed into named settlements. Froggatt is a named settlement.

66. L1 - *Landscape character and valued characteristics*. Seeks to ensure that all development conserves and enhances valued landscape character and sites, features and species of biodiversity importance.
67. Policy CC1 requires development to incorporate sustainable building techniques to mitigate the impacts of climate change. Development must maximise opportunities for carbon reductions by designing development in accordance with the energy hierarchy and incorporating energy and water saving measures.
68. Policies L1 and L3 say that development must conserve or enhance the landscape and cultural heritage of the National Park and other than in exceptional circumstances development that has a harmful impact will not be permitted
69. Development Management Policies
70. Policy DMC3 states that 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. Particular attention will be paid to siting, scale, form, mass, levels, height and orientation in relation to existing buildings, settlement form and character, and the degree to which buildings and their design, details, materials and finishes reflect or complement the style and traditions of the locality as well as other valued characteristics of the area.
71. Policies DMC5 and DMC8 are relevant for development affecting heritage assets (and specifically conservation areas). These policies require applications to be supported by heritage assessments and for development to be of a high standard of design that conserves the significance of heritage assets and their setting. We have an adopted conservation area appraisal for the area and this is a material consideration in the determination of the application.
72. Policy DMC5 states that the development of a designated or non-designated 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 within its setting), unless there are substantial public benefits.
73. Policy DMC8 states that applications for development in a Conservation Area, or for development that affects its setting or important views into, out of, across or through the area, should assess and clearly demonstrate how the character or appearance and significance of the Conservation Area will be preserved or enhanced.
74. Policy DMH7 deals with extensions and alterations to dwellings. It states that extensions and alterations to dwellings 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; or (ii) dominate the original dwelling particularly where it is a designated or non-designated heritage asset; or (iii) amount to the creation of a separate independent dwelling; or (iv) create an adverse effect on, or lead to undesirable changes to the landscape or any other valued characteristic.
75. Policies DMT3 and DMT8 require safe access and adequate off-street parking.

76. Supplementary Planning Documents

77. We have adopted a Supplementary Planning Document (Detailed Design Guide) for alterations and extensions. Chapter 3 relates to extensions to dwellings and states that there are three main factors to consider, massing, materials, detailing and style. All extensions should harmonise with the parent building, respecting the dominance of the original building. The original character of the property should not be destroyed when providing additional development.

78. Chapter 4 of the SPD deals with other material planning considerations, neighbourliness, outlook and amenity, privacy and daylight are fundamental considerations when altering or extending a property. We have also adopted a SPD on sustainable building and climate change. This is a material consideration when applying policy CC1.

79. Assessment

80. Principle of Development

81. Our policies allow for extensions and alterations in principle and in this case the property already benefits from the extant 2009 planning permission for extension which is being incorporated into this current proposal. Therefore, the key issue is whether the development would conserve the character, appearance and amenity of the property, its landscape setting including the significance of the Conservation Area, as well as neighbouring properties.

82. Character/Landscape impact

83. Jubilee Lodge is set back from the road and cut into the sloping hillside. It sits within a large rectangular plot which is largely down to grass, giving the property the appearance, especially in wider views of the village, of being located within a field.

84. Its large L shaped footprint, multiple roofs and split level form which is significantly raised at the front, coupled with design features like the first floor conservatory make the dwelling prominent from the roadside and in wider views across the valley.

85. Although constructed in natural gritstone it is clearly not a traditional building and as a result of previous extensions, the complicated form of the property and the lack of a clear principal elevation facing the street means it does not reflect the vernacular properties in the village and currently detracts from the character and appearance of the Conservation Area.

86. The extant 2009 planning approval for extension aimed to create a low two storey double fronted form with eaves dormer windows at the north-western end of the property. Despite concerns about design and landscape impact from further extending an already over-extended bungalow, it was supported on the basis that the two storey form created would better reflect the local building tradition and was seen as the maximum scale of extension that could be accommodated. It would also have given the property a clear principal frontage facing the street with new central door acting as a focal point to bring some enhancement to the appearance of the property and by better reflecting the local vernacular also enhance the buildings impact upon the Conservation Area. That permission has been implemented but not progressed.

87. The design of the current proposal incorporates that previous two storey element but is raised in height to full two storey along with the central section of the original bungalow. The applicant explains that the increased height is designed to resolve the low roof

- height in the previous approval. This would have resulted in internal ceilings heights that the applicant later realised would reduce the amount of useable full height floorspace to a level that made it unacceptable for him to proceed.
88. The current proposal therefore seeks to address that previous deficiency with eaves of the proposed extension on the north-western end now being 1.4m approx. higher to give a full two storey height with conventional ceilings internally to do away with the need for eaves dormers.
89. In addition to raising the two storey gabled extension, this current proposal also seeks consent to lift the roof of the central section of the existing dwelling behind up to two storeys with a matching ridge line. This central area of the bungalow has a wider floorplan than the traditional narrow gable of the northern gabled extension and the roof would have a lower 30 degree pitch compared to that of the gabled extension at 35degrees. Although it would have a matching ridge line with the north-west facing extension its eaves line would be 450mm lower than the eaves of the northern section.
90. As a result of these significant increases in overall height, the proposed extension would not be subservient to the existing dwelling as required by our adopted policies and design guidance. Instead they would result in a clearly dominant two storey higher dwelling form which, because of the sloping land and elevated front, would appear almost 2½ storey high from the SW. This would be well above and dominant over the existing dwelling elements to the south. These lower level elements, are themselves mainly two storey and would nevertheless still remain a substantial range in their own right in terms of their own scale and massing, especially as they project significantly forward of what currently is the principal or 'front' elevation of the property facing down the valley.
91. Whilst the 2009 extension allows for an increase in height and scale at the north-western end of the bungalow this would result in a traditionally proportioned and fenestrated cottage style form and frontage presence facing The Green. Despite the scale that design approach had some merit and was considered, on balance, to be acceptable because it brought some enhancement with a coherent front elevation facing the green and despite the increases scale/height, remained subservient to the overall scale and massing of the dwelling.
92. In terms of fenestration the previous objection over the scale of the wide glazed openings on the SW facing first floor front have been resolved by omission and replacement with appropriately sized openings.
93. The set of white uPVC bi-fold doors at ground floor (replacing an existing uPVC patio door and separate window) remain and are reduced by one panel from the previous refusal. These would still undermine to some extent the generally high solid to void ratio of wall to openings in the rest of the proposal and that of the existing dwelling (apart from the glazed first floor conservatory). Although included on the plans to form part of this proposal they would ordinarily be an alteration to an existing dwelling that could be carried out under 'Permitted Development' which therefore represents a material consideration as a realistic fall-back position.
94. The increased height on the proposed NW facing elevation, coupled with the loss of the previously approved doorway focal point, would result in the key elevation facing the street having a tall and somewhat bland elevation. On balance, the resulting massing would also be rather too square in proportion to fully reflect the local tradition and indeed the previous approved scheme for more rectangular proportions with a clear horizontal emphasis.

95. We therefore again conclude that this revised proposal for a significantly larger extension to the property than was approved in 2009 would simply increase the current unresolved and complicated massing and large scale of the building taking even it further away from the local building tradition. The increased scale and massing would also give the resultant dwelling a significantly increased prominent and intrusive impact upon its open setting, exacerbating the current harmful impact it already has upon the immediate streetscene, the Conservation Area and its wider landscape setting rather than bringing some enhancement like the 2009 decision.
96. There are no concerns regarding materials of construction or the use of white uPVC of an appropriate section/profile for the window frames on this modern building, although for the bi-fold doors we would have encouraged a more muted shade of colour so as not to draw attention to the wide scale of the opening.
97. The amended first floor fenestration and the omission of the study extension from the previous refused scheme are welcome improvements from the last refusal. These are not however, considered to be sufficient to override the more significant impact of the increased scale, massing and further complication to the form of the overall dwelling. As a result the proposal would further detract from its character and appearance as well as significantly increase the prominence of this non-traditional building.
98. The increased dominance of the enlarged building would significantly harm its immediate and wider landscape setting and as it forms a prominent component within the built environment would also harm the significance of the Froggatt Conservation Area. The harm identified to the Froggatt Conservation Area, a designated heritage asset, although significant would, nevertheless using the language in the NPPF, represent what is termed “less than substantial harm” (a term which encompasses every level of harm below total loss of the asset which would be “substantial harm”) but harm nevertheless and therefore we are required to consider whether there would be public benefits to outweigh the harm.
99. The proposed extension would provide additional living space for the applicant. Whilst we recognise this is desirable, this is a private benefit for the applicant and therefore does not outweigh the harm identified to the heritage asset. The public benefit we placed some weight upon to give an ‘on balance’ approval to in respect of an enhanced elevation facing The Green in the 2009 decision has been carried forward in this revised scheme.
- 100. Other considerations**
101. There are no concerns about parking or access which is unchanged and sufficient in area to accommodate adequate parking and manoeuvring space for resident’s vehicles.
102. Neither are there any concerns about neighbouring amenity as the nearest house across The Green is set back some distance.
103. The application states in terms of environmental management within the Design and Access statement that the scheme would provide “Overall reduced need of energy and heat loss thru new thermally efficient insulated roof structures to building regulations (L1B) high thermal standards. Provision of new ‘A’ rated ‘white goods’ to Kitchen and low flush to new WCs. New and any upgraded internal lighting shall be of low energy LED type. Energy shall be supplied more efficiently with a replacement heating and hot water boiler system”

104. The statement does not mention the proposed use of local reclaimed stone from the site and already procured which together with the measures set out above would represent a proportionate response within a proposal for a domestic extension to meet our CC1 policy aims.

105. Conclusion

106. The proposed scale and design of the extension does not adequately reflect adopted design guidance, principally in terms of scale and massing. The Extensions and Alterations SPD states that extensions should be sympathetic, subservient to the original building, and limited in size. Policy DMC3 states that the detailed treatment of a development should be of a high standard, and Policy DMC8 states that development in a Conservation Area should preserve or enhance.

107. This proposal is excessive in scale and not subservient to the host property and would only continue the pattern of more extensions adding to the bulk, and further complicating the already unresolved form and massing of the property. These would detract from the property itself and exacerbate its already dominant and harmful impact upon the landscape setting and the significance of the surrounding Conservation Area which is not outweighed by any public benefits. The application is contrary to the Extensions and Alterations SPD, the Design Guide, Policy GSP3, L1 L3 DMC3 DMC5 DMC8 and Policy DMH7 and the NPPF

108. Human Rights

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

110. List of Background Papers (not previously published)

111. Nil

112. Report author: John Keeley - North Area Planning Team Manager