

4. FULL APPLICATION – ERECTION OF A PAIR OF SEMI DETACHED AFFORDABLE LOCAL NEEDS DWELLINGS AT LAND OFF RECREATION ROAD, TIDESWELL (NP/DDD/0222/0190, JK)

APPLICANT: MR & MRS BATES

Summary

1. This application was initially deferred from the May meeting and then subsequently again from the June meeting at members request for more information and clarity about the size of the dwellings, the plot layout as well as presenting a clearer position regarding the housing need evidence. It was deferred from the September meeting to enable the report to be revised following receipt of further updated housing need evidence.
2. The site is part of an agricultural field on the northern edge of Tideswell at the end of Recreation Road.
3. The application proposes two affordable houses to be first occupied by the applicant's sons.
4. On the available evidence from the applicants and from a third-party representation it seems clear that the applicants have a local qualification.
5. Evidence demonstrates that both of the proposed first occupants have a proven need for the dwellings.
6. One of the proposed dwellings exceeds the maximum floorspace allowance even with the flexibility of the increased size afforded by the DMH1 practice note so that dwelling would not be affordable by size to meet the stated need of the first occupant.
7. The application is therefore recommended for refusal.

Site and Surroundings

8. The site is located in an agricultural field on the northern edge of Tideswell adjacent to the dwellings at the end of Recreation Road. The recreation ground lies across the lane to the south west with the local school further to the south-west.
9. The site and wider field is open pasture bounded by drystone walling and is stated not to be part of an agricultural holding. The nearest neighbouring properties are 34 and 35 Recreation Road immediately to the south-east of the site.
10. There is an existing access gate into the field at the end of Recreation Road and a small animal shed is located within the application site against the garden wall of No 35 Recreation Road.

Proposal

11. The submitted application has been amended and is for the erection of a pair of semi-detached affordable houses on the site. The dwellings would be first occupied by the applicants' two sons, both of whom currently live outside the National Park but wish to return to Tideswell.

12. The dwellings would be sited in the southern corner of the field adjacent to the dwellings at the end of Recreation Road. A new access road would extend from the existing field gate at the end of Recreation Road to serve each of the two dwellings before terminating in a new field access gate.
13. The dwellings would be two storey, semi-detached properties. Amended plans now show that the houses would be constructed with natural stone to the front elevation with rear and gable elevations clad in traditional render with natural gritstone quoins throughout. The roof would be clad with natural blue slate and the windows would be uPVC with stone heads and cills. One dwelling would have three bedrooms and a gross internal floor area of 97m² and the other two bedrooms and 78m². Each would have gardens to front and rear with 2 parking spaces, one to the side of each house, the other in front. Solar photovoltaic panels are proposed on the roof to the front elevation.
14. The amended information from the agent confirms there are no plans to relocate or replace the existing field shelter currently located within the application site.

RECOMMENDATION:

That the application be REFUSED for the following reason;

1. **The proposed housing would not be affordable due to its size to meet the eligible need of one of the proposed first occupiers. The application therefore fails to demonstrate exceptional circumstances to allow new build housing within the National Park contrary to Core Strategy policy HC1, Development Management policies DMH1 and the National Planning Policy Framework.**

Key Issues

- Whether there is justification for the proposed local need affordable houses and whether the proposed development is in accordance with policies HC1, DMH1 and DMH2
- The design and landscape impact of the proposed development.

Relevant Planning History

None on the site itself

Consultations

15. Parish Council – Support the plans as keen to encourage affordable housing. The plans are also well designed. Support the amended application and have no objections.
16. Highway Authority – No objection to the submitted plans subject to conditions and makes the following comments (summarised for relevancy to amended scheme as not reconsulted):
17. *Recreation Road is an unclassified road subject to a 30mph speed limit, whilst the proposed development will intensify the use of the existing field/vehicular access, the access benefits from acceptable emerging visibility onto Recreation Road, therefore, any increase in traffic generation the proposal may generate is unlikely to lead to any severe safety issues associated with the access.*
18. *The Proposed Site Plan demonstrates sufficient space within the site to accommodate 2no off-street parking bays to serve each dwelling.*

19. *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.*
20. *An area of adequate dimension for standing of waste bins on refuse collection days should be provided adjacent to, but not within, the public highway to serve the proposed dwellings.”*
21. District Council – No response to date.
22. Natural England – No response to date.
23. PDNPA Archaeology – Some archaeological impact and suggest conditions to mitigate. Makes the following detailed comments:
 24. In accordance with the requirements of NPPF para.194, for development sites with archaeological interest, local planning authorities should require developers to submit a desk-based assessment and where required a field evaluation to allow informed planning decisions that take account of the archaeological interest and significance of sites to be made.
 25. PDNPA’s own policies as set out in the Core Strategy and the Development Management Policies documents also require the submission of appropriate information on significance in support of applications that affect heritage assets.
 26. With the lack of supporting information as required by NPPF, I have reviewed sources available to me (HER, historic maps, aerial photos, LIDAR etc.) to make my own assessment of the site’s archaeological interest and significance.
 27. I am mindful of the requirements of NPPF that planning applications should establish the significance of heritage assets and that the level of detail provided should be no more than is sufficient to understand the potential impact of the proposal on their significance, i.e. ‘just enough’ to allow determination of the application.
 28. The key archaeological consideration is that I do not think that a standalone desk-based assessment is likely to reveal new information that would dramatically change this assessment of significance and impact.
29. Archaeological sensitivity and significance of the site
30. The proposed development is in an area of Ancient Enclosure – Fossilised Strip System as identified in the PDNP Landscape Character Assessment. These are fossilised medieval strip fields that relate to the medieval open field system of Tideswell, evidenced by map and field shape evidence. The fossilised medieval strip fields are a rare and precious landscape character type and important to the Peak District National Park. They are a non-designated heritage asset of archaeological interest and have intrinsic landscape value, providing the area a distinct character, a time depth to the landscape.
31. The surviving drystone field walls that define the edges of the proposed development plot form the boundaries of one such surviving strip forming a long linear plot.
32. In nearby plots a medieval silver penny was found at Bishop Pursglove Primary School in 1990, possibly dating from Henry VIII’s reign (1491-1547) while two medieval lead tokens found a couple of fields to the north. These further demonstrate medieval activity in the area.

33. There is no record that this field or adjacent fields have ever been subject to any archaeological survey. Based on currently available evidence, within the field there is the potential to retain belowground remains relating to past human activity from any period. Any such remains would have a degree of archaeological interest but would likely to be of no more than local significance.

34. Archaeological Impact of the development.

35. Below ground archaeological interest

- The groundworks associated with the proposed development, including foundation trenches, new drive and parking areas, landscaping, new drainage, services etc. will most likely result in the truncation, damage, disturbance or complete destruction of any surviving archaeological remains at this site relating to medieval and post-medieval agricultural activity. In the worst case this would result in harm to or the complete loss of their significance.
- Taking into account their likely nature and significance, although this can only be estimated at this stage, any impacts and harm will likely be minor, and this can be appropriately mitigated through a condition scheme of archaeological monitoring.

Fossilised field system

- The proposed development would result in further expansion of 20th century development over the historic field system of Tideswell.
- The legibility of the field system relies on the continued survival of the drystone wall field boundaries, and the proposed development sits entirely within a 'strip' and will not directly affect the field walls that current define the edge of this fossilised strip.
- However, the further expansion of development into the field system will harm its character and legibility.
- As one small area in a large field system, this cannot be considered to be anything more than minor harm in its own right, but the cumulative impact of development out into the field system, further back from the road also needs to be considered when a planning decision is reached.

In accordance with para. 197 of the NPPF, the scale harm and the significance of the affected heritage asset detailed above needs to be taken into account when reaching a balanced judgement and planning decision.

Recommendation If the planning balance is favourable then I recommend:

1. The retention and upkeep of the drystone walls field boundaries is conditioned to ensure their retention and minimise the impact on the physical remains of the fossilised medieval field system.
2. A scheme of archaeological monitoring of the groundworks is secured by condition.

This work needs to be undertaken by a suitable qualified and experienced archaeological contractor, in accordance with the standards and guidance of the Chartered Institute for Archaeologists, to a written scheme of investigation approved by the PDNPA Senior Conservation Archaeologist.

These requirements are in accordance with NPPF para.199. A condition to secure this is suggested below.

Suggested mitigation/conditions/footnotes:

- c) Condition to ensure the retention and maintenance of the drystone wall boundaries.

2) Scheme of Archaeological monitoring

c) No development shall take place until a Written Scheme of Investigation for a programme of archaeological monitoring has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and

1. The programme and methodology of site investigation and recording;
2. The programme and provision to be made for post investigation analysis and reporting;
3. Provision to be made for publication and dissemination of the analysis and records of the site investigation;
4. Provision to be made for archive deposition of the analysis and records of the site investigation;
5. Nomination of a competent person or persons/organization to undertake the works set out within the Written Scheme of Investigation.

b) No development shall take place other than in accordance with the archaeological Written Scheme of Investigation approved under condition (a).

c) Within a period of 12 weeks from completion of the development the archaeological site investigation and post investigation analysis and reporting shall have been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (a) and the provision to be made for publication and dissemination of results and archive.

36. PDNPA Ecology – No objection subject to conditions and makes the following comments:

37. *“The site is semi improved grassland with some flowering plants, and a building providing some nesting opportunities for song birds. The report states that Swifts have been recorded within 1km.*

38. *The recommendations in the report covering lighting, protection of birds, bats and hedgehogs should be carried out in full.*

39. *I would recommend that two general purpose nest boxes be erected, native species are used in any landscaping and each garden has a wildflower area created on low nutrient material to compensate for loss of habitats. Also, by way of ecological enhancement each house should have two swift boxes attached just below the roof line.”*

40. PDNPA Policy;

41. The supporting statement from the agent sets out that the proposal is for two local need houses for returners and that the applicant would enter into a S106 to limit the sale to those who can satisfy the local connections requirements which they feel would likely reduce open market value by approximately 30%.

42. The Policy Response makes the following detailed comments on the submitted scheme;

“Both properties would have internal floor areas of 97sqm in size, the maximum size allowance for a 5 persons bed space property. This does not include the addition of a garage. A garage is a feature that would affect the affordability of the property in the longer term and it is recommended that it be removed from the application. The applicant themselves have demonstrated in their D&A statement the unaffordability of

property in the area to justify their need to build. This issue applies to everyone seeking to remain in the locality; the addition of a garage would only exacerbate this issue when the time came to sell the property, which the applicant would be entitled to do after 3 years.

43. Moving on to the size of the proposed dwellings. The dwellings are to accommodate a two-person family and a 3-person family. In accordance with DMP policy DMH1 the gross internal floor area should be limited to 58m² and 70m² respectively to be in line with the applicants' existing need. The Planning Committee have approved a Policy DMH1 Practice Note to afford some flexibility for applicants and to address the tension between what an applicant would like and what their current need is. For 2 people, this would increase the bed space size allowance to 70m² and for 3 people this would increase the bed space allowance to 97m². There is capacity to amend the scheme to address the above size threshold requirements.
44. With regards to the acceptability of the location of the development, it is on the edge of the settlement in accordance with Core Strategy DS1. However, whether this is an acceptable 'on the edge of settlement' location in landscape terms to accord with Core Strategy policy L1, needs to be determined through the Landscape Strategy and advice from the Landscape Officer.
45. The applicant references planning permission DDD/0421/0433, which was approved by Planning Committee as giving 'carte blanche' to all applications for local needs housing to be of the maximum allowance plus garaging. Each planning application is assessed on its own merits and the applicant fails to acknowledge the appeals that have been dismissed for similar proposals in which the Inspector supported the Authority's position on restricting the size of affordable properties and the more recent policy position the Planning Committee has agreed to in the Policy DMH1 Practice Note, both of which are relevant to determining this application."
46. On the amended information the Policy Officer commented further as follows;
- "I cannot find any evidence submitted, since the application was deferred by PC, of the applicants identified eligible need. This is essential in establishing the principle of affordable dwellings on exceptions sites in accordance with policy HC1.*
- Secondly, and if the applicant can demonstrate compliance with policy HC1, they need to submit clear details that the size of the dwellings accord with policy DMH1 and our current practice note.*
- Thirdly, if the applicant can address the above points, they need to reduce the width of the plots. The character of the area is for properties with narrow plots and long slim gardens. Plans should be amended to reflect the grain of development. At present the proposal to leave an odd shaped section of the field to the rear does not 'finish' the development off successfully ('SLOAP') and would not seek to conserve or enhance the national park landscape. In accordance with the NPPF, we need to be promoting the most efficient use of land and creating narrower, but longer plots would achieve this, whilst ensuring the remaining field area is useable."*
47. The policy officer notes the receipt of amended plans and updated Home Options evidence to support the need, information which address all of the policy officers' concerns apart from the fact that the floorspace of one of the dwellings remains in excess of the maximum allowed contrary to policy DMH1 and the adopted DMH1 practice note.

Representations

48. We have received two letters to date. One letter supports the application and the other objects. The material planning reasons are summarised below.

Support

- This is a very sensible proposal and a good location for two much needed affordable homes.

Objection

- The access into the site is not wide enough to take extra traffic. The width at the top of the road is 3m which is the same as waste disposal wagons, therefore creating concerns regarding parking and access for the top 3 houses.
- Query if current drainage and utilities on Recreation Road able to accommodate more houses.
- Query if the application could result in additional houses in the future.

Main Policies

49. Relevant Core Strategy policies: GSP1, GSP3, GSP4, DS1, CC1, HC1, L1 and L2

50. Relevant Development Management policies: DMC3, DMC4, DMC11, DMC12, DMC14, DMH1, DMH2, DMH3, DMH11, DMT3, DMT8, DMU1 and DMU2.

National Planning Policy Framework

51. 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.

52. Para 176 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.'

53. Para 78 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.

54. 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

55. 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.
56. 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.
57. 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.
58. 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.
59. 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.
60. 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.
61. Policies L1, L2 and L3 require development to conserve and where possible enhance the landscape, biodiversity and cultural heritage of the National Park. Development which has a harmful impact should not be approved unless there are exceptional circumstances.

Development Management Policies

62. 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.
63. 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.

64. The Authority has adopted a practice note which sets out how Development Management Policies (DMP) policy DMH1 should be applied when considering applications for new houses by individuals seeking to meet their own housing needs. It allows some flexibility in the maximum floorspace and states that;

In all situations, the development shall address eligible local need in accordance with Core Strategy policy HC1 and DMP policy DMH2.

- Properties for individual people will continue to be subject to a maximum allowance of 39m². In cases where flexibility is required based on personal circumstances, or in locations where for reasons relating to valued landscape character or the style and traditions of the locality, and a 2-storey house is most appropriate, individuals can apply for homes up to a maximum of 58m²
- Couples or two people forming a household together can apply for homes up to 70m².
- Families or people forming a household together of 3 or more, can apply for homes up to 97m².

65. 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.

66. 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.

67. 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.
68. 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.
69. 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.
70. 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.
71. Policies DMT3 and DMT8 require development to be provided with adequate off-street parking and safe access.

Assessment

Principle of affordable housing

72. Our 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 HC1A where development would meet eligible local needs for affordable housing.
73. The site is located on the edge of Tideswell, therefore in terms of spatial policy DS1, the development of affordable housing is acceptable in principle if there is a proven need for the dwellings, the housing accords with floorspace thresholds and the named first occupants satisfy our local occupation criteria in accordance with policies DMH1 and DMH2.

Whether the proposed first occupants have an eligible local need and meet the local qualification requirements of policy.

Local qualification

74. The applicants' two sons are the intended first occupants of the dwellings. We are told by the agent that both sons were born in Tideswell and have lived in Tideswell, Peak Forest and Great Hucklow (the parish and adjoining parishes) for more than 10 years over the past 20 years. The applicant agent states that one son left the family home in 2021 and now lives outside the National Park in a three bedroomed house at Dove Holes with his partner and her daughter, while the other left in 2016 and now lives in a 2-bed apartment outside the National Park in Nottingham with his partner. Both wish to return to Tideswell.

75. The agent states that both sons are in need of affordable housing and included in the submitted application information on earnings and a property search of market housing in the area. The Housing Need Survey (HNS) for Tideswell is up-to-date and identifies a need for 20 dwellings comprising mostly 2-bedroom houses with a lesser requirement for 3-bedroom houses and some bungalow provision.
76. Although both sons appeared to have a strong local connection, insufficient documentary evidence to demonstrate the local qualification of either intended first occupant was submitted with the initial application to support the local connection. However, we now have a letter from a local person and former Parish Councillor who knows the family and which provides written verification of their local connection. Both named first occupants would therefore meet the local qualification criteria of a returner under the first part of policy DMH2 (ii). However, the second part of Policy DMH1 and the second part of DMH2 (ii) require the intended first occupants to be in need of affordable housing in all cases, including returners.

Eligible Local Need

77. Where dwellings are proposed to meet an individual's need our policies call for the same information required by Housing Authorities to assess claims of housing need - in this case Home-Options. Evidence of eligibility and registration with Home-Options was submitted for both intended first occupants.
78. The original submitted Home Options letters demonstrated that both sons registered as single persons. One was eligible for affordable housing being assessed by Home Options within Band C need for a 1-bedroom property. The other son was assessed within Band D for a 1-bedroom property. A Band D assessment is a non-priority desire rather than a need for housing which is expected can be met by the market. Therefore, the evidence in the original submitted application demonstrated that the second intended occupant was not in need of affordable housing which was one reason why the submitted application was recommended for refusal (with other grounds) at the June Committee.
79. Since the June meeting and again following the preparation of the report for the September meeting further information in the form of updated Home Options Letters have been submitted along with revised plans for the houses. The agent initially reiterated the sons each have long term partners and therefore submitted updated Home Options letters for both sons who had by then registered as couples. An amended site layout plan was also submitted and is discussed later in this report.
80. The first updated Home Options acceptance letter showed that for the son, previously allocated within Band D, was retained in that Band D as a couple. This therefore remained a desire rather than a housing need, hence the officer recommendation of refusal in the deferred September report on grounds of lack of a housing need remained. Since then a further Home Options letter has been received via the agent which now elevates this sons need into Band C.
81. The discrepancy between the submitted application and the Home Options assessment letter for the other son is explained by the agent in the amended information submitted post the June Planning Committee. It set out that the son seeking to occupy the larger dwelling with the Band C assessment of need *"is in a long-term relationship with his girlfriend who has a daughter..."* The agent goes on to state.... *"Unfortunately, because of the way in which the Home Options system is set up the step-daughter who predominately resides with them cannot be included within the assessment as due to her spending some weekends and holidays with her father she is not classed as living with them full time despite requiring accommodation"*. Officers questioned this with the agent and checked with Derbyshire Dales Housing officers as it wasn't our

understanding of how need was assessed.

82. This updated information about this son's family circumstances is now reflected in an updated Home Options registration letter assessing them as a family of three.
83. Our policies require all intended first occupants of proposed affordable housing to demonstrate they are in need of affordable housing (including returners). This is essential to ensure that the limited land suitable for development is only released when there is a demonstrated need. The latest updated evidence now demonstrates that both sons as the intended first occupants are in need of affordable housing.

Would the dwellings be affordable by size and type

84. The application initially proposed the erection of two semi-detached three-bedroom (five-person under DMH1 size thresholds) dwellings, each with a gross internal floor area of 97m² with garages. The amended plans first omitted the garages and retained one 3-bedroom 97m² house with the other reduced in scale by the removal of the two-storey rear projecting element to form a 2 bedroomed 78m² house.
85. The evidence of a family of three now unlocks access to a larger floorspace for that son and his family under our DMH1 practice note and now supports the scale of the 97m² house applied for.
86. From the latest Home Options assessment, the dwelling for the second son and his partner should be a maximum floorspace of 70m² which equates to 3-person homes taking account of the DMH1 practice note (which increases the thresholds up from 58m² for 2-person homes). This would meet the stated need of the son who is living in a 2-person household and his wish for the flexibility to have 2 bedrooms to accommodate a future family. The current plans at 78m² however still show the second dwelling remains in excess of the maximum size allowed by the policy even with the increased floorspace allowed by the DMH1 practice note.
87. The agent explains that for this second house they "*appreciate that this is still some 8 sq. metres more than what it needs to be the requirement to reduce it further would, due to the modest gable width of the dwellings, require a reduction in the length of the dwelling by 1m. This would mean that the kitchen and lounge would be reduced to an internal room depth of just 2.850m each. As the proposal has been submitted for a pair of semi-detached dwellings it would also adversely impact upon the character and appearance of the proposed dwellings by upsetting the symmetry from the front elevation. It is therefore considered that the removal of the two-storey projecting gable achieves the necessary reduction in floor area without adversely impacting upon the character and appearance of the proposal.*"
88. Officers agree that reducing the scale this way would have an adverse impact on the room sizes and the overall proportions of the house but a reduction would not normally be sought this way. Reducing the scale in the more logical way by reducing the gable width by 500mm would achieve the desired outcome of a 70m² house without any compromise to layout or room sizes with the lounge and kitchen the same width and slightly reduced depths of 4.46m each which is more than adequate for an affordable home. Officers have requested an amended plan to suit but the agent disagrees however and considers this would leave an overly narrow gable width and introduce a step in the frontage or rear which would be out of keeping with other houses along the road. She further considers that the additional 8m² makes little difference to overall affordability and to compromise on space further would not be in her client's best interests and has therefore asked Officers to determine the plans as submitted.

89. Consequently, with one of the dwellings being in excess of the already increased maximum affordable size thresholds for the stated need taking account of the practice note the scheme would therefore not be affordable. The revised plans therefore remain contrary to Policy DMH1 and officers have no option but to recommend refusal.

Design and Layout of the houses

90. In terms of the layout of the two plots, as originally submitted both of the proposed dwellings were to be provided with large gardens and garages which would significantly increase the value of the properties. Amended plans initially removed the garages and reduced the scale of the rear gardens, returning part of the former larger garden area to the field. Whilst this reduced the plot size, it left an awkward square of land in the corner of the field and tucked behind the plots. The latest revised plans correct this by extending the lengths of the garden to the boundary wall and using narrower plot widths thus removing the corner.
91. These longer plots remain generously sized however it is acknowledged that plot size, unless excessive, makes little difference to the value of these private or intermediate affordable dwellings and so on balance officers' have no objections to the revised layout or size of the plots which is now acceptable. The only remaining issue is the excessive floorspace of one of the houses which results in officer maintaining a strong objection on grounds of lack of affordability in line with policy.

Siting and landscape impact

92. The site is located within the limestone village farmlands landscape character type within part of a larger field bounded by drystone walling. The land here is relatively level but rises slightly to the north. The site is located adjacent to properties on Recreation Road and is therefore on the edge of the settlement. The Authority does not designate sites for affordable housing, however, the wider field this site is within has previously been identified as suitable for affordable housing.
93. The proposed development would be sited within the field but would be adjacent and well related to the existing properties on Recreation Road. The development would read as a natural extension of existing development into a field, which is not prominent from within or outside of Tideswell or in the wider landscape. The development therefore would not have a harmful impact upon landscape character. The site is outside of the designated Tideswell Conservation Area and would not harm its setting.
94. Concern has been raised that if the development were approved that it could set a precedent for further development within the fields. However, each application must be determined on its own merits. This development would in principle conserve the landscape character of the area in accordance with policies GSP1, GSP3, L1, L3 DMC3, DMC4 and DMC5.
95. Impact upon Heritage assets
96. The Authority's Archaeologist, has commented in respect to the potential impact of the proposed development upon the heritage significance from the well-preserved strip fields that surround the settlement.
97. Our archaeologist has had to make their own assessment of the site's archaeological interest and significance of the site which is in an area of Ancient Enclosure - Fossilised Strip System as identified in the PDNP Landscape Character Assessment. These are fossilised medieval strip fields that relate to the medieval open field system of Tideswell, evidenced by map and field shape evidence. The fossilised medieval strip fields are a rare and precious landscape character type and important to the Peak

District National Park. They are a non-designated heritage asset of archaeological interest and have intrinsic landscape value, providing the area a distinct character, a time depth to the landscape.

98. The surviving drystone field walls that define the edges of the proposed development plot form the boundaries of one such surviving strip forming a long linear plot. Finds in nearby plots demonstrate medieval activity in the area. There is no record that this field or adjacent fields have ever been subject to any archaeological survey.
99. Based on currently available evidence, the archaeologist considers there is the potential to retain below ground remains relating to past human activity from any period. Any such remains would have a degree of archaeological interest but would likely to be of no more than local significance. The groundworks associated with the proposed development, will most likely result in the truncation, damage, disturbance or complete destruction of any surviving archaeological remains. Any impacts and harm will likely be minor; however, and therefore our archaeologist recommends conditions to mitigate through a scheme of archaeological monitoring.
100. In terms of the fossilised field system, the proposed development would result in further expansion of 20th century development over the historic field system of Tideswell. The legibility of the field system relies on the continued survival of the drystone wall field boundaries. In this case the proposed development sits entirely within a 'strip' and will not directly affect the field walls that current define the edge of this fossilised strip but the further expansion of development into the field system will harm its character and legibility. This impact is considered to be minor harm in its own right, but the cumulative impact of development out into the field system, further back from the road also needs to be considered when a planning decision is reached.
101. It is noted that in accordance with para. 197 of the NPPF, the scale harm and the significance of the affected heritage asset detailed above needs to be taken into account when reaching a balanced judgement and planning decision. In this case the officer recommendation is one of refusal for other reasons, however had it been favourable then our archaeologist recommends conditions to ensure the retention and upkeep of the drystone walls forming the field boundaries to minimise the impact on the physical remains of the fossilised medieval field system.

Design, sustainable building and climate change

102. The proposed dwellings would be constructed from stone and slate with narrow gables and pitched roofs. Windows and doors would be uPVC with natural stone heads and sills.
103. The dwellings have narrow gables and utilises traditional materials and detailing. The design therefore broadly reflects the local built tradition and our adopted design guide. There is some concern about the proposed use of uPVC windows given that the tradition is for timber windows. The acceptability of uPVC would depend upon the detailed design of the frames. These details and landscaping could be reserved by planning condition if permission were granted.
104. The application states that the dwellings would be built to the equivalent of Code Level 3 in the Code for Sustainable Homes. This is welcomed in principle; however, Government has withdrawn the Code. The dwellings would be well insulated and heated by a gas boiler. Low energy and water fittings would be installed along with water butts to collect rainwater. Solar photovoltaic panels are proposed to the front elevation.

105. The proposed measures are noted but the use of a gas boiler is disappointing as there are other technologies available to reduce carbon emissions and mitigate the impacts of climate change. For example, the addition of air or ground source heat pumps in addition to the solar panels and high insulation standards would bring the dwellings close to a level to meet future building codes. However, we welcome the proposed solar photovoltaic panels which will minimise energy use significantly over the lifetime of the development.
106. Therefore, on balance, the development does demonstrate how the development has been designed to make the most efficient use of natural resources, taking into account the energy hierarchy and achieve the high standards of carbon reductions and water efficiency in accordance with policy CC1.

Impact upon amenity and Highway Safety

107. The proposed dwellings would be adjacent to and at a similar level to neighbouring properties on Recreation Road. Given this relationship and the distance to neighbouring properties there are no concerns that the development would lead to any significant loss of light or privacy or be overbearing in relation to neighbours. A window is proposed in the southern gable looking towards neighbours but this is a bathroom window and therefore would not cause any unacceptable loss of privacy if obscure glazing was installed and permanently maintained.
108. Therefore, the development would not be contrary to our detailed design guidance in respects of amenity and would not harm the amenity, security or privacy of any neighbouring property.
109. The amended plans show the development would utilise the existing field access providing a driveway, turning area and two parking spaces for each of the houses. There is sufficient parking and turning space within the site to serve the development. The Highway Authority has raised no objections subject to conditions.
110. There have been concerns raised about the width of Recreation Road and potential impact on amenity. Recreation Road does narrow where it meets the application site and the last two neighbouring properties (nearest to the site) do not benefit from off street parking and therefore are more likely to park on the road which could restrict access to the site. Nevertheless, the development would be served by ample off-street parking and therefore would not result in additional street parking or harm the amenity of road users.
111. There is concern that the access to the development must not prejudice further development of the fields for affordable housing. The access should be designed so that it could be adopted and not prejudice any future development which may require alteration to Recreation Road. This has been incorporated into the amended plans.

Trees and protected species

112. An ecological appraisal has been submitted with the application. The site has been surveyed and is semi-improved grassland with some flowering plants, and a building providing some nesting opportunities for birds. Swifts have also been recorded within 1km of the site.
113. The appraisal recommends mitigation in relation to protection of birds, bats and hedgehogs on site along with external lighting. Our Ecologist recommends that planning conditions be imposed to secure this mitigation along with the provision of nest boxes and creation of a wildflower area created on low nutrient material to compensate for loss of habitats.

114. There are a number of mature trees within the field but these are away from the location of the proposed dwellings. These trees are unlikely to be harmed if tree protection fencing is erected to protect them during construction.
115. Therefore, subject to conditions the development would conserve and enhance biodiversity in accordance with policies L2, DMC11 and DMC12 and would not adversely affect trees in accordance with policy DMC13.

Other Issues

116. If approved, a planning condition would be required to ensure that on-site utilities infrastructure is installed underground to ensure the development is in accordance with policies DMU1 and DMU2.
117. The application proposes to dispose of surface water to the main sewer and the amended plans states foul sewage is to the public sewer. There is ample space on the site to dispose of surface water to a soakaway in the event that disposal to the main sewer is not desirable. If permission were granted, we would recommend a pre-condition to require drainage details to be submitted for approval before the development commences.

Conclusion

118. The desire of the proposed occupants to return to the National Park and for a larger property is understood and supported in principle by our policies. These policies do require however applicants wishing to benefit from these exceptional approvals to demonstrate that they are both in need of affordable housing, have a local connection as well as the houses being of an affordable size. This is to ensure that the limited sites available for affordable housing are only released when development would meet a demonstrable local need that cannot be met by the existing housing stock.
119. Although the revised application now demonstrates that both the applicant's sons have a local qualification and a proven need, the applicants have declined to provide amended plans showing the size of the second dwelling reduced to comply with the maximum floorspace standards set out in policy, despite officers' very clear advice that this larger scale cannot be supported as it renders the application, as a whole, contrary to policies HC1, DMH1 and DMH2.
120. This is of course disappointing given three deferrals and various amendments have brought the scheme close to acceptability and the only issue is one dwelling being 8m² over-sized. This does not sound much, however this is in addition to the flexibility we have already applied to increase the floorspace from what should be 58m² to 70m² as set out in the DMH1 practice note. The applicant is however holding out requesting we accept this further 8m² which is unacceptable for reasons already stated. Given this situation officers therefore considered whether or not a recommendation of approval could be appropriate if it were subject to a condition being imposed to require submission of an amended layout of 78m². However, we conclude that this would not be appropriate given it would be against the express request of the applicants who want the application determined as submitted.
121. Therefore, although it is only one of the proposed dwellings which would not be affordable by size and not reflect the stated need of the named first occupants, the application is submitted for a pair and must be determined as a whole. Having taken into account all material considerations and issues raised in representations we conclude that the proposed development, as a whole, 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

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

List of Background Papers (not previously published)

123. Nil

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