

## **8. FULL PLANNING PERMISSION – PROPOSED LOCAL NEEDS DWELLING ON LAND AT POWN STREET, SHEEN (NP/SM/0124/0039, LB)**

**APPLICANT: MR AND MRS GOODWIN**

### **Summary**

1. The application site comprises of the former Staffordshire Knot public house Car Park located in Sheen and the Conservation Area.
2. The applicant has demonstrated an need for affordable housing, however the applicant does not have a local connection as defined by Development Plan policy DMH2.
3. The design of the development on the proposed site would have a negative impact upon the character and appearance, and setting of Sheen and its Conservation Area.
4. The application is recommended for refusal for the reasons set out in the report.

### **Site and Surroundings**

5. The former Staffordshire Knot public house car park is located on the eastern side of Pown Street within the centre of the linear village of Sheen, in the Conservation Area.
6. The application site sits within a cluster of dwellings. Opposite on the west side of the highway is the former Staffordshire Knot public house, a gritstone building with attractive detailing and a range of connected outbuildings. Attached to the northern side of this building are a pair of grade II listed cottages. 'Sheperds Holt' Cottage and 'The Bungalow' cottage are located to the south.
7. Adjacent to north of the site, on the eastern side of Pown Street is also a former car parking area to the Staffordshire Knot. To The south is an agricultural field and the nearest dwelling 'Bermar' located 77 metres to the south.
8. The site, bounded by drystone wall, is a mixture of rough grassland and chatter stone, left unkept over time. The site is open and prominent with a roadside location within the centre of the village and from surrounding vantage points.
9. The application site is identified in the Sheen Conservation Area Appraisal as 'Important Open Space'. The boundary walls to the plot are identified as contributing 'significantly to the character of the area'. Details state the frontages of buildings generally face the road with horizontal emphasis to the form. Buildings are characterised with high solid to void ratio, gables are generally blank, or near blank.

### **Proposal**

10. The application seeks planning permission for one affordable dwelling.
11. The dwelling would be a two storey detached 3 bedroom house with a floorspace of 97m<sup>2</sup>.
12. The dwelling would be double fronted, constructed of stone under a pitched blue clay roof. A porch is proposed on the principal elevation and a double gable projection off the rear. Casement window would be provided through out with a single pair of double-glazed doors located on the rear elevation.
13. Solar panels are proposed to the roof, and an air source heat pump within the garden.

14. The site would be bounded by a 1 metre high drystone wall, with the existing walls retained. Externally, there would be a garden and off-street parking spaces amenity space. A new gated vehicular access point off Pown Street is shown.
15. A landscaping scheme is proposed including the retention of trees along the southern boundary, grassed areas and native hedgerow behind the roadside wall.

### **RECOMMENDATION:**

**That the application be REFUSED for the following reasons:**

1. **The first occupant of the proposed affordable housing would not satisfy any of the criteria set out by policy DMH2. Therefore there is no proven local need for the proposed affordable housing contrary to Core Strategy policy HC1 and Development Management policies DMH1 and DMH2.**
2. **By virtue of its design, orientation and siting the development would harm the character and appearance of the area and the significance of the Sheen Conservation Area contrary to Core Strategy policies GSP3 and L3 and Development Management policies DMC3, DMC5 and DMC8. The harm to the Conservation Area would be less than substantial but would not be outweighed by any public benefits, therefore the development is contrary to the National Planning Policy Framework.**

### **Key Issues**

16. Whether the proposed development is acceptable in principle.
17. Whether the criteria for new affordable housing is satisfied
18. The impact of the development.
19. Whether the development is acceptable in all other respects.

### **Relevant Planning History**

20. 2019: NP/SM/0819/0884: Planning application for the erection of two semidetached houses. Refused as contrary to HC1, DMH1 and DMH2.
21. 2013: Planning application for the erection of a pair of semidetached dwellings with restricted occupancy. Approved subject to a S106 agreement. The permission was never implemented and has now expired.
22. 2011: NP/SM/1011/1100: Erection of two local needs houses, approved subject entry into a legal agreement with the applicant.

### **Consultations**

23. Sheen Parish Council – Support. Comments stated *‘All councilors are all in agreement to totally support this planning application. We welcome the application by Mr. Goodwin, as he was brought up in the village, and his parents still live here’*.
24. Staffordshire Moorlands District Council – No response to date
25. Highway Authority – Comments summarised below, no objection subject to conditions;

*“A new access will be created of Pown Street with proposal for access to be gated. Any gates shall be 5m back from the carriageway and open inwards away from the carriageway. The visibility has been provided as 2m x 43m but for a classified road a*

visibility shall be 2.4m x 43m. However, I am satisfied with the proposed visibility for this location. The wall and hedges are proposed at maximum height of 1000mm – these shall be no higher than 900mm for visibility.

Recommendations;

I have no objection subject to the following being secured via conditions:

1 No building shall be occupied until a vehicular access onto Pown Street has been fully constructed, in accordance with a scheme to be approved in writing by the Local Planning Authority.

2 A revised plan to show visibility splay with no obstruction higher than 900mm above carriageway.

3 No dwelling shall be occupied until such time as the associated driveway has been surfaced in a bound material, and sustainably drained.

4 No gates to be allowed within 5 metres of the highway boundary and open inwards away from the highway.”

26. PDNPA Conservation Officer – Object to the application. Comments are summarised below:

27. “If the principle of a new dwelling house on this site is considered acceptable from a planning perspective, I would make the following comments regarding the details of the proposed development;

*The overall form of the dwelling could have a more horizontal emphasis, with the principal elevation facing the road (rather than side-on to the main road).*

*It would be more typical – and in-keeping with the vernacular of the National Park – for any projecting 2-storey gable to be positioned at the rear.*

*The walls should be of coursed, squared (not rubble) gritstone – a sample of the stonework and walling construction should be conditioned.*

*The Application Form states that the roof will be Staffordshire Blue clay tiles, which would be inkeeping with the traditional vernacular of the settlement. However, the Design and Access Statement (section 2) states that the roof will be slate, which would be non-traditional within Sheen, and unacceptable*

*The open porch would be a non-traditional feature within the Sheen Conservation Area (and the National Park more generally).*

*The proposed south elevation is over-fenestrated, resulting a non-traditionally high void-to-solid ratio. As currently oriented this would be clearly visible from the principle route through the settlement and will have a negative impact on the character and appearance of the Sheen Conservation Area, harming its significance.*

*The large amount of glazing to the 2-storey gable is particularly unsympathetic within this historic settlement, and is contrary to the Authority’s Design Guide, as outlined above.*

*The Design Guide advises that, “Where large openings are necessary, they should be balanced by a complementary area of solid walling alongside. Getting the correct solid-to-void ratio is crucial, as the effect on the elevation is more far-reaching than the type of windows chosen.”*

*I would strongly advise that the proposals should be modified to increase the solid-to-void ratio where, for example by removing the proposed French windows to the south elevation gable.*

*The existing stone boundary wall to the roadside should be retained – it is not entirely clear from the plans that this is the intention.*

*The proposed hedging along the boundary should be omitted, as this would be not be in keeping with the historic character and appearance of the Sheen Conservation Area.”*

28. PDNPA Ecology – No response to date

### **Representations**

29. The Authority has received 16 letters of representation to date, 13 letters of support and 3 letters of general comment in regards to the application. The planning reasons given relative to the current support letters and general comments are summarised below:

30. Support:

- a. Development will enhance and transform the site in comparison to its current state.
- b. Applicant is a local lad and therefore has a local connection
- c. Allow a local person to return to a village
- d. Development is in a prominent position in the village and proposal will be a great addition to sheen
- e. Suitable development for the site which hasn't been used for many years
- f. Proposed development is modest
- g. Proposal in keeping with area
- h. Lack of affordable housing in Sheen
- i. PDNPA previously approved dwellings on the site

31. General Comment:

- a. As proposed the design would mean the top floor windows, rear patio doors, external patio area all face directly towards our house, (main bedroom window) and over our land. The land attached to our house is used by us and is not simply a field. We are therefore concerned as to issues of privacy, esp. in winter when trees are bare. Suggest the dwellings front elevation faces the road to maintain privacy to our property Bermar and also for the proposed property.
- b. The building needs to be turned 180 degrees in keeping with all other buildings in the village that are side on to the road.
- c. As the closest property of the development, if the property was roated, most of our current windows and their windows would look directly into each other. The living room, kitchen and bedrooms would face the front of all our front windows and as the road is narrow the proposed property would be very close. Our bedroom windows are the ground floor windows due to the internal floor being below the road level outside so this would be a massive concern from a privacy point of view. We so also use the picnic table on the front as the rear garden is small so this would also be overlooked. However, no objection to the plans in the current location and orientation.

### **Main Policies**

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

33. Relevant Development Management policies: DMH1, DMH2, DMC3, DMC5, DMC8, DMT3, DMT8.

### National Planning Policy Framework

34. The National Planning Policy Framework (NPPF) is a material consideration and carries particular weight where a development plan is absent, silent or relevant policies are out of date.
35. 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. There is no significant conflict between policies in the development plan and the NPPF.
36. Therefore, full weight should be given to policies in the development plan and the application should be determined in accordance with the Authority's policies unless material considerations indicate otherwise.
37. Paragraph 182 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.

### Peak District National Park Core Strategy

38. Policy GSP1 requires all development to be consistent with the National Park's legal purposes and duty and that the Sandford Principle be applied and the conservation and enhancement of the National Park will be given priority. Policy GSP2 states that opportunities for enhancing the valued characteristics of the National Park will be identified and acted upon. Enhancement proposals must demonstrate that they offer significant overall benefit to the natural beauty, wildlife and cultural heritage of the area.
39. Policy GSP3 states that development must respect, conserve and enhance all valued characteristics of the site and buildings subject to the development proposal paying particular attention to (amongst other things) impact on character and setting, scale, siting, landscaping, building materials, design, form, impact upon amenity, highways and mitigating the impact of climate change.
40. Policy DS1 states that in the countryside conversion or change of use for housing is acceptable in principle.
41. Policies L1, L2 and L3 state that development must conserve and enhance valued landscape character, as identified in the Landscape Strategy and Action Plan, biodiversity and cultural heritage assets.
42. Policy CC1 requires all development to make the most efficient and sustainable use of land, buildings and natural resources and to achieve the highest possible standards of carbon reductions and water efficiency.
43. Policy HC1. C states that, exceptionally, new housing can be accepted where it (A) addresses eligible local needs for homes that remain affordable with occupation restricted to local people in perpetuity. and in accordance with policies GSP1 and GSP2 new housing will be permitted where it is required in order to achieve conservation and / or enhancement of valued vernacular or listed buildings.

## Development Management Policies

44. Policy DMH1 New affordable housing. Sets out that 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 or existing buildings provided that:

- (i) There is a proved need for the dwelling(s); and
- (ii) Any new build housing is within the stipulated size thresholds:

Self-building and custom-building housing will be permitted on rural expectation site provided the proved need and be demonstrated and the size thresholds are met.

45. Policy DMH2 First occupation of new affordable housing states that: 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 dependents) 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 dependents) 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.

46. Policy DMC3 sets out that 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.

47. Policy DMC5 provides detailed criteria relevant for 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 applications.

48. DMC8 sets out that application for development in a Conservation Area, or for development that affects its setting or important views into, out of, across or through the area, should assess and clearly demonstrate how the character or appearance and significance of the Conservation Area will be preserved or enhanced.

49. Policy DMT3 requires that a safe access should be provided in a way that does not detract from the character and appearance of the locality and where possible enhances it.

50. Policy DMT8 requires off-street parking to be provided for residential development unless it is demonstrated that on-street parking is appropriate. Parking provision should meet the Authority's adopted standards.

## Assessment

### Whether the proposed development is acceptable in principle

51. The Authority's long established policy approach for housing is that is it not appropriate to permit new housing simply in response to open market demand to live in its sought-out environment. This reflects Government policy and guidance.

52. In particular, policy HC1 makes it clear that housing will not be permitted unless it is for a specific requirement such as affordable housing to meet eligible local need.
53. Policies DMH1 and DMH2 state that affordable housing can only be permitted when there is a proven need and where housing is within adopted size thresholds. Policy DMH2 requires the first occupants of a new affordable dwelling to have a local qualification and defines what those qualifications are. In this case the criteria set by policy DMH2 (ii) is relevant and states: *“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”*.
54. In this case the application site, owned by the applicant, located in Sheen, is situated outside of the Bakewell Development boundary but is located within a named settlement set out in DS1 d where there is scope to maintain and improve sustainability and vitality and new build development which will be acceptable for affordable housing in principle. Therefore, subject to other policy requirements, in principle the proposed site is in accordance with DS1.
55. The application states that the applicant and his family live currently in rented accommodation in Bradnop, Staffordshire Moorlands. The applicant was born in Sheen and lived there until the age of 23 when he moved outside of the National Park. The applicant has lived outside of the National Park for the past 18 years.
56. It is acknowledged that the applicant does have a local connection having been born and raised in the village. However, it is clear from the evidence submitted that the applicant as only lived for 2 years out of the last 20 in the Parish (or an adjoining Parish). The applicant therefore does not meet the eligibility criteria set out by policy DMH2 (ii) and there is no evidence that the applicant would meet any of the other criteria.
57. Evidence has been submitted with the application to demonstrate that the applicant has registered with ‘Home Options’ and that the Local Housing Authority has identified that the applicant is in housing need for a three-bedroom flat or house. It is therefore accepted that the applicant is in need of affordable housing. It is also accepted that the size of the proposed dwelling at 97m<sup>2</sup> would be appropriate to meet the identified need in accordance with policy DMH1.
58. The applicant does have a local connection and this is accepted. However, the applicant would not meet the eligibility criteria as set out by policy DMH2 (ii). The application is therefore in conflict with this policy and should be refused unless there are material considerations which indicate otherwise.
59. It is acknowledged that the applicant has a local connection and was born and raised in the village and that his parents continue to live in the village. Officers note that the applicant is in housing need and are sympathetic to the circumstances of this case. However, the Authority set out and adopted its definition of eligible local need in the Development Plan. The applicant does not meet these criteria by a significant amount of time. Therefore, there is no material consideration which indicates that planning permission should be granted contrary to adopted policies.
60. It is therefore concluded that the proposed development is contrary to policies HC1, DMH1 and DMH2.

The impact of the development upon the significance of the Conservation Area, site and setting

61. The application site is within the Conservation Area and located in the Sheen Conservation Area Appraisal as ‘Important Open Space’.

62. The site is an open piece of land located adjacent to Pown Street, in an area of linear development alongside fairly large fields in Sheen. Clearly visible from the highway and in wider context the site is bounded by gritstone boundary walls along the road edge and around the plot are identified as contributing 'significantly to the character of the area', as described in the appraisal. The roadside boundary walls through the settlement are described as having 'significant impact along almost every road frontage'.
63. In close proximity to the site is a group of domestic buildings, including the listed dwelling adjacent to the Staffordshire Knot Pub on the opposite side of the highway.
64. In general buildings are set back from the road edge, behind gritstone walls. Hedges are less common within the Conservation Area. Development for a single domestic dwelling on the site would not be out of character for its setting, as it is close to existing domestic buildings on the main highway through Sheen. Wider views onto the site and setting would see development within the context of other properties, and would not read as an isolated feature.
65. It is also noted that previous planning applications have been accepted for up to two dwellings on the site, therefore development of this nature for the site is not out of context. As such, there is no objection to the location of the site for a single affordable dwelling within the Conservation Area.
66. The traditional vernacular of the buildings through the settlement is squared, coursed gritstone walls with gritstone dressings, and with Staffordshire blue clay tiles to the roofs. Buildings generally front the road, with some exceptions, and have a horizontal emphasis to the form with low eaves and narrow gables. Windows and doors have a vertical emphasis, and buildings are characterised by their high solid to void ratio. Gables are generally blank or near blank.
67. The amended plans show a single dwelling set back from the highway, orientated so the front façade faces north east. The north western gable will face the highway. A double height gable will project off the rear and a solid porch is proposed on the front elevation. Two sets of double doors were proposed on the rear elevation, this had been amended to one.
68. The orientation of the dwelling raises concern as it would be out of character for Sheen, with the front elevation facing north east, overlooking the remaining car park for the Staffordshire Knott, and not onto the highway. It is noted that there are some properties in the village which face gable on to the road (including recently approved development to the south), however in the vicinity of the site properties generally front towards and have a close relationship with the road. The proposed dwelling also has a vertical emphasis whereas a wider building with a horizontal emphasis would better reflect the character of nearby buildings.
69. As proposed the dwelling would not be well related to the road or existing buildings in this part of Sheen. The building would appear as divorced from the existing built form and not reflective of the character of existing development.
70. Officers have suggested to the applicant the dwelling is orientated so the front elevation fronts the highway, however amended plans show the dwelling orientation has remained with the front elevation facing north east.
71. The rear elevation and gable is emphasised by being over fenestrated. Amended plans show a pair of double-glazed doors located on the gable. Originally, submitted plans showed two sets of glazed double doors on the rear. It is acknowledged that one set of doors has been removed, however the south elevation remains over fenestrated.



72. As currently orientated the rear elevation would be clearly visible from the principle route through the settlement and will have a negative impact on the character and appearance of Sheen Conservation Area, harming its significance.
73. The large amount of glazing to the two-storey gable is particularly unsympathetic within this historic settlement and is contrary to the Authority's Design Guide which advises that considerations for a new build in the National Park should try to maintain a high solid to void ratio, keep the types and number of openings to a minimum and arrange with care, keep the number of openings on gables and rear elevations to a minimum.
74. Initially plans proposed an open porch on the front of the dwelling, a departure from traditional design and could not be supported. Subsequently, the porch has been amended and a solid structure is proposed which raises no objection.
75. Details in the application proposes the materials to be gritstone with Staffordshire blue clay tiles. The gritstone should be coursed, square, but overall alongside the roof materials are in keeping with the traditional vernacular of the settlement.
76. Due to the intervening distance the dwelling would result in no impact upon the setting of the grade II listed cottages.
77. Therefore, whilst the location of the site is acceptable the proposed orientation and design of the dwelling collectively would result in significant changes and a negative impact to a prominent location to the open roadside setting. As such the development would therefore result in harm to the historic character and appearance of the site, its setting, significance of the Conservation Area and landscape character contrary to Policy's DMC3, DMC5, DMC8, DMH7.

#### The impact of the development on amenity

78. To the south of Pown Street, surrounding the site, there are no adjacent properties. The nearest dwelling is 'Bermar', located 77 metres to the south and have expressed concern in a representation letter regarding the orientation of the dwelling as at present all of the rear windows would overlook onto the property.
79. It is considered that due to the intervening distance the development would not significantly adversely affect 'Bermar'.
80. On the opposite side of the highway. 'The Bungalow' is located approximately 20 metres from the south west corner of the site. The proposed development is to be located beyond the northern curtilage of 'The Bungalow' and therefore will not adversely impact this property.
81. 'Sheperds Holt' cottage located opposite the site on the western side of Pown Street is positioned 18 metres from the north west corner of the dwelling and 15 metres from the edge of the highway and access to the site.
82. 'Sheperds Holt' have raised concern if the proposed dwelling was rotated so the front elevation faces the highway, a loss of privacy would be created as windows would look onto the dwelling and overlook the site.
83. The proposed dwelling is positioned beyond the south elevation of the 'Sheperds Holt', not located directly opposite one another. The intervening distance from the front elevation of 'Sheperds Holt' and western gable of the proposed dwelling is 18 metres. It is acknowledged that the amenity area is parallel to one another but separated by the highway.

84. Therefore, it is considered that as the proposed dwelling and 'Sheperd Holt' cottage is off set from one another, separated by the highway and with 18 metres intervening distance, the proposal would not result in significantly adverse amenity issues upon 'Sheperds Holt'.
85. Again, due to the intervening distance the dwelling would result in little impact upon the site and setting of the adjoining listed buildings on the Staffordshire Knot building.
86. On balance, due to intervening distances and the proposed location and orientation would not result in amenity issues in accordance with DMC3 and DMH7.
87. Furthermore, the development would not result in amenity issues upon the setting and its wider enjoyment of the area as it would be located within a group of residential properties.

#### The impact of the development on Highways safety

88. The application proposes two off street parking spaces and a turning area within the site which is to be accessed from the highway by a single pair of double gates alongside a personnel gate set back from the highway. The highways Authority has been consulted and is satisfied with the proposed visibility for this location, but have recommended that the boundary walls and hedges shall be no higher than 900mm for visibility above the carriageway, and a revised plan to show visibility splay is provided.
89. The highways Authority have also proposed other conditions to ensure suitable materials for the driveway surface, boundary gates to open inwards from highway and set back 5 metres from the highway and the dwelling should not be occupied until vehicular access has been fully constructed. These conditions are reasonable and necessary.
90. It is therefore concluded that the proposed scheme would not harm highway safety or the amenity of road users and is in accordance with DMT3 and DMT8.

#### Whether the development is acceptable in all other respects

91. The Application proposes a new local needs dwelling. To ensure the building is a sustainable form of development plans show solar panels are shown on the rear (south), and east and west elevation of the rear gable. The application states the building would incorporate high levels of thermal insulation, low energy light fittings and an air source heat pump to minimise energy consumption. Low water use fittings for taps and sanitary ware will also be used throughout and all construction materials are to be locally sourced and have low environmental impact. The proposed measures are considered to be acceptable and in accordance with policy CC1.
92. Foul drainage from the development would be treated by connecting into the existing sewer in the road. This is considered to be acceptable as the dwelling will be located alongside a small group of other residential dwellings that will use the existing drainage system.
93. The site has a low value for biodiversity. There is no evidence to suggest that the development would harm any birds or other protected species. 4 existing boundary trees are to be retained. A bat access tile is proposed to the house ridge alongside swallow cups at eaves level and a bat box attached to a tree. The application was submitted before the Biodiversity Net Gain regulations took effect however, if permission were granted a planning condition could be imposed to require agreement and implementation of proposed enhancement measures.

## **Conclusion**

94. The application provides evidence that the applicant is in housing need, and it is acknowledged that the applicant has a local connection. However, the applicant does not meet any of the criteria set by policy DMH2 (ii) and therefore does not have an eligible local need for affordable housing within the National Park.
95. Furthermore, the proposed amended design and orientation of the dwelling on the site would result in harm to the character and appearance of the area and the significance of the Conservation Area. There are no public benefits that would outweigh the harm identified.
96. The development would not harm amenity, highways safety or biodiversity. However, these considerations do not weigh heavily either in favour or against the development.
97. The proposal is contrary to relevant development plan policies. There are no material considerations that indicate that permission should be otherwise granted and accordingly the application is recommended for refusal.

## **Human Rights**

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

## **List of Background Papers** (not previously published)

99. Nil

Report Author: Laura Buckley – Assistant Planner – South Area