

**10. HOUSEHOLDER APPLICATION – PROPOSED GARAGE AND STORE BUILDING FOR PURPOSES INCIDENTAL TO A DWELLING AT THE BARN, SOUTH CHURCH STREET, BAKEWELL (NP/DDD/1024/1145/SC)**

**APPLICANT: MR & MRS G SLACK**

**Summary**

1. The application seeks permission for a detached single garage and workshop/store building for domestic residential use.
2. The key considerations are the principle of the development, the potential impact on the character and appearance of the host property and the Conservation Area and the privacy and amenity of neighbouring dwellings.
3. In this case, the proposals are considered acceptable in amenity, conservation and design terms and compliant with policies in the Development Plan and the National Planning Policy Framework in all other respects, therefore recommended to members for approval.

**Site and Surroundings**

4. The application site lies off South Church Street, close to Bakewell Town Centre and within the Town Conservation Area. The property was converted to a dwelling in 2011/2012 and consists of two separate barns connected by a flat roofed glazed link extension.
5. A garden and parking area are located to the front of the dwelling, with access to the site along a private drive off South Church Street.
6. The curtilage of the dwelling bounds other properties on three sides, Erica Cottage to the east, Kirkwood to the south and Barnes Cottage/3 South Church Street and 5 Stoneycroft South Church Street to the north. The nearest listed building (Belvoir Cottage) is sited on butts Road some 27m away to the east of the development site.

**Proposal**

7. Planning permission was originally sought to erect a single storey stone outbuilding with a mezzanine floor area in the roof space. to provide garaging of a vehicle, and to provide workshop and storage areas incidental to the use of the main dwelling.
8. Amended plans have since been submitted, showing a reduction in the scale, design and massing of the building. These plans now form the basis of the current application and are considered in detail in the following assessment of the report.

**RECOMMENDATION:**

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

- 1 **Standard 3-year time limit.**
- 2 **Compliance with amended plans and details.**
- 3 **Design & Materials.**
- 4 **Garage to remain for garaging of private domestic vehicles only.**

**5 Workshop/store to remain ancillary to main dwelling.**

**6 Details of climate change mitigation measures to be approved and implemented.**

**Key Issues**

- Whether the development is acceptable in principle.
- The potential impact on the host property and the Conservation Area.
- The privacy and amenity of neighbouring dwellings.
- Highway safety.

**Relevant planning history**

9. 2011 - NP/DDD/0211/0122 - Proposed conversion of two disused barns to a single detached dwelling. Granted.

**Consultations**

10. Highway Authority – No objections.
11. District Council – No response.
12. Town Council – Object on the following material planning grounds (due to the height):
  - Layout and density of buildings.
  - Planning history of the site.
  - Overshadowing/overbearing presence near a common boundary.
  - Overlooking/loss of privacy.
  - Loss of light.
  - Effect on listed buildings and Conservation Areas.

**Representations**

13. Four letters have been received, each objecting to the scheme on the following grounds:
  - Planning history of the site.
  - Overshadowing and overbearing presence near a common boundary.
  - Loss of light.
  - Effect on the conservation area.
  - Overlooking/loss of privacy.
  - Noise and disturbance resulting from use.
  - Loss of trees.
  - Impact on nature conservation interests & biodiversity opportunities.
  - Car parking provision.
14. The Town Council and neighbouring properties affected by the development have been re-consulted on the amended scheme. Responses to the amendments have been received from both the Town Council and neighbouring properties repeating their previous objections to the scheme.

**Statutory Framework**

15. National Park designation is the highest level of landscape designation in the UK. The Environment Act 1995 sets out two statutory purposes for national parks in England and Wales:

- a) Conserve and enhance the natural beauty, wildlife and cultural heritage
  - b) Promote opportunities for the understanding and enjoyment of the special qualities of national parks by the public
16. 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.
17. In the National Park, the development plan comprises the Authority's Core Strategy and the new Development Management Policies (DMP). These Development Plan Policies provide a clear starting point consistent with the National Park's statutory purposes for the determination of this application. This application must be determined in accordance with the development plan unless material considerations indicate otherwise.

**Core Strategy Policies:** GSP1, GSP2, GSP3, DS1, L3, CC1

**Development Management Policies:** DMC3, DMC5, DMC8, DMH7, DMT3, DMT8

The Authority has adopted three separate supplementary planning documents that offers design guidance on householder development, namely the Building Design Guide (1987), Design Guide (2007) and the Detailed Design Guide on Alterations and Extensions (2014). The latter offering specific criteria for assessing the impacts of householder development on neighbouring properties.

**National Planning Policy Framework (NPPF)**

18. The National Planning Policy Framework (NPPF) is a material consideration. Development plan policies relevant to this application are up-to-date and in accordance with the NPPF and therefore should be given full weight in the determination of this application.
19. Para: 189 states, that great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, which have the highest status of protection in relation to these issues.

**Core Strategy policies**

20. 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.
21. GSP3 – *Development Management Principles*. Requires that particular attention is paid to the impact on the character and setting of buildings and that the design is in accord with the Authority's Design Guide, the impact on living conditions of communities and development is appropriate to the character and appearance of the National Park.
22. DS1 - *Development Strategy*. Supports extensions and alterations to dwellinghouses in principle, subject to a satisfactory scale, design and external appearance.
23. L3 - *Cultural Heritage assets or archaeological, architectural, artistic or historic significance*. Explains that development must conserve and where appropriately enhance or reveal the significance of historic assets and their setting. Other than in exceptional circumstances, development will not be permitted where it is likely to cause harm to the significance of any cultural heritage asset or its setting.

24. CC1 - *Climate change mitigation and adaption*. Sets out that development must make the most efficient and sustainable use of land, buildings and natural resources. Development must also achieve the highest possible standards of carbon reductions and water efficiency.

### **Development Management Policies**

25. DMC3 - *Siting, Design, layout and landscaping*. Reiterates, that where developments are acceptable in principle, Policy requires that design is to high standards and where possible enhances the natural beauty, quality and visual amenity of the landscape. The siting, mass, scale, height, design, building materials should all be appropriate to the context. Accessibility of the development should also be a key consideration.
26. DMC5 - *Assessing the impact of development on designated and non-designated heritage assets and their setting*. 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.
27. DMC8 - *Conservation Areas*. States, that applications for development in a Conservation Area, or for development that affects it's setting or important views into or out of the area, across or through the area should assess and clearly demonstrate how the existing character and appearance of the Conservation Area will be preserved and, where possible, enhanced. Applications should also be determined in accordance with policy DMC5 considering amongst other things, form and layout, street pattern scale, height, form and massing, local distinctive design details and the nature and quality of materials.
28. DMH7 - *Extensions and alterations*. States that extensions and alterations to dwellings will be permitted provided that the proposal does not detract from the character, appearance or amenity of the original building, its setting or neighbouring buildings.
29. DMH8 A - *New Outbuilding and alterations and extensions to existing outbuildings in the curtilages of dwellinghouses*. States that, new outbuildings will be permitted provided the scale, mass, form, and design of the new building conserves and 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 and valued landscape character. In addition, the use of the buildings will be restricted through conditions, where necessary.
30. DMT3 - *Access and design criteria*. This affirms that where transport related infrastructure is developed, this should be to the highest environmental design and materials, and where safe access for people is achievable.
31. DMT8 - *Residential off-street parking*. Off-street parking for residential development should be provided unless it can be demonstrated that on-street parking meets highway standards and does not negatively impact on the visual and other amenity of local communities. In addition, the design and numbers of parking spaces associated with residential development must respect the valued characteristics of the area, particularly in Conservation Areas.

### **Assessment**

#### **Principle of the development**

32. There is no objection in principle, provided that the development is subordinate in scale, mass, form and design, conserves and enhances the immediate dwelling and its curtilage and pays particular attention to the amenity of nearby properties.

33. In this case, it is considered the principle is acceptable and therefore in accordance with policies DS1 & DMC3 in these respects.

### **Siting, design & materials**

34. Policy DMC3 reiterates that where developments are acceptable in principle, policy requires that design is to high standards and where possible enhances the natural beauty, quality and visual amenity of the landscape. The siting, mass, scale, height, design, building materials should all be appropriate to the context. Accessibility of the development should also be a key consideration.
35. Policy DMH7 states that extensions and alterations to dwellings will be permitted provided that the proposal does not detract from the character, appearance or amenity of the original building, its setting or neighbouring buildings.
36. Policy DMH8 states that new outbuildings will be permitted provided the scale, mass, form, and design of the new building conserves and enhances the immediate dwelling and curtilage, any valued characteristics of the adjacent built environment and/or the landscape, including Listed Building status and setting.
37. The Authority's Design Guidance on garages says these should be designed in sympathy with the property they serve with materials and roof pitches reflecting those of the main dwelling. Also, if size requirements for a garage result in a building of a size that cannot be considered to be of a design that is sympathetic to the property it serves; for example, they don't appear subservient or are out of proportion with the house itself, these concerns will outweigh any considerations towards car storage.
38. The amended plans show a reduction in the size and design and subsequently the massing of the new building. This has been achieved by removing the proposed first-floor mezzanine storage area, enabling the eaves to be lowered and subsequently reducing the roof pitch. The net effect is that the ridge is approximately 800mm lower and the eaves around 500mm lower than the original scheme.
39. The building has also been repositioned slightly, so it now stands around one metre away from each of the adjoining neighbouring boundaries of Erica Cottage and Barnes Cottage/3 South Church Street. To accommodate for some loss of first floor storage, the building has been made slightly longer (340mm) across its front elevation axis.
40. In this case, the proposed new building would be sited towards the northeast corner of the garden and would replace an unauthorised timber storage shed. A hard standing/parking and manoeuvring area would be provided to the front of the new building. Access would be through the existing entrance to the site.
41. The new building would measure approximately 7.8m along its front elevation x 6.1m in depth x around 4.39m to the ridge. To the front elevation of the building (which faces into the garden area towards the house) there would be a single garage door, a small window and a single access door, with gritstone headers to the doors and a header and sill to the window. Both gables and rear elevation of the building would be left blank.
42. The roof to the building would be pitched at 30 degrees and would incorporate natural blue slate, with natural limestone for the walls, the doors to the garage would be conditioned to be either vertically ribbed metal or timber boarded, with the single vertically boarded timber door. Internally, the building would incorporate a single garage space, workshop and storage area.

43. Regarding the above, the new building would appear subordinate in scale and massing in relation to the main dwelling. Moreover, it would reflect a design and use of materials that would complement the host building, helping to preserve its traditional character and appearance and that of the surrounding vernacular.
44. Consequently, the development by virtue of its siting, scale, design and use of materials, would accord with policies DMC3, DMH7 & DMH8 in these respects.

### **Heritage**

45. Policy DMC5 provides detailed advice relating to proposals affecting heritage assets and their settings whilst also requiring development to avoid harm to the significance, character, and appearance of heritage assets.
46. Whilst Policy DMC8 states, that applications for development in a Conservation Area, or for development that affects its setting or important views into or out of the area, across or through the area should assess and clearly demonstrate how the existing character and appearance of the Conservation Area will be preserved and, where possible, enhanced.
47. In this case, it is considered the siting of the outbuilding within an enclosed garden area would appear as a simple outbuilding serving the host property, but clearly subordinate to it. As such, it would be viewed as a sensitive and integral part of the site and its surrounding architectural vernacular.
48. Consequently, the addition of this domestic outbuilding is considered an appropriate addition to the site and would complement the existing property whilst preserving the character and appearance of the conservation area within which it would be sited. Therefore, in accordance with policies DMC5 & DMC8 respectively.

### **Amenity**

49. Policy GSP3 states, that all development must respect the living conditions of communities. Whilst policy DMC3 reiterates that where developments are acceptable in principle, particular attention will be paid to the amenity, privacy and security of the development and other properties that the development affects.
50. In addition, the Authority's SPD on 'Extensions & Alterations' states amongst other things, that outlook, amenity, privacy and daylight are fundamental considerations when altering or extending a property.
51. This is to ensure that habitable rooms achieve a satisfactory level of outlook and natural daylight, there is adequate privacy and outdoor private amenity space and that no overbearing or harmful overshadowing of neighbouring property results.
52. The nearest neighbouring dwellings are Erica Cottage to the east, Kirkwood to the south and Barnes Cottage / 3 South Church Street and 5 Stoneycroft, South Church Street to the north.
53. The two properties most affected by the development are Barnes Cottage / 3 South Church Street and Erica Cottage. Taking firstly Barnes Cottage / 3 South Church Street, the furthest distance between the rear elevation windows of the property and the gable elevation of the new building, would according to the amended plans amount to around 13m.

54. Whilst the garden level is lower than the development site, it is considered that the distance (13m) would afford the habitable rooms of this property to achieve a satisfactory level of outlook and natural daylight. No windows would overlook their garden area from the new building and so it is considered there would be adequate privacy to their outdoor amenity space, with no harmful overshadowing of the property.
55. The agent has provided cross sections of the site in relation to the neighbouring properties which show an assessment of the 25-degree light rule (sunlight assessment), which according to the Building Research Establishment (BRE) guidance, would be considered satisfactory in this case.
56. With regard to Erica Cottage, the garden area of the cottage is also set below the level of the development site and therefore a perception of overbearing would be present should the building be constructed. However, the siting of the building away from the boundary coupled with the roofslope pitching away from the cottage, would help mitigate any adverse impact on the amenity of the dwelling from this perspective.
57. The first floor west facing window in the dormer extension of the cottage would face toward the rear of the proposed garage, however, using the 25-degree rule assessment (as presented on the amended cross section drawings) there would be minimal loss of light to this window.
58. Moreover, the room to which the window relates also benefits from a set of south facing glazed doors, closely adjacent and at right angles to the window in question. Therefore, the available daylight and sunlight to that room would still remain substantially in excess of the requirement for reasonable amenity set out in BRE Guidance.
59. In addition, the first floor west facing window in the dormer extension of the Erica's Cottage could be construed as presenting a greater amenity issue for the applicants, as it already overlooks the garden area of their dwelling.
60. The erection of the garage in this location would therefore go some way to mitigating any perceived overlooking of the applicants garden and views from this window at Erica Cottage towards the main front elevation of the application property and vice versa.
61. Subsequently, whilst the proposed building would be constructed close to neighbouring boundaries, it would by virtue of its position within the northeast corner of the plot have no significant negative impact on the amenity of these neighbouring dwellings or any other residential dwellings in the locality. In accordance with policies GSP3 & DMC3 in these respects.

### **Highway matters**

62. Policy DMT3 states amongst other things, 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.
63. Whilst Policy DMT8 says that, the design and numbers of parking spaces associated with residential development must respect the valued characteristics of the area, particularly in Conservation Areas.
64. The Local Highway Authority has raised no objections to the scheme, as there would be no material impact on the public highway than already exists, nor would it impose any adverse impact on the valued characteristics of the area. Subsequently, the development is acceptable in Highway Safety terms in accord with policies DMT3 & DMT8 in these respects.

### **Environmental Management and sustainability**

- 65. Policy CC1 sets out that development must make the most efficient and sustainable use of land, buildings and natural resources.
- 66. According to the submitted climate statement, the scheme would be built to the updated building regulations, which are now more stringent in their approach to energy use.
- 67. In this case, the proposed scheme would use a palette of natural materials (stone under a slate roof) to match the existing and constructed to conserve fuel and power, limiting heat gains and losses, whilst making the most efficient and sustainable use of the land.
- 68. Due to the smaller scale of development, it is considered the proposal would generally meet the requirements of policy CC1 in these respects.

### **Other matters**

- 69. This householder application is exempt from statutory biodiversity net gain.

### **Conclusion**

- 70. In conclusion, the proposed new building is of an appropriate scale, design and appearance in relation to the existing property and uses natural materials in keeping with the local building tradition.
- 71. Moreover, there would be no undue adverse impacts on the appearance of the conservation area, the privacy and amenity of neighbouring dwellings or highway safety to warrant refusal of the application.
- 72. Consequently, the scheme is in accordance with National and Development Plan Policies and adopted Design Guidance, therefore recommended to members for approval subject to conditions.

### **Human Rights**

- 73. Any human rights issues have been considered and addressed in the preparation of this report.
- 74. List of Background Papers (not previously published)
- 75. Nil
- 76. Report Author: Steve Coombes, South Area