

**Town and Country Planning Act 1990
(As Amended)**

Planning Statement

Proposed Erection of Replacement Dwelling
(LPA Ref: HPK/2015/0353)

Site: Ash Mount, Chapel Road, Whaley
Bridge, High Peak, SK23 7EN

Document date: July 2015

Applicant: Mr & Mrs Wood

Ref: WOO577/1

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1. INTRODUCTION

- 1.1 This planning statement has been submitted by Knights on behalf of Mr & Mrs Wood to accompany a full planning application to provide a replacement dwelling at Ash Mount, Chapel Road, Whaley Bridge.
- 1.2 This planning statement accompanies a Design & Access Statement which was submitted by the agent, N & F Partnership, and therefore does not seek to replicate the design and accessibility considerations that are set out in that document. Instead the Planning Statement focuses upon the scheme's compliance with the relevant planning policy and other material considerations.
- 1.3 The planning application follows the refusal of planning permission on 18 May 2015 under Local Planning Authority reference number HPK/2015/0095. The reasons for refusal are set out in more detail in Section 3 of this report. The revised scheme seeks to overcome the Council's reasons for refusal, providing a scheme which fully complies with the Council's planning policies (which are expanded upon in Section 5 of this report).

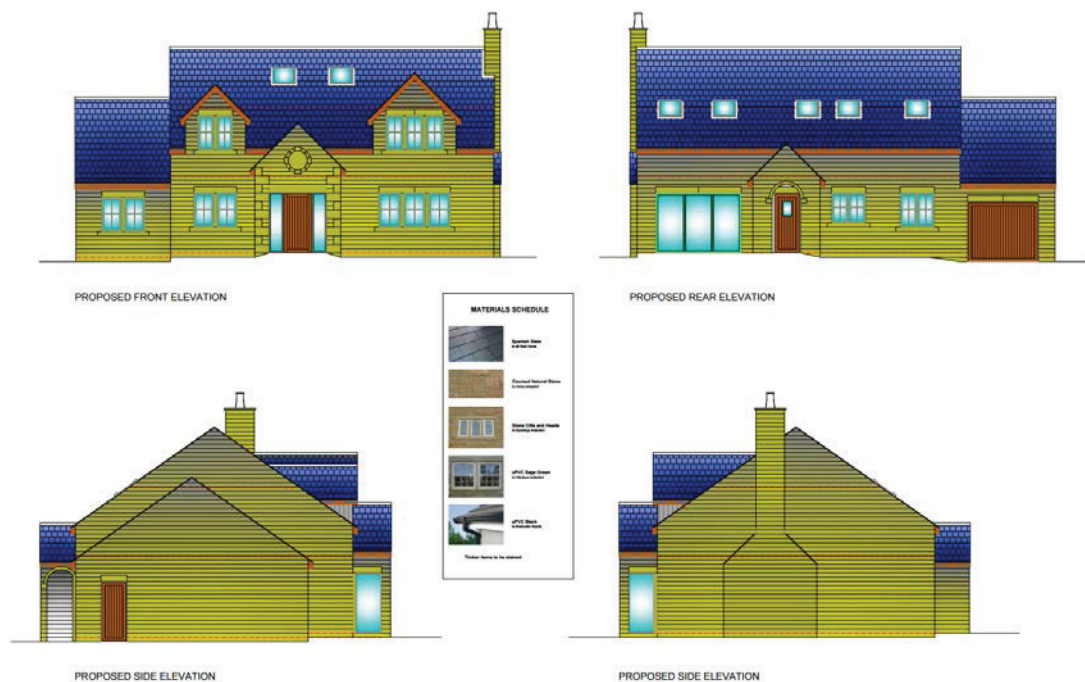
2. SITE AND SURROUNDINGS

- 2.1 The property of Ash Mount currently comprises of two parcels of land following on from its historic use as a quarry dating back to the 19th Century. The first parcel (which forms the application site) located in the eastern portion comprises of a detached single-storey dwelling and its associated garden area which surrounds the dwelling. The dwelling is positioned adjacent to the adjoining two-storey residence of Hill View, staggered slightly further back from Chapel Road (B5470). The second portion of land to the west of the dwelling comprises of a small number of outbuildings and a ruined former annex on the site originating from the site's former use as a coal pit. Access to the dwelling is via an existing track which runs through the western portion of the site. The application site is somewhat screened from Chapel Road by established hedgerow, however the dwelling can be viewed from the southeast of the site.
- 2.2 In its wider context, the site is located within the rural area near to the hamlet of Horwich End, to the southeast of the settlement of Whaley Bridge and to the west of Tunstend Milton. The two dwellings of Ash Mount and Hill View are surrounded predominantly by agricultural fields and forestry however the land to the rear rises up in topography to a farm complex directly to the north of the site, which has access to Chapel Road to the east of these pair of properties. The site is located outside the Peak District National Park boundary but nevertheless is identified as a Special Landscape Area in the open countryside.

3. RELEVANT PLANNING HISTORY

3.1 Planning permission was refused at this site on 18 May 2015 for the 'Proposed demolition of existing property, creation of new 3 bedroom 1.5 storey dormer residential property with single storey side garage and rear garden area'. The Local Planning Authority reference number is HPK/2015/0095.

3.2 The scheme that was proposed during that application is illustrated below:

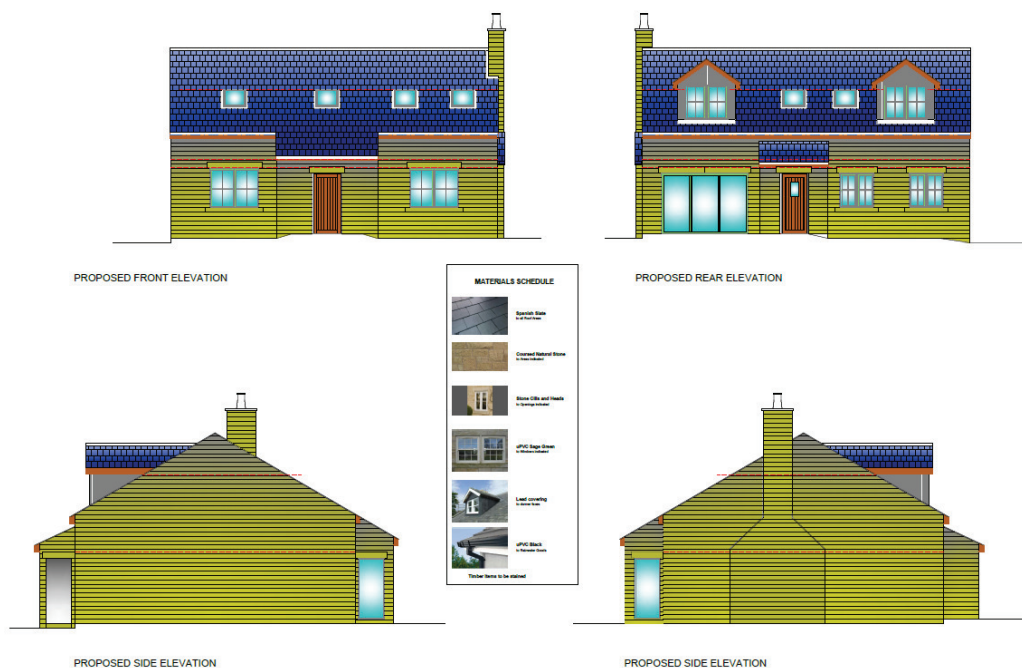


3.3 The Council issued their refusal on two grounds which are listed below:

1. *The application site is situated in the countryside outside of the defined settlement of Whaley Bridge where Policy H13 of the High Peak Saved Local Plan seeks to restrict replacement dwellings so that they are not materially larger or taller than the building which they would replace, in the interests of visual amenity and to be compatible with the character and appearance of their surroundings. The proposed development would fail to comply with the policy in that the new building would be materially larger in size and height compared to the existing and, as such, would be harmful to the visual amenity, character and appearance of the local area.*
2. *The proposed dwelling does not have a cohesive design and is not sympathetic or reflective of the form of residential development normally found in this part of the countryside and special landscape area, thus being detrimental to the visual qualities and character and appearance of the wider rural location. The development is thus contrary to Policies GD4, OC1, OC3, OC4, and H11 of the High Peak Local Plan Saved Version April 2014 and Paragraph 17 and Section 7 of the National Planning Policy Framework.*

4. THE PROPOSAL

- 4.1 In light of the reasons for refusal of planning permission under application HPK/2015/0095, a revised scheme has been submitted which seeks to overcome the Council's reasons for refusal. The revised scheme follows discussions between N&F Partnership (the applicant's agent) and the case officer at the Local Planning Authority, Karen Taylor, wherein a reduced scheme was put forward and it was informally agreed that the revisions overcame the previous reasons for refusal.
- 4.2 The scheme now proposes a much more simple vernacular, particularly at the front elevation where the dormer windows on the first floor have been relocated to the rear elevation (with roof lights replacing the dormers on the front roof slope), and the front and rear porches being simplified. The scheme also proposes the removal of the attached single garage that was previously proposed on the western elevation of the dwelling. Furthermore, the ridgeline has been reduced in height so that it is no higher than the ridge of the original bungalow. The revised elevations are illustrated below:



- 4.3 The proposal would locate the proposed dwelling in the eastern portion of the site on the site of the original dwelling, adjacent to the adjoining property of Hill View. It would maintain vehicular access to the property off Chapel Road leading to the northwest (rear) of the application site.

5. THE DEVELOPMENT PLAN AND OTHER MATERIAL CONSIDERATIONS

- 5.1 Section 38(6) of the 2004 Planning and Compulsory Purchase Act requires that planning applications be determined in accordance with the development plan, unless material considerations indicate otherwise. The most important material consideration at this stage is the National Planning Policy Framework (the Framework), which was published on 27 March 2012. This represents the most up to date Government planning policy and replaces all of the former Planning Policy Guidance notes (PPGs) and Statements (PPSs) of which are listed at Annexe 3 of the Framework.
- 5.2 At the time of writing, the Development Plan comprises High Peak Local Plan which was adopted in March 2005, with a number of these policies remaining saved until they are ultimately superseded by the emerging New High Peak Local Plan. The Council also produced an Interim Housing Policy Statement in January 2009 which set out the Council's interim approach towards dealing with residential applications.
- 5.3 The Council is working towards the production of their New High Peak Local Plan following their decision not to continue with the production of a Joint Core Strategy with Derbyshire Dales District Council. The New Local Plan, when adopted, will seek to cover the period from 2011 to 2031. The Submission version of the Local Plan was published in April 2014 and was formally submitted to the Secretary of State in August 2014. The examination hearing sessions were undertaken during January and February 2015 and the Council is now in the process of providing additional information to address the request from the Planning Inspector with a further consultation taking place between 18th June and 16th July 2015. Subject to the Secretary of State being satisfied with these further modifications, it is expected that the New Local Plan will be formally adopted in late 2015 / early 2016.

High Peak Local Plan (Saved)

- 5.4 The High Peak Local Plan was adopted in March 2005 and the vast majority of its policies remain saved.
- 5.5 The relevant policies to this application are as follows:
- Policy H13 – Replacement Dwellings in the Countryside
 - Policy GD4 – Character, Form and Design
 - Policy GD5 – Amenity
 - Policy OC1 – Countryside Development
 - Policy OC3 – Special Landscape Area Development
 - Policy OC4 – Landscape Character and Design
 - Policy BC1 – External Materials
 - Policy H1 – Principles of Housing Provision

- Policy H11 – Layout and Design of Residential Development

- 5.6 Policy H13 'Replacement Dwellings in the Countryside' supports proposals for replacement dwellings outside settlements on the proviso that the new dwelling is sited as close as practically possible to the position of the existing dwelling, that the new dwelling (including any ancillary buildings) would not be materially larger or higher than the existing building on the site. This policy also stipulates that the replacement building does not increase the number of units on the site.
- 5.7 Policy GD4 'Character, Form and Design' requires new development to be designed so that its scale, siting, layout, density, form, height, proportions, design, colour and materials of construction, elevations, fenestration and associated landscaping to be sympathetic to the character of the area and the wider landscape.
- 5.8 Policy GD5 'Amenity' stipulates that schemes should not result in an undue loss of amenity including through loss of light, privacy or overlooking.
- 5.9 Policy OC1 'Countryside Development' supports new development which would be integral to the rural economy provided that it would not detract from the open quality of the countryside (particularly in areas where areas are more vulnerable due to their close proximity to settlements) and would not generate significant numbers of people or traffic.
- 5.10 Policy OC3 'Special Landscape Area Development' requires new development to be designed to have special regard to the landscape quality of the area in relation to its siting, design and landscaping.
- 5.11 Policy OC4 'Landscape Character and Design' provides guidance on the design considerations for new development within the countryside, requiring consideration for the characteristics of the landscape. This includes the need to consider the scale, layout, design and detailing of vernacular buildings and other traditional man made features.
- 5.12 Policy BC1 'External Materials' requires new development to have consideration to the type, colour and specification of all external materials so that they can be sympathetic to the character and appearance of the surrounding area.
- 5.13 Policy H1 'Principles of Housing Provision' confirms that the priority for new housing will be through the redevelopment of previously developed land in built up areas and through the conversion and sub division of existing urban buildings.
- 5.14 Policy H11 'Layout and Design of Residential Development' advocates good design which reflects local distinctiveness and makes efficient use of available land, provides a mix of housing types and sizes whilst protecting amenity.

Other Material Considerations

Emerging High Peak Local Plan

- 5.15 As stated previously in this chapter, the Council are yet to adopted their new Local Plan. When adopted, this Local Plan will supersede the majority of the saved Local Plan policies. However until its adoption, this document has only limited weight in the determination of current planning applications. In any event however, those policies guiding development in the open countryside and particularly schemes proposing replacement dwellings will follow similar principles as the saved Local Plan, reflecting guidance set out in the National Planning Policy Framework which is discussed in the later on in this report.
- 5.16 The Submission version of the Local Plan was produced in April 2014 and is referred to by the Council in their reasons for refusing HPK/2015/0095. The relevant draft policies are summarised below:
- 5.17 Policy EQ2 'Landscape Character' reflects saved Policy OC3 of the saved Local Plan (2005) and requires new development to have particular regard to the aesthetic qualities of the area and be sympathetic to the distinctive character of defined landscape quality areas.
- 5.18 Policy EQ3 'Countryside and Green Belt Development' allows new residential development outside settlement boundaries in a number of exceptions including if it forms *"a replacement dwelling provided it does not have a significantly greater impact on the existing character on the rural area than the original dwelling nor result in the loss of a building which is intrinsic to the character of the area"*. This draft policy therefore reflects requirements set out in Policy H13 of the saved Local Plan (2005).
- 5.19 Policy EQ5 'Design and Place Making' sets out specific guidance to ensure that new development is well designed and of a high quality that can response positively to its environment. In doing so, this draft policy will continue the thrust of the Policy H11 of the saved Local Plan (2005).

The National Planning Policy Framework (The Framework)

- 5.20 The Framework supersedes all previous planning policy guidance notes and statements upon which the policies of the extant Local Plan are based. The Framework carries with it a presumption in favour of sustainable development which is defined as having a social, economic and environmental role.
- 5.21 The Framework at paragraph 14 states that for decision taking, development proposals that accord with the development plan should be approved without delay. Where the development plan is absent, silent, or relevant policies are out of date, permission should be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits or specific policies in the Framework indicate that development should be restricted.
- 5.22 Paragraph 17 sets out the 12 core planning principles of the Framework which include the need to *“proactively drive and support sustainable economic development to deliver the homes, businesses and industrial units, infrastructure and thriving local places that the country needs”* [bullet point 3] and to *“encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value”* [bullet point 8].
- 5.23 Chapter 6 ‘Delivering a wide choice of high quality homes’ (paragraph 49) of the Framework states that *“housing applications should be considered in the context of the presumption in favour of sustainable development”* and that *“relevant policies for the supply of housing should not be considered to be up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites”*. Paragraph 55 goes on to advocate the promotion of sustainable housing development in rural areas. One of the exceptions stated where new isolated homes in the countryside are considered to be acceptable is *“where development would re-use redundant or disused buildings and lead to an enhancement of the immediate setting”*.
- 5.24 Chapter 7 ‘Requiring good design’ confirms the importance of good design and in paragraph 59 requires local planning authorities to focus on the *“overall scale, density, massing, height, landscape, layout, materials and access of new development”* as opposed to being unnecessarily prescriptive.

6. ASSESSMENT

Principle of Development

- 6.1 The application property contains a single dwellinghouse (and associated domestic curtilage which forms the garden area and car parking spaces) which is situated as one of a pair of dwellings, the other dwelling being the adjacent neighbouring property of Hill View to the east. This proposal seeks to replace this dwelling with a new dwelling providing no net increase in the number of units on the site. The accompanying Design & Access Statement also confirms that the wider application site has historically been used as a quarry with various buildings erected on the site over the course of its use (some of which still remain in place today). The application site is therefore considered to represent a brownfield site within the open countryside. The site is also considered to be located in a highly sustainable location; positioned 0.3 miles to the east of the Whaley Bridge settlement limits and approximately 200 metres to the west of a bus stop which provides transport links to Chapel en le Frith and Buxton to the east, and Whalley Bridge and Manchester Airport to the west.
- 6.2 Whilst the site is located within the wider planning policy designation of a Special Landscape Area it is nevertheless situated outside of the Peak District National Park, and neither saved Local Plan Policy OC3 or the draft Local Plan Policy EQ2 do not place any specific restrictions on suitability of any development proposals in principle. The site comprises of a modest dwellinghouse situated within a domestic curtilage of a relatively humble appearance (on account of its historical mining origins) and therefore does not presently contribute positively to the immediate surrounding area, particularly when compared to the more traditionally designed neighbouring property. The site is also located immediately to the south of a modern farm complex which further diminishes the openness of this localised area of countryside. In light of this, the application site is not considered to represent an area of high environmental value.
- 6.3 The site is therefore considered to accord with the guidance contained within paragraph 17 [bullet point 8] of the Framework which seeks to *“encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value”* as well as complying with the overarching principle set out in paragraph 14 of the Framework which advocates the presumption in favour of sustainable development.
- 6.4 Furthermore, Policy H13 ‘Replacement Dwellings in the Countryside’ of the saved High Peak Local Plan supports replacement dwellings outside urban areas on the proviso that the new dwelling is not materially larger than the original dwelling and that the new building is sited as close as practically possible to the position of the original dwelling which it would replace.
- 6.5 In light of the above, it is considered that the principle of replacing the existing dwelling as Ash Mounts is acceptable. To this effect, this view has been in some part

confirmed by the Council through the previous refusal of planning application HPK/2015/0095, which refused permission solely on design and massing grounds as opposed to a point of principle.

- 6.6 The following paragraphs of this statement seek to justify that the replacement dwelling scheme complies with the Council's Development Plan and thus overcomes the previous reasons for refusal.

Scale and Massing

- 6.7 The first reason for refusal of planning permission HPK/2015/0095 related to scale and massing of the replacement dwelling proposal being too large in relation to the original dwelling. The original dwelling is a particularly modest building in size at single storey only which results in a low ridge line when compared to the adjacent two storey dwelling of Hill View. It provides a cramped layout with only two usable bedrooms (plus one further box bedroom) and a kitchen and lounge area servicing as the only other principal rooms. The reconfiguring of this accommodation would therefore fall short of the requirements of a typical modern family. Consequently, the scale of the dwelling has been addressed in the new scheme predominantly through reducing the ridge height, the deletion of the attached single garage that was shown on the western portion of the building, and the reduction in size and positioning of certain paraphernalia on the building (most notably the proposed porches and dormer windows). The floor area of the proposed building would now appear comparable to the floor area of the original dwelling.
- 6.8 With regards to the height of the replacement dwelling, the replacement dwelling proposes to provide living accommodation within the roof space (namely two bedrooms). The design of the new dwelling nevertheless now proposes to reduce the height of proposed ridgeline as previously proposed in the last planning application so that it now reaches the same height at the ridge of the original dwelling. This would be achieved by lowering the floor level of the proposed dwelling by 1.2 metres through the removal of some of the spoil that previously formed the plateau upon which the original dwelling was constructed. The massing has further been reduced through the re-siting of the twin dormer windows from the front elevation to the rear elevation in order to simplify the frontage of the property and to maintain a roof slope, which reflects the adjoining property and complements the rising topography of the site from south to north. Small roof lights would instead be positioned in the front roof slope to provide additional light into these rooms without adding unnecessary bulk to the front elevation. The proposed dwelling's scale in comparison with the adjoining property of Hill View is set out in the street scene plans which accompany the revised planning application and which demonstrate that the new building would continue to appear as a modest dwelling when viewed from Chapel Road.
- 6.9 As set out in the accompanying Design & Access Statement, the applicant has sought inspiration from the recent new build residential development scheme further along Chapel Road to the east in order to provide a less imposing design. This in

turn has led to the removal of the decorative porches, thus reducing the scale and massing of the property further.

- 6.10 To summarise, the redesigned dwelling continues to provide three bedroomed accommodation (as currently provided within the original dwelling) and the design demonstrates that the scale and massing of the new dwelling is not materially larger than that of the original. Similarly, there would be no increase in the height of the ridge, with the application dwelling continuing to be set down from the ridge height of Hill View to the east. The positioning of the new dwelling would be entirely on the site of the original dwelling. As a consequence, the amended scheme is considered to fully comply with Policy H13 of the saved High Peak Local Plan, thus overcoming reason 1 of the refusal of planning application HPK/2015/0095.

Design and Appearance

- 6.11 The second reason for refusal of planning application HPK/2015/0095 states that the previous design of the replacement dwelling was not considered to be sympathetic or reflective of the vernacular of the surrounding residential properties and consequently was to the detriment of the character of the countryside and the special landscape area with which the site is located.
- 6.12 In reviewing the Council's planning policies and through further discussions with the case officer prior to the resubmission of this planning application, this revised proposal shows a simplified design which is more akin to the rural characteristic of the surrounding area. As stated in the previous section, the applicant has reviewed other recent developments in the surrounding area and has chosen to redesign the replacement dwelling taking cues from the development of two new dwellings further east along Chapel Road.
- 6.13 The revised design removes the decorative dormer windows and porch details from the front elevation, replacing them with small roof lights and a modest, simple central door feature which projects slightly forward of the front elevation and follows the line of the roof slope. By re-siting the dormer windows to the rear elevation, this enables the first floor accommodation to be provided whilst maintaining the appearance of a modest dwelling when viewed from Chapel Road.
- 6.14 In addition to the above, the size of the windows on the front elevation have been reduced in size from triple pane window to provide only double pane windows, with their decorative cills and headers further simplified. At the rear of the property, the windows serving the dormer bungalows have also been reduced in size with their cil and header details reduced even further. The rear porch now provides a lean-to roof as opposed to the gable style roof that was previously proposed.
- 6.15 The combination of all of these simplifications to the design of the revised scheme, along with the reduction in the scale and massing of the building itself is therefore considered to result in a scheme that not only overcomes the second reason for

refusal of HPK/2015/0095 (which objected to the design of the building) but would also result in a new development that positively contributes to the character of the countryside and the special landscape area within which the property is situated.

- 6.16 It is therefore considered that this proposal fully conforms with Policies GD4, OC1, OC3, OC4 and H11 of the saved High Peak Local Plan and draft Policies EQ2 and EQ5 of the submission version of the High Peak Local Plan. The scheme also complies with the design guidance contained within the Framework which stresses the importance of new developments achieving good design.

Highway Safety and Transport Considerations

- 6.17 The replacement dwelling would result in no net increase in the number of dwellings on the site and continues to provide three bedroomed accommodation. As a consequence it is considered that the proposal would result in no adverse highway safety issues. In addition to the above, it is considered that the existing vehicular site access is sufficient to accommodate the new development and the siting of the dwelling in the same position as the original dwelling will enable the scheme to accommodate at least two on-site car parking spaces.

Residential Amenity

- 6.18 The proposal has been designed to maintain the current orientation of the building facing south and northwards. No principal windows are proposed on the eastern elevation and therefore given that the proposed dwelling would be sited in the same position as the original dwelling to the side of Hill View (and will not be materially larger than the original dwelling) it is considered that the scheme would result in no overlooking or loss of light to the windows serving the principal windows of Hill View.
- 6.19 The previous planning application was not refused on the grounds of loss of residential amenity, and the new scheme results in a reduction in the size of the replacement dwelling, thus minimising any potential impact further. It is therefore considered that the proposed development would not result in an adverse impact to residential amenity.
- 6.20 In addition to the above, the proposed scheme would provide sufficient private amenity space for the occupants of the replacement dwelling and does not any additional levels of disturbance to future occupiers.

Environmental Considerations

- 6.21 Accompanying this planning application is a Arboricultural Impact Assessment produced by TBA Landscape Architects and a plan showing the root protection area for the trees within the site. It confirms that the proposed development will not harm any trees which are proposed to be retained as part of this development.

- 6.22 In addition, the site is located within Flood Zone 1 in the Environment Agency flood map which has the lowest probability of flooding. These areas are considered suitable for all new development, including new residential development. The application site area falls below the threshold whereby a Flood Risk Assessment is required to accompany a planning application.

Suggested Conditions

- 6.23 In light of the application site's location within an area of special landscape character, it would be considered appropriate for conditions requiring materials of construction to be submitted and approved by the Local Planning Authority prior to the commencement of development.
- 6.24 The submitted details already provide full details of proposed land levels and hard and soft landscaping details and therefore it is not considered necessary to require further details to be submitted by condition.

7. CONCLUSION

- 7.1 This planning statement has been submitted by Knights on behalf of Mr. & Mrs. Wood to accompany a full planning application seeking to replace the existing dwelling at Ash Mount, Chapel Road, Whalley Bridge.
- 7.2 The revised scheme is considered to overcome the two reasons for refusal of HPK/2015/0095 and now provides a replacement dwelling which has been reduced in its scale and massing as well as being designed so that it complements the special landscape area within this section of the countryside surrounding Whalley Bridge. The scheme is now considered to represent a development that is not materially larger than the original dwelling and has been simplified in its design to respect the vernacular of other residential properties in the surrounding area.
- 7.3 The scheme is now considered to fully comply with saved Local Plan Policy H13 'Replacement Dwellings in the Countryside' which provides specific guidance on proposals for replacement dwellings outside urban areas and centred around the Council's first reason for refusal of HPK/2015/0095. In addition to this, the scheme is considered to comply with the saved Local Plan policies which formed the second reason for refusal of HPK/2015/0095 on design grounds, namely Policy GD4 'Character, Form and Design', Policy OC1 'Countryside Development', Policy OC3 'Special Landscape Area Development', Policy OC4 'Landscape Character and Design' and Policy H11 'Layout and Design of Residential Development' as well as the draft Local Plan Policies EQ2 and EQ5.
- 7.4 In addition to the above, the scheme is considered to comply with the guidance set out in the National Planning Policy Framework, most notably guidance relating to Chapter 6 which seeks to deliver good quality homes, and Chapter 7 which requires good design. The proposal would comprise sustainable development, and as such, in accordance with Section 38(6) of the 2004 Planning and Compulsory Purchase Act, that planning permission ought to be granted.

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