

FULL APPLICATION – SIDE AND REAR EXTENSIONS TO DWELLING AT THATCHERS COTTAGE, REDFERN LANE, HOLLINSCLOUGH (NP/SM/0325/0272) RD

APPLICANT: MR & MS GRINDEY & GORDON

Summary

1. Thatchers Cottage is a two bedroomed dwelling located 500m west of Hollinsclough. The dwelling is subject to a planning condition and S.106 legal agreement restricting the occupancy of the dwelling to local need.
2. The application proposes extensions and alterations.
3. The extensions would significantly increase the floorspace of the dwelling from 64.5m² to 146.5m². The extensions would therefore be beyond the maximum floorspace allowed by policy and would undermine the affordability of the dwelling.
4. The scale and design of the extensions would dominate the existing building and harm the character and appearance of the property and its setting within the landscape.
5. The application is recommended for refusal.

Site and Surroundings

6. Thatchers Cottage is a two bedroomed dwelling located 500m west of Hollinsclough. In addition to the dwelling, there is a modern agricultural shed on the site.
7. The dwelling, was granted planning permission in 1998. It was a former agricultural building, which was re-constructed in 1995. An important consideration is that the dwelling was approved subject to a planning condition and S.106 legal agreement restricting the occupation of the dwelling to local occupancy.
8. Its nearest neighbouring property is Grattons Farm located over 150m to the south.

Proposal

9. This application proposes the extension of the existing dwelling to create a new kitchen/dining room, utility and WC at ground floor, and an additional bedroom at first floor.
10. The extensions would be to the rear and to the southern gable end and would wrap around the south and western elevations of the existing building.

RECOMMENDATION:

That the application be REFUSED for the following reasons:

1. **The dwelling is subject to a planning condition and S.106 legal agreement restricting occupation to local persons. The dwelling is therefore an affordable dwelling which policies seek to be retained in perpetuity. The proposed extensions would increase the floorspace of the dwelling to 146m² significantly above the maximum size set by policy DMH1. The development would therefore significantly undermine the affordability of the dwelling contrary to Core Strategy policy HC1, and development plan policies DMH1, DMH7(v) and DMH11 which secure affordable housing to meet local needs in perpetuity.**

- 2. The proposed wrap-around form of the extension and its overall scale would dominate the existing structure and harm its character and appearance contrary to development plan policies DMC3 and DMH7.**

Key Issues

- Impact upon the character, appearance and amenity of the property, its setting and neighbouring properties.
- Retention of the property as a local needs dwelling in perpetuity.

History

11. November 2004 – NP/MOD/1124/1226: Application to modify or discharge a planning obligation on application NP/SM/1298/135 – Refused
12. July 2004 – NP/SM/0704/0753: Extension to dwelling – Granted Conditionally
13. December 1998 – SM1298135: Conversion of barn to dwelling – Granted Conditionally and subject to S.106 legal agreement to restrict occupancy to local needs.
14. July 1997 – SM0797069: Conversion of stone building to local need dwelling – Refused
15. July 1997 – SM0797061: Relocation of agricultural building – Refused
16. August 1994 – 94039GPDO: Erection of Agricultural Building – Granted Unconditionally

Consultations

17. Highway Authority – Acceptance.
18. District Council – No comments received.
19. Hollinsclough Parish Council – Unanimous support of the proposals.

Representations

20. Eleven letters of support have been received by the Authority during the consultation period on the grounds that the proposals would;
 - Help to keep a local family in the area
 - Provide space for that local family to grow
 - Improve the appearance of the property
 - Improve the sustainability of the property

Main Policies

Relevant Core Strategy policies: GSP1, GSP2, GSP3, HC1, L3, CC1

Relevant Local Plan policies: DMC3, DMH1, DMH2, DMH3, DMH7, DMH11

National Planning Policy Framework

21. 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.
22. Paragraph 189 of the NPPF states: 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. 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. The scale and extent of development within all these designated areas should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas.

Core Strategy

23. Policy DS1 states that extensions to existing buildings is acceptable in principle outside of named settlements.
24. Policy HC1 states that provision will not be made for housing solely to meet open market demand. HC1 A states that exceptionally new housing can be accepted where it addresses eligible local needs for homes that remain affordable with occupation restricted to local people in perpetuity.
25. Policy DMH1 addresses the provision of affordable housing. It sets out that where a housing need exists and a local connection is proven, there can be scope for new affordable homes. If permitted, the policy restricts the size of the dwellings to ensure its affordability. The policy sets a maximum size of 97m² for a five-person dwelling. Policy DMH11 addresses legal agreements, including how these shall be used to secure affordable housing in perpetuity.
26. DMH7 is relevant for extensions and alterations to dwellings. It states that these will be permitted provided that they do not detract from the character, appearance or amenity of the original building, its setting or neighbouring buildings, do not dominate, amount to the creation of a separate independent dwelling or harm the landscape.
27. DMH7(v) states in relation to affordable houses extensions must not exceed 10% of the floorspace or take the floorspace of the house above 97m² (the maximum allowed by policy DMH1).

Assessment

Principle

28. Policy DMH1 restricts the size of affordable dwellings to ensure their affordability, with the maximum floorspace area permitted by the policy being 97m² for a five person dwelling. Policy DMH7 reflects this stating that sets out that in the case of affordable dwellings, extensions exceeding 10% of the floorspace or which take the floorspace of the house above 97m² are not permitted.
29. These policies reflect the requirement of policy HC1 for affordable dwellings to be retained in perpetuity.

30. Policy DMH11 makes clear that legal agreements imposed in relation to securing housing as affordable dwellings will seek to prevent any subsequent development of the site and/or all affordable properties 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.
31. The agent notes that there is no clause within the S.106 agreement to prevent alterations or extensions to the property. However, permitted development rights for extensions were removed by condition on the planning permission. As such, there is no 'fall back' position under which the owner of the property could extend the dwelling without planning permission being granted by the Authority.
32. The proposed extension would require a planning application in any event as they go beyond that permitted by the General Permitted Development Order.
33. The agent states that an approved agricultural building within the area of land covered by the aforementioned S.106 legal agreement makes this development atypical, and less likely to represent an affordable dwelling. However, no evidence has been put forward to demonstrate that the value of the property is significantly affected by this building.
34. The dwelling is otherwise of an affordable size - 64.5m². The proposed extensions would more than double the floorspace of the property to 146.5m². The extensions would significantly exceed the limitations of DMH7(v) and the upper threshold set out for affordable dwellings by policy DMH1.
35. Were the extension approved it would very likely undermine the affordability of the dwelling, particularly bearing in mind that the supporting text for policy DMH1 states that dwellings above 97m² are unlikely to be affordable.

Design and impact

36. The property despite being re-built has been built using traditional materials (gritstone and tile) and has an attractive appearance and simple form with horizontal emphasis and narrow gables, reflecting the local vernacular. The building in its current form therefore makes a positive contribution to the landscape and special qualities of the National Park.
37. The proposal would extend the existing building significantly with a two-storey side and rear extension which would 'wrap around' the southern elevation. The proposed extensions despite being of traditional form and materials would together dominate the existing building and un-balance its simple form and massing.
38. The proposed extensions would therefore harm the character and appearance of the property and its setting within the landscape contrary to policies DMC3 and DMH7 as well as the adopted design guidance in these regards.

Climate change and sustainable building

39. Policy CC1 requires that new development makes the most efficient and sustainable use of land, building and natural resources and achieves the highest possible standards of carbon reductions and water efficiency.
40. The PDNPA Climate Change SPD states "...for other types of development such as extensions, renovations, and new portal frame farm buildings, there is no requirement in the Core Strategy to go beyond Building Regulations in terms of sustainability standards.

41. A short environmental management statement has been submitted with the application which states the proposals would maximise natural ventilation and daylight, use high levels of thermal insulation, incorporate renewable energy sources like ground source heat pumps, and ensure water efficiency with low-use fittings. The design would also make use of permeable surfaces to manage flood risk. Construction materials would be sourced locally to reduce environmental impact.
42. Given the scale of the development, and the guidance provided in the PDNPA Climate Change SPD, these measures, along with the structure being constructed in accordance with modern building regulations would be considered sufficient to comply with Policy CC1.

Amenity

43. The nearest neighbouring property is Grattons Farm located over 150m to the south,
44. The cottage is largely isolated and the proposals therefore would not impact the amenity of the neighbouring property nor create any undue harm, in terms of being overbearing, overshadowing or overlooking. As a result, the development is not considered to raise any concerns in relation to harm to residential amenity, and is compliant with Policy DMC3 in this respect.

Highway safety

45. There are no proposed access changes from the existing highway.
46. Site access would remain unchanged, and the development would not result in a significant intensification of use on the site that would result in any highways impacts. The highway impacts arising from the development are therefore considered to be negligible.

Ecology

47. As householder development the proposals are exempt from the requirements of biodiversity net gain legislation.
48. Given the nature and location of the proposed extension and the age of the building it would not give rise to other adverse ecological impacts.

Conclusion

49. The scale of the proposed extension would be contrary to policies DMH1 and DMH7 and would undermine the affordability of the dwelling contrary to policies HC1 and DMC11.
50. The scale and massing of the proposed extension would dominate the existing building and harm its character and appearance contrary to policies GSP3, DMC3 and DMH7 and the Authority Design Guide.
51. The support for the application is noted. The proposal would provide a larger dwelling for the applicants. However, this is a private benefit and there is no justification for the scale of the extensions or the loss of an affordable dwelling which policies seek to retain in perpetuity for the benefit of local communities.
52. In the absence of any further material considerations the application is recommended for refusal.

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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