

**15. HOUSEHOLDER APPLICATION: ERECTION OF A TIMBER SHED/OUTBUILDING/BIN STORE AT 8 ROCK TERRACE, BAKEWELL (NP/DDD/0615/0542 P.504 421552/368680 18/08/2015 CF/DH)**

**APPLICANT: MS HELEN LANGHOLM**

**Site and Surroundings**

8 Rock Terrace is set within a terrace of 11 three storey dwellings located on the north side of Bakewell within the designated Conservation Area. The main terrace is built into the hillside, the properties are constructed of sandstone with blue slate roofs, these properties back directly onto an access track off Fly Hill. A narrow access track also passes directly in front of the terrace. No.s 1 to 7 Rock Terrace have a small area of garden on the other side of this track; to the front of number 8 is a set of steps down to a communal area which is set at a lower level. This communal area is also shared by no.s 12 to 14, which are set at a lower level and on a right angle to the main terrace. The main terrace has a ridge line running north to south with the principal elevations in these properties facing east.

**Proposal**

The current application seeks planning permission for the erection of a timber shed. The shed would be used as a bin store and for other household storage, it would be 2m high at its highest point, and would have a base that measures 2.4m x 1.2m. The shed would be sited on an area of land forward of 8 Rock Terrace but opposite no. 7 Rock Terrace. This area of land is also in the applicant's ownership and is currently used for parking on an ad-hoc basis.

**RECOMMENDATION:**

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

- 1. The development hereby permitted shall be begun within 3 years from the date of this permission.**
- 2. The development hereby permitted shall not be carried out other than in complete accordance with the submitted plans received by the Authority on 15 June 2015.**
- 3. At the time of its installation, the shed shall be painted a recessive grey colour and shall be permanently maintained so thereafter.**

**Key Issues**

- whether the shed would detract from the character, appearance or amenity of 8 Rock Terrace and/or neighbouring properties, or harm the special qualities of the surrounding Conservation Area.

**History**

- 2010 Planning permission refused for conversion of 8 Rock Terrace to two holiday apartments (NP/DDD/0810/0853)
- 2015 Application seeking planning permission for the erection of a shed on the current application site withdrawn prior to determination.

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## **Consultations**

Derbyshire County Council (Highway Authority) - No objections subject to no loss of off-street parking.

Derbyshire Dales District Council – No response to date.

Bakewell Town Council – No objection to the amended plans which have reduced the height of the shed and omitted the glazed doors.

## **Representations**

Eleven representations have been received regarding the proposed shed, from eight people who have an interest in the area (three of the representations are adding to previous comments) Some of the Terrace is owner occupied and some are tenanted, representations have been received from occupiers, some from property owners. The concerns raised are:

- The shed is to be sited within the area which has been used as a communal area for many years
- The shed will further restrict the number of parking spaces available within the communal area
- The shed will impinge on the rights of the residents of the Terrace to access the laundry drying area as it would block their right of way
- The view from numbers 7 and 12 would be ruined by the visual impact of the shed
- The shed would have a serious, detrimental effect on the outlook of number 12
- The shed would have a significant and unacceptable impact on the daily lives of numbers 12 and 13
- The former toilets were only 730mm wide, therefore the footprint of the shed would exceed the area in the ownership of number 8
- A structure as proposed would look out of place and unsightly, and would detract from the character and appearance of the area
- The shed would be an eyesore in the picturesque setting of the Terrace
- The shed would throw shade onto the garden of number 7 and block access to the east side of it
- Rock Terrace is a very visible landmark in the view of Bakewell from across the valley
- The height of the shed is invasive
- The block plan does not show the rear extensions at numbers 13 and 14 and is therefore out of date and not representative of the area
- Number 8 does not have a garden therefore the description as a garden shed is misleading (this refers to the previous application which was withdrawn)
- The storage of waste bins outside the properties of others

- The shed is unneighbourly and its proposed positioning anti-social
- The shed would block daylight from some of the properties
- The design of the shed with the glazed doors suggests its intended use is for more than a garden shed/bin store (this refers to the previous application which was withdrawn)
- Reduction in the privacy of number 12
- Materials not in keeping with the local building tradition and materials of the houses on the Terrace
- The shed would be prominent and out of keeping with the area
- The shed would not be in the interests of the immediate community
- The shed will set a precedent for householder development in the communal area as currently none of the properties have a shed

### **Main Policies**

Relevant Core Strategy policies: GSP1, GSP2, GSP3, DS1 & L3

Relevant Local Plan policies: LC4, LC5 & LH4

In principle, DS1 of the Core Strategy is supportive of ancillary buildings for the extensions to existing buildings and policy LH4 of the Local Plan provides specific criteria for assessing householder extensions. LH4 says extensions and alterations to dwellings will be permitted provided that the proposal does not:

- i. detract from the character, appearance or amenity of the original building, its setting or neighbouring buildings; or
- ii. dominate the original dwelling where it is of architectural, historic or vernacular merit; or
- iii. amount to the creation of a separate dwelling or an annexe that could be used as a separate dwelling.

The Authority has also adopted three separate supplementary planning documents (SPD) that offers design guidance on householder development namely the Design Guide, the Building Design Guide and the Detailed Design Guide on Alterations and Extensions. This guidance offers specific criteria for assessing the impacts of householder development on neighbouring properties and contains a number of suggestions for the appropriate design of outbuildings such as garaging.

### **Wider Policy Context**

The provisions of policies DS1 and LH4 and guidance in the Authority's adopted SPD are supported by a wider range of design and conservation policies in the Development Plan including policies GSP1, GSP2, GSP3 and L1 of the Core Strategy and policy LC4 of the Local Plan, which promote and encourage sustainable development that would be sensitive to the locally distinctive building traditions of the National Park and its landscape setting. Policy LC4 and GSP3 also say the impact of a development proposal on the living conditions of other residents is a further important consideration in the determination of this planning application.

As the proposed development is within the boundary of the Conservation Area, policy L3 of the Core Strategy and Local Plan policy LC5 are also relevant. These policies seek to ensure the existing character and appearance of the Conservation Area will be preserved and, where possible, enhanced, including its setting and important views into or out of the area.

These policies are consistent with national planning policies in the Framework (the National Planning Policy Framework) not least because core planning principles in the Framework require local planning authorities to always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings; and to conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations.

### **Assessment**

The applicant has previously proposed a taller shed with glazed doors on the same piece of land where this application is proposing a smaller shed. The current application proposes a shed of reduced height and solid doors seeking to address the concerns which had been raised in respects of the previous application by the owner/occupants of the neighbouring residential properties. The shed proposed in this application is of a modest size and scale with a simple rectangular footprint measuring 2.4m by 1.2m and a pent roof that would be 1.8m in height at the rear and 2m high at the front. The shed would be of timber construction and the shed would have a felt roof. The north elevation (side) would have a single solid timber door measuring 1.6m high and 0.5m wide, the east facing elevation (front) would have double solid timber doors measuring 1.3m high and 1.1m wide, with a glazed horizontal panel above measuring 1.7m wide and 0.25m deep

In these respects, the shed proposed in this application is a typical garden shed that would be used for domestic storage purposes and would not have a significantly detrimental impact on its setting as it would be seen within a yard area that is used for a variety of domestic uses (mainly drying clothes, bin store and car parking) and it would be seen in the context of a group of residential properties and associated domestic paraphernalia. Therefore, officers do not have any overriding concerns that the shed would harm the character and appearance of the surrounding Conservation Area and officers do not consider the shed would detract from the character and appearance of the local area.

In these respects, a shed as proposed in this application would not normally be contentious either in design terms or in terms of its visual impact also taking into account sheds would not normally need planning permission in the back garden of an ordinary dwelling house. However, in this case, the shed would be to the front of 8 Rock Terrace and whilst it would be on land in the applicant's ownership, this land is not necessarily within the curtilage of 8 Rock Terrace. Therefore, the shed proposed in this application needs planning permission and its siting has given rise to a significant number of objections despite this application proposing a smaller shed than before. Beyond objections relating to the design and appearance of the shed, the main issues raised in representations on this application relate to the potential adverse impact of the shed on the amenities of numbers 7, 12, 13 and 14 Rock Terrace.

In the first instance, the shed would be sited in front of No. 7 Rock Terrace but on land at a lower level in the ownership of 8 Rock Terrace. There is a wall between the application site and 7 Rock Terrace that is 1.1m high. This means that only the top part of the shed would be seen above this wall from 7 Rock Terrace and the part of the shed that would be seen from no.7 would be at a lower level than the main outlook from the windows facing the application site. Intervening planting would provide further screening for the shed. Therefore, it is considered by officers that the proposed shed would not detract from the living conditions enjoyed by the occupants of no.7 because the shed would not harm the outlook from this property and the shed would not be overbearing or block light to no.7 to any significant extent because of its orientation relative to this property and because of its relatively modest size and scale.

The shed would be sited at a slightly higher level than the finished floor levels of no.s 12 to 14, Rock Terrace, which are down a step from the ground level of the communal area in front of the main terrace. These properties are orientated at 90° to the main terrace and their south facing elevations face towards the yard area and the application site. No.s 13 and 14 have been extended on their south facing elevations, and these extensions actually extend into what was regarded as the communal yard area at the front of the main terrace. A further impact of the extension at no.13 is that this extension block any views of the shed from the ground floor windows in no.14. The first floor window in no.14 is not orientated towards the application site. Similarly, the first floor window in no.13 is at an angle to the application site and the ground floor window in this property has been obscured.

Therefore, officers do not consider that the proposed shed would harm the outlook from either no.13 or no.14 Rock Terrace and the shed would not be unduly oppressive or overbearing in respects of these properties, again, taking into account the modest size and scale of the shed and its orientation relative to the south facing elevations of these properties. However, the shed would be in view from a facing door and rear window at ground level in no.12; the affected window serves a room which is described as being the kitchen/dining room. The intervening distance between the door and the shed is 4.2m and the shed would be 4.3m from the affected ground floor window.

Therefore, the shed would be seen from no.12 but at the distances involved, and taking into account the maximum height of the shed is 2m, it is difficult to sustain an argument that the shed would have an unduly overbearing or oppressive impact on the living conditions enjoyed by the occupants of no.12. Equally, the shed would be sited 'sideways on' to no.12, which means that the shed would not block any significant amount of natural light that would normally be enjoyed by no.12. The first floor window at no.12 overlooks the application site but would not be adversely affected by the shed other than by its potential to harm the outlook from no.12. However, it is not considered that a typically domestic shed within a yard area characterised by its domestic use within a residential area would demonstrably harm the outlook from no.12 regardless of whether the shed would be seen from the first floor window or from the door and window on the ground floor facing the application site.

It is therefore concluded that the shed would not have such a substantial detrimental impact on the neighbouring properties most directly affected by the current proposals (i.e. no.s 7, 11, 13 and 14 Rock Terrace) to be deemed to be unneighbourly. In this case, there are no other properties likely to be affected the proposals given that the shed would be for storage and has no windows that look directly towards the nearest properties, which also means that there are no concerns that the proposals, if allowed, would impact on the privacy of the nearest neighbouring residential properties. Equally, the proposed use including its use as a bin store does not give rise to overriding concerns given that bins belonging to other properties are kept in the open air within the communal yard area and along the access from Fly Hill.

Finally, it is acknowledged that there are concerns that these proposals would impinge on an area that is considered by many residents to be part of a communal yard area but the land is within the sole control of the applicant, it used to be the site of an outside toilet, the application site is within a discreet area of the yard area where it would not obstruct other people's access to their properties, and the shed would take up a very small area of land and would not in itself compromise the amount of off-road parking available for residents living on Rock Terrace.

### **Conclusion**

It is therefore concluded that the proposed shed would not be unneighbourly or harm the amenities of the local area and it would not detract from the character and appearance of its immediate setting within the existing group of properties at Rock Terrace. It is also considered that the shed would not detract from the special qualities of the surrounding Conservation Area. It is therefore considered that the current application conforms to the relevant policies in the

Development Plan and national planning policies in the Framework. Accordingly, the current application is recommended for conditional approval.

In this case, conditions ensuring compliance with the plans and imposing a time limit for the commencement of the proposed development would be necessary in the interests of the proper planning of the local area. It would also be reasonable and necessary to specify the paint finish for the shed to minimise the visual impact of the shed in the interests of the character and appearance of the completed development and to minimise further the visual impact of the development on the surrounding Conservation Area.

### **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