
From:
Sent: 27 July 2023 13:44
To:
Subject: Comment Received from Public Access
Categories: Tim

Application Reference No. : HPK/2023/0222 Site Address: Greenmoor Carlisle Road Buxton Derbyshire SK17 6XE
Buxton Comments by: Hull
From:

Carlisle Road
Buxton
Buxton

Phone:

Email:

Submission: Objection

Comments: We object to planning applications HPK/2023/0222 and HPK/2023/0223 based on the material considerations set out below.

In summary, our objections include:

- the density of the proposed development (a 5 bedroomed property based on the plans) as an excessive and disproportionate overdevelopment in contrast to the historic subservience of the 1 bedroomed coach house used as ancillary accommodation relative to the listed villa of Greenmoor,
- the loss of privacy, noise and disturbance from such overdevelopment,
- the likelihood or real possibility that the development is for use as holiday accommodation rather than as a permanent new home,
- the potential for piecemeal planning relating to a garage/outbuildings for the listed building of Greenmoor, and
- the lack of valid arboricultural impact assessment since the current report assumes no demolition, building works or extension which is not in line with the proposal.

For clarity, subject to the above concerns being properly addressed, we would not object in principle to the development of a more modest and proportionate circa 2/3 bedroomed permanent home which would remain ancillary and subservient to Greenmoor, and be more in keeping with the situation/size of the plot and surrounding neighbourhood.

Layout and density of buildings and inadequate parking:

There is an inconsistency in the number of proposed bedrooms. The Design, Access and Planning Statement and the Heritage Statement both refer to the development of a 4 double bedroomed property, whereas the proposed floor plans show bedroom 1 on the first floor plus 4 bedrooms on the ground floor (bedrooms 2, 3 and 4 plus a further room marked as a bedroom but which is not numbered). This makes this a 5 bedroomed development with capacity for 10 people.

The development from a very modest ancillary coach house/stable block, which appears to currently only have 1 bedroom for occasional use, into a 4/5 bedroomed property is overdevelopment of the site. The proposal also has limited internal and external communal space which would result in an unbalanced layout and excessive density for the site. This is not conducive to a sustainable permanent family home and is not sympathetic to, or in keeping with, the historic use of the buildings.

The development has inadequate parking for 8 people. This is exacerbated where it is in fact a 5 bedroomed property with capacity for 10 people.

Effect on listed buildings and conservation areas:

It is stated in the Heritage Statement that the proposed development is a 'subservient coach house' to the main listed villa of Greenmoor. The proposal to develop a 1 bedroomed ancillary coach house into a 4/5 bedroomed house with capacity for 8/10 people would undermine this subservient and ancillary relationship and therefore undermine the development's evidential heritage value. It may also adversely impact the heritage value of the listed building of Greenmoor as being the dominant dwelling.

The proposal also shows the garage to Greenmoor being subsumed into the curtilage of the proposed development. This would leave the prestigious 7 bedroomed listed detached country house unbalanced with no garage or other outbuildings, as would be customarily expected for such a notable property, which could also undermine Greenmoor's heritage value as a Grade II listed Parker and Unwin designed villa.

Greenmoor also has, and would retain, a very large plot requiring upkeep and maintenance. The proposed development removes all outside storage buildings from Greenmoor without addressing the need to store the extensive number of large petrol powered gardening tools, including a sit on mower, which it is assumed must be currently stored for this purpose in the garage. The removal of all outside storage buildings from Greenmoor could therefore also undermine the feasibility of the listed building as a sustainable modern family home and garden.

The removal of access to the garage therefore also risks the need for future planning applications to add such outbuildings within the curtilage of the listed building of Greenmoor which, as established in *Rugby School Governors v Secretary of State for the Environment* [1975] JPL 97, would result in piecemeal development, stated to be bad planning practice and a ground for refusal of an application.

Loss of trees:

The Design, Access and Planning Statement states that 'the existing single storey pool area will be demolished and re-built to provide an informal seating area and bedrooms at the rear of the building'. It also refers to the 'extended first floor space', although details of this proposed extension are not provided.

The Tree Survey and Arboricultural Impact Assessment, however, states as its basis that 'there are no new building works, extensions or demolition work proposed', meaning that the proposed demolition, building and extension works were not taken into account when the impact of the development on the surrounding trees was considered.

As shown on the Tree Survey, there are numerous trees in close proximity to the proposed development whose canopy distribution and/or root protection areas may be adversely impacted by the proposed demolition, extension and/or building works. This has not been taken into account in the Arboricultural Impact Assessment and the extent to which there may be a loss of trees is therefore unknown.

Overlooking, loss of privacy and noise and disturbance from the proposed development:

The only real garden area for use by a property proposed to accommodate 8/10 people is a modest grassy area immediately adjoining our property. This concentration of such a high number of people using a small garden area in close proximity to our main living space would result in overlooking and a loss of privacy to our own property, as well as noise and disturbance to both our property and the wider conservation area.

An alternative potential future use:

The Design, Access and Planning Statement states that the proposed development 'will provide a new home'. It further seeks to justify the development by reference to the Government's objective of significantly boosting the supply of homes as advanced by the National Planning Policy Framework (NPPF) statement that 'it is important that a sufficient amount and variety of land can come forward where it is needed [to supply homes]'.
  The proposed development, with 4/5 mainly ground floor bedrooms for 8/10 people and yet limited communal space, parking and garden area appears more suited to use as holiday accommodation than to a permanent new home in the local community. It appears to us that the development therefore has an alternative potential future use.

Carroll v Secretary of State for Communities and Local Government and others [2016] EWHC 2462 (Admin) confirmed that an alternative potential future use was capable of being a material consideration within the meaning of section 70(2) of the Town and Country Planning Act 1990. It also referenced R (Mount Cook Land Ltd and another) v Westminster City Council [2003] EWCA Civ 1346, whereby the Court of Appeal held that a planning decision-maker should have regard to alternative proposed uses where this could result in conflict with planning policy or other planning harm.

We believe that the configuration of the proposed development suggests that there is a likelihood or real possibility (as set out in Mount Cook) that the intended future use of the development is not to provide a home within the local community but rather to provide holiday accommodation. Such use would not fulfil the above NPPF objective to provide sufficient homes and would likely increase the issues arising from inadequate parking, overlooking, loss of privacy and noise and disturbance both to our property and the wider conservation area. For the same reasons, such use would also likely have detrimental impact on the heritage value of the adjacent listed building of Greenmoor.

Objection and Conditions:

Based on the above material considerations, we object to the development as currently proposed.

For the reasons given, we also request that any planning permission considered for this location be subject to the following conditions:

- use as a primary residence only rather than as holiday accommodation; and
- all works be limited to Monday-Friday during reasonable working hours only given the location in a residential neighbourhood/conservation area and given the extensive renovation works already carried out on the coach house during the previous 1-2 years which have included works generating noise being carried out during evenings and weekends.

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