

7. FULL APPLICATION - ALTERATION AND CONVERSION OF BUILDING TO A DWELLING INCLUDING RETENTION OF FRONT PORCHES - HIGH PEAK HARRIERS, BIGGIN – (NP/DDD/0721/0756, MN)

APPLICANT: DR DALLAS BURSTON

Summary

1. The application site is a semi-detached property in mixed use as a C3 dwelling and B1 office, located in the village of Biggin. The proposals involve alteration and extension of the property, and change of use to a C3 dwelling only.
2. For the reasons set out in the body of this report the loss of the office use is considered acceptable and, as amended, the design and appearance of the proposals have been found to conserve the character and appearance of the built environment and wider landscape, and to accord with planning policy in other regards.
3. The application is therefore recommended for conditional approval.

Site and Surroundings

4. The application site comprises of a two storey property.
5. The property lies within Biggin village, to the north of Main Road. The dwelling is set at 90 degrees to the road and has a gravelled parking and amenity area to the west (front) and south, with lawn to the rear (east).
6. Vehicular access is from Main Road to the west of the property.
7. The site adjoins buildings known as Peakside, and Harriers Cottage to the eastern side.
8. The property faces towards further residential dwellings to the west, the closest of which is approximately 20m from the application building.
9. Biggin Depot and a former barn building lying further to the north and north west.
10. The dwelling is sited outside of any designated Conservation Area.

Proposal

11. To make alterations to the appearance of the building, including alterations and replacement of windows, doors, and external materials, and to construct a porch to the principle elevation. The works have already been carried out and so this part of the proposal is retrospective. Two porches were originally proposed and have already been constructed. The application now proposes retaining only one.
12. To change the use of the building from a mixed use as a C3 dwelling and B1 office to a C3 dwelling only.

RECOMMENDATION

13. **That the application is APPROVED subject to the following conditions:**
 - 1) **In accordance with amended plans**
 - 2) **Removal of porch in accordance with amended plans within 3 months**

3) Removal of drystone wall that projects from the west elevation and that runs east to west and subdivides the frontage of the building within 3 months

Key Issues

14. The principle of loss of the office space
15. Impact of the development on the appearance of the built environment.

Relevant Planning History

16. 2021 – Planning application submitted for change of use of High Peak Harriers to 2No. holiday lets and extensions to form front porches. Withdrawn prior to determination.
17. 2021 – Planning permission granted for two storey rear extension and porch at Harriers Cottage.
18. 2018 – Planning permission granted for two storey rear extension and porch at Harriers Cottage.
19. 2015 – Lawful Development Certificate refused for use of part of the High Peak Harriers (the same part as subject of the current application) as a single dwelling house falling into use class C3. The application was refused on the grounds that the applicant's evidence was not sufficiently clear or precise to demonstrate that there had been a change of use of the application site to a single dwellinghouse for a period of four years prior to the date of the application. The Authority concluded that on the balance of probability the property was in a mixed use as a commercial office and dwellinghouse, due to prior business occupation of it.

Consultations

20. **Derbyshire County Council - Highways** – In principle, the Highway Authority has no objection to the proposal subject to the applicant demonstrates by swept path assessment that the site has adequate areas available for parking/turning. Furthermore, information about refuse collection points should be shown on a revised plan.
21. **Derbyshire Dales District Council** – No response at time of writing.
22. **Hartington Nether Quarter Parish Council** – Hartington Nether Quarter PC members object to this proposal, by majority decision. The property has begun to be developed without formal planning and a window has been put in place where there previously was no window. Photographic evidence confirms this, therefore, contrary to information within the proposal documentation, the property will not retain its traditional form.

Representations

23. None received at time of writing.

Main Policies

24. Core Strategy policies: GSP1, GSP2, GSP3, DS1, CC1
25. Development Management policies: DMC3, DMH7, DME4

26. 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:
- a. Conserve and enhance the natural beauty, wildlife and cultural heritage
 - b. Promote opportunities for the understanding and enjoyment of the special qualities of national parks by the public
27. 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.

National planning policy framework

28. The National Planning Policy Framework (NPPF) was first published on 27 March 2012 and replaced a significant proportion of central government planning policy with immediate effect. The Government's intention is that the document should be considered 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 Local Plan comprises the Authority's Core Strategy 2011 and the Development Management Policies document 2019. Policies in the Local 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 Local Plan and more recent Government guidance in the NPPF.
29. Paragraph 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.'

Local Plan

30. Core Strategy 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.
31. Core Strategy policy GSP2 states, amongst other things, that when development is permitted, a design will be sought that respects the character of the area.
32. Core Strategy 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.
33. Core Strategy policy DS1 details the development strategy for the National Park, and permits extensions to dwellings in principle.
34. Core Strategy policy CC1 states that development must make the most efficient and sustainable use of land, buildings and natural resources.

35. Development Management Policy DMC3 requires development to be 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. It also provides further detailed criteria to assess design and landscaping, as well as requiring development to conserve the amenity of other properties.
36. Policy DME4 addresses the change of use of non-safeguarded, unoccupied or under-occupied employment sites in Core Strategy policy DS1 settlements – of which Bakewell is one. It states that this will be permitted provided that the site or building(s) have been marketed to the Authority's satisfaction for a continuous period of 12 months prior to the date of the planning application, in line with the requirements of this Plan, and the Authority agrees that there is no business need for the retention of them.
37. Policy DMH7 A addresses extensions and alterations, permitting these 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 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; or
 - v. in the case of houses permitted under policy DMH1, exceed 10% of the floorspace or take the floorspace of the house above 97m².

Assessment

Principle of the development

38. In relation to the proposed cessation of the office use, the building was previously occupied in association with a haulage business that previously operated from the site. The office space was occupied at ground floor with residential space above, based on the conclusions of the unsuccessful 2015 lawful development application for occupation of the building as a C3 dwelling. The property has stood empty for approximately 10 years since being occupied for that purpose, by the agents account. Without a lawful intervening use it remains in a mixed office/dwelling use however.
39. Policy DME4 requires 12 months of marketing of the property and for the Authority to be satisfied that there is no business need for its retention before it can be supported for a change of use away from office space. We are advised that the property has been previously advertised with no interest shown, although not for the 12 months immediately preceding this application. We have been provided with no evidence of advertisement.
40. However, it is significant that the building is a single planning unit in a mixed use, and cannot be sold or let as two separate units. That significantly limits the market for prospective purchasers or tenants. It is also a sizeable property; further limiting its appeal to most purchasers who may be seeking an office space attached to their dwelling. Its rural location further narrows those whom it may appeal to as a business premises given its scale.
41. It is also of note that, whilst objecting to the proposal on other grounds, the Parish Council raised no concern regarding the proposed full residential use of the building.
42. Overall, it is concluded that whilst the property has not been marketed in accordance with policy DME4, there are other material circumstances that satisfy officers that there is no business need for its retention – namely the period for which it has been vacant, the mixed use and scale of the planning unit combined with its location.

43. There is therefore no objection to the change of use in principle.

Design and appearance

44. Prior to the unauthorized remodeling of the building it was a rendered property, with large windows of modern appearance and varying proportions and fenestration.
45. The works undertaken have re-faced the building with natural stone, altered window openings, added coped gables to the roof, and added two porches to the front of the building.
46. The introduction of the two mirrored porches to the same elevation of a single property was concluded to result in an unsatisfactory appearance, and the plans have been amended to show only one of these now to be retained.
47. In other regards, the works have broadly achieved enhancement of the building's appearance. The stonework has been carried out sympathetically and using appropriate materials, and to the front and rear elevations window sizes and proportions much more closely follow those of traditional local dwellings.
48. To the road-facing gable the previous large first floor window has been remodeled, somewhat reducing its impact. Regrettably, a second such window has also been added at ground floor however. The gable is now heavily windowed, which is uncharacteristic of local dwellings.
49. In the context of the other alterations made to the property's appearance though, the overall balance is one of enhancement, subject to one of the porches being removed as is proposed.
50. Changes have also been carried out to enclosure around the building, with walls and gates now enclosing parking areas to the front of the house. Having previously opened only on to a wide yard area, this definition of the property's boundary has resulted in a minor enhancement to the appearance of the site.
51. The exception to this is a dividing wall projecting from the centre of the front wall of the property, which splits the curtilage and parking area in two. As a single dwelling, this is both unnecessary and incongruous. If permission is granted it is recommended that this be omitted by condition.
52. Overall, and subject to conditions securing the removal of the porch and section of boundary wall, the development as amended would enhance the appearance of the built environment and accord with the requirements of policy DMC3.

Amenity

53. The relationship of the property to neighbouring dwellings would be unchanged by the proposals.
54. The removal of the unrestricted office use may reduce some traffic movements and low level disturbance that may occur if that use was to re-commence, although it is not anticipated such activity would be unacceptable in a residential area.
55. The rear garden of the development immediately abuts the dwelling of Harriers Cottage on its northern edge; both properties are in the applicants control however, and this is an existing situation in any case, rather than one created by the proposed development.
56. Overall, the development complies with policy DMC3 in regards to amenity.

Highway considerations

57. The highway authority have advised that the applicant should demonstrate by swept path assessment that the site has adequate areas available for parking/turning, and that information about refuse collection should be provided.
58. However, the site has an established use for both office and residential occupation. The parking and traffic impacts of this are greater than those associated with a single dwelling as now proposed, and are currently uncontrolled. It is therefore concluded that these additional details are not reasonably required to make the development acceptable in planning terms.

Climate change mitigation

59. A sustainability statement has been provided outlining the measures carried out as part of the conversion works.
60. The measures have involved insulating the property to above building regulation standards through wall, floor, and roof insulation, and insulated glazing.
61. Given that the property already existed as a dwelling in part these measures will significantly improve its energy efficiency for such occupation, and are therefore considered sufficient to meet the requirements of policy CC1.

Conclusion

62. Whilst the development proposal does not strictly comply with policy DME4 in relation to the marketing of the property we are satisfied that the circumstances of the site mean that there is no longer a need for the existing office use.
63. Subject to conditions the development would conserve the character and appearance of the built environment and landscape, according with planning policies GSP3, DMC3, and DMH7.
64. Other material considerations that would indicate planning permission should be granted for the development as a whole.
65. Accordingly, the application is recommended for approval subject to conditions.

Human Rights

66. None arising.

List of Background Papers (not previously published)

67. None

Report Author and Job Title

68. Mark Nuttall, Interim South Area Manager