
Agenda Item:	5.2
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Site:	The Gables, Needwood Road, Needwood, DE13 9RF
Proposal:	Retention of dwelling following subdivision of existing dwelling including alterations to the elevations and frontage of the site.

Report of Head of Service (Section 151 Officer)

This report has been checked on behalf of Legal Services by Stuart Evans

[Hyperlink to Application Details](#)

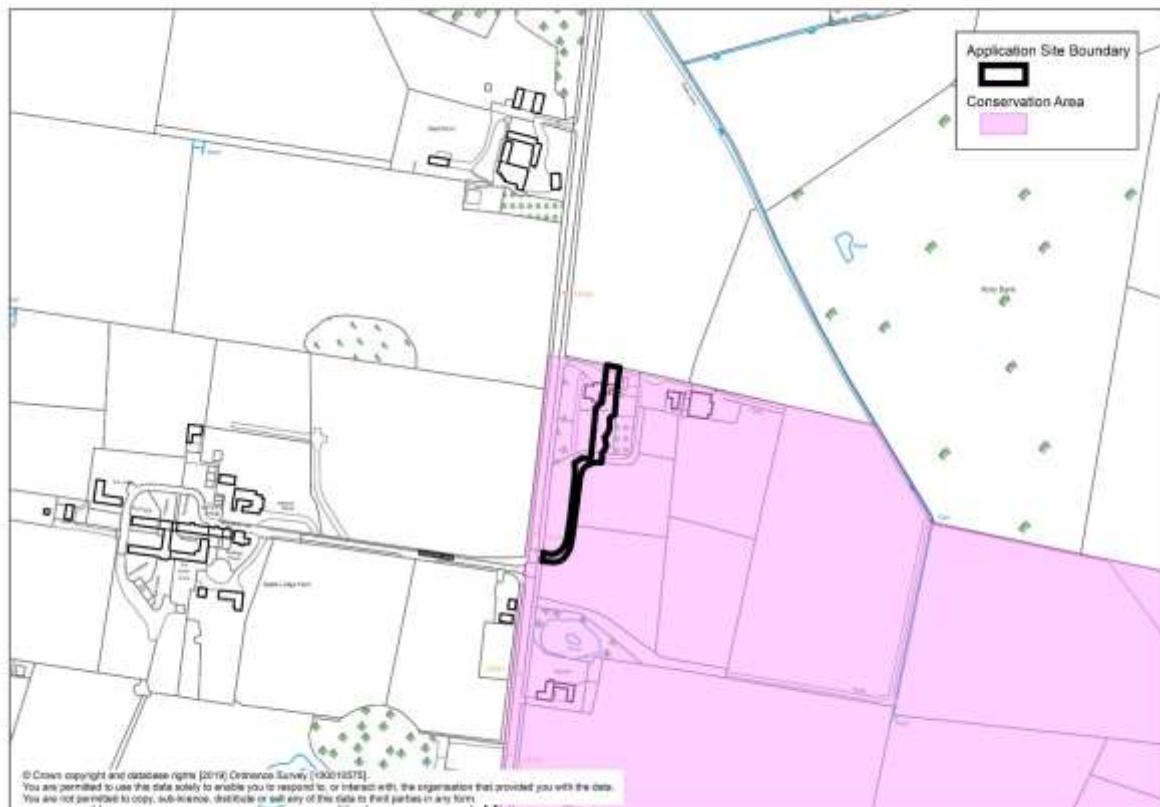
Application Number:	P/2019/01199	
Planning Officer:	Kerry Challoner	
Type of Application:	Detailed Planning Application	
Applicant:	Burton Property Trust	
Ward:	Needwood	
Ward Member (s):	Councillor B Ashcroft Councillor Mrs J Jones	
Date Registered:	09 October 2019	
Date Expires:	03 December 2019. An extension of time has been agreed until 12 December 2019 to allow time for the application to be reported to Planning Committee.	
Reason for being on Agenda	The agent for this application is working as a contracted member of staff within the Borough Council's Planning Department.	

1. Executive Summary

- 1.1 This application relates to a large two storey semi-detached dwelling known as 'The Gables' situated within a rural area of the Tatenhill and Rangemore Parish. The Gables has been subdivided to provide a three bedroom dwelling house (known as 'Little Gables') and permission is sought to retain this development as a separate dwelling house. 'The Gables' would be retained as a four bedroom property. Holly Lodge is attached to 'The Gables'/'Little Gables.'

- 1.2 The alterations in order to achieve the subdivision are minimal, as the original layout and form of the property has been used to achieve the new dwelling. Externally, a separate access, parking and amenity area have been provided to serve the new dwelling.
- 1.3 The site is located within the Rangemore Conservation Area and is accessed via an access road off Rangemore Hill. The site is outside of the settlement boundaries as defined in the Local Plan.
- 1.4 No representations have been received from neighbouring occupiers or local residents. Tatenhill and Rangemore Parish Council have raised no objections to the proposal.
- 1.5 The 're-use' of the existing dwelling to provide two smaller dwellings is considered to be a sustainable form of development which would accord with Local Plan Policies SP1 and SP8. External alterations to achieve the new dwelling are considered to be minimal in nature and would cause no harm to the rural locality or the character and appearance of the Rangemore Conservation Area. The development does not give rise to any unacceptable highway impacts and would not impact on the setting of any listed building.
- 1.6 In the light of the above conclusions on the planning merits of the case the application is recommended for **approval**.
- 1.9 **Members are advised that the above is a brief summary of the proposals and key issues contained in the main report below which provides full details of all consultation responses, planning policies and the Officer's assessment, and Members are advised that this summary should be read in conjunction with the detailed report.**

Map of site



2. The site description

- 2.1 This application relates to a large traditional two storey semi-detached dwelling known as 'The Gables' located within a rural area of the Tatenhill and Rangemore Parish. The site is located to the East of Rangemore Hill, and is served by an access track which provides vehicular access to The Gables and its attached semi-detached dwelling at Holly Bank along with some agricultural buildings to the East of the site. Agricultural fields surround the application property.
- 2.2 Externally, the property is distinctive in style with multiple gables, feature chimney stacks, attractive fenestration and detailed brick, tiles and bargeboards. The dwelling is representative of the character and architectural appearance of properties within the Rangemore estate.
- 2.3 The site is located within the Rangemore Conservation Area and is outside of the settlement boundaries as identified in the Local Plan.

3. Planning history

- 3.1 24 March 1997- **HO/20834/006**- Erection of a two storey extension- Approved subject to conditions.

4. The proposal

- 4.1 Consent is sought for the retention of a new dwelling unit following the sub-division of 'The Gables'. The new unit - known as 'Little Gables' - comprises a kitchen, living room and lobby area at ground floor along with three bedrooms and a bathroom at first floor. The existing basement has been converted into a utility room to serve the new dwelling. 'The Gables' would be retained as a four bedroom dwelling.
- 4.2 The building alterations to form 'Little Gables' have largely utilised the original floor plan layout and staircases within the property. To the front elevation a new doorway has been installed and the cill height of a window has been lowered. To the rear elevation an original doorway has blocked up and a new window installed.
- 4.3 Externally, the area to the frontage of the new dwelling ('Little Gables') has been fenced off with a 2m high fence along the boundary to the original dwelling 'The Gables' and a driveway and parking area has been provided alongside grassed amenity space to serve the new dwelling unit. The mature hedging along the Western Boundary with existing attached dwelling at Holly Bank has been retained.

List of supporting documentation

- 4.4 The following documents have been provided as part of the application:
- Location Plan
 - Site Plan
 - Block Plan
 - Existing and Proposed Layout Plans
 - Existing and Proposed Elevation Plans

- Planning and Heritage Statement

4.5 The relevant findings are dealt with in section 8 onwards below.

5. Consultation responses and representations

5.1 A summary of the consultation responses is set out below:

Statutory and non statutory consultee		Response
5.2	Parish Council	Tatenhill and Rangemore Parish Council have no objection to this planning application. However, the Council wishes to highlight Policy HE1 of the Neighbourhood Development Plan which anticipated approximately 4 dwellings in rural parts of the parish during the life of the plan (until 2031). Whilst the Council understands this is not an upper limit on development, the Neighbourhood Plan represents an increase on the development anticipated by the Borough Council Local Plan. As a result, the current speed of development is becoming a concern.

Internal Consultees		Response
5.3	Environmental Health	No objections were raised.

6. Neighbour responses

6.1 No responses were received from Ward Members, neighbouring occupiers or local residents.

7. Policy Framework

National Policy

- National Planning Policy Framework
- National Planning Policy Guidance

Local Plan

- Principle 1: Presumption in Favour of Sustainable Development
- SP1: East Staffordshire Approach to Sustainable Development
- SP8 Development Outside Settlement Boundaries
- SP24 High Quality Design
- SP25 Historic Environment
- SP35 Accessibility and Sustainable Transport
- DP1 Design of New Development
- DP3 Design of New Residential Development, Extensions and Curtilage Buildings
- DP5 Protecting the Historic Environment: All Heritage Assets, Listed Buildings, Conservation Areas and archaeology

'Made' Neighbourhood Plan

Tatenhill and Rangemore

- SP3 – Contextually Responsive Design
- HE1 – Parish Housing Strategy
- DC1- Design in Conservation Areas

Supplementary Planning Documents

- East Staffordshire Design Guide
- Separation Distances and Amenity SPD
- Car Parking Standards SPD

8. Assessment

8.1 The main issues in the determination of this application are considered to be as follows:-

- Principle of the development;
- Impacts on visual amenities;
- Impacts on residential amenities;
- Impacts on heritage assets;
- Highway safety.

9. Principle of Development

9.1 The NPPF states that at the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking. Paragraph 14 of the NPPF states that for decision-taking this means:

- approving development proposals that accord with the development plan without delay; and
- where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:
- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
- specific policies in this Framework indicate development should be restricted.

9.2 Paragraph 251 of the NPPF states that 'due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF. The closer the policies in the plan to the framework, the greater the weight that may be given'.

10. 5 Year land Supply

10.1 The most recent calculation uses figures as at 30th September 2019 and concludes there is 6.30 years of supply. Therefore the policies in the plan can be considered up to date.

11. Local Plan

11.1 The Council has adopted a positive approach in seeking to meet objectively assessed development needs of the Borough. The policies in the plan provide a clear framework to guide sustainable growth and the management of change, thereby following the Government's presumption in favour of sustainable development.

11.2 Strategic Policy 1 sets out the East Staffordshire Approach to Sustainable Development. Principles listed in the policy include social, environmental and economic considerations to be taken into account in all decision making where relevant. The principles are:

- located on, or with good links to, the strategic highway network, and should not result in vehicles harming residential amenity, causing highway safety issues or harming the character of open countryside;
- it is convenient and safe to walk, cycle and travel by public transport between (and for larger sites, around) the site and existing homes, workplaces, shops, education, health, recreation, leisure, and community facilities and between any new on-site provision;
- retains, enhances, expands and connects existing green infrastructure assets into networks within the site and within the wider landscape;
- re-uses existing buildings where this is practicable and desirable in terms of the contribution the buildings make to their setting
- integrated with the character of the landscape and townscape, provides for archaeological investigation where this is appropriate and conserves and enhances buildings of heritage importance, setting and historic landscape character;
- designed to protect the amenity of the occupiers of residential properties nearby, and any future occupiers of the development through good design and landscaping;
- high quality design which incorporates energy efficient considerations and renewable energy technologies;
- developed without incurring unacceptable flood risk or drainage problems and uses Sustainable Drainage Systems (SUDS) where appropriate;
- does not harm biodiversity, but rather enhances it wherever possible, including increasing tree-cover, especially as part of the National Forest;
- creates well designed and located publicly accessible open space;
- would demonstrably help to support the viability of local facilities, businesses and the local community or where new development attracts new businesses and facilities to an area this does not harm the viability of existing local facilities or businesses;
- would contribute towards the creation of sustainable communities through the provision of a mix of housing types and tenures;
- uses locally sourced, sustainable or recycled construction materials (including wood products from the National Forest where this is appropriate), sustainable waste management practices and minimises construction waste;
- safeguards the long term capability of best and most versatile agricultural land (Grade 1, 2 and 3a in the Agricultural Land Classification) as a resource for the future; and
- would result in the removal of contamination and other environmental problems associated with the site.

11.3 Strategic Policy 8 provides guidance and criteria on how to deal with development in the countryside and is relevant in this case. This policy states that outside development boundaries planning permission will not be granted unless:

- essential to the support and viability of an existing lawful business or the relation of a new business appropriate in the countryside in terms of type of operation, size and impact and supported by relevant justification for a rural location; or
- providing facilities for the use of the general public or local community close to an existing settlement which is reasonably accessible on foot, by bicycles or by public transport; or
- in accordance with a 'made' Neighbourhood Plan; or
- development under the Rural Exception Sites policy
- Appropriate re-use of Rural Buildings following guidance set out in the Rural Buildings SPD; or
- Infrastructure development where an overriding need for the development to be located in the countryside can be demonstrated; or
- Development necessary to secure a significant improvement to the landscape or the conservation of a feature of acknowledged importance; or
- Provision for renewable energy generation, of a scale and design appropriate to its location
- Otherwise appropriate in the countryside

11.4 Although the site is bounded by dwellings on both sides and boasts access to the local road network, there is no dispute that it is located in a rural area outside of settlement boundaries as set out in the Local Plan. It is therefore in the countryside for planning purposes where in accordance with Policy SP8 development will only be permitted subject to the various exceptions set out in the Council's countryside policies.

11.5 The proposed appropriate re use of an existing building is considered to be a sustainable form of development which is acknowledged in Local Plan Policy SP1. The use of the site as residential would not be affected by the proposals and it is noted that relatively modest alterations are required to the property in order to achieve the development. Whilst in Local Plan terms the location of the site is not sustainable (being outside of settlement boundaries), the redevelopment of the original large property to form two smaller dwellings would represent a sustainable re use of the property. Accordingly, the development would be considered as 'otherwise appropriate in the countryside' in relation to the exception criteria set out in Local Plan Policy SP8.

11.6 The made Tatenhill and Rangemore Neighbourhood Plan provides support to the development of new dwellings within the Parish through Policy HE1 'Parish Housing Strategy'. This policy sets out a spatial strategy allowing additional numbers of dwellings (up to 25) over the plan period - which runs up to 2031 - in specific areas of the Parish. In rural areas of the Parish, such as the location of the application site, up to 4 new dwellings could be permitted under this policy. This quota has already been reached through recent planning approvals. Whilst the proposal does not necessarily comply with Policy HE1 of the Neighbourhood Plan, as set out above the objectives of Local Plan Policy SP8 are nonetheless met by this development.

11.7 It is therefore concluded that the scheme in principle would meet the sustainability criteria of national and local planning policies in terms of the delivery of new residential development.

12. Design and Impact on the character and appearance of the area

12.1 The NPPF attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. The NPPF states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

12.2 Strategic Policies 1, 8 and 24 state that development proposals must contribute positively to the area in which they are proposed. The policies lists a number of criteria developments are expected to achieve including retaining the rural character of the countryside, creating a sense of place, reinforcing character, reflecting densities and where possible minimise the production of carbon through sustainable construction.

12.3 Policy DP1 of the Local Plan re-iterates the design principles set by Policy SP24 stating that development must respond positively to the context of the surrounding area, exhibit a high quality of design and be compliant with the East Staffordshire Design Guide.

12.4 The East Staffordshire Design Guide requires the design of development to demonstrate a strong, considered and sensitive response to its context. Design which is relevant to the site and wider context will be important, as this can support local distinctiveness. The Guide allows for development which employs a more modern architectural style but in terms of its proportions and siting it should still complement its surroundings.

12.5 The Tatenhill and Rangemore Neighbourhood Plan Policy DC1 ‘Design in Conservation Areas’ requires all new development to use high quality design and be contextually responsive and relate to the Conservation Area and the settlement within which it lies.

12.6 Neighbourhood Plan Policy SP3 ‘Contextually Responsive Design’ requires development proposals to fit in with their surroundings and to take into account the East Staffordshire Design Guide. Development will be supported, subject to it being part of a high quality contextually responsive design.

12.7 The external alterations to facilitate the subdivision of the original property have been carried out and are considered to be acceptable in visual terms. Appropriate materials have been used in the development resulting in a scheme which is in keeping with its surroundings.

12.8 Overall, it is concluded that the visual impacts of the scheme are minimal and would cause no harm to the character and appearance of the existing property or its rural surroundings in accordance with Local Plan Policies SP1, SP8, SP24 and DP1 and the NPPF.

13. Residential Amenity

- 13.1 The National Planning Policy Framework and Policies DP1 and DP3 of the Local Plan seek to ensure new residential development will not have an adverse impact on the amenities of new or existing residents by way of loss of light, overlooking or overbearing.
- 13.2 The Councils recently adopted Separation Distances and Amenity SPD sets out overall spacing standards for new residential development to ensure that existing and future occupiers have a good level of amenity and privacy to enjoy the place where they live.
- 13.3 Taking into consideration the layout of the new dwelling at Little Gables and the relationship with the adjoining properties; namely 'The Gables' and 'Holly Bank,' it is considered that there will be no significant loss of light or privacy, overlooking or overbearing impacts resulting from the proposal. A good level of residential amenity would be provided to future occupiers of the new dwelling unit whilst not compromising the existing residential amenity of the neighbouring occupiers. The proposal would therefore comply with the objectives of Local Plan Policies DP1 and DP3, the Separation Distances and Amenity SPD and the NPPF.

14. Historic Environment

- 14.1 Paragraph 126 of the NPPF states that Local Planning Authorities should recognise that heritage assets are an irreplaceable resource and conserve them in a manner appropriate to their significance.
- 14.2 In determining planning applications with respect to any building or other land in a conservation area, local planning authorities are under a statutory duty under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area. Case law has established that this means that considerable importance and weight has to be given to that statutory duty when balancing the proposal against other material considerations.. Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss.
- 14.3 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 provides that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Again, as for the Section 72 duty referred to above, case law has established that this means that considerable importance and weight has to be given to that statutory duty when balancing the proposal against other material considerations.
- 14.4 Strategic Policy 25 states that Development proposals should protect, conserve and enhance heritage assets and their settings, taking into account their significance, as well as the distinctive character of the Borough's townscapes

and landscapes. Detailed Policy 5 goes into more detail regarding Historic Assets, Listed Buildings, Conservation Areas and Archaeology.

- 14.5 The site is located within the Rangemore Conservation Area, as such Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 is engaged. Taking into consideration the minor alterations to the exterior of the dwelling and the provision of a new boundary treatment and parking area to the frontage, it is not considered that these alterations result in harm to the character or appearance of the Conservation Area.
- 14.6 It is therefore concluded that the proposed development would be in accordance with Strategic Policy 25 and Detailed Policy 5 of the East Staffordshire Borough Council Local Plan, Section 16 of the National Planning Policy Framework and Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990.
- 14.7 Section 66 of the Planning (Listed Building and Conservation Areas) Act 1990 is not engaged by this proposal as the scheme would not impact on the setting of a listed building. The scheme would not have any archaeological implications.

15. Highway Matters

- 15.1 The NPPF in section 4 sets out the role transport policies play in facilitating sustainable development which contributes to wider sustainability and health objectives. Decisions should consider ensure development proposals have taken the opportunities for sustainable transport modes, ensure safe and suitable access to the site can be achieved for all people and improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.
- 15.2 Policies SP1 and SP35 of the Local Plan aim to ensure development is located on sites with good links to the highway network, development is convenient and safe to walk, cycle and travel by public transport. Developments should not result in vehicles harming residential amenity, causing highway safety issues or harming the character of the open countryside. For those developments likely to have an impact on the wider highway infrastructure, proposals should be accompanied by a transport assessment clearly setting out how the likely impacts of the development will be addressed.
- 15.3 The Council's Revised Parking Standards sets out standards for different uses including space size, accessibility and the quantity of car parking spaces required for different uses.
- 15.4 The new dwelling is served by a private access road off Rangemore Hill where no alterations are proposed. A driveway and parking area have been installed to serve the new dwelling ('Little Gables'), as such suitable parking arrangements have been provided in line with the requirements of the Revised Parking Standards SPD. Existing parking and garaging serving The Gables and Holly Bank would be retained and unaffected by the proposals.

15.5 In light of the above, it is considered that there will be no adverse implications for highway safety as a result of the proposal.

16. Conclusions

16.1 The 're-use' of the existing large dwelling to provide two smaller dwellings is considered to be a sustainable form of development which would accord with the relevant Local Plan Policies SP1 and SP8. External alterations to achieve the new dwelling ('Little Gables') are considered to be minimal in nature and retain the existing attractive character of the building, causing no harm to this rural locality.

16.2 The scheme causes no detriment to the character and appearance of the Rangemore Conservation Area and as such Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 has been appropriately addressed. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 relates to impacts on Listed Buildings and is not engaged by this application as there are no Listed Buildings in the vicinity of the application site.

16.3 The amenities of existing and future neighbouring dwellings will not be materially harmed given the separation distances involved and the siting and design of the proposal. Highway safety will not be affected.

16.4 In conclusion, and having regard the relevant planning considerations set out above, it is considered that the proposal does represent a sustainable form of development which suitably complies with the overall aims of the relevant Local Plan Policies, the East Staffordshire Design Guide, Car Parking Standards SPD, the Separation Distances and Amenity SPD and the NPPF.

16.5 RECOMMENDATION

16.6 **Permit**, subject to the following conditions:

1. Compliance with the approved plans (00002).

Informatives

1. Standard engagement informative (003a)

17. Background papers

17.1 The following papers were used in the preparation of this report:

- The Local and National Planning policies outlined above in section 7
- Papers on the Planning Application file reference: P/2019/01199

18. Human Rights Act 1998

18.1 There may be implications under Article 8 and Article 1 of the First Protocol regarding the right of respect for a person's private and family life and home, and to the peaceful enjoyment of possessions. However, these potential issues are in this case amply covered by consideration of the environmental impact of the application under the policies of the development plan and other relevant policy guidance.

19. Crime and Disorder Implications

19.1 It is considered that the proposal does not raise any crime and disorder implications.

20. Equalities Act 2010

20.1 Due regard, where relevant, has been had to the East Staffordshire Borough Council's equality duty as contained within the Equalities Act 2010.

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