

8. FULL APPLICATION - PROPOSED SUBDIVISION OF HOUSE AND LARGE ANNEX TO CREATE TWO INDEPENDENT DWELLINGS. REMOVAL OF DANGEROUS CHIMNEY AT HILL FOOT HOUSE, MAIN ROAD, HATHERSAGE (NP/DDD/0421/0434 SPW)

APPLICANT: MR M VICKERMAN

Summary

1. Subdivision of a dwelling is proposed in a manner which will not harm the built environment or its conservation area setting. Both properties would have adequate amenity and access to outdoor amenity spaces and amended plans are expected which provide an adequate level of dedicated parking spaces for each property. In general the proposal is considered to accord with the policies of the development plan and the NPPF which support subdivision of existing dwellings.

Site and Surroundings

2. Hill Foot House is located on Main Street Hathersage. It's a busy central location of the village. There is a shared access to the side of the dwelling which leads to amongst other things the parking spaces for Hill Foot House as well as a piece of land the applicants have recently acquired, during the site visit there was a car parked on this additional land which has hardstanding for at least two vehicles. The access road also carries a public footpath through to Crossland Road.
3. The property is a large imposing property of great character which contributes positively to the character of the Conservation Area and is clearly of vernacular merit, it is therefore considered to be a non-designated heritage asset. It is constructed of coursed natural gritstone with a blue slate roof. The gritstone has a tooled finish. To the rear it has a large extension clearly of more recent construction, this is described as an annexe. The existing plans show that although the extension is described as an annexe the property as a whole has a single bathroom and single kitchen.
4. There is a parking space to the rear and the property has a patio area.
5. There is also a piece of land outside the curtilage of the property which the applicants have recently acquired, upon which there are two further parking spaces.

Proposal

6. The proposal is to subdivide Hill Foot House into two dwellings.
7. No extensions are required just alterations to the west (side) elevation to insert a door on one side and there is a range of openings being blocked up on the east (side) elevation.
8. As submitted the proposal also included removal of a chimney, but this has since been omitted from the scheme, the amended plans now show it retained.
9. The amended plans now show a total of 5 spaces. Two for the new dwelling and three for Hill Foot House. This will achieve adequate parking and still retain outdoor amenity spaces for each dwelling.

RECOMMENDATION:

10. That the application be **APPROVED** subject to the following conditions -

1. **Standard time limit.**
2. **Development in complete accordance with the amended plans; Amended Block Plan showing 5 parking spaces , 'E/04A', 'P/03A' 'P/01A', 'P/02A' and specifications, subject to the following conditions or modifications.**
3. **The first floor window on the east elevation of the 2 bedroomed dwelling (labelled 'Annex' on the plans) shall be obscure glazed and shall be permanently so maintained.**
4. **Prior to occupation of the 2 bedroomed dwelling (labelled on the plans 'Annexe') the existing openings on the east elevation shall be infilled with stonework as shown on the approved plans.**
5. **Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015 (or any order revoking and re-enacting that order) no alterations to the external appearance of the East facing elevation of the 2 bedroomed dwelling (labelled on the plans as Annexe) shall be carried out without the National Park Authority's consent.**
6. **Prior to the occupation of each dwelling the parking and amenity space for each shall be made available as shown on the approved plans and shall remain available for use as shown throughout the lifetime of the development.**
7. **The chimney shall not be removed.**
8. **All stonework shall be natural gritstone to match the existing.**

Key Issues

11. The key issues are:
12. The development description describes a residential annexe are there any planning conditions restricting the use of the annexe to ancillary accommodation?
13. Is there adequate parking and amenity space for each dwelling ?
14. Are there any other amenity issues?
15. Design and impact on the character and appearance of the conservation area?

History

16. None specific to the proposal.
17. There is an open enquiry as the fee has not been returned ENQ41496 which asks about the feasibility of the current proposal.
18. 1992 Permission was granted for conversion of outbuilding and extension to form dwelling.

Consultations

19. Derbyshire County Council (Highway Authority) – The application site is located on Main Road (A6187) which is subject to a 30mph speed limit and makes up part of a bus route, therefore, as the proposal will intensify the use of the existing vehicular access it is recommended that the applicant provides maximum emerging visibility sightlines in both directions from the existing vehicular access. The red outline boundary as seen on the Site Block Plan does not include the existing private vehicular access or the off-street parking area, it is recommended that the applicant submits a revised plan including the existing private access and off-street parking provision within the red line boundary.
20. Whilst it is appreciated a parking area is demonstrated on the Site Block Plan, off-street parking bays should be clearly shown by dimension and location, additionally it is recommended that the applicant demonstrates off-street parking to serve both the existing and proposed dwelling for the avoidance of doubt.
21. In view of the proposal resulting in a 2no bedroom and 4no bedroom dwelling, to meet current recommendations 5no off-street parking bays would be considered acceptable to serve both dwellings, along with sufficient turning space within the site to enable residents vehicles to both enter and exit in a forward gear.
22. Each parking bay should measure a minimum of 2.4m x 5.5m with an additional 0.5m of width to any side adjacent to a physical barrier e.g. wall, hedge, fence, etc. Therefore, it's recommended that the applicant is given opportunity to submit revised details demonstrating measures to satisfactorily address the above issues. However, if you are minded to determine the application in its submitted form, I would be grateful if you could revert back to the Highway Authority for any further comments.
23. Derbyshire Dales District Council – No response to date.
24. Hathersage Parish Council – Cllrs noted some objections had already been raised on the grounds of impact on parking for neighbours and other residents. The Parish Council has grave concerns over the possible potential extra vehicles which would be involved by the division of Hill Foot House into two properties, noting:
 25. • The access to the limited parking area provided at the rear is via an extremely narrow access road which is also a public footpath, very well used by pedestrians especially children going to the nearby school and infants going to the local playschool.
 26. • The centre of the village has very limited parking either on streets or in the DDDC car park for residents, employees or tourists so parking is extremely difficult. Parking on the road near the property is already used by the residents of this property and by several properties nearby which have no off-road parking at all. More vehicles using this/these properties will cause more parking problems in an already overcrowded area.
 27. • The centre of the village has very limited parking either on streets or in the DDDC car park for residents, employees or tourists so parking is extremely difficult. Parking on the road near the property is already used by the residents of this property and by several properties nearby which have no off-road parking at all. More vehicles using this/these properties will cause more parking problems in an already overcrowded area.
 28. • The concealed access to and from the main road is at the same point as the vehicular entrance to Millbank Court. This exits at the top of the narrowest part of the main road which acts as a pinch point where traffic has to give way to pass the pharmacy. The construction of a wall at the front of the property will make the sight-line from the exit extremely challenging. The Parish Council therefore recommend a site visit should be made. The Parish Council have no objection to the removal of the chimney

29. **Representations**

Three representations have been received all raise issues of objection one point of support is raised.

Support is raised on the following grounds –

- No objection to the removal of the chimney

Objection is raised on the following grounds –

- Concern over lack of parking in the area.
- Will exacerbate the poor availability of parking.
- Concern that the chimney is being removed without submission of a structural survey to prove it is unsafe.
- Amenity
- Accuracy of the plans
- Safety due to additional traffic.

Main Policies

30. Relevant Core Strategy policies: DS1, GSP1, GSP2, GSP3, GSP4, L1, L2, L3, HC1, CC1.

31. Relevant Development Management policies: DMC3, DMC4, DMC5, DMC8, DMC10, DMH10.

National Planning Policy Framework

32. The National Planning Policy Framework (NPPF) was published on 27 March 2012 and replaced a significant proportion of central government planning policy with immediate effect, the revised version was published in July 2021. The Government's intention is that the document should be considered as a material consideration and carry particular weight where a development plan is absent, silent or relevant policies are out of date. In the National Park the development plan comprises the Authority's Core Strategy 2011 and the Development Management Policies 2019. Policies in the Development Plan provide a clear starting point consistent with the National Park's statutory purposes for the determination of this application. It is considered that in this case there is no significant conflict between prevailing policies in the Development Plan and Government guidance in the NPPF.

33. Para 176 of the NPPF states that 'great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty. The conservation of wildlife and cultural heritage are important considerations in all these areas, and should be given great weight in National Parks and the Broads.'

34. Paragraph 80 has provision for new housing in the countryside via subdivision of existing residential buildings.

35. Para 111 Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Core Strategy

36. Policy GSP1 sets out the broad strategy for achieving the National Park's objectives having regard to the Sandford Principle, (that is, where there are conflicting desired outcomes in achieving national park purposes, greater priority must be given to the conservation of the natural beauty, wildlife and cultural heritage of the area, even at the cost of socio-economic benefits). GPS1 also sets out the need for sustainable development and to avoid major development unless it is essential, and the need to mitigate localised harm where essential major development is allowed.
37. Policy GSP2 says that opportunities for enhancing the valued characteristics of the National Park will be identified and acted upon, and opportunities will be taken to enhance the National Park by the treatment or removal of undesirable features or buildings.
38. 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.
39. Policy L1 identifies that development must conserve and enhance valued landscape character and valued characteristics, and other than in exceptional circumstances, proposals in the Natural Zone will not be permitted.
40. L3 deals with heritage assets including Conservation Areas, the setting of listed buildings and Scheduled Monuments and requires that development must conserve and where appropriate enhance or reveal the significance of the heritage assets and their settings. Other than in exceptional circumstances development is not permitted that is likely harm the significance of a heritage asset.
41. Policy DS1 *Development Strategy* sets out the principles to promote a sustainable distribution and level of growth and support the effective conservation and enhancement of the National Park. This includes the conversion or change of use for housing, community facilities and business uses including visitor accommodation, preferably by re-use of traditional buildings.
42. HC1 is the most relevant core strategy policy for new housing this however does not include the provision in Development Management Policy DMH10 to allow for subdivision of existing dwellings. In that sense DMH10 in combination with para 80 of the NPPF are therefore the lead policies for the principle of subdivision of dwellings.

Development Management Policies

43. Development Management Policy DMC3 deals with siting, design layout and landscaping and requires that where development is acceptable its detailed treatments are to a high standard that respects, protects and where possible enhances the natural beauty, quality and visual amenity of the landscape, including and cultural heritage. Amongst other things it pays particular attention to the degree to which buildings and their design, details, materials and finishes reflect or compliment the style and traditions of the locality as well as other valued characteristics and the principles embedded in the

design related SPDs.

44. DMC5 requires the impact of a proposal on the significance of a heritage asset to be assessed proportionately to its significance via a heritage assessment or design and access statement.
45. DMC10 This has provision for conversion of heritage assets to dwellings and sets out the criteria for this including amongst other things that the conversion would not harm the character and appearance of the heritage asset and that there is adequate amenity space and parking.
46. Chapter 6 of the DMP addresses the issue of 'Downsizing' in paragraph 6.28. It recognises that some people who own their properties outright may want to downsize to a smaller property as they get older, but remain in their existing community. It states that this need should be met through existing housing stock where suitable, but there may be circumstances where this is not possible. Paragraph 6.30 goes on to say that the Authority will encourage the types of market housing that would be appropriate to local circumstances, such as smaller housing for people needing to downsize.
47. DMP Policy DMH10 relates to the sub-division of dwellings to create multiple dwelling units. This states:

"The subdivision of a dwelling and the creation of new dwelling units will be permitted provided that the subdivision would not prevent or undermine: (i) the quality of the landscape and immediate setting of the building in line with conservation policies; or (ii) the residential amenity of any nearby residential properties; or (iii) the use of the original dwelling where that is already subject to a condition or legal agreement restricting: (a) use as an affordable house for eligible persons in housing need; or (b) use as an ancillary dwelling; or (c) use as an essential worker dwelling; or (d) use by those either requiring or providing care; or (e) joint use of the building for residential and business use; or (iv) the use of any outbuilding as an ancillary where it is already subject to a condition or legal agreement restricting its use."
48. Development Management Policy DMH7 *Extensions and alterations* states that extensions and alterations to dwellings will be permitted provided that the proposal does not (inter alia; the second part of the policy is not relevant to this application):
 - 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 cultural 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..*
49. Development Management Policy DMT3 emphasises the importance of safe access to developments.
50. 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.
51. SPDs

52. The Authority's 'Design Guide' and 'Detailed Design Guide for Alterations and Extensions' has been adopted as SPD following public consultation and therefore is a material consideration.
53. Paragraph 2.21 of the "Alterations and Extensions Detailed Design Guide SPD" (2014) considers the sub-division of a dwelling. It states that:

Subject to planning approval, the subdivision of one dwelling unit to two or more dwelling units provides an option to increase numbers of dwelling units without building new houses. This is a benefit to the National Park in itself, provided the building subject of the proposed subdivision, and its setting would be conserved or enhanced by such alteration. Any heritage significance of the building including the role of existing openings and subdivisions is an important factor in this determination. Where no such significance exists it is still important that any proposed changes improve that which currently exists and does not detract from the building's setting.

Assessment

Principle of the Development

54. The plans show the dwelling can be subdivided with little alteration. The alteration to the east (side) elevation which faces the patio are to modern fabric so inconsequential in terms of their impact on character and what they do is block up openings and infill with stone so there is not detrimental effect.
55. There is a new opening inserted into the gable end of the historic part of the dwelling but this is not considered to be harmful to the character or appearance of the dwelling.
56. The planning history does not reveal any planning conditions restricting the use of the extension described as an annexe. In general the principle is largely considered to be in accordance with the provisions of the development plan for this type of development as set out in DMH10.
57. The main issues are parking and amenity.

58. Design

59. The design of the amended scheme provides for outdoor amenity space for both dwellings, and they both have parking. Amended plans have now been received which show the 4 bed property would have 3 spaces and the 2 bed would have a 2 spaces. This is adequate parking which will address the concerns of the Highway Authority, Parish Council and local residents concerns over parking provision and accord with the requirements of the development plan..
60. A planning condition will be needed to ensure that the parking and amenity spaces are provided prior to occupation of the dwellings.

61. Landscape Impacts

62. There are no wider landscape impacts.

63. Amenity Impacts

64. There would be adequate outdoor amenity space for both properties. It is noted the 3m wide strip for the 2 bedroom property is a little narrow in proportions. Nevertheless it is considered to be adequate.

65. The proposal does raise some amenity issues that need addressing. Firstly there remains a first floor landing window in the 2 bedroom property which would both overlook the patio of the 4 bed property but also have a very close relationship with bedroom 2 of the 4 bed property.
66. To address this the window can be obscure glazed and the agent has advised they can accept this. We can achieve this via a planning condition.
67. The other issue is that the elevation of the two bedroom property which faces onto the patio has many existing openings being blocked up. Planning conditions will be needed to ensure this happens prior to occupation and permitted development rights for alterations on this elevation should be removed to ensure that openings are not inserted or reinserted as this would enable overlooking of the patio area to the other property. Again this can be achieved via a planning condition.
68. There will not be any adverse impact on the amenity of neighbouring properties and as adequate parking will be provided, in some respects local amenity may be improved as it will reduce the demands for other forms of parking.

69. Highways Impacts

70. As submitted there was an under provision of parking, but the agent has agreed to address this with amended plans to provide a total of 5 spaces, 3 for the 4 bed roomed property and 2 for the 2 bed roomed property. The planning agent has explained that at present the property is a 6 bed roomed dwelling with a single parking space in the curtilage and we note that there is the additional space(s) in the recently acquired land, so the proposal as amended offers a significant net increase in the amount of parking available to the site. We also note the highways Authority comments in relation to the visibility splays but given this is an existing access it is not considered to represent a significant intensification that could be refused on its existing visibility splays. Essentially we do not consider that the proposal would have an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

71. Heritage Issues

72. Removal of the chimney was of concern, there was inadequate justification to allow it in the submitted design and access statement as it did not assess the impact on significance. Furthermore, no supporting information like a structural report was submitted to ascertain if it was truly necessary and beyond repair or replacement.
73. This element of the proposal has therefore now been removed from the amended plans. A planning condition can be used for clarity as its removal is still stated in the development description.

Conclusion

74. The proposal would subdivide the property without harming its character, or the character of its conservation area setting. Both properties are capable of having adequate privacy and outdoor amenity space as well as dedicated off street parking, and the proposal would not harm the amenity of neighbouring properties. Therefore proposal is considered to be in accordance with the policies of the development plan and having considered in this report other material considerations that have been raised, we consider that the proposal should be approved.

Human Rights

- 75. Any human rights issues have been considered and addressed in the preparation of this report.
- 76. List of Background Papers (not previously published)
- 77. Planning Officer – Steven Wigglesworth, Planner