

9. HOUSEHOLDER APPLICATION – PROPOSED GARAGE AND STORE BUILDING FOR PURPOSES INCIDENTAL TO A DWELLING AT THE BARN, SOUTH CHURCH STREET, BAKEWELL (NP/DDD/0326/0254/MN)

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 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 acceptable in amenity, conservation and design terms and compliant with policies in the Development Plan and the National Planning Policy Framework.
4. The application is recommended for approval.

Site and Surroundings

5. 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.
6. 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. To the eastern edge of the garden is a storage shed, which does not benefit from planning permission but has become lawful through the passage of time.
7. 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

8. Planning permission is sought to erect a single storey stone outbuilding to provide garaging of a vehicle, and to provide workshop and storage areas incidental to the use of the main dwelling.
9. This application follows the refusal of planning permission for a garage and workshop in 2025, and the dismissal of the subsequent Appeal.
10. The development now proposed seeks to overcome the reasons for refusal through amendment to the design and positioning of the building.

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 details & materials.

4 Garage to remain for garaging of private domestic vehicles only.

5 Workshop/store to remain ancillary to use of the dwelling.

Key Issues

- The potential impact on the host property and the Conservation Area.
- The potential impact on the privacy and amenity of neighbouring properties.
- Highway safety.

Relevant planning history

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

2025 – NP/DDD/1024/1145 - Proposed garage and store building for purposes incidental to a dwelling. Refused.

2025 – APP/M9496/D/25/3369095 – Appeal against 2025 refusal. Appeal dismissed.

Consultations

11. Highway Authority – No objections.

12. District Council – No response.

13. Town Council – Object on the following material planning grounds (due to building position and mass):

- Overshadowing/overbearing presence near a common boundary.
- Overlooking/loss of privacy.
- Loss of light.
- Increased sense of enclosure.
- Design; suggest that a flat/green roofed alternative could be pursued instead

Representations

14. Two letters have been received, each objecting to the scheme. The reasons given are summarised below.

- 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.

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

18. 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)

19. The NPPF is a material consideration in the assessment of this application. Relevant development plan policies are up-to-date and in accordance with the NPPF and therefore should be given full weight in the determination of this application.
20. 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.

Assessment

Principle

21. Householder development is supported in principle by policy DS1. The key issues therefore are whether the development is acceptable and in accordance with relevant policies in terms of design, scale and impacts on neighbouring properties.

Siting, design & materials

22. Policy DMC3 states that where development is 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.
23. Policy DMH8 states that new outbuildings will be permitted provided the scale, mass, form, and design of the new building conserves and enhances the dwelling and curtilage, any valued characteristics of the adjacent built environment and/or the landscape.

24. The Authority's Design Guide states garages 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.
25. The proposed new building would be sited towards the northeast corner of the garden and would replace the existing 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.
26. Whilst this application must be considered on its own merits, the previous decision of the Authority and the Planning Inspector at Appeal are material planning considerations.
27. The current proposal represents a reduction in length of 1.4m from the previous scheme and a reduction in height-to-ridge of approximately 0.3m due to a shallower roof pitch. The building has also been lowered within the site, with the finished floor level proposed 0.3m below that of the previously scheme. Overall, this results in an eaves height that is 0.3m lower relative to surrounding land than the previous scheme, and a ridge height that is just over 0.6m lower.
28. The building would also be positioned 2m away from the eastern boundary of the site, and 1.5m from the northern boundary. The previous scheme was 1m from the eastern boundary and 1m from the northern boundary.
29. The roof to the building would be pitched 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.
30. The proposed 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.
31. Consequently, the development by virtue of its siting, scale, design and use of materials, would accord with policies DMC3 & DMH8 and the Authority's design guidance.

Heritage

32. Policy DMC5 requires applications affecting heritage assets to be supported by adequate information and for development to avoid harm to the significance to heritage assets and weigh any harm against public benefits.
33. 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.
34. In this case, the siting of the building within an enclosed garden area would be viewed 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 the surrounding area.
35. Consequently, the proposed building would be an appropriate addition to the site and would complement the existing property whilst preserving the character and appearance

of the Conservation Area. Therefore, the application is in accordance with policies DMC5 & DMC8 respectively.

Amenity

36. Policy GSP3 states, that all development must respect the living conditions of communities and 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.
37. In addition, the Authority's design guidance on 'Extensions & Alterations' states amongst other things, that outlook, amenity, privacy and daylight are fundamental considerations when altering or extending a property. 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.
38. 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.
39. The 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 be around 13m.
40. Whilst the garden level of these properties is lower than the application site, it is considered that the distance (13m) from the rear elevation windows to the proposed building would mean that the habitable rooms of these properties would 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.
41. The Authority and Planning Inspector considered that the previous scheme would have an unacceptable overbearing impact upon Barnes Cottage.
42. The level differences between the sites remains unchanged since the previous application and appeal. However, the scheme has been amended and the building has been moved 0.5m further away from the boundary with Barnes Cottage and the ridge height has been reduced by 0.6m. That combination of change is sufficient in the view of Officers to reduce the impacts of the development, such that they would not be significantly overbearing or oppressive or harmful to outlook to warrant refusal of the application.
43. With regard to Erica Cottage, the garden area of Erica Cottage is also set below the level of the application site. The Planning Inspector considered that the previous scheme would have an unacceptable overbearing impact upon Erica Cottage but disagreed with the Authority's decision that there would be any significant loss of light to occupants of that property.
44. The current proposal has been amended. The proposed building would be twice as far from the eastern boundary as that previously refused (now 2m), would present a lower facing wall to Erica Cottage (6.4m high compared to the previously proposed 7.8m), and would have a reduced height at both the eaves and ridge level (0.3m and 0.6m respectively compared to the previous scheme).

45. On that basis Officers are satisfied that the building proposed, whilst being clearly visible from Erica Cottage would not result in any significant overbearing impact to warrant refusal of the application.
46. The first floor west facing window in the dormer extension of Erica Cottage would face toward the rear of the proposed garage at a distance of approximately 4.2m. However, using the 25-degree rule assessment (as presented on the amended cross section drawings) there would not be any significant loss of light to this window.
47. 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.
48. As noted above, it is also material that the Planning Inspector previously concluded that a larger building closer to the boundary would not result in a loss of light to Erica Cottage; it would therefore not be reasonable to conclude that the current proposals do.
49. In terms of outlook, weight is given to the presence of the existing shed, the lawfulness of which has been determined by Officers since the previous application was considered. The current proposals must be considered in the context of this existing building. Notwithstanding, on its own merits it is concluded that the amended building would not significantly harm the outlook of occupants of Erica Cottage to warrant refusal of the application given the distance and reduced size.
50. In addition, and while not determinative, the west-facing window of Erica Cottage could be construed as presenting a greater amenity issue for the applicants, as it already overlooks the garden area of their dwelling. The proposed development would go some way to mitigating any perceived overlooking of the applicant's garden and views from this window at Erica Cottage towards the main front elevation of the application property, and vice versa.
51. Overall, by virtue of its position and massing it is concluded that the building would have no significant negative impact on the amenity of neighbouring dwellings or any other residential dwellings in the locality. The proposal is therefore in accordance with policies GSP3 & DMC3 in these respects.

Highway matters

52. 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.
53. 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.
54. 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

55. Policy CC1 sets out that development must make the most efficient and sustainable use of land, buildings and natural resources.

- 56. 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.
- 57. 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.
- 58. The Authority's Supplementary Planning Document on Climate Change indicates that householder schemes are not required to incorporate any further measures to be proportionate to their potential impacts. The proposals are therefore considered to meet the requirements of policy CC1.

Ecological considerations

- 59. This householder application is exempt from statutory biodiversity net gain.
- 60. The application raises no further ecological concerns.

Conclusion

- 61. 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.
- 62. Moreover, there would be no significant adverse impacts on the Conservation Area, the privacy and amenity of neighbouring dwellings or highway safety to warrant refusal of the application.
- 63. Consequently, the scheme is in accordance with National and Development Plan Policies and adopted Design Guidance, therefore the application is recommended, subject to conditions.

Human Rights

- 64. Any human rights issues have been considered and addressed in the preparation of this report.
- 65. List of Background Papers (not previously published)
- 66. Nil
- 67. Report Author: Mark Nuttall, South Area