

Item **B1**

Reg. No. **9 2001 0864 F**

Applicant:

Mr & Mrs D Marshall
Cote House Farm
Scropton
Derby
DE65 5PL

Agent:

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Proposal: **The erection of an extension at 6, Cote House Farm Watery Lane Scropton Derby**

Ward: **North West**

Valid Date: **29/08/2001**

Site Description

The site, the subject of this application, is located in the countryside on land to the north of Scropton. It is currently occupied by a large farmhouse that has been extended on a number of occasions in the past. The site lies at the end of a long drive off Watery Lane

Proposal

The proposal is to add a second storey to an existing granny flat to provide additional living accommodation for the occupiers of the existing dwelling. The unit would not have any physical link through to the main dwelling

Applicants' supporting information

The applicants have submitted the following statement as an integral part of the planning application and requests that it be incorporated in the report to elected members.

Whilst the previous application, as originally submitted, would have resulted in a separate house in addition to the existing, this fresh application is purely for an extension to an existing dwelling. It therefore falls to be considered under Housing Policy 13, and not Housing Policy 8, of the South Derbyshire Local Plan. It is submitted that the proposed extension is in keeping with the scale and character of the existing dwelling, and is conformity with the requirements of the policy. Whilst it would result in a larger than average dwelling, the actual increase in floorspace over the existing will not be disproportional, and there are many examples of appropriately large dwellings in the countryside. The proposed extension will not dominate or visually detract from the main part of the dwelling, and the resulting development will not, in our opinion, have any significant impact on the countryside.

The purpose of the extension is to provide sufficient accommodation for the applicant and his wife, together with some visitor accommodation for the whole dwelling, thereby enabling their son and his family to occupy the original residential accommodation. The applicant understands the concerns that the Council expressed on the occasion of the previous application, but this proposal is not an attempt to create a separate dwelling in the countryside. The overall planning unit will remain the same, and there are to be clear functional links between the extension and the existing dwelling. Should the Council have any fears over a future separation, they are invited to impose a restrictive condition on any permission to preclude such an eventuality. It is our view that the planning machinery should not be used to militate against two families who choose to live together under one roof.

Although the Council may argue that the proposed development is not sustainable, the fact is that a dwelling with a dependent relative annexe already exists, and there can be no control over its occupants. Thus, there could already be several economically active people residing at the site, with jobs that take them away from the house. There can never be any guarantee that any development will meet the Government's objectives to secure sustainable development, but there are significant employment opportunities at the nearby industrial estate.

Although the applicant and his son have their main employment elsewhere, they were both at one time resident together in the existing dwelling. The applicant has a direct connection with the farm on which the dwelling is located since he continues to breed pedigree cattle from it. Whilst that does not provide a living from agriculture, there is an essential on-site need for supervision and security, and that must continue to be provided when the applicant and his wife are absent on holiday, and other occasions.

The Council members and their officers are kindly requested to consider the proposed development sympathetically, which we consider to fall comfortably within policy. Should the officers nevertheless feel unable to lend their support, it is considered that it would remain open for the elected members to take an alternative view without compromising their policies. The only judgement to be made is within the context of Housing Policy 13 on the question of scale and character.

This application is commended to the Council, and it is hoped that planning permission may be granted in due course.

Planning History

Permission for an enlargement of the dwelling house and to provide a flat was granted in 1990.

Earlier this year a similar application to this was withdrawn before determination.

There have been two applications permitted for the erection of agricultural buildings.

Responses to Consultations

Foston and Scropton Parish Council has no objection.

Structure/Local Plan Policies

The relevant policies are:

Local Plan: Housing Policy 8 & 13

Planning Considerations

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

- The scale of the proposed development and its impact on the character of the area.

Planning Assessment

The applicant seeks consent to erect an extension over a previously approved addition, that provided for a granny annexe, to the original dwelling. The applicant has sought to demonstrate, through his agent's supporting statement, that the development is merely an extension to the dwelling and that it is of a scale and character in keeping with the existing dwelling and that, in terms of Housing Policy 13 of the South Derbyshire Local Plan, relating to extensions, that this is an acceptable form of development that should be permitted.

However, whilst in many cases extensions to dwellings in the countryside may prove acceptable there are policies in the development plan that seek to ensure that the countryside is protected from inappropriate development. This may include larger extensions to dwelling houses.

In this case the extension that is proposed would add to previously approved additions. As a result, if this submission was granted consent, the dwelling would have increased by a level significantly over double the size of the original unit. This size of extension is not acceptable as it has an adverse impact on the character of the rural area and, if replicated, elsewhere, assists in the gradual urbanisation of the countryside.

Additionally, there would be no physical link between the two units and the design of the extension gives the impression of being a separate unit particularly as the roof line of the extension would be above that of the existing unit. As such, it is appropriate to consider the application in the same light as that for a new dwelling in the countryside. Such an application is not acceptable in principle and would, in any case, be unsustainable.

The applicants have argued that the proposal can be controlled by a condition limiting the occupation of the extended dwelling to relatives of the main dwelling. This may be the case in theory, however, the unit is designed as a separate unit, and has the accommodation that a separate dwelling unit would have and not that of an ancillary feature. The proposed accommodation includes a hall, living room, snug, a dining room, a utility room and a kitchen at ground floor level with two en-suite bedrooms and a further bedroom and separate bathroom at first floor level. Therefore, restricting the use to an ancillary unit would be unrealistic and open to challenge with the Local Planning Authority having to demonstrate in response to an application to remove a condition limiting occupation, the difference between the appearance of a two storey "annexe" and what would appear as a two storey dwelling.

Another factor is the relationship between the two parts of the planning unit. The extended building would be at least the same size as the original dwelling. It is normal for a granny annexe to be subservient to the main house for which it provides ancillary accommodation. In

this case, the annexe would have all the necessary accommodation to be lived in as a separate dwelling.

Another consideration arising from the information is the statement that the intention is not to create two separate dwellings. The submitted drawings show that there would be no physical link between the two parts of the dwelling. Indeed, the existing link between the main house and the existing annexe is shown as being removed. There would be nothing to suggest that this is a dwelling with a granny annexe. It would appear as two separate dwellings.

Whilst acknowledging the supporting statement, the overall impact of the development would be tantamount to the creation of a new dwelling in the countryside contrary to national and local planning policy.

Recommendation

GRANT permission subject to the following conditions:

1. General Development Strategy Policy 1 of the adopted Derby and Derbyshire Joint Structure Plan requires that development will respect the principles of sustainable development. General Development Strategy Policy 4 of the same Plan requires that in the countryside development will be permitted if it can be shown appropriate to the location and can be designed and positioned to minimise impact on the environment. Structure Plan Housing Policy 6 states that housing development will be permitted only if it can be shown to be necessary for the operation of a rural based activity and that a location outside a settlement is essential. Whilst there is a quasi-residential use upon which the proposal is based, the impact of the proposal would be indistinguishable from a new dwelling in the countryside. There is no essential need for a dwelling to be created in the countryside and as such, there is no justification for the development. In addition the development is only accessible by the private motor car and as such is not a sustainable location for the extended dwelling. The development is therefore contrary to the above policies of the adopted Structure Plan.

2. Environment Policy 1 of the adopted South Derbyshire Local Plan requires that outside settlements new development will not be permitted unless it is essential to the operation rural based activity or is unavoidable in the countryside and the character of the countryside, landscape quality, wildlife and historic features are safeguarded and protected. Housing Policy 8 requires that housing development is necessary to the operation of a viable long term established rural based activity, a countryside location is necessary to the efficiency of the activity, the site is well related to buildings and the dwelling is of a size commensurate with the functional requirement of the activity. Whilst there is a quasi-residential use upon which the proposal is based, the impact of the proposal would be indistinguishable from a new dwelling in the countryside. In the absence of any justification for a new dwelling, the proposal is contrary to the above policies.