

13. FULL APPLICATION – PROPOSED ERECTION OF DETACHED GARAGE AND ANCILLARY LIVING ACCOMODATION AT HOLM CLOSE, EATON HILL, BASLOW (NP/DDD/0923/1051, EF)

APPLICANT: MR AND MRS PALMER

Summary

1. Proposed is a single storey detached stone building housing a single garage space and ancillary living accommodation in the form of a one bed self-contained living unit. It would be located within the domestic curtilage of Holm Close adjacent to the house at the end of the existing driveway.
2. The ancillary living accommodation would house the applicant's parent, who would benefit from care from the applicant and her partner who live at the main property.
3. The garage would be used for secure parking for the house.
4. The scale of the accommodation and garage is appropriate to meet the need and the simple design and use of traditional materials would conserve the valued landscape character of the area, including the main dwelling house.
5. The application is therefore recommended for approval subject to conditions.

Site and Surroundings

6. Holm close is a detached two-storey stone-built property located on Eaton Hill, Baslow. The property is constructed from coursed gritstone walling with a Staffordshire Blue tile roofing and timber doors and windows. The main portion of the house is two storeys, with single storey additions off the western gable.
7. The property sits in a large plot behind other dwellings fronting onto Eaton Hill and is further screened from public vantage points by boundary fencing and hedging. To the west is a drive which leads up from Eaton Hill to a large parking area beside the house.
8. The site is located outside of the Baslow and Bubnell Conservation Area.
9. The nearest neighbouring property are Eaton Cottage and Howard Cottage which lie between the site and Eaton Hill.

Proposal

10. The erection of a single storey, pitched roof detached building housing a single garage space and ancillary living accommodation in the form of a one bed self-contained living unit. It would be located in the western corner of the plot at the top of the existing drive and parking area. The building would be constructed from natural gritstone with a Staffordshire Blue Clay tile roofing, matching the existing house and would have timber windows and doors. A bank of solar panels are proposed to be fitted to the front facing roof slope.
11. The footprint would measure 10m x 7m with 33.75sqm for the ancillary living accommodation and a single garage space of 22.5sqm.

RECOMMENDATION:

That the application be **APPROVED** subject to the following conditions:

1. **Statutory 3-year time period for commencement of development.**
2. **In accordance with specified amended plans.**
3. **Restriction on occupation of the living accommodation to be ancillary to Holm Close, not occupied as holiday accommodation or as an independent dwelling house and with both being maintained within the same planning unit.**
4. **Removal of permitted development rights for alterations and extensions and means of enclosure to the ancillary dwelling hereby approved.**
5. **Rooflight to be heritage type fitted flush in full accordance with details to be submitted to the Authority for approval in writing.**
7. **Details of Solar panels to be submitted to the Authority for approval in writing.**
8. **The walling material shall be natural gritstone, laid, coursed and pointed to match the existing house.**
9. **Maintain garage space and outside parking and manoeuvring space.**

Key Issues

- The principle of the development.
- Whether the proposal conserves and enhances the character, appearance and amenity of the existing building, neighbouring property and the local landscape setting.
- Impact upon the nearby Conservation Area
- Impact on neighbouring amenity

Planning History

12. 1971: NP/BAR/471/26 – Extension to dwelling.
13. 2007: NP/DDD/0907/0901 - Construction of hardwood conservatory.
14. 2019: NP/DDD/0419/0321 – Erection of Greenhouse.

Consultations

15. DCC Highway Authority – No Objections
16. Baslow and Bubnell Parish Council – No comments.

Representations

17. There have been 4 representations received in support of the proposal, 2 with general comment, and 4 representations objecting to the proposal that raise material planning concerns.

18. These are summarised as follows as:

- *Lack of compliance to PDNPA Policy and Design Guidance with reference to Policy DMH5.*
- *Overshadowing*
- *Loss of privacy*
- *Loss of daylight*
- *Overlooking*
- *Loss of amenity*
- *Highways concerns regarding traffic and congestion.*

Main Policies

19. Relevant Core Strategy policies: GSP1, GSP2, GSP3, GSP4, DS1, HC1, L1, T7.

20. Relevant Local Plan policies: DMC3, DMH5, DMH8, DMT3 and DMT8

National Planning Policy Framework

21. The National Planning Policy Framework (NPPF) was published on 27 March 2012 (Latest revision 2023) and replaced a significant proportion of central government planning policy with immediate effect. The Government's intention is that the document should be considered to be 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 East Midlands Regional Plan 2009, the Authority's Core Strategy 2011 and saved policies in the Peak District National Park Local Plan 2001. 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 with regard to the issues that are raised.'

22. Para 176. Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas, and should be given great weight in National Parks and the Broads.

23. Para 132. Design quality should be considered throughout the evolution and assessment of individual proposals. Early discussion between applicants, the local planning authority and local community about the design and style of emerging schemes is important for clarifying expectations and reconciling local and commercial interests. Applicants should work closely with those affected by their proposals to evolve designs that take account of the views of the community. Applications that can demonstrate early, proactive and effective engagement with the community should be looked on more favorably than those that cannot.

Core Strategy Policy

24. GSP1 - Securing national park purposes and sustainable development. This policy sets out the broad principles for making decisions about sustainable development in the national park context.

25. GSP1, GSP2 - Securing National Park Purposes and sustainable development & Enhancing the National Park. These policies jointly seek to secure national park legal purposes and duties through the conversion and enhancement of the National Park's landscape and its natural and heritage assets.
26. GSP3 – Development Management Principles. 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.
 - A. *impact on the character and setting of buildings*
 - B. *scale of development appropriate to the character and appearance of the National Park*
 - C. *siting, landscaping and building materials*
 - D. *design in accordance with the National Park Authority Design Guide*
 - E. *form and intensity of proposed use or activity*
27. GSP4 – Planning conditions and legal agreements. This policy sets out contribution that a development can make directly and/or to its setting, including, where consistent with government guidance, using planning conditions and planning obligations.
28. DS1 – Development strategy. It names settlements following an analysis of their location, size and function, range of services and/or ease of access to services by public transport, and their capacity for new development.
29. HC1 – New Housing. This policy considers the circumstances in which new housing will be permitted whilst complying with national park purposes.
30. L1 – Landscape character and valued characteristics. This 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.
31. T7 – Minimizing the adverse impact of vehicles and managing the demand for car and coach parks. T7 (C) refers to the management of non-residential parking.

Development Management Policy

32. DMC3 – Siting, design, layout and landscaping. This policy states that where development is acceptable in principle, its detailed treatment will be of a high standard that respects, protects and enhances the area's natural beauty, quality and visual amenity of the landscape, including the wildlife and cultural heritage whilst contributing to the distinctive sense of place.
33. DMH5 - Ancillary dwellings in the curtilages of existing dwellings by conversion or new build. This policy sets out guidance for ancillary residential accommodation within the National Park.
34. DMH8 - New outbuildings and alterations and extensions to existing outbuildings in the curtilage of dwelling houses. This policy states that new outbuildings and extensions will be permitted provided changes to the mass, form, and appearance of the existing building conserves or enhances the immediate dwelling and curtilage, any valued characteristics of the adjacent built environment and/or the landscape.

35. DMT3: Access and design criteria & DMT8: Residential off-street parking. Policies DMT3 and DMT8 require safe access and adequate off-street parking.

Supplementary Guidance:

Criteria for the Consideration of Ancillary Residential Accommodation as highlighted in the Residential Annexes SPD 2021.

36. Any ancillary residential accommodation is expected to:

- Be subordinate in scale
- Share a vehicular access with the main dwelling house
- Be in the same ownership as the main dwelling house
- Share utilities with the main dwelling house
- Be located within the residential curtilage or building group associated with the main dwelling house, as well as the main planning unit
- Be sited so as not to have a detrimental impact on:
 - Valued landscape character
 - Cultural heritage significance as defined in the landscape strategy
 - Conservation Area appraisals
 - Farmstead Heritage appraisals
 - Non-designated heritage assets as determined by the Authority in lines with Historic England guidance or buildings not currently recognised as heritage assets or neighbouring amenity;
- Have a functional connection/ degree of dependence to the main dwelling house
- Contains a level and scale of accommodation that can be justified for its intended occupants
- Have no boundary demarcation or sub-division of the garden areas between the main dwelling house and the annex
- Conserve and enhance the heritage significance/ setting of:
 - The existing building/ building group
 - Main dwelling house
 - Conservation Area
 - Listed Building

37. And where applicable also:

- Comply with the Authority's design standards
- Maintain adequate space with the planning unit to contain the required level of car parking (as determined by the Authority's Parking Standards)
- Respect neighbouring amenity

Assessment

Principle

38. In principle Development Management Policy DMH5 – Ancillary Dwellings in Residential Curtilages (part B) allows for new ancillary residential annex provided that the dwelling is located within an existing building group, and is contained within a single planning unit by condition.

39. The provision of a new garage is established through Policies DS1 of the Core Strategy (2011), and DMH8 of the Development Management Policy (2019) provided that the scale, mass, form, and design of the new building conserves or enhances the immediate dwelling and curtilage, any valued characteristics of the adjacent built environment

and/or the landscape, including Listed Building status and setting, Conservation Area character, important open space, valued landscape character.

Criteria for New Build Residential Annex:

40. Policy DMH5B allows for new build ancillary dwellings subject to the criteria set out in paras (i) (vii) in section B. Applying these;
41. (i) The proposed siting is within the residential curtilage and some 5m away from Holm Close. It would therefore relate well to the property appearing as a double garage in terms of its form and massing.
42. (ii) The proposed annex would be subordinate in scale to the main house. The single bedroom, and overall scale of the accommodation is appropriate in scale to meet the needs of a singular dependent.
43. (iii) The building would have simple rectangular form under a pitched roof and would be built out of natural stone with roofing to match the main dwelling.
44. (iv)&(v) It would be sited in the corner of the garden beside existing hedges and would be well screened from outside the site. Only the roof and single rooflight may be visible outside the immediate confines of the site and therefore have no detrimental impact to the valued landscape character nor would it impact or harm the existing views. Where seen it would appear as a converted double garage appropriate to the setting. It is therefore considered that the proposal would sit in harmony with the existing buildings in and around the site and conserve the significance of the conservation and the wider landscapes.
45. (vi) The building would sit at the end of the existing access driveway some 5m south-west of the existing dwelling. No subdivision of the garden is proposed to accommodate the ancillary occupation and service would be shared. It would share the same vehicular access and there are no concerns about parking given the ample parking and turning space existing at the property.
46. (vii) An appropriate condition would be necessary to secure occupation to be ancillary to the main dwelling and for both to be maintained as a single planning unit in the event of any approval.
47. The position of the proposed ancillary accommodation would meet its functional need as ancillary occupation for dependent relatives and enable a degree of independence for the occupants whilst being close to relatives in the main dwelling to meet their need for care.
48. There is no other suitable outbuilding on site to be explored for conversion to meet the need.
49. The applicant has explored the conversion of the existing property to meet the needs of the dependent. However, the applicant explains the need for privacy and amenity at their own property which a detached garage/ancillary annex would provide both in terms of the functional need for secure car storage and a degree of independence for the dependent.
50. It is therefore concluded that the proposed annex accords with the adopted policy DMH5 and the ancillary residential annexes SPD subject to the above-mentioned conditions.

Scale and Design

51. The proposal would be built from a natural gritstone walling, Staffordshire blue tile roofing, and timber window frames and doors to match the existing property. The scale would approximate to that of a double garage and be entirely appropriate for the use and location. There are therefore no concerns about the scale and design of the building.
52. Overall it is considered the proposal would comply with DM Policy DMC3, DMH8, and Core Strategy Policy GSP3 as well as supplementary guidance from the PDNPA Design Guides.

Amenity Impact

53. The property is located outside the Baslow and Bubnell Conservation Area. In terms of the impact upon the nearby Conservation Area, views are limited and mostly screened from public vantages. Therefore, any visual impact upon the Conservation Area is limited and given the modest scale, traditional materials and design, where it may be glimpsed it would harmonize with its surroundings and conserve both the setting of the Conservation Area and the property itself.
54. Concerns have been raised by neighbouring properties on the basis of:
 - *Overshadowing*
 - *Loss of privacy*
 - *Loss of daylight*
 - *Overlooking*
 - *Loss of amenity*
55. The nearest neighbouring properties are Eaton Cottage to the North-West and Howard Cottage to the South-West. Of these, Eaton Cottage is the closest to the location of the proposed building.
56. The proposed building would measure 4.3m to the ridge which sits at a similar height to the Holm Close's existing extension. Sited just the other side of the intervening hedge, the roof of the building would be visible above the hedge from the neighbouring property Eaton Cottage. Given the single storey height of the building and the intervening beech hedgerow, the impact of the roof form above the hedge is not considered to be harmful to the amenity of the neighbouring property in terms of its scale or appearance.
57. The application has provided a cross sectional diagram which compares the height of the existing hedgerows at 3.3m height and 2.1m heights to show that the building would be largely screened by existing planting at the site, with the roof of the building visible in part from the 1st floor secondary window at Eaton Cottage.
58. The proposed would therefore have the proposed height and impact similar to a typical garage, an expected building at a property such as Holm Close which as existing has no secure indoor parking for their vehicles.
59. There would be no windows facing the nearest neighbouring property that would cause a lack of privacy, nor overlooking issues.
60. We therefore conclude that the proposal complies with the requirements of development plan policies DMC3 and DMH7 and national planning policy.
61. However, in the interests of the amenity of the site, neighbouring properties and the character and appearance of the building and its setting, as well as the site remaining a

single unit and at a scale to remain within adopted policy for annexes, we consider permitted development rights for alterations and extensions should be removed from the building if approved.

Parking Considerations and Highways Safety

62. The proposal would create secure storage at the property for one vehicle through the addition of the garage. There would be ample parking and turning remaining on the drive for the main house following any construction of the building.
63. The Highway Authority have had no objections to the application so long as the proposed annex remains in private ownership, and is ancillary to the existing dwelling with no future sub-letting or selling-off. This can be secured through our standard planning condition for residential annexes of this type and hence there are no concerns regarding parking or highway safety in respect of the proposed development.

Conclusion

64. The proposed garage/annex building is modest in scale, of an appropriate high standard of design and use of materials that will conserve the character, appearance and setting of the dwelling, the street scene and the nearby Conservation Area.
65. There are concerns from neighbours regarding the impact of the new building upon their amenity. However, given the scale and design, and siting of the building we conclude that whilst the building may be visible from neighbouring properties, it would cause no harm or adverse impact upon their amenity.
66. We therefore conclude the proposal accords with adopted policies in the Development Plan, Supplementary Planning Guidance and the NPPF and the application is therefore recommended for approval subject to conditions.

Human Rights

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

List of Background Papers (not previously published)

Nil

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