

26/03/2002

Item A4**Reg. No.** 9 2001 1261**Applicant:**

Mr & Mrs P Plant
Bower Lodge, Well Lane
Repton
Derby
DE656EY

Agent:

D Graham Campbell
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The Mill
Repton Road
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Proposal: The erection of one new house, alterations and restoration of existing cottage, restoration of existing garden wall at Bower Lodge Well Lane Repton Derby

Ward: Repton

Valid Date: 03/01/2002

Site Description

The site is the walled garden to Bower Lodge, being part of extensive and mature landscaped grounds. There is a cottage (former outbuilding) within the site currently in use as residential accommodation and garaging. That traditional building has been subject to unsympathetic alteration in the past, notably by the installation of dormer windows and other elevational alterations.

The boundary wall to the garden is about 3.5 metres high along the roadside, dropping to about 2.5 metres along the boundary of the site with adjacent field. The wall extends to a total length of some 64 metres. The wall occupies a most prominent position in the conservation area and shows signs of decay.

Proposal

The proposal seeks to erect a split-level dwelling of modern design using a mixture of old and new materials. The new dwelling would fit within the enclosure defined by the existing garden wall. The use of the existing outbuilding as a separate dwelling would cease and it proposed to restore that building to a traditional appearance, most notably by the removal of both dormers to the elevation facing the road and the blocking up of inserted openings. The building would become ancillary to the proposed dwelling. The vehicular access to the existing cottage would be used. An existing opening in the roadside wall would be reduced to form a pedestrian access.

Applicant's Supporting Information

- a) The existing residential cottage is currently rated as a separate individual dwelling. The proposal would transfer this benefit to the new house, with use of the existing cottage being precluded in the future. As such no additional dwelling would be created.
- b) The application includes a large element of enabling development to restore and improve this part of the conservation area.
- c) The existing cottage has suffered from a series of unsympathetic alterations and extensions over the years. A full restoration/improvement scheme is proposed, including the removal of asbestos sheds adjacent and general upgrading of the curtilage.
- d) The garden wall would be retained and restored. There is no question that the wall is an important feature of the conservation area and needs to be preserved as part of the enclosure of the village boundary.
- e) Up to 50% of the wall could be taken down without consent. The applicant is willing to accept a condition that the wall is to be retained in its current position and height. The only exception is that an existing double door opening would be reduced to a single door.
- f) Because there would be no increase in the number of dwellings there would be no increased traffic.
- g) The restoration works proposed would enhance the conservation area.
- h) The new house is designed to restore the existing garden wall and garden from within the site and to minimise the impact from outside the site.
- i) The slope of the site gives the opportunity to create a semi-basement with window cills at ground level. This window wall will be constructed in second hand brick, with intermittent piers, to create the impression that it formed part of the original garden wall. This wall would be at right angles to the existing east wall and set back slightly from the leading edge of the east wall to line up with the base of the existing pier.
- j) The use of this semi-basement would create a level platform 200 mm above the existing ground level at the existing north wall on to which would be placed a low pitched single storey upper floor.
- k) At its closest the house would be 3 metres from the north wall and some 7.5 metres at its furthest. This would create a triangular area to be used as a kitchen garden. Existing fruit trees against the north wall would be retained. Access to this area would be through glazed doors. All other windows in this elevation would be small, designed for lighting rather than views out.
- l) The east wall of the new house would be set away from the existing garden wall to allow main access from both the existing opening in the north wall and from the restored cottage via a new timber bridge over the stream.
- m) The west wall would similarly be positioned away from the garden wall but with a 'stagger' to allow for a timber deck. The stagger also allows the living area to have a south-facing window for sunlight.
- n) The house has been designed to be a contemporary interpretation of a greenhouse, linking two solid 'potting sheds', containing the living room and cloakroom/utility.
- o) The conservatory to the south would maximise sunlight and has been designed to be a heat store in the winter months, transferring heat build-up during the day to the living rooms behind and the bedrooms below.
- p) The height of the existing north wall would preclude views from Well Lane. The eastern gables appearing over the top of the east wall would be substantially screened by existing trees, mainly evergreens.
- q) Any building within the walled garden would be visible from the west. A sympathetically designed contemporary house that would not conflict with or destroy the integrity of the existing garden wall would be an acceptable and appropriate visual solution to ensure the future retention of an important feature in the conservation area.

Site History

None relevant to this proposal.

Responses to Consultations

The Parish Council objects for the following reasons:

- a) The site in the conservation area and the proposed building is not in keeping with the area.
- b) The building is not considered to be a replacement and there would be two dwellings.
- c) There would be increased traffic.
- d) There is concern that the wall may be reduced in height.

Repton Village Society objects as follows:

- a) The site is outside the village envelope and does not meet the criteria for development in the countryside.
- b) The design of the dwelling would be out of character with the conservation area.
- c) The existing dwelling could be extended.
- d) The garden wall should be retained in its existing state irrespective of the outcome of the application.

The Highway Authority has no objection on the basis of there being no additional dwellings.

Severn Trent Water Limited, the Environment Agency and the Environmental Health Manager have no objection in principle.

Responses to Publicity

Three letters have been received raising the following objections:

- a) Since the site is outside the village confines a precedent would be set, the cumulative impact of which would be severely detrimental to the character and amenity of the village.
- b) The site is in the conservation area and highly accessible to the public at this point. From the well-used public footpaths the dwelling would appear as an unsatisfactory intrusion into the open edge of the village. It would severely detract from the character and amenity of the conservation area.
- c) The conservation area objection would be exacerbated by the proposed design, which is not traditional and is out of keeping with its surroundings.
- d) There would be a severe impact on the outlook and privacy of Bower Hill Cottage opposite.
- e) The close proximity of the boundary wall would impact on the reasonable enjoyment of the proposed dwellinghouse by its dominating presence and loss of light to private amenity areas. This would lead to pressure to reduce the height of the wall, worsening the impact on the neighbouring dwelling.
- f) Taken with other recent development the open edge of the conservation area would be eroded in an unsatisfactory manner.
- g) Well Lane is well used by pedestrians, including children. It lacks footways, is narrow and was initially built as access to four properties. Increased traffic is bound to have an adverse impact on pedestrian road safety.

- h) A new access has recently been created by the formation of a doorway through the northern wall to the enclosed garden. These works may not be permitted development and should be investigated. (Comment: The alterations to the wall are permitted development and are of insufficient extent as to require conservation area consent).
- i) There would be disturbance to wildlife and the general peace of the lane.

Structure/Local Plan Policies

The relevant policies are:

Joint Structure Plan: General Development Strategy Policy 4, Housing Policy 6 and Environment Policy 9

Local Plan: Environment Policy 1, Housing Policy 8 and Environment Policy 12.

Planning Considerations

The main issues central to the determination of this application are:

- The principle of development.
- The impact on the character and appearance of the conservation area.
- Residential amenity.
- Highway safety.
- Whether other material considerations indicate that the development plan should not prevail.

Planning Assessment

The proposal is not favoured by the general locational and housing policies. Housing Policy 8 of the Local Plan favours replacement dwellings outside settlements subject to four criteria. It fails to meet two by being larger than the existing cottage and by not being on substantially the same site as the old.

The conservation area issue has several elements that need to be considered, concerning the garden wall, the existing dwelling, the design of the new house in its setting, and the relationship of the new house to the other considerations.

The existing garden wall is a substantial historic feature at the edge of the conservation area. It makes a most positive contribution to the character and appearance of the area. Whilst it is subject to controls over substantial demolition it is clear that significant works could be carried out to it without the need for Conservation Area Consent and on the basis of permitted development. Therefore its future depends to a great extent on the will of the owner of the wall. It is clear that the wall has reached a stage whereby works of maintenance and restoration are necessary.

The existing cottage is a traditional building that has been marred by unsympathetic alteration in the past. Its contribution to the conservation area is thereby diminished. The proposed alterations to the building would be a significant enhancement to the character and appearance of the locality.

The proposed new dwelling is well considered as a contemporary design in an historic setting. It builds on the presence of the existing garden walls and proposes a fourth side to the existing

garden wall that would form the spine of the property. The wall would attach to the outer walls and follow through as an internal feature, visible from outside through the heavily glazed conservatory. At the lower level another brick wall would define the semi-basement rooms. Viewed from the south there would be a tiered effect of three brick walls with the northern roadside garden wall being the highest. The roof facing the garden would be designed to resemble a green house, whilst the roof slope presented to Well Lane would be in natural slate. The overall design, whilst being unequivocally modern would reflect the concept of a large green house in a walled garden, with a mixture of old and new materials. It is felt that the design concept is appropriate and in its specific setting would make a positive contribution to the character and appearance of the conservation area.

Bower Hill Cottage is elevated relative to the application site. The height of the garden wall relative to habitable room windows and the roof of the proposed dwelling would ensure no loss of privacy or light to Bower Hill Cottage. Whilst the outlook from that dwelling would change, the main manifestation would be a view of the slate roof seen over the garden wall. On balance the impact on Bower Hill Cottage would not be demonstrably harmful. No other dwellings are close enough to be affected.

Because the existing cottage would come out of use as a separate dwelling the impact on traffic movements would be neutral and there would thus be no increased risk to safety.

The proposal is not fully favoured by the development plan policies for new housing development outside settlements, although it satisfies two of the criteria in Housing Policy 8, notably that there would be no increase in the number of dwellings and the design and materials would be in keeping. The development has the potential to satisfy conservation policies if measures can be taken to secure the restoration and maintenance of the garden wall, which makes a most positive contribution to the character of the area, and to effect improvements to the existing cottage, which has been somewhat despoiled. Neither of the latter two benefits can be required of the owner at the present time. The applicant has offered these as part of the proposed development.

The application presents an opportunity to implement a well thought out contemporary design that is in keeping with its surroundings, whilst also securing the restoration of the historic wall and the altered cottage. These benefits are considered to be of sufficient weight as to set aside the locational policies of the development plan, subject to them being secured by an appropriate legal agreement.

Recommendation

Subject to the applicant entering into an agreement under Section 106 of the Town and Country Planning Act to secure the maintenance and restoration of the garden wall and restoration to the existing cottage, along with an undertaking to cease usage of the cottage as a separate dwelling **GRANT** permission subject to the following conditions:

1. The development permitted shall be begun before the expiration of five years from the date of this permission.

Reason: To conform with Section 91(1) of the Town and Country Planning Act, 1990

2. No part of the development shall be carried out until precise details, specifications and, where necessary, samples of the facing materials to be used in the construction of the external walls and roof have been submitted to and approved in writing by the Local Planning Authority.

Reason: To safeguard the appearance of the existing building and the locality generally.

3. The copings shall be in natural stone to match the existing wall copings and a sample shall be submitted for approval in writing by the Local Planning Authority before they are placed on the walls.

Reason: To ensure the building/extension is in keeping with its surrounding in the interest of the character and visual amenity of the area.

4. Large scale drawings to a minimum Scale of 1:20 of external joinery, including sections, precise construction method of opening and cill and lintel details shall be submitted to and approved in writing by the Local Planning Authority before building work starts. The external joinery shall be constructed in accordance with the approved drawings.

Reason: The details submitted are inadequate to determine whether the appearance of the building would be acceptable.

5. Large scale drawings to a minimum Scale of 1:20 of the balustrade, steps and new timber bridge shall be submitted to and approved in writing by the Local Planning Authority before building work starts. The balustrade, steps and bridge shall be constructed in accordance with the approved drawings.

Reason: The details submitted are inadequate to determine whether the appearance of the building would be acceptable.

6. Notwithstanding any details submitted, precise details of the type, size and position of the proposed rooflight(s) shall be submitted to and approved in writing by the Local Planning Authority. The approved rooflight(s) shall be fitted such that their outer faces are flush with the plane of the roof, unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of the appearance of the building(s) and the character of the area.

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, the dwelling hereby permitted shall not be altered, enlarged or extended, no satellite dishes shall be affixed to the dwelling and no buildings, gates, walls or other means of enclosure (except as authorised by this permission or required by any condition attached thereto) shall be erected on the application site (shown edged red on the submitted plan) without the prior grant of planning permission on an application made in that regard to the Local Planning Authority.

Reason: To maintain control in the interest of the character and amenity of the area, having regard to the setting and size of the development, the site area and effect upon neighbouring properties and/or the street scene.

8. Unless as may otherwise be approved in writing by the Local Planning Authority, external joinery shall be in timber and painted/stained to a colour and specification which shall have been previously agreed in writing by the Local Planning Authority.

Reason: In the interests of the appearance of the building(s) and the character of the area.

9. All plumbing and service pipework, soil and vent pipes, electricity and gas meter cupboards and heating flues shall be located inside the building unless specifically agreed in writing by the Local Planning Authority. The type, number and position of heating and ventilation flues outlets shall be agreed in writing with the Local Planning Authority before development is commenced.

Reason: In the interests of the appearance of the building(s) and the character of the area.

10. A lime mortar shall be used for pointing, the specification for which shall be approved in writing by the LPA before work begins, and a sample panel of pointing 2 metres square, or such other area as may be agreed by the Local Planning Authority, shall be prepared for inspection and approval in writing by the Local Planning Authority, prior to the implementation of any other works of pointing.

Reason: In the interests of the appearance of the building(s) and the locality generally.

11. No part of the development shall be carried out until precise details and specifications of the rainwater goods have been submitted to and approved in writing by the Local Planning Authority.

Reason: To safeguard the appearance of the existing building and the locality generally.

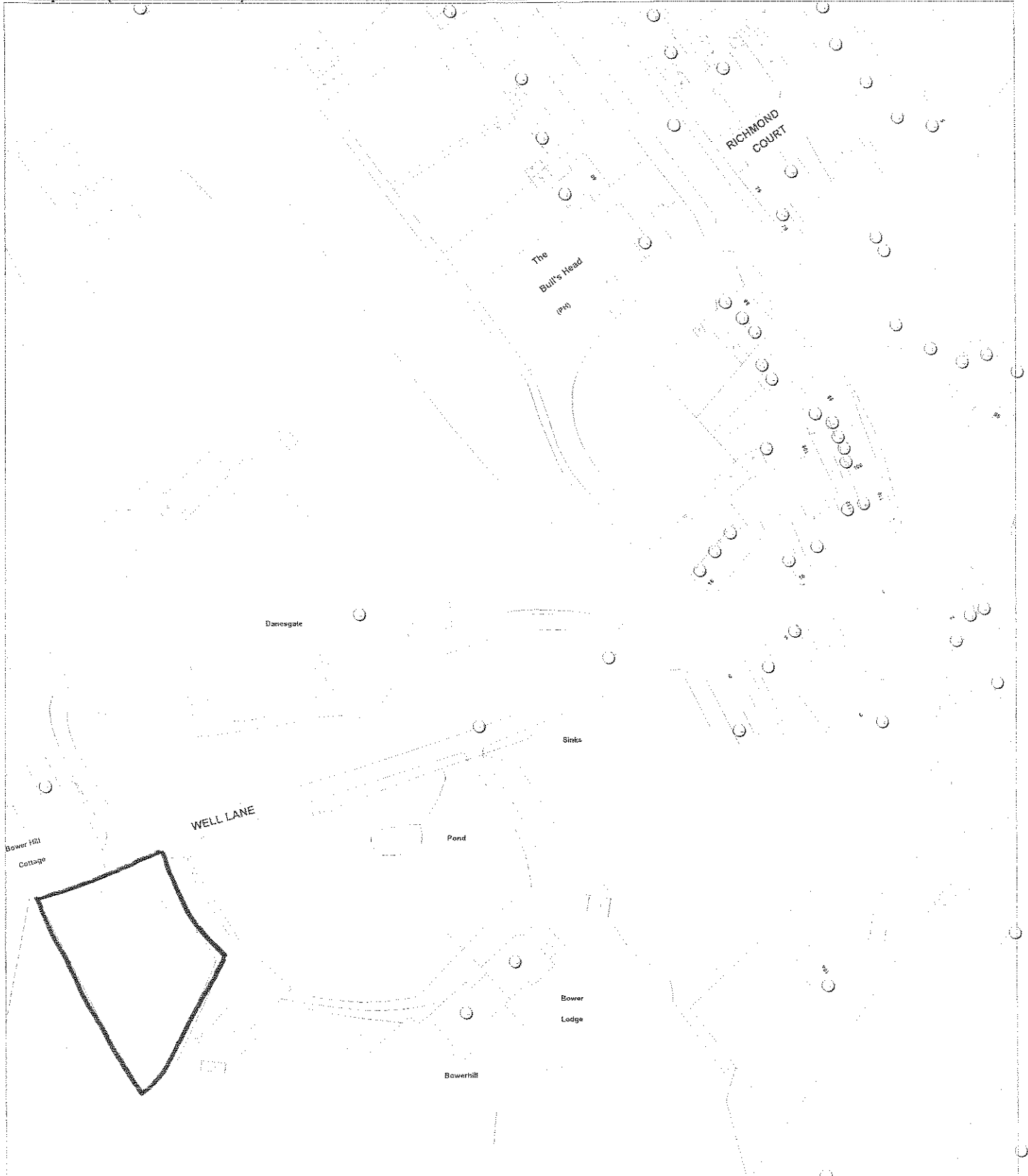
12. No development approved by this permission shall be commenced until a scheme for the provision of surface water drainage works has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include the use of Sustainable Drainage Systems and shall not result in an increase in the rate of surface water discharge to the local land drainage system. The drainage works shall be completed in accordance with the details and timetable agreed.

Reason: To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal.

13. Notwithstanding the originally submitted details, this permission shall relate to the amended drawings, amended 28/02/02 and received under cover of the agent's letter dated 5 March 2002..

Reason: For the avoidance of doubt, the original submission being considered unacceptable.

Site Visit: Well Lane
Repton (9/2001/1261)



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Scale 1:1250 Date Plotted 5/4/2002

Plot centred at 430577 326515

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