

8. FULL APPLICATION – VARIATION OF CONDITION 2 (APPROVED PLANS) OF NP/DDD/1219/1298 – FORMER DOVE DAIRY, STONEWELL LANE, HARTINGTON (NP/DDD/0223/0156, MN)

APPLICANT: AMOS HOMES (HARTINGTON) LIMITED

Summary

1. A development comprising 26 dwellings is currently under construction on the application site following the grant of permission for a housing development to enhance a former factory site on Appeal in 2016, and the subsequent approval of variations to that permission by the Authority in both 2018 and 2021.
2. This application seeks to vary the approved plans to make changes to the design and appearance of the property to Plot Z only.
3. We conclude that the proposed changes would conserve the appearance of the development subject to conditions and would also comply with planning policy in other regards.
4. The application is therefore recommended for approval subject to conditions, and to securing the proposed affordable housing by legal agreement.

Site and surroundings

5. The application site lies to the west of the village of Hartington and consists of land to the north of Stonewell Lane. To the north of Stonewell Lane the application site includes brownfield land associated with the former cheese factory operations at Hartington. This land was formerly occupied by a disused modern factory building, two disused stone built buildings, areas of car parking and hardstanding, and infrastructure associated with the former industrial use.
6. Following permission being granted on Appeal in 2016 to redevelop the site for 26 new dwellings including 4 affordable housing units and conversion of two former factory buildings to dwellings the site was largely cleared, with only the stone built buildings retained as part of the scheme of redevelopment.
7. Since that time, an application to vary conditions that included some changes to the layout and design of several properties fronting Stonewell Lane has been approved by the Authority in 2018, and further changes were then approved to the scheme as a whole in 2020. The approved development has commenced, with the construction of the majority of the dwellinghouses largely completed.
8. The majority of the site is bounded to the north, west and east by a bund planted with a thin and unmanaged belt of woodland. This woodland was planted approximately 25 years ago in an attempt to mitigate the landscape impact of the factory buildings.
9. The application site is situated approximately 23m away from Hartington Conservation Area at the site's eastern edge, to the south of Stonewell Lane.
10. The closest residential housing is along Stonewell lane to the east of the site, approximately 50m away, where a row of four existing houses are oriented at 90 degrees to the road.
11. The Grade II listed Charles Cotton Hotel lies approximately 160m to the south east.
12. To the north, west and south of the application site is agricultural grazing land.

13. Approximately 300 metres (on average) to the far west of the site is the River Dove.
14. A public right of way runs from Stonewell Lane in a north-south direction close to the eastern boundary of the site. A farm access track runs from Stonewell Lane in a north westerly direction through the former factory car park and through the western part of the application site.
15. To the south of Stonewell Lane the site is currently used for agriculture. A drainage ditch runs through the fields adjacent to Stonewell Lane in an east-west direction.

Proposal

16. This application seeks to vary condition 2 of the 2020 permission to make changes to the approved plans to change the design and materials of the dwellinghouse approved on Plot Z, as well as re-positioning it within its plot.

RECOMMENDATION:

That the application be APPROVED subject to securing the affordable housing units by legal agreement and to the following conditions:

1. **The development hereby permitted shall be carried out in accordance with the approved plans (numbers to be specified on any decision notice)**
2. **No more than 26 dwellings including the two units within the retained stone barns are hereby permitted to be constructed within the application site.**
3. **The field immediately to the east of the proposed housing site shall not be used for the storage of materials, spoil, or as a builder's compound.**
4. **Notwithstanding the approved plans, the chimneys of plots G through M, P through W, and of plot Z shall be constructed of natural stone to match the stonework of the property to which they are attached.**
5. **Notwithstanding the approved plans, prior to the installation of any of the windows of the dwellinghouses occupying plots G or P, plans that show amended window opening details to provide for larger windows as sliding sash and that omit any top-opening lights shall be submitted to and approved in writing by the Authority. Thereafter the development shall proceed only in accordance with the approved details and shall be so maintained throughout the lifetime of the development.**
6. **The home office accommodation shown at plot J shall be for private home office use only, and shall remain ancillary to the occupation of the dwellinghouse occupying plot J.**
7. **The existing stone built buildings occupying plots X and Y as shown on the approved plans shall not be demolished, and the conversions shall take place within the shell of the existing buildings with no rebuilding.**
8. **All material from the demolition works associated with the development – other than that re-purposed in on-site construction works – shall be removed from the site upon completion of construction of the development or within two months of the cessation of construction works on site, whichever is the sooner.**

9. The buildings hereby permitted shall be constructed of natural stone and limedash render (where specified on the approved elevation drawings) with natural blue slate, Staffordshire blue natural plain clay tiles or red natural plain clay tiles for roofs as specified on the approved plans, and with roofing materials matching the appearance of those approved under NP/DIS/1217/1223.
10. Prior to the construction of the external walls of plot Z, a sample panel of no less than 1m² of gritstone shall be constructed on the site. The National Park Authority shall be informed on the completion of the sample panel which shall then be inspected and approved in writing. All subsequent walling be of the type specified on the approved elevation plans for each plot and shall match the relevant approved sample panels in terms of stone/render colour, stone size, texture, and coursing and pointing in the case of the limestone and gritstone walling, subject to whatever reasonable modifications may be specifically required in writing by the Authority. If necessary the Authority shall request the construction of further sample panels incorporating the required modifications
11. Prior to the construction of the external walls of plot Z, details of the proposed air source heat pump (including appearance and position) shall be submitted to and approved in writing by the Authority. Thereafter the development shall be carried out in accordance with the approved details, with the pump installed prior to the occupation of the building.
12. All external gritstone walls of plots J and P shall be natural gritstone to match the appearance approved under NP/DIS/0221/0207.
13. All external limestone walls of plots F and G shall be natural limestone to match the appearance approved under NP/DIS/0721/0836.
14. All external limestone walls of plots H, I, Q, T, U, V, and W shall be natural limestone to match the appearance approved under NP/DIS/0322/0426.
15. The garage of plot Y shall be natural limestone to match the appearance approved under NP/DIS/0221/0207.
16. All lintels, sills, jambs, copings and quoinwork in the development hereby permitted shall be in natural gritstone and shall be provided as shown on the approved elevations drawings and retained as such thereafter.
17. All pointing in the development hereby permitted shall be bag brushed and slightly recessed and shall be retained as such thereafter.
18. All external doors and windows in the development hereby permitted shall be of timber construction and shall be retained as such thereafter.
19. All door and window frames in the development hereby permitted shall be recessed a minimum of 75mm from the external face of the wall and shall be retained as such thereafter.
20. All rainwater goods in the development hereby permitted shall be of cast metal and painted black and shall be retained as such thereafter.
21. Where coped gables are not approved in the development hereby permitted, roof verges shall be flush pointed with no barge boards or projecting timberwork and shall be retained as such thereafter.

- 22. The boundary treatments in the development hereby permitted shall be as shown on the approved site plan – landscaping layout. Boundary treatments that are to be a dry stone wall shall be made of natural rubble limestone. The dry stone walls shall be capped with half-round natural limestone coping stones and shall be between 900mm and 1000mm in height in the case of those adjacent to driveways (identified with the letter N on the approved site plan (landscaping layout)) and between 1000mm and 1200mm in all other cases (identified with the letter O on the approved site plan (landscaping layout)). Where walls identified with the letter N on the approved site plan (landscaping layout) transition in to walls identified with the letter O on the approved Landscaping Layout plan, any difference in height shall be addressed through a gradual sloped transition, not a stepped transition. The boundary treatments shall be completed before the dwelling to which it relates is first occupied, and the boundary treatments shall be retained thereafter.**
- 23. None the dwellings hereby permitted shall be first occupied until any car parking (including garages) and vehicle manoeuvring areas relating to them have been laid out/constructed and made available in accordance with the approved plans. These car parking spaces (including garages) and vehicle manoeuvring areas shall be used solely for the benefit of the occupants of the dwelling to which it relates. The car parking (including garages) and vehicle manoeuvring areas shall be retained thereafter and kept available for their respective purposes at all times.**
- 24. The areas annotated ‘Area Returned to Greenfield’ on the approved site plan (landscaping layout), shall be restored to grassland in accordance with the details specified on that same plan. The area to the west of the built development marked for returning to greenfield on the approved plan shall be restored to grassland upon completion of construction of the development or within two months of the cessation of construction works on site, whichever is the sooner. The remaining areas marked for grassland restoration shall be restored prior to the first occupation of the open market houses hereby permitted.**
- 25. Demolition or construction works shall not take place outside 07:30 hours to 19:00 hours Mondays to Fridays and 09:00 hours to 17:00 hours on Saturdays nor at any time on Sundays or Bank Holidays.**
- 26. The development shall be carried out only in accordance with the Construction Method Statement approved under NP/DIS/0221/0207.**
- 27. Development shall proceed only in complete accordance with the contamination mitigation measures approved under NP/DIS/0918/0836.**
- 28. Trees shall be protected during demolition/construction works as approved under NP/DIS/0221/0207.**
- 29. Development shall proceed only in complete accordance with the mitigation measures for protected species approved under NP/DIS/1217/1223.**
- 30. The provision of residential estate roads and footways shall be carried out in full accordance with the details approved under NP/DIS/0721/0836.**
- 31. The undergrounding of all service lines within the development hereby permitted shall be carried out in accordance with the details approved under NP/DIS/0721/0836.**

32. **External lighting (including any floodlighting) shall be installed in accordance with the scheme of lighting approved under NP/DIS/0721/0836 onl. No additional lighting shall be installed without the prior permission of the Authority.**
33. **Within 6 months of the date of this decision details of proposed land restoration relating to the approved flood attenuation measures approved under NP/DIS/0221/0207 shall be submitted to and approved in writing by the Authority. Within 6 months of the land restoration details being approved, the approved flood attenuation measures and land restoration shall be fully implemented.**
34. **The surface water drainage measures approved under NP/DIS/0221/0207 shall be implemented as approved.**
35. **The hard and soft landscaping works shall be carried out in full accordance with the details approved under NP/DIS/0721/0836, which shall be implemented within the timescales detailed within the approved documents.**
36. **Notwithstanding the provisions of condition 35, prior to the erection of the external walls of the property occupying Plot Z full details of hard and soft landscaping within its curtilage shall be submitted to and approved in writing by the Authority. Thereafter the works shall be carried out in full prior to the first occupation of the dwelling.**
37. **All new metal estate fencing, shall be between 1000mm and 1200mm in height, from the adjacent ground level, and shall have a black painted finish at the time of installation.**
38. **The development shall be carried out only in accordance with the Landscape Management Plan approved under NP/DIS/0721/0836, and the Plan shall thereafter continue to be implemented throughout the lifetime of the development.**
39. **Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking, re-enacting or modifying that Order), no development permitted by Classes A B C D E H of Part 1 and Class A of Part 2 of Schedule 2 of the order shall be carried out other than that expressly authorised by this permission.**

Key Issues

- Whether the proposed revisions to the design of the property would conserve the appearance of the development and wider built environment
- Whether there have been any other material changes since the last permission was granted that requires the revision or inclusion of any further conditions

History

17. **January 2012** – Outline planning permission refused for 39 new dwellings including six affordable housing units, thirty three open market housing units, and employment and community development plus ancillary landscaping and infrastructure elements.
March 2013 – Appeal against the 2012 decision dismissed. The Inspector concluded that, on balance having had regard to local and national policy, the material considerations in this case would not amount to the exceptional circumstances necessary to justify major development in this National Park. The scheme would not be in the public interest and would not fit with the patterns of sustainable development promoted by the Framework.

February 2015 – Full planning permission refused for 26 new dwellings including 4 affordable housing units and conversion of two former factory buildings to dwellings.

October 2016 – Appeal against the 2015 decision allowed, subject to conditions.

August 2017 – Conditions discharged relating to a programme of archaeological work

February 2018 – Planning permission refused for the variation of conditions to allow changes to the design of the property approved by the 2016 Appeal decision on Plot 1.

March 2018 – Conditions discharged relating to a construction method statement, a programme of archaeological works, tree protection, mitigation for protected species, and building materials

June 2018 – Conditions discharged relating to archaeology, undergrounding of services, external lighting, and landscaping

June 2018 – Planning permission refused for the construction of a flood alleviation channel to the south of Stonewell Lane and limited re-profiling of the lane [related to the development approved by the 2016 (Appeal) permission.]

June 2018 – Planning permission granted for the variation of conditions to the 2016 (Appeal) permission, allowing changes to the design and layout of several properties.

October 2018 – Appeal against the 2018 decision relating to the design of the property on Plot 1 dismissed, on the basis that it was not accompanied by a unilateral undertaking to secure the affordable housing and landscape management previously secured by the unilateral undertaking associated with the original 2016 (Appeal) permission.

November 2018 – Conditions discharged relating to site investigation, estate roads and a scheme for the disposal of surface water and sewage and flood attenuation measures

December 2020 – Planning permission granted for the variation of conditions to the 2018 permission, allowing changes to the design and layout of the site. This is the extant permission, with development having commenced.

2021-22 Various non-material amendment and discharge of conditions applications determined, relating to works across the development.

Consultations

18. Hartington Town Quarter Parish Council – The council support the removal of the wing to the north but strongly oppose the change of building material from limestone to gritstone. This is the most prominent house on the estate and all former iterations of the plans have used limestone as the building material. In fact the complete estate was approved by the Inspector with all houses in limestone. We believe limestone is less intrusive from a number of viewpoints including public footpaths and more in keeping with the majority of houses in the village.

19. Derbyshire County Council – Highways – No response at time of writing.

20. Derbyshire Dales District Council – No response at time of writing.

21. PDNPA – Archaeology – No comments to make.

Representations

22. 1 letter of representation has been received from the Ramblers Derbyshire Dales Group. This raises no objection providing that rights of way remain unaffected.

Main policies

23. Relevant Core Strategy policies: GSP1, GSP2, GSP3, DS1, L1, L3, HC1, CC1, CC2

24. Relevant Development Management Plan policies: DMC3, DMC5, DMC10, DMH1, DMH2, DMH3, DMH11, DMT8

National Park purposes

25. 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:

- Conserve and enhance the natural beauty, wildlife and cultural heritage
- Promote opportunities for the understanding and enjoyment of the special qualities of national parks by the public

26. 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

27. 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. It was updated and republished 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 document 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 more recent Government guidance in the NPPF.

28. Paragraph 17 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.'

Development plan

29. Core Strategy policies GSP1, GSP2 and GSP3 together say that all development in the National Park must be consistent with the National Park's legal purposes and duty and that the Sandford Principle will be applied where there is conflict. Opportunities for enhancing the valued characteristics of the National Park will be identified and acted upon and development which would enhance the valued characteristics of the National Park will be permitted. Particular attention will be paid to impact on the character and setting of buildings, siting, landscaping and building materials, design in accordance with the Design Guide and the impact upon living conditions of local communities. Core Strategy policy GSP4 highlights that the National Park Authority will consider using planning conditions or obligations to secure the achievement of its spatial outcomes.

30. Core Strategy policy DS1 outlines the Authority's Development Strategy, and states that the majority of new development will be directed into Bakewell and named settlements, with the remainder occurring in other settlements and the rest of the countryside.

31. 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.

32. Policy L3 requires that development must conserve and where appropriate enhance heritage assets.

33. Policy HC1 of the Core Strategy sets out the Authority's approach to new housing in the National Park in more detail; policy HC1(C) I and II say that exceptionally new housing will be permitted in accordance with core policies GSP1 and GSP2 if it is required in order to achieve conservation and/or enhancement of valued vernacular or listed buildings or where it is required in order to achieve conservation or enhancement within designated settlements.
34. It goes on to state that any scheme proposed under CI or CII that is able to accommodate more than one dwelling unit, must also address identified eligible local need and be affordable with occupation restricted to local people in perpetuity, unless:
35. III. it is not financially viable, although the intention will still be to maximise the proportion of affordable homes within viability constraints; or
36. IV. it would provide more affordable homes than are needed in the parish and the adjacent parishes, now and in the near future: in which case (also subject to viability considerations), a financial contribution will be required towards affordable housing needed elsewhere in the National Park.
37. Core Strategy policy CC1 requires development to make the most efficient and sustainable use of land and resources, to take account of the energy hierarchy, to achieve the highest standards of carbon reduction and water efficiency, and to be directed away from flood risk areas.
38. Core Strategy policy CC2 states that proposals for low carbon and renewable energy development will be encouraged provided that they can be accommodated without adversely affecting landscape character, cultural heritage assets, other valued characteristics, or other established uses of the area.
39. 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.
40. Development Management Policy DMC5 provides detailed advice relating to proposals affecting heritage assets and their settings, requiring new development to demonstrate how valued features will be conserved, as well as detailing the types and levels of information required to support such proposals. It also requires development to avoid harm to the significance, character, and appearance of heritage assets and details the exceptional circumstances in which development resulting in such harm may be supported.
41. Development Management Policy DMC10 addresses conversion of heritage assets, permitting this where the new use would conserve its character and significance, and where the new use and associated infrastructure conserve the asset, its setting, and valued landscape character. It also notes that new uses or curtilages should not be visually intrusive in the landscape or have an adverse impact on tranquillity, dark skies, or other valued characteristics.
42. Policy DMH1 addresses new affordable housing, stating that affordable housing will be permitted in or on the edge of Core Strategy policy DS1 settlements (of which Hartington is one), either by new build or by conversion; and outside of Core Strategy policy DS1 settlements by conversion of existing buildings provided that there is a proven need for the dwellings and that any new build housing is within specified size thresholds, the upper limit of which is 97m² for 5 person dwellings.

43. Policy DMH2 considers the first occupation of any new affordable housing, requiring that in all cases, new affordable housing must be first occupied by persons satisfying at least one of the following criteria:
44. (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
45. (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
46. (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.
47. Policy DMH3 leads on from this, addressing second and subsequent occupation of affordable housing (called 'the occupancy cascade'). This states that each and every time a previously occupied affordable home becomes vacant, owners and managers of affordable housing must, as stated in the Section 106 Agreement that it is necessary to enter in to when obtaining planning permission for affordable housing, follow the cascade mechanism until an eligible occupant is found.
48. For privately owned and managed affordable housing including self-build units, the cascade mechanism requires that owners and managers must:
49. (i) sell or rent an affordable home to a person (and his or her dependants) with a minimum period of 10 years permanent residence over the last twenty years in the Parish or an adjoining Parish; or
50. (ii) a person who has an essential need to live close to another person who has a minimum of 10 years' residence in the Parish, the essential need arising from infirmity.
51. (iii) after a minimum period of 3 months, widen the search to include (in order of preference) those in the Parish or an adjoining Parish with residency of the previous 5 consecutive years, and those who meet the local occupancy criteria (10 years) in the next adjoining Parishes.
52. (iv) after a further month (minimum 4 months total) widen the search to include those who meet the local occupancy criteria (10 years) in the whole of the National Park.
53. (v) after a further 2 months (minimum 6 months total) widen the search to include those who meet the local occupancy criteria (10 years) in parts of a split rural Parish lying outside the National Park or rural Parishes entirely outside the Park but sharing its boundary.
54. DMH3 also states that the property should be advertised widely at the price advised by the District Valuer and prepared at the time marketing is required, or any other body appointed by the Authority for such purposes or, in the case of a rented property, at the target rent at the time. The Parish Council, Housing Authority and Housing Associations working in the area should be advised of the vacancy as soon as houses become vacant.
55. Finally, it notes that where a Parish is split by the National Park boundary, only those people living within the National Park part of the Parish should be eligible initially.
56. Policy DMH11 addresses legal agreements in relation to planning decisions, as provided for by Section 106 of the Town and Country Planning Act 1990. As a result, these are known as Section 106 Agreements. The policy states that in all cases involving the provision of affordable housing, the applicant will be required to enter into a Section 106 Agreement, that will:
57. (i) restrict the occupancy of all affordable properties in perpetuity in line with policies DMH1, DMH2 and DMH3; and

58. (ii) prevent any subsequent development of the site and/or all affordable property(ies) where that would undermine the Authority's ability to restrict the occupancy of properties in perpetuity and for the properties to remain affordable in perpetuity.
59. 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.
60. Detailed advice on building design is provided in the PDNPA's 1987 and 2007 Design Guides.

Assessment

Introduction – application for variation of conditions

61. The current application proposes changes to the layout and appearance of a property on a single plot of the development subject to the extant permission. We are satisfied that it remains within the scope of that permission and can therefore be dealt with as a variation of conditions application under the provisions of Section 73 of the the Town and Country Planning Act (1990).
62. When assessing an application made under Section 73 of the Act the Authority must consider only the question of the conditions subject to which planning permission should be granted. It must decide if planning permission should be granted subject to conditions differing from those subject to which the previous permission was granted, or whether planning permission should be granted subject to the same conditions as those subject to which the previous permission was granted – in which case they should refuse the application.
63. For this reason, this report does not revisit the principle of the development that have already been established by the extant permission.
64. Instead, the report focuses on the changes proposed to that permission, and whether these are acceptable as submitted or could be made acceptable by way of the imposition of varied or additional conditions to those imposed on the previous permission.

Property design and layout

Plot Z – design

65. As approved, the layout of the property comprises the main two storey body of the house, with a single storey element projecting from the side gable that then returns to the rear, forming an L-shaped arrangement.
66. The proposed layout simplifies this form. Whilst maintaining similar massing to the main body of the house, the single storey element is shortened and the rear-projecting return is removed. This improves the appearance of the building, reducing the squat and elongated appearance of the single storey element.
67. In terms of design detailing, the front elevation becomes somewhat over-windowed, but the improvement of form set out above is concluded to result in sufficient enhancement that overall the changed appearance remains an improvement on that already approved.

68. In addition to the changes to the building itself, the house would be positioned slightly further south in its plot. This would not undermine the intent of the overall site design, with the property still providing a visual 'stop' to the development on its western edge.

Plot Z - materials

69. It is now proposed for this property to be constructed with gritstone walls; rather than limestone as previously approved.

70. Initially, the whole of the development was previously approved to be constructed from limestone with render to some walls. The introduction of some gritstone properties (plots J and P) in to the housing mix was approved by Members when determining the application to vary conditions in 2020.

71. This was approved on the basis that there are multiple examples of gritstone buildings throughout the village – many of those are buildings of some status and differing character to those surrounding them. That rationale supported the use of gritstone for plots J and P, which are two of the larger properties within the site and are of differing design to those adjacent to them. That helped to avoid the gritstone appearing incongruous.

72. Similarly, the property approved to occupy plot Z is the largest on the estate by some degree, and is also more removed from other dwellings by virtue of being positioned on the edge of the estate and separated from it by the north-south access road.

73. In that context, the use of an appropriately detailed gritstone walling would not, in our view, have a harmful impact on the overall character and appearance of the built environment or the landscape setting of the site, complying with policy DMC3.

74. This would be subject to the appearance of the gritstone walling being secured by condition.

75. Overall, when taken as a whole, it is concluded that the proposals would result in improvements to the appearance of the building, according with policy DMC3.

Highway matters

76. The property would continue to include a sufficient number of parking spaces for its size to comply with current parking standards, according with policy DMT8. Access would also remain sufficient for domestic use.

Climate change mitigation

77. Plot Z was not subject to change as part of the 2020 permission that introduced additional climate change mitigation measures to affected plots. As a result, the property currently permitted on this plot remains unchanged from that approved on Appeal in 2016 and includes no renewable energy provisions.

78. The applicant advises that the property as now proposed would incorporate high levels of insulation, and air source heating. The air source heating is not shown on the submitted plans however, and so details would require reserving by condition.

79. Subject to this, and in the context of the extant permission that provides a wider range of climate change mitigation measures, the proposals are considered to make acceptable provisions under the terms of policy CC1.

Conclusion

80. Overall, the proposed changes to the development are concluded to conserve its design and appearance in accordance with planning policy.
81. It is therefore recommended that conditions are varied to allow the development to proceed in accordance with the proposed plans, subject to securing details of materials proposed for use in construction of the property and the landscaping of the plot by condition.
82. This is subject to the re-imposition of all those conditions remaining relevant from the extant permission – as are detailed in full at the beginning of this report.
83. There have been no other material changes that necessitate variation or addition of any other conditions.
84. It would also be necessary to re-secure the four affordable housing units through legal agreement prior to the issue of a decision granting permission for the development.

Human Rights

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

List of Background Papers (not previously published)

2. Nil

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