

DELEGATED DECISION REPORT

HPK/2024/0160
Valid 14/05/2024

4A BROWSIDE FARM
STONEHEADS
WHALEY BRIDGE

PROPOSED NEW DWELLING
AND ASSOCIATED WORKS

(FULL - MINOR)

MAIN ISSUES

- Principle
- Green Belt
- Design & layout
- Residential Amenity
- Biodiversity
- Highway Safety

DESCRIPTION OF SITE

The application site comprise land within Browside Farm which currently occupied by a stable block. The site is located at the northern edge of Whaley Bridge to the east of Whaley Lane within a cluster of dwellings off a rural lane named Stoneheads. The stables is bisected by the built up area boundary and green belt designation, which also covers the surrounding countryside. Access to the site is via narrow lane which is also public right of way (BW11) and bridgeway 10 also runs to the east of the site in front of the Brookside cottages, also referred to as 6-10 Stoneheads.

PROPOSAL

It is proposed to demolish the stable block and construct a detached dwelling house within the existing curtilage of Browside Farm. The proposed dwelling is two storey and 16.7m long and 6.4m wide plus an additional single storey element which adds an additional 2m in width. The design is described as 'cranked' as the length of the second half of the building is turned through approx. 20 degrees to reduce the appearance of its length

The proposed materials are stone exterior walls, blue grey slate roof and aluminium windows.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

High Peak Local Plan 2016

S 1 Sustainable Development Principles
S 1a Presumption in Favour of Sustainable Development
S 6 Central Sub-Area Strategy
EQ 4 Green Belt Development
EQ 6 Design and Place Making

H1 Location of Housing Development
CF 6 Accessibility and Transport

Whaley Bridge Neighbourhood Plan
WB-G3: Residential Development

National Planning Policy Framework

Section 2 - Achieving Sustainable Development
Section 12 -Achieving well-designed places
Section 13 -Protecting Green Belt land

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

HPK/0003/4349 - Erection Of One Additional Loose Box To Existing Block Of Four -
Approve 24.03.1995
HPK/0003/3895 – extension of existing stables – refused 19.10.1994
HPK/0001/1180 - For Proposed Erection Of Loose Box – Approved

CONSULTATIONS

Publicity

Site Notice expiry date: 21.06.24
Neighbour consultation period ends: 21.06.24
Press Advert: 20.06.24

Public Comments

Objections have been received from residents of three neighbouring properties raising the following concerns:

- The proposed two story building has a significantly larger outline than the existing stable block and will have a significant negative affect the character of the rural area and changing the use to residential is an over development considering the location.
- The proposed development will overlook the properties of 6, 8, 10 Stoneheads resulting in loss of light, overshadowing, visual intrusion (the 2nd story will exceed the high of all surrounding trees and vegetation) and cause additional noise and disturbance.
- The only access road is a single track lane which is unsuitable and unsafe for any additional traffic to pass. It is plausible that a development of this size could result in an additional 3 or 4 cars requiring access via a very narrow and windy lane.
- We have concerns about drainage as neighbouring properties have had severe flooding in recent times. There is a very old culvert that runs under the lane which could be damaged by heavy vehicles - the refuse collectors don't drive their vehicle over it , they reverse part way down.
- The unnamed lane and bridleway is already in poor condition. The construction vehicles could cause more damage to the lane by using it and also block our

access to and from our property at times, as there is only one way that we can enter and exit along the single track -unnamed short lane.

- here are lots of bats, hedgehogs and other wildlife that inhabit the area that could be affected by the proposed development
- The proposed development will devalue our property , as ours would not have the privacy/ natural view it has at present, particularly if more of the trees are trimmed or removed in the future.

Town Council Comments

The Town Council notes there is no design statement provided and the glass screen does not fit in with the character of the local area.

AES Waste

Properties should be planned so bins can be stored within the property boundary and be moved to the presentation point without the need to go up or down steps or through the property. Garden gates need to be wide enough to accommodate a standard 240l wheeled bin.

Collection vehicles are unable to access unadopted highway /private driveways so in this instance the property will have to present their bins at a point next to the nearest adopted highway

Derbyshire County Council Highways

Taking in to account the number of existing dwellings served off Stoneheads and Meadowfield, it is considered that the vehicular traffic generated by the proposed dwelling will not have an unacceptable impact on highway safety on the existing highway network.

The proposed development proposes the retention of two existing parking spaces to serve Browside Farm with two new spaces being formed for the use of the proposed dwelling; the proposed parking provision is considered appropriate for the scale of development proposed. Access to all parking spaces is to be via the existing vehicular access to Stoneheads.

Coal Authority

The Coal Authority considers that the content and conclusions of the Coal Mining Risk Assessment are sufficient for the purposes of the planning system in demonstrating that the application site is safe and stable for the proposed development.

Derbyshire Wildlife Trust

No objection and recommend conditions relating to lighting, nesting birds and bat and bird boxes.

OFFICER COMMENTS

Principle of Development

The site is bisected by the built up area boundary and countryside which is subject to a green belt designation. The existing barn is built across this policy designation boundary. However, the proposed plans indicate the new dwelling house would be built within the western part of the site that is within the built up area boundary.

In policy terms, the land that is within the built up area boundary of Whaley Bridge (as defined by Policy S2 of the adopted Local Plan) are supported in principle by Policy H1, which accepts the development of unallocated for residential development, subject to other policies in the Local Plan.

The land which is outside of the settlement boundary is covered by Policy EQ3 which seeks to strictly control development in rural locations to protect the landscape's intrinsic character and distinctiveness and to ensure development occurs at the more sustainable locations (i.e. towns and villages). The land outside the settlement boundary is also designated Green Belt where development is resisted except in Very Special Circumstances as defined by the NPPF and reinforced by local plan policy EQ4.

Whilst the proposed dwelling is within the built up area boundary much of its proposed garden and curtilage area to the east of the site would be in countryside and green belt land. The site is therefore considered to be a sensitive location and the proposals could have an impact on the character and appearance of the green belt, these matters need to be considered in the determination of the application proposals.

Design

Policies S1 and EQ6 of the adopted Local Plan seeks to ensure that development is well designed and of a high quality that responds positively to its environment whilst contributing towards local distinctiveness and a sense of place. New development should take account of the distinct character, townscape and setting of the area and secure high quality and locally distinctive design and amenity. These policies reflect guidance contained within the NPPF and particularly paragraph 131 which recognises the importance of creating high quality buildings and places, with good design being a key aspect of sustainable development. The adopted Supplementary Planning Document on Residential Design 2005 also provides guidance on the approach to new residential development, and the factors which contribute toward local distinctiveness.

The SPD Residential Design Guidance 2005 recognises the need to ensure that new development is accessible to everyone and the importance of creating places which are welcoming and inclusive. The adopted High Peak Design Guide 2018 sets out that new development should follow the pattern of development within a settlement and contain a variety of building forms which reflect the rhythm, balance and palette of materials of the surrounding area.

The NPPF highlights that good design is a key aspect of sustainable development and should contribute positively to creating places which people wish to live and work. Paragraph 135 requires development to function well and add to the overall quality of the area for the lifetime of the development. It should respond to local character and history and be visually attractive as a result of good architecture, layout and appropriate landscaping. Paragraph 139 of the Framework advises that permission should be refused for development that is not well designed and where it fails to reflect local design policies and local design guidance, including supplementary planning documents.

The National Design Guide highlights the government's priorities in the form of 10 important characteristics of context, identity, built form, movement, nature, public spaces, usage, buildings, resources, and lifespan.

Firstly, starting with the bulk and mass, the proposal comprises a large two storey dwelling measuring 16.7m long (at its longest point) and 8.6m (at its widest point). The floorplans illustrate a three bedroom property, but it is not a modest house, all rooms are very spaciouly proportioned, it has two living rooms and expansive hallway and corridor areas and three bathrooms. From the size of the footprint/floor plan it could easily be a 4 or 5 bedroom property. Adding to the bulk of its form is the addition of a single storey extension on the western elevation. Therefore the property is considered to be oversized for its needs and this has implications for the design and impact on its surroundings in this countryside Green Belt locality.

The design has been described as being 'cranked' with the building orientation changing partway through this length, this approach is intended to reduce its length but it hasn't reduced the bulk of the building. It is a full 2 storey building 4.7m to eaves and 6.6 to roof pitch and no attempt has been made to reduce the height of the building. The existing stable block is less than 3m high and is barely visible beyond the site and is screened by tall trees to its eastern boundary. Whereas the new dwelling is twice as high and will be visually prominent beyond the site and in the wider landscape. It will be dominant in the plot, with little space left for amenity, and has a poor relationship with its surroundings.

The dwelling is over-fenestrated; it has 18 windows (including full length glazed doors) and 9 skylights. The north elevation which is a gable end is virtually all glazing with a glazed apex and floor to ceiling windows. The east elevation has 8 windows and full length glazed door plus two rooflights. The west elevation has five windows which are randomly arranged on the elevation plus 7 of the 9 rooflights. It is not clear why the single storey addition which appears to be ancillary areas (utility and boot room) needs to have so many windows and skylights. On the upper floor all bedrooms have at least 2 windows and even non habitable spaces such as bathrooms and hallways/landing areas have both windows and rooflights. Not only are the number of windows unnecessary, collectively it creates a confused design approach. The glazed gable is not an acceptable design feature in the High Peak it is not a traditional feature.

The High Peak Design Guide provide advice on proportions and solid void ratios at paragraph 3.16:

Critical factors that need to be taken into account in approaching the detailed treatment of elevations include the solid to void ratio, that is how blank or windowed a building looks, and the disposition of openings. In terms of the solid to void ratio, traditional construction techniques effectively limited the width of openings, making them vertical in proportion and relatively small. For structural reasons, openings were kept well clear of corners or verges. As a result, doors and windows were surrounded by large areas of masonry making the wall the dominant element. This gave the building a high solid to void ratio. With disposition of openings, traditional buildings tend to have a simple, restful appearance as a result of:

- *Using a similar size and proportion of opening throughout.*
- *Limiting the number of openings.*
- *Arranging the openings harmoniously, often in a formal, symmetrical manner.*
- *Keeping them away from corners.*

The design approach hasn't utilised the solid to void ratio, there has an excess of openings and the design has no symmetry.

The application was not accompanied by a Design and Access Statement to explain the design rationale of the proposed dwelling, albeit paragraph 5.12 of the Planning Statement refers to a Design and Access Statement, one was not submitted and the covering letter also makes no reference to a DAS being submitted. Only a brief reference is made to the design in the Planning Statement where it simply says 'The new dwelling has been designed carefully by the architect to enable the property to be assimilated into the landscape' but this statement is not substantiated. A Design and Access Statement would have explained how the dwelling had been design in relation to its site and context, this explanation is missing from the application submission.

Moreover, there has been a missed opportunity, this application was submitted speculatively without the benefit of pre-application advice which would have advised the applicant that the design of the scheme is unacceptable on many grounds.

Accordingly, the proposals are considered contrary to Local Plan Policies S1 and EQ6, the Residential Design Guide SPD, the High Peak Design Guide SPD, and relevant paragraphs under Chapter 12 of the NPPF.

Amenity

LP Policy EQ6 requires all new development to have a satisfactory relationship with existing land and buildings and protects the amenity of the area, which includes residential amenity of neighbouring properties. Aspects of residential amenity include impacts such as a loss of sunlight, overshadowing and overbearing impacts, loss of outlook, and loss of privacy.

The High Peak Residential Design Guide SPD requires extensions to preserve the residential amenity of neighbouring properties, having regard amongst other things to the relationship between existing and proposed development, the positioning of windows, and the change in land levels. Paragraph 135 of the NPPF states that planning should create places with a high standard of amenity for existing and future users.

The proposals will introduce a new dwelling where there is currently a stable block, which is currently comparable to outbuilding proportions in terms of its height being just under 3 metres, which is essentially innocuous in the landscape and unimposing on the adjacent properties.

Objections have been received from neighbouring residents who are concerned that the proposal will result in overlooking and have an overbearing presence. The Residential Design SPD advises that 21 metres is an acceptable separation distance between properties and where changes in levels on site are evident or where taller buildings are present, these distances should increase by 1 metre for every 0.5 metre difference in height between the smaller to the taller building (paragraph 8.6.1). Measuring the separation distances on the site plan 6, 8 and 10 Stoneheads (also called Brookside Cottages) are between 16 and 19m from the proposed new dwelling, which falls significantly short of the 21m standard, not making allowances for any additional separation that is required due to site level distances. Distances to 4a Browside Farm, the host dwelling are also only 16m.

The proposed section drawing shows that the proposed dwelling is on higher land than 6-10 Stoneheads and the section that is provided is 19m but this is not the closest point for the dwellings. On the east elevation facing 6-10 Stoneheads, four large windows are proposed and two additional skylights. As mentioned previously the dwelling is over-fenestrated but it has also not been designed with preserving the existing residential amenity of neighbouring properties in mind.

As previously mentioned, the dwelling dominates the plot, little space has been left to provide the new residents with private amenity space:

- 2.7m deep to the west elevation
- 1.6-2.7m deep to the north elevation
- 4.5m paved to trees on east elevation
- Southern elevation has been set aside for car parking and turning space.

It is not clear from the submitted drawings how the curtilage would relate to the host dwelling (4a Browside Farm) and privacy would be preserved. Albeit it is noted that the west elevation which faces the host dwelling has fewer windows which are smaller in size than those on the other elevations, albeit the windows are randomly distributed on the elevation. The site section does not include a full section to the host dwelling 4a Browside Farm, it only shows part of the garden, it is not clear how the curtilage of both dwellings would be defined.

With regards to residential amenity considerations, the proposals are considered contrary to local plan policy EQ6, the Residential Design Guide SPD, the High Peak Design Guide SPD, and relevant paragraphs under Chapter 12 of the NPPF.

Biodiversity Net Gain

EQ5 requires all new development proposals to demonstrate that any protected species and habitats within the site will not be adversely affected and seeks to promote a net gain in biodiversity by securing appropriate mitigation and ecological enhancements where appropriate.

Since 2 April 2024 there has been a mandatory requirement for all developments to provide a minimum 10% Biodiversity Net Gain unless the proposal is considered an exception. The planning statement alleges that the application should be exempt under self-build. However, no evidence has been submitted with the application to demonstrate that proposal is a true self-build dwelling in accordance with self-build and custom housebuilding Act 2015. To be a genuine self-build property, 'self-build' needs to be explicitly referenced in the proposal description and it should be clear from the application, who the first occupant is and that they have had a principal role in the design of the dwelling. The delivery of the self build should be secured by condition or Section 106 to ensure that the dwelling will be the principal residence for the owner for at least three years.

Derbyshire Wildlife Trust has not questioned the self-build contention and have taken them at face value. Instead they have suggested a condition relating to biodiversity enhancement measures. However, to grant planning permission without the mandatory biodiversity net gain would be contrary to the Environment Act which necessitates the requirement.

The application did not provide any ecological surveys nor biodiversity net gain matrix and they are therefore contrary to the local plan policy EQ5, NPPF and Environment Act.

Highway Safety

LP Policy CF6 seeks to ensure that development can be safely accessed in a sustainable manner and that all new development is located where it can be satisfactorily accommodated within the existing highway network and provides suitable off-street parking provision. Appendix 1 of the Local Plan specifies that a 3 bedroom dwellings are required to provide two car parking spaces.

As referenced earlier in the report, access to the site is via narrow lane which is also public right of way (BW11) and objectors have raised concerns about the suitability of this access arrangement and the impact of additional traffic. The Highway Authority were consulted on the application and raise no objections on the basis the development would generate little traffic. However, its construction would undoubtedly lead to a temporary disruption to local residents as larger vehicles access the site via the narrow lane.

In terms of car parking, two spaces are provided which meets the requirements of local plan policies CF6.

CONCLUSION / PLANNING BALANCE

For the reasons set out in this report, it is considered that the proposed development would be unacceptable for three main reasons:

1. The scale, form, siting and design of the dwelling is inappropriate to its site and surroundings;
2. It would have a harmful impact on residential amenity of 6-10 Stoneheads and the host dwelling 4A Browside;

3. No Biodiversity net gain is being provided in accordance with mandatory 10% required by the Environment Act.

The proposal is therefore contrary to policies S1, EQ5, EQ6 of the local plan guidance contained within the Residential Design SPD, and the advice contained within the NPPF, and as such it is recommended that the application be refused.

OFFICER RECOMMENDATION : Refuse

Case Officer: Rosie Dinnen

Recommendation Date: 25.10.24

X *B.J. Haywood*

Signed by: Ben Haywood

On behalf of High Peak Borough Council