HPK/2007/0772

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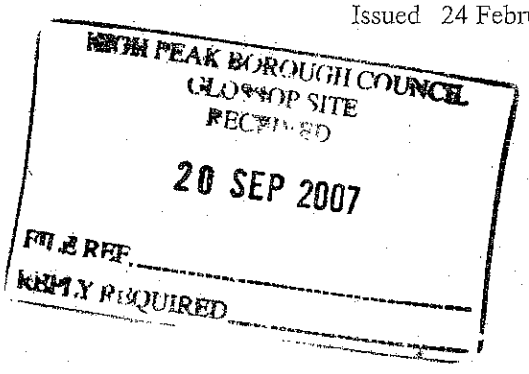

No. 46 WHITE KNOWLE ROAD
BUXTON

DERBYSHIRE

ECOLOGICAL ASSESSMENT

AND SURVEY FOR PROTECTED SPECIES

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EXECUTIVE SUMMARY

Flora and habitat types

- No plants listed in Schedule 8 of the WCA 1981 were recorded on the site.
- The site includes a bungalow and mature garden.

Fauna

- There was no sign of any bat roost within the house, garage or trees in the garden.
- Badgers were not found to forage over the garden.
- No specially sensitive bird species are known to have territories within the study area but blue tits nest under the eaves of the bungalow. Nest sites are protected when the birds are nesting, (mid February to end of August). Any site clearance should avoid this bird nesting season.
- The habitat on site was not suitable for slow worm and common lizard.
- There were two pools with water, much filled with decaying leaves (several years of accumulation) and although common frog was found in one small concrete garden pond, extensive searching in potential hibernacula failed to find any trace of newts. Although high altitude Buxton is cooler than lowland areas, nevertheless many ponds already have great crested newts laying eggs at the time of this survey.
- None of the habitats on site were likely to support invertebrates of particular note.

No. 46 WHITE KNOWLE ROAD, BUXTON, DERBYSHIRE

ECOLOGICAL ASSESSMENT AND SURVEY FOR PROTECTED SPECIES

1. BACKGROUND

1.1_ It has been reported that bats may occur in the building or trees within the garden and great crested newts may also live in the garden. Because of this possibility, a survey for these protected species was essential, together with an appraisal and search for other potential protected species in that area.

1.2_ All species of bat are protected under Section 9 of the *Wildlife and Countryside Act 1981* (Schedule 5) as amended by the *Environmental Protection Act 1990* and *The Countryside and Rights of Way Act 2000* ((CROW 2000) see Appendices for interpretation of the various legislation). Indeed, roosts are protected at all times irrespective of whether bats are present. Also, the Bonn Convention gives further weight to the importance of protecting bats and the Habitats and Species Directive lists four (of Britain's 16 resident species) on Annex II requiring *inter alia* setting up Special Areas of Conservation (SACs) to aid their conservation. The provisions contained within the WCA 1981 and Habitats Directive are embodied in *The Conservation (Natural Habitats, &c.) Regulations 1994*. The *UKs Biodiversity: Action Plans* lists all British bat species, which serves to highlight the requirements to protect nursery and hibernation roosts (which may be in the same site, e.g. a built structure) as well as foraging habitat. Roosts in buildings may be used by bats in any season.

1.3_ Great crested newts (*Triturus cristatus*) and their habitat are protected from injury, killing and damage by the *Wildlife & Countryside Act 1981* (WCA 1981) and amendments; the *Countryside and Rights of Way Act 2000*, and *The Conservation (Natural Habitats & c.) Regulations 1994*). The species is also listed within the UK National Biodiversity Action Plan (1994) and has its own *Species Action Plan* (SAP). Therefore, it was necessary to conduct a survey to identify whether the newts lived in the garden and, if so, develop a mitigation strategy to minimise the impact of the proposed development on them.

1.4_ It is conceivable that other protected species could visit the garden, being on the edge of open countryside, and searches would be needed to discover whether any occurred.

2. AIMS

2.1 To survey the buildings and garden for signs that bats may roost and great crested newts may breed in the two small ponds.

2.2 To search for any other protected species and assess the garden habitat for any rare flora or potential for rare species.

2.3 To consider what surveys may be required at other seasons if evidence suggested such work was necessary.

2.4 If protected species were discovered, then to provide options for mitigation and potential need for licensing operations from Natural England.

3. METHODS AND CONSTRAINTS

3.1 The field survey involved two protected species specialists on 24 February 2007 searching the study area to search for species of both plants and animals and to assess the habitat types. This included identifying plant species, looking for signs of animals such as footprints, droppings and burrows.

3.2 The field survey was conducted on 24 February 2007. This is a season when various species of plants and animals are dormant or in hibernation and due regard to this possibility was considered throughout the survey.

3.3 Two herptile specialists surveyed the water using four different light sources of differing intensity to a maximum of 5,000,000lux. The weather was warm for the time of year (9°C) (and had been for most the winter) with no wind at water level and occasional slight rain.

3.4 Surveying for bats involved the use of close focussing binoculars, ladders and bright hand held lighting.

4. SITE DESCRIPTION

4.1 Essentially, the survey site consisted of a bungalow, garage, wood store, greenhouse and mature garden which included two 'ponds', vegetable and herb garden and borders with common herbs and shrubs with trees.

4.2 This plot is almost at the end of a *cul-de-sac* road where to the west is countryside (over a track with another property) and the surrounding area has grazed pastures and woodlands and to the east, a small stream surrounded in woodland. Therefore, there is a potential for various species normally associated with the countryside (as opposed to urban tolerant species) to be found.

5. FLORA - HABITAT SUMMARY

The survey has allowed broad characterisation of the habitat types found within the study area. The following notes summarise the main habitat types. Plant names follow Stace 1991.

5.1 Hedges, trees and shrubs

Hedges are present on the east (road side) and to the north boundary with No. 44 White Knowle Road. These are essentially of exotic species such as laurel and conifers, (See Appendix 2). None qualify as being significant under the terms of *The Hedgerow Regulations 1997*. To the south and west are dry stone walls about 1000 - 1200mm high.

The garden has been planted with both native and exotic species of trees and shrubs and a few of these may date from the date of the building estimated to be about 1920. There are stumps remaining where trees have been felled, some many years ago, and most the shrub planting appears to have been in the last 30 years or so. This includes many varieties of conifer and *Rhododendron* and *Azalia*. Most of the latter were not identified to species. **See Appendix 1 for species lists.**

5.2 Lawns

Around the garden are areas of lawn, currently dominated by mosses. This was clearly mown until late autumn last year and regrowth has been minimal. No detailed assessment was made of all the grasses present but the species lists include the dominant species. Also, it is obvious the previous owner did not use weed killers as there is a good variety of the common species which tolerate frequent mowing. No species was uncommon or unexpected.

5.3 Ponds

There are two bodies of water within the garden. Both are highly shaded by shrubs which have grown around and over them.

5.3.1 Pond 1 is in the south near the asbestos roofed 'wood store'. It measured 980mm wide x 1400mm long and 500mm deep although the water was 400mm deep. It was constructed with vertical sides and was concrete. However, it clearly leaked as it had a polythene sheet 'liner' which had rotted in daylight above water level. There was only about 100mm depth of more or less clear water as the remainder was a dense mass of rotting leaves, the result of several years of not being cleaned out. Indeed, shrubs grow completely over the top. There were no aquatic (or other) plants and no aquatic fauna of any kind. There had been some water molluscs but only dead shells remained (eg the

wandering snail, *Limnaea peregra*). Therefore, the 'pond' was effectively sterile and putrefying. Notwithstanding the poor state of the pond, twelve common frogs were found when the rotting vegetation was taken out by netting. Also, frogs were found trapped between the polythene and concrete and these were caught and released.

5.3.2 Pond 2 was a former plastic cold water tank (eg from a house) which had been sunk into the ground with its top level with the soil. It was closely surrounded and overshadowed by evergreen shrubs so no bright light reached the surface. Nevertheless, lesser duckweed covered about 50% of the surface. It was a circular tank 770mm diameter and 500mm deep with more or less vertical sides. It too had about 100mm of clear water above a rotting mass of disintegrating leaves but no other wildlife of any kind was found.

5.4 Stressed habitats and vegetable plots

5.4.1 Around the house was a tarmac driveway to the garage and paving around the house with covered patio on the west side of the bungalow. Some plant species survived in the cracks.

5.4.2 The garden to the south of the bungalow was set out with narrow cultivated strips running east-west. These were used for vegetable growing and include a variety of herbs including garlic , mint and marjoram. See Appendix 1 for species list including the exotic 'garden' species.

5.5 Conclusions.

The site is typical of a mature garden which has been in cultivation for 80 years or so. It retains a mixture of native species interspersed with the many exotics. The plantings have included many specimen conifer species. There were no plant associations which suggested there could be any protected species within the boundaries. Generally, the garden shows it has not been subject to frequent use of herbicides or pesticides, certainly in the recent past and it has developed into a wildlife sympathetic habitat.

6. FAUNA

6.1. **Bats**: There were two types of potential roost within the garden, trees and the three buildings including the bungalow.

6.1.1 None of the trees in the garden have holes or splits that show evidence of use by bats. Only one tree, a beech close to the southern boundary wall which has been subject to

pollarding in the past, was suitably large to contain holes. In fact none was found. Two ash trees are just outside the western stone wall and although there are the beginnings of rot holes where branches have fallen off, no bat roosts were found.

6.1.2 Bungalow: This building has solid stone walls with a fully hipped roof having a ridge of three metres length. The roof was repaired and re-roofed sometime in the last 15 years and re-covered in natural dark grey slate. Ridges and hips are sealed with pottery capping tiles. Breathable membrane was used on the rafters with standard battens. Three chimneys penetrate through the roof as well as three new 'Velux' windows facing east, south and west. At the time of re-roofing (cause of the work) decayed rafters and hip board were replaced on the northeast corner of the roof and about 1.5m along the north side from that corner. The stone work, which all around the building was filled in closely to each rafter and hip board, had not been replaced after the repairs leaving gaps into the small space on top of the wall around the wall plate (see photographs). In addition, the underside of the rafters to the west of the front door (on the north side) had been fitted with match boarding leaving a large gap neat the door (see photographs).

6.1.3 Survey for bats: There were only three holes under the eaves where bats could possibly enter to roost. One was on the south side near the east hip board where a blue tit has entered and has built a nest. From the number of droppings it seems likely the site is used for night roosting as well. The only other places are the northeast hip corner and nearby cavity onto the top of the wall internally. These areas were carefully examined and there was no sign of any bat droppings around or within the holes. In addition, the a search of the roof space did not reveal any bat droppings. The only other place where bats could use is above the match boarding attached to the underside of the rafters. However, no sign was found of visits by bats but it appeared birds (probably house sparrows) use the site periodically for roosting. There were no other potential access points eg around chimneys or under slates or cappings.

6.1.4 Garage: This building was built of blockwork with slate covered pitched roof. There was no sign of any use by bats either recently or historically

6.1.5 Woodstore (south east of garden): This building was in a poor state of repair with shallow pitched roof of corrugated cement asbestos (covered in moss). This was not suitable for bats to roost within.

6.1.6 **Conclusions**: It is known there is a long standing colony of pipistrelle bats which live in No.44 but from our detailed research over many years it is likely the bats of that colony will occupy many other buildings within a radius of two or three kilometres. A neighbour reported to having some bats in their house in summer and therefore, it is reasonable to consider members of the colony may use No.46. However, this survey failed to locate any sign any bat has visited the bungalow or other buildings in the garden. This is not

entirely unexpected because most of the adjacent buildings are high, all about a century old, stone built and having gable ends. Bats tend to search the tops of gables for roost sites and the low eaves of a bungalow are much less searched. (Bats prefer to drop up to two metres or more from their roost exits before gaining horizontal flight and with the close proximity of tall trees on the north side of the bungalow leaving a roost would be difficult. Also, pipistrelles which are the most likely to occur, prefer to roost with a southerly aspect so the sun heats their roost site. North facing roosts are used principally in exceptionally hot weather.) Therefore, this bungalow would appear to present little opportunity for bats.

6.2 Badger: The badger, which is known to live in the area and can forage in gardens is protected by the *Protection of Badgers Act 1992,* (essentially this prevents actions causing cruelty as it is not rare or threatened with extinction). There were no signs that badgers include the garden as part of their feeding range. There were no setts either current or disused.

6.3 **Amphibians**: Frogs, toads and newts migrate from breeding ponds into grassland and boundaries after breeding which is dependant on water bodies such as ponds. A description of the two 'ponds' is given in Paragraph 5.3 above. Amphibians traditionally return to their original breeding ponds. The principal aim was to establish whether the specially protected great crested newt lives in the area. Surveys for this species are typically performed when the animals are breeding in ponds which historically has been from the end of March to the end of May. However, as with many species breeding has started much earlier due to warm winters and already this year it is know breeding has started in many ponds. There is much variation even in a local area and with the high altitude of Buxton, breeding can be expected to trail behind warmer lowland sites. Despite this, some newts, especially males, move to breeding ponds early in the year especially when night temperatures are over 8°C, which has happened on a number of nights since the New Year.

6.3.1 In addition, when it is unlikely (from consultation of distribution records and local knowledge) that great crested newts occur, the easiest way to determining their presence is to undertake terrestrial searches. This Company has specialised in such assessments for more than 25 years.

6.3.2 Newts and other amphibians live under various materials and in underground holes through winter, protected from frost. Piles of organic material, rock piles, bricks, and any rubbish provides the seclusion they need.

6.3.3 A very large number of differing objects around the site were lifted to check for newts. This included piles of moss covered limestone rocks some protected beneath shrubs, bricks, timber, carpets (originally placed for weed control) and various other rubbish. 100 - 200 items were moved but there was no sign of any newts of any species. Only the

common frog was found within the search area despite the sites appeared entirely suitable for newts and were similar to many places we have successfully searched elsewhere.

6.3.4 **Conclusion**: It seemed most unlikely any great crested newts lived in this site as no sign was found. However, the common frog was found associated with one of the small ponds (Pond 1).

6.4 Reptiles

Although the common lizard and slow worm is known to occur within 10km of the area, there was no suitable habitat within the garden. There was no sign within the mounds of rubble, and compost heap.

6.5 **Birds**: The nesting season has already started for some species but no detailed assessment was appropriate at the time of this survey. However, some birds were noted within the garden and some of these can be expected to nest and other species including the migrants can be expected from April. The large number of conifers present numerous nesting opportunities. The following is a list of those recorded within the garden.

Table 1 Bird Species List

Common name	Scientific name
Wood pigeon	Columba palumbus
Wren	Troglodytes troglodytes
Dunnock	Prunella modularis
Robin	Erithacus rubecula
Blackbird	Turdus merula
Song thrush	Turdus philomelos
Blue tit	Parus caeruleus
Great tit	Parus major
Jackdaw	Corvus monedula
House sparrow	Passer domesticus
Greenfinch	Carduelis chloris

Key:

Red - indicates the most threatened species.
Amber - indicates species undergoing moderate decline.
Green - indicates widely breeding species in UK not presently showing any significant population change.

7. RECOMMENDATIONS

7.1 Any site clearance should be completed between the end of August and mid February to avoid the bird nesting season. All birds are protected while building and occupying nests (*Wildlife & Countryside Act 1981*).

7.2 If any clearance is needed to be completed at other times, a suitably qualified bird specialist should make observations to ensure no nesting birds are present or if they are, to make observations on when nesting has been completed.

7.3 If the 'ponds' need to be removed, these should have their water and any contents removed carefully. Any frogs may be released around the boundaries of the garden, preferably into the piles of rocks by the west stone wall.

8. REFERENCES

Stace, C. 1991. *New Flora of the British Isles.* Cambridge University Press

HMSO (1997) The Hedgerow Regulations SI 1160

APPENDIX 1

PLANT LISTS

Because this is a garden managed until recently as such, no attempt has been made to record abundance or dominance.

Ferns & mosses

Dryopteris felix-mas	Male fern
Dryopteris dilitata	Broad buckler fern

Grasses, sedges and rushes

Agrostis capillaris	Common bent
Arrhenatherum elatius	Oat grass
Dactylis glomerata	Cocksfoot
Festuca pratensis	Meadow fescue
Festuca rubra	Red fescue
Lolium perenne	Rye grass
Luzula campestris	Field wood rush
Poa annua	Annual meadow grass
Poa trivialis	Rough meadow grass

Higher Plants

	Alchemilla vulgaris agg	Lady's-mantle
*	*Anemone blanda*	
	Arabis hirsuta	Hairy rock-cress
	Arum maculatum	Cuckoo pint
	Bellis perennis	Daisy
	Calluna vulgaris	Ling
*	*Campanula* sp	
	Capella bursa-pastoris	Shepherd's purse
	Cardamine flexuosa	Greater bittercress
	Cirsium vulgare	Spear thistle
	Crepis capillaris	Smooth hawk's-beard
*	*Crocus purpureus*	Purple crocus
*	*Crocus* hybrids	Crocus
	Digitalis purpurea	Foxglove
	Epilobium obscurum	Thin-runner willow herb
	Fragaria vesca	Wild strawberry
	Galanthus nivalis	Snowdrop
	Galium aparine	Goose grass
	Geranium robertianum	Herb Robert
	Geum urbanum	Wood avens
*	*Helleborus x hybridus*	Lenten rose
*	*Helleborus x sternii*	
	Hieracium sp	
	Hyacinthoides ?non-scripta	Bluebell (may be *H. hispanica*)
*	*Hypericum calycinum*	Rose of Sharon
	Lemna minor	Lesser duckweed
	Leucanthemum vulgare	Ox-eye daisy
*	*Linaria purpurea*	Purple toadflax
	Meconopsis cambrica	Welsh Poppy
*	*Melissa officinalis*	Balm (lemon)
	Mentha spicata x suaveolens	French mint
	Myosotis arvensis	Common forget-me-not
*	*Narcissus* hybrid	Daffodil
	Origanum vulgare	Marjoram
	Ornithogalum umbellatum	Star of Bethlehem
	Papaver rhoeas	Common poppy

*	*Papaver orientale*	Poppy
*	*Phlox* sp	
	Plantago lanceolata	Ribwort plantain
	Potentilla sterilis	Barren strawberry
	Primula vulgaris	Primrose
	Primula var	Primula
	Prunella vulgaris	Selfheal
	Ranunculus acris	Meadow buttercup
	Ranunculus ficaria	Lesser celandine
	Rheum x *hybridum*	Rhubarb
	Saxifraga spathularis x umbrosa	London pride
	Senecio jacobaea	Ragwort
	Senecio vulgaris	Groundsel
	Sonchus oleraceus	Common sowthistle
	Stellaria media	Chickweed
	Tanacetum parthenium	Feverfew
	Taraxicum officinale	Dandelion
	Urtica dioica	Stinging nettle
	Veronica polita	Grey speedwell
	Veronica arvensis	Wall speedwell
*	*Vinca major*	Greater periwinkle
	Viola riviniana	Common violet

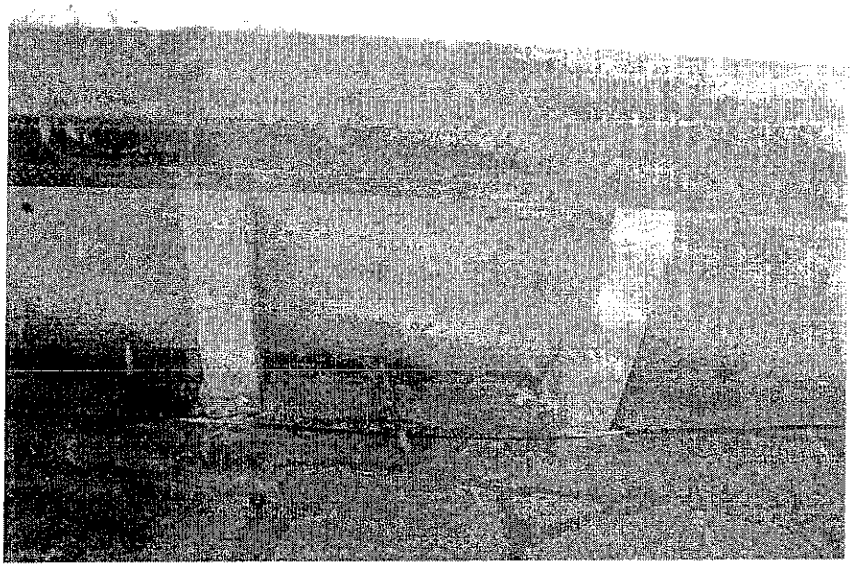
Trees and Shrubs

*	*Aucuba japonica*	
*	*Buddleja davidii*	Butterfly-bush
	Buxus sempervirens	Box
*	*Chamaecyparis lawsoniana*	Lawson's Cypress
*	*Cotoneaster* sp	
*	*Erica arborea*	Shrub heather
	Erica vagans	Cornish heath
*	*Erica carnea*	Winter flowering heather
*	*Fagus sylvaticus*	Beech
	Fraxinus excelsior	Ash
	Hedera helix	Ivy
	Ilex aquifolium	Holly
*	*Juniperus* sp	Juniper
*	*Laurus nobilis*	Bay
*	*Mahonia aquifolium*	Oregon grape
*	*Malus domestica*	Cultivated apple
*	*Osmanthus x burkwoodii*	
*	*Prunus laurocerasus*	Laurel - including variegated specimens
*	*Rhododendron ponticum*	Rhododendron
*	*Rhododendron spp*	Rhododendron - many species
	Ribes nigrum	Blackcurrant
	Rubus fruticosus agg	Bramble
*	*Syringa meyeri*	Lilac
	Taxus baccata	Yew including variegated forms
*	*Thuja* sp	
*	Viburnum sp	

* **Species not native to Britain**

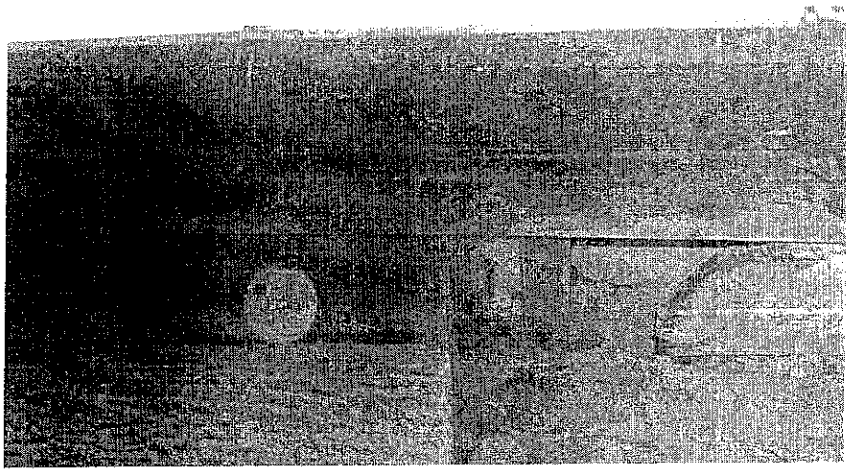
Picture 1

South eaves showing blue tit access and nest protruding between membrane and stone wall. (Streaks are rain drops)



Picture 2

Gap on west side of the north-facing front door into space above match boarding.



Picture 3

Northeast corner showing hip board (on right) and three 'new' jack rafters replaced when re-roofing.

Note large gap around rafters.

HPK/2007/0772

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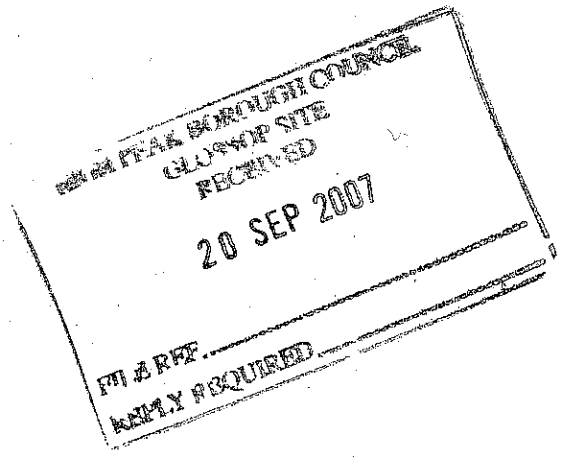

ERECTION OF A PAIR OF SEMI-DETACHED DWELLINGS
Including utilisation of existing access for Unit 1
and creation of additional access for Unit 2

(Amendment to scheme approved under LPA reference HPK/2007/0052)

LAND ADJACENT NO.46 WHITE KNOWLE ROAD
BUXTON, DERBYSHIRE, SK17 9NH

PLANNING STATEMENT

Incorporating Design and Access

in accordance with Government Circular *01/06 (DCLG)*

PREPARED BY ADRIAN BUSSETIL BA(HONS) DipUP MRTPI

CONTENTS

APPENDICIES:

1. SITE ANALYSIS

1.1 The application site is **located** within the built up area of Buxton as defined in the adopted Local Plan. It lies at the western end of White Knowle Road which is accessed off the A515 London Road as one enters Buxton from the south.

1.2 With regard to **Size**, the area of the site application equates to 0.65 hectares. The overall area of the site including the land upon which the exiting bungalow is sited amounts to 0.13 hectares. The application site is generally rectangular in shape with a 22 metre frontage and a mean depth of 33 metres.

1.3 With regard to **Use**, the plot presently forms the side garden to No.46 White Knowle Road. It is partly laid to lawn with a number of shrubs and a large area of earth in the centre forming a vegetable patch. There are a number of semi-mature trees adjacent to the boundaries of the site as shown on the topographical survey, which accompanies the application that is the subject of this statement. The site's full physical characteristics are denoted on this plan together with the photographs attached hereto as **Appendix 1**. You will note from the plan that there is a rise of almost 2 metres from the highway to the rear of the site.

1.4 The site is generally devoid of any natural or built interests of acknowledged importance. It does not represent an open space, frontage or gap in the built-up framework of the village which has intrinsic environmental qualities in itself or by virtue of long distance views. It is not located within or in close proximity to a Conservation Area, Listed Building, Green Belt, Area of Outstanding Natural Beauty or an area of known mineral interest. Furthermore, it is not in an area identified as being at risk of flooding and it would not affect any Ancient Monument, TPO, SSSI, Public Right of Way or any other land use designation relating to housing, nature preservation, recreation, employment, education, waste, tourism, retail or the like.

1.5 The site is bound to the south (No.48) and west (Farm Lodge) by a 1.4 metre high stone wall. This wall continues around but drops down to a metre in height along the pavement edge (i.e. eastern boundary). The site's northern boundary to No.46 White Knowle Road is presently undefined.

1.6 Pedestrian and vehicular **access** to the site is attainable from White Knowle Road as shown in Photograph 9 and on the aforementioned topographical survey. The survey confirms that the existing dwelling (i.e. No.46) retains its own separate access from White Knowle Road (Photograph 10).

1.7 With regard to the site's **Planning History**, planning permission was granted for an identical scheme as proposed herewith under LPA reference HPK/2007/0052. The only difference being a slight change to two internal walls on the first floor of each property to create a main bath room (currently shown as en-suite to Bed 2) and a fourth bedroom (currently shown as dressing room to Bed 2). The approved layout is shown on the plan attached hereto as **Appendix 2**. I confirm that no external alterations are required and no other alterations are proposed to the approved scheme f development.

2.0 ITS SURROUNDINGS

2.1 Whilst the site does not fall within a designated conservation area, White Knowle Road has a distinctive and eminent character which is dominated by large 3 storey stone built semi-detached Edwardian and Victorian properties with natural slate roofs.

2.2 It also has a distinct building line that is characterised by properties being set some 7-8 metres back from the pavement edge behind hedgerows, stone walls or both. Vehicular access and parking is generally provided to the side of each property. However, generally, no on-site turning facilities exist to allow vehicles to both enter and leave the highway in forward gear. Plot sizes vary but are generally uniformed with the extended curtilage to the existing dwelling (i.e. No.46) forming the only anomaly.

2.3 The site presently forms the side garden to No.46 which is a 20th Century detached bungalow that largely fails to relate to size, form and design of surrounding development from past generations (Photo 5). No.17 White Knowle Road provides for the only other bungalow in the immediate vicinity (Photo 17) but other examples of unsympathetic 20th Century development exists in White Knowle Road in the form of two storey detached properties (Photos 15, 18, and 20-22).

2.4 Nos. 27 and 29, Nos. 48 and 50 and Nos. 42 and 44 are located in the immediate vicinity of the application site (Photos 6-8 respectively). These properties are prime examples of the aforementioned Edwardian and Victorian properties in White Knowle Road which provide the aesthetic quality to the locality. Farm Lodge (Photo 13) is located to the rear of the site but does not contribute to the character of White Knowle Road as it is not prominent in the street scene.

3.0 THE APPLICATION

3.1 This statement has been prepared to accompany a full planning application which seeks consent for the erection of a pair of semi-detached dwellings on the side garden to No.46 White Knowle Road. Consent is also sought for the utilisation of existing access to the site for Unit 1 and the creation of an additional access for Unit 2, with vehicular parking being provided to the side of each property with additional parking being available on-street. The existing dwelling (i.e. No.46) and its current vehicular access from White Knowle Road are to be retained unaltered.

3.2 The proposed dwellings are a 'mirror image' of each other and joined to form a single building in the street scene. Each property provides accommodation over three floors through the utilisation of the building's loft space. Entrance to each property is gained from a side door leading into an internal hallway off which lie a study, living room, WC, utility room, kitchen and dining room. An inner stair case lit from a roof light above leads to a first floor gallery landing providing access to a main bathroom and four bedrooms, one of which is en-suite. The stair case continues up to the loft floor where a fifth bedroom can be found together with an en-suite and dressing room.

3.3 The application is supported by the following drawings which provide full details of the proposed scheme of development, the physical characteristics of the site and its relationship to its surroundings:

Drawing:	Number:	Scale:
Location Plan	Ordnance Survey	1:1250
Survey Site Plan	1043:A	1:200
Site Plan	1043:01	1:200
Ground Floor Plan	1043:02	1:100
First Floor Plan	1043:03a	1:100
Loft Floor Plan & Section	1043:04	1:100
Street Elevation	1043:05	1:200
Proposed Front (West) Elevation	1043:06	1:100
Side (North/South) Elevation	1043:07	1:100
Proposed Rear (East) Elevation	1043:08	1:100

3.4 The adopted design solution is discussed in detail in Section 5 of this statement.

4.0 PLANNING POLICY FRAMEWORK

4.1 National Guidance

4.1.1 Central government guidance is relevant to the determination of the planning application that is the subject of this statement.

4.1.2 **PPS1 - Delivering Sustainable Development (Feb 2005)** sets out the plan led system and encourages sustainable development.

4.1.3 **PPS3 - Housing (Nov 2006)** provides guidance on the provision of new housing, making more efficient use of land, and other related issues.

4.2 Development Plan

4.2.1 The application should be assessed against the requirements of the following policies contained in the adopted High Peak Local Plan (March 2005) and the adopted Housing Restraint Supplementary Planning Document (October 2006).

4.2.2 Local Plan **Policy BC1 (external materials)** confirms that planning permission will be granted for development provided the type, colour and specification of all external materials and the way they are applied will be sympathetic to the character and appear.

4.2.3 Local Plan **Policy H1 (principles of housing provision)** states that planning permission will be given for new housing, giving priority to the redevelopment of previously developed land in built up areas.

4.2.4 Local Plan **Policy H5 (housing within the built-up area boundaries)** states that planning permission will be granted for residential development on previously developed land within the built-up area boundary provided that a significant source of local employment would not be lost (unless its continued use would be inappropriate) and the development will not unduly

prejudice the continuation of an appropriate existing or proposed adjoining land use.

4.2.5 Local Plan **Policy H11 (layout and design of residential development)** states that planning permission will be granted for residential development provided that it will incorporate good design that reflects its setting and local distinctiveness, make efficient use of available land, promote safe and accessible living environments which include a mix of housing types and sizes and protect amenity by having regard to the adopted Guidelines for the Design and Layout of Residential Development.

4.2.6 The adopted **Housing Restraint Supplementary Planning Document** confirms that house building in Buxton has consistently lagged behind the rest of High Peak with a much slower rate of completions. Until the late 1990s low demand was a feature in parts of the town and since then difficulties in implementing allocated sites has kept back further house building. While sufficient land is allocated in the Local Plan to meet the Structure plan requirements, there is no need to apply a 'policy of restraint' in the Buxton sub area for these reasons.

5.0 DESIGN SOLUTIONS

5.1 It is considered that the physical characteristics of the scheme have been informed by a rigorous process of Assessment, Involvement, Evaluation and Design. The adopted design solution is the result of detailed investigations and discussions with the LPA in relation to the virtually identical development that was approved on 21st March 2007 under their reference HPK/2007/0052.

5.2 It has been agreed with the LPA that it is appropriate to reinforce the distinctive and eminent **character of the locality** as identified in Section 2 of this statement. Namely, any development upon the application site should follow closely the established building line and the size, form and scale of the dominant 3 storey stone built semi-detached Edwardian and Victorian properties in the immediate locality.

5.3 Relevant **planning policy** guidance and development plan policies confirms that the overall size, massing and design of the resulting building must preserve, or where possible enhance, the character and appearance of the locality and residential amenity. New development should follow the general pattern of the existing built form, materials and styles whilst giving carefully consideration to issues such as loss of light and privacy and avoiding an overbearing presence.

5.4 With regard to the **scale** of development, it is considered that the submitted sketch street scene demonstrates that the proposed dwelling is appropriate to its surroundings. The proposed roof pitch, ridge and eaves heights will clearly result in a building that would be of a size and form that follows closely the established distinctive and eminent character of the locality.

5.5 With regard to the **appearance** of the proposed dwelling, it provides accommodation over three floors through the utilisation of the building's loft space. At the request of the LPA, the proposed dwelling incorporates traditional architectural features such as a steeply pitched roof, bays and

sash windows with stone cills and surrounds. Stone banding to the gables ends of the building is also provided.

5.6 The resulting development would not appear cramped in the **street scene** as a gap of 3.3 metres is provided between the flank elevation and the site's northern boundary and between 2.7 and 3.8 metres is provided between it and the site's southern boundary. Furthermore, its main gable width is some 2 metres narrower than that of the two adjoining dwellings which ensures that it does not appear over dominant and provides for an acceptable relationship between it and the buildings and spaces around the site.

5.7 With regard to **privacy**, all windows have an outlook to the front and rear of the property, including the side bay to the dining room in each property, which incorporates a 'false window' detail to maintain the aesthetics of the building and residential amenity. This arrangement is also representative of existing development in White Knowle Road. It should be noted that a minimum distance of 21 metres between habitable rooms of opposing dwellings can be secured in accordance with the aforementioned LPA's adopted design guide.

5.8 Similarly, with regard to **visual and residential amenity**, the bulk of the building has been broken down through the inclusion of gables protruding from its front and rear elevations. The presentation of gables to the road is a specific feature in the existing street scene and the inclusion of the same herewith ensures that the resulting development maintains a sense of place. Also, by stepping in from the flank walls and stepping down from the main ridge the proposal protects residential amenity by avoiding an undue loss of light and an overbearing presence.

5.9 With regard to **amenity space**, the proposed subdivision has had little impact upon the amenity of No.46 as the proposed building is to be erected on its former side garden which is largely underutilised at present. No.46 will retain adequate private outdoor amenity space with a rear garden that

measures 20m by 14m which equates to an area measuring 280 square metres.

5.10 There is not one distinctive vernacular character which new development should stringently follow in relation to **plot size and form**. However, the proposed subdivision of the curtilage to No.46 ensures that the resulting development is commensurate with the general plot size in White Knowle Road. The existing and resultant dwellings and their respective curtilages are of a size and form that is sympathetic to the locality. The proposed subdivision creates two plots with 12 and 10 metre frontages respectively and an overall depth of some 34 metres. This would leave the existing dwelling in a sizeable plot that has an 18 metre frontage and an overall depth of some 30 metres. These dimensions are not unduly dissimilar to other properties in the locality.

5.11 It is considered that the proposed dwelling should be constructed using natural stone blocks and slate tiles. However, it is presumed that external **building materials** would be controlled by way of a standard condition of planning permission requiring the submission of sample materials prior to the commencement of development.

5.12 With regard to **landscaping**, details of existing boundary treatments are denoted on the submitted topographical survey. These are to be retained were possible as shown and supported by a comprehensive hard and soft landscaping scheme. It is presumed that a standard condition of planning permission would control same.

5.13 With regard to vehicular and pedestrian **access**, the existing property (No.46) has the benefit of two vehicular accesses, one adjacent to No.48 and the other adjacent to No.44 White Knowle Road. The access between No.46 and No.44 is to be retained unaltered for use by the existing dwelling. The other access will be utilised by the proposed dwelling on Plot 1 and a new vehicular and pedestrian access is proposed for Plot 2, as shown. White Knowle Road comes to a 'dead-end' outside the application site and, as such, it is subject to a limited amount of traffic at relatively low speeds.

5.14 It is therefore considered that the creation of one additional access and the resulting increase in vehicular activity generated by the proposed dwellings would not be so great as to conflict with highway safety or the character of the area. The Trics datacard for a private residential unit indicates a range of some 7 to 9 vehicular movements per day which equates to an average of some 4 arrivals and 4 departures per day per dwelling.

5.15 Of these movements, the card indicates 14% of departures and 7% of arrivals occur in the morning peak hour, and a reversal in the evening peak hour. Thus, on average, each dwelling would generate a single departure and arrival in the morning and evening peak hour respectively. This leaves only 6 movements in total for the rest of any given day.

5.16 With regard to **layout**, the proposed development follows the established building line and the site arrangements described in Section 2 of this statement. The main body of the building is set within the centre of the plot and 7.2 metres back from the highway edge with two parking spaces being provided to the side of each dwelling. This layout also ensures that the resulting development does not have an adverse impact on the amenity of adjacent properties by reason of increased noise and general disturbance. It should also be noted that on-site turning is not considered to be a necessity in this instance given the nature of this part of White Knowle Road.

5.17 The area of the site amounts to 0.65 hectares and the proposal seeks consent for the erection of two dwellings. The **amount** of development therefore equates to a density of 30 dwellings per hectare. This is below the density which is normally required but the proposal is acceptable as it would intensify previously developed land in a sustainable location.

5.18 The footprint of each of the proposed dwellings measures 97 square metres (incorrectly stated as being 115 sqm previously) which equates to an overall **site coverage** of 30%. Again, such a low density is considered acceptable in these circumstances.

5.19 With regard to Part B of the Building Regulations, **emergency vehicles** can obtain suitable access to the site from White Knowle Road. On-site access and parking facilities are not required in this respect.

5.20 Similarly, with regard to **refuse collection**, suitable access can be obtained from White Knowle Road. On-site access and parking facilities are not required for a development of this scale. It should be noted that space is clearly attainable for the suitable storage of refuge and recycling bins to the side or rear of the property in order to maintain the street scene.

5.21 With regard to Part M of the Building Regulations and 'The Principles of Inclusive Design', at the beginning of the design process it is important to analyse the **transport patterns** to and within a development. Roads, parking, walkways, building entrances and other routes should be considered. People's opportunity to use all elements within the site, including the inside of buildings, is crucial.

5.22 With this in mind, the parking space to the side of each dwelling, together with the proposed hardstanding that leads to their respective main entrance, would provide suitable **disabled parking and access** to and from the property. Where changes in ground levels exist steps have been replaced with a gentle incline to allow suitable pushchair and wheelchair access. Hard surfacing extends around to the rear of the property to ensure that site arrangements will enable everyone to get to and move through the site on equal terms regardless of age, disability, ethnicity or social grouping. Also, low window-sills have been included where possible to all for a better view for all.

5.23 The proposed **access points** and routes respond directly to road layout. The proposed means of vehicular and pedestrian accesses provide for the best solution in terms of high safety as well as equality. Car parking is well integrated and supports the street scene. The scheme integrates with existing roads, paths and surrounding development with public spaces and pedestrian routes overlooked so they feel safe.

5.24 The chosen access points also provide for good routes to **transport links**. In this respect, access to a number of local bus services is available from the bus stops located at the junction of White Knowle Road and London Road. These link the site to the centre of Buxton from where bus services are available to most outlying villages, towns and surrounding districts. Details of available services can be found on the following links:

http://www.derbysbus.info/images/buxton.pdf
http://www.derbysbus.info/county.htm

5.26 From Buxton town centre, access can also be gained to the national rail network linking the site to Manchester and Sheffield. Full details of the services that are available can be viewed on the following link:

http://nationalrail.co.uk/system/galleries/download/print_maps/uk.pdf

6.0 CONCLUSIONS

6.1 Towns and villages have grown up over time and display a special relationship with their surroundings. The pattern, form and appearance and use of buildings and spaces are particular to each location and contribute to the unique sense of place and cultural identity. Good design should respect the character of its setting, whether urban or rural, and can make a positive contribution to reinforcing local distinctiveness.

6.2 Here, it is considered that the adopted design solution responds sensitively to the site and its setting. Particular care has been taken to ensure that the development provides for an acceptable level of privacy and amenity and that it does not create an alien, cramped appearance or inappropriate suburban appearance. It has been agreed with the LPA that it is appropriate to reinforce the distinctive and eminent character of the locality. Namely, the size, form and scale of the dominant 3 storey stone built semi-detached Edwardian and Victorian properties in the immediate locality.

6.3 With regard to paragraph 38 of PPS1, it is considered that the overall scale, density, massing, height, landscape, layout and access are appropriate in relation to neighbouring buildings and the local area more generally. This includes the positioning of the building within its plot and its presentation to the street. Also, in accordance with a condition of planning permission, it is clearly evident that the proposed building can be constructed with sympathetic materials of appropriate colour and texture. Similarly, landscaping can be controlled by way of a standard condition of planning permission.

6.4 The submitted plans demonstrate that the proposal would not appear cramped within the street scene as sufficient space can be provided between it, existing buildings and respective site boundaries. It would also maintain appropriate standards of privacy and amenity as it would not be detrimental to surrounding dwellings by virtue of overlooking or overshadowing.

6.5 With regard to Paragraph 8 of PPS1, it is considered the proposal is in accordance with the Development Plan and there are no material considerations that warrant the refusal of planning permission. It is also supported by central government guidance contained within PPG3 which seeks to reduce the pressures on greenfield sites by promoting more sustainable development and the utilisation and intensification of land within towns and villages. The proposed development would make more efficient use of land within the built-up framework of this part of Buxton without compromising the character and appearance of the locality or residential amenity.

6.6 With regard to the pre-application discussion detailed in **Appendix 3**, Section 55(2) of the 1990 Act confirms that internal alterations to a building do not constitute development. Therefore, planning permission is not required for the alterations sought by this application if the extant planning permission HPK/2007/0052 was constructed entirely in accordance with the approved plans. As confirmed, once the building is substantially complete and capable of occupation, a member of staff from the Planning Department would simply have to confirm compliance with the approved plans before the required re-positing of the said two internal walls.

6.7 In conclusion, as the proposed internal alterations can be undertaken without the benefit of planning permission or risk of enforcement action then it is considered that grounds do not exist for the refusal of planning permission. It is generally accepted that Local Planning Authorities should not withhold approval where the development can not ultimately be prevented or enforcement action taken.