



Fields Head Cottage, Fieldhead, Glossop, High Peak SK13 8NX

Proposed extension of existing house.

PLANNING APPEAL STATEMENT



Introduction

This statement is written in support of a planning appeal following the refusal of planning permission, by High Peak Borough Council, for an extension to an existing dwelling at Fields Head Cottage, Fieldhead, Glossop.

The householder planning application (ref. HPK/2017/0564) was refused on the 11th December 2017, with the council stating 3 reasons for refusal:

1. The proposal is for development in the Green Belt. The proposed development would result in a further extension of a dwelling and disproportionate additions over and above the size of the original dwelling. The proposal is therefore inappropriate development in the Green Belt which by definition would be harmful and, due to its scale and massing, the development would harm the openness of the Green Belt. The proposal is therefore contrary to Policy EQ4 of the High Peak Local Plan and Section 9 of the NPPF.

2. The NPPF makes it clear that substantial weight should be given to any harm to the Green Belt and that planning permission should only be granted if there are other considerations that would amount to 'very special circumstances' that clearly outweigh the harm. Other considerations, relating to what other forms of development might be permitted by the General Permitted Development Order 2015, have been presented by the applicant. However, these considerations do not amount to 'very special circumstances' because they do not clearly outweigh the substantial weight that must be attributed to the harm to the Green Belt. The proposed development therefore would be contrary to the policy guidance contained at Section 9 of the NPPF.

3. The proposed extension, by virtue of its design, would be out of keeping with the traditional character and appearance of the existing dwelling. The application is therefore contrary to Policy EQ6 of the High Peak Local Plan and is not in line with Section 7 (Requiring Good Design) of the NPPF.

This statement sets out the Appellant's case in support of the proposed extension and responds to the Council's stated reasons for refusal.

This statement should be read in conjunction with the submitted planning application (ref HPK/2017/0564) and the associated documents:

- 1379.PL01 Location Plan
- 1379.PL01 Existing Drawings
- 1379.PL02 Proposed Drawings
- 1379.PL04 Existing and Proposed Site Plans
- Officer's Delegated Report
- Decision Notice
- 1379.Db.01 Planning Statement. This document has not been included, by the council, in its list of documents associated with the planning application and as such, I have included much of the information contained in that document within this statement.

Background

As described in the submitted Planning Statement, Fields Head Cottage is one of two existing dwellings, in the same building, on Field Head in Glossop. Although the existing building was historically divided into 4 smaller cottages.

The building is of traditional stone appearance to the front, with cream, rendered walls to the side and rear. It has a pitched, natural slate roof and the windows are white UPVC.

The building is situated within the Green Belt and was extended in 2006 (ref HPK/2005/0922). Permitted Development Rights were not removed as a condition of the 2006 planning approval and remain with the property.

Proposals

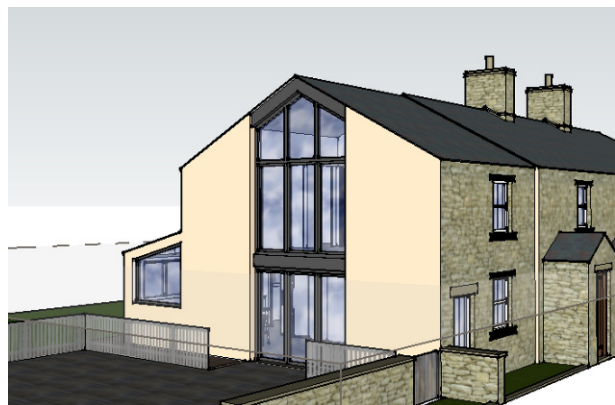
The proposal is for a new 2 storey side extension with a small single storey rear element. The extension will contain a new master bedroom at first floor level and a Kitchen/Dining Room and Utility room on the ground floor. The existing, rear, Kitchen will become the Lounge. The unlawful, rear Conservatory will be removed.

The purpose of the extension is to provide an extra bedroom and living space which take advantage of the fantastic views to the North East of the house.

The extension has been designed to continue the traditional, terrace appearance at the front of the house with more contemporary detailing to the side and rear. The glazed, North East gable will offer the light and views required to meet the owner's specific brief. The materials that will be used in the proposed extension will match those in the existing property and the extension is of a size and scale that will respect the character and appearance of the existing buildings.



Front view of extension



Side view of extension

Planning Policy Context and Reasons for Refusal

The site falls within an area of Green Belt. Therefore, the application must be judged against the NPPF Section 9 and, Local Plan policy EQ4.

High Peak Borough Council Policy EQ4 states that the Council will seek to protect the Green Belt and maintain its openness and permanence. Within the Green Belt, planning permission will not be granted for development unless it is in accordance with national planning policy.

It is therefore the NPPF which has been referred to for the purposes of this appeal statement.

The NPPF Section 9 says that:

"inappropriate development is, by definition, harmful to the Green Belt"

The NPPF Section 9 also states that the construction of new buildings within the greenbelt should be considered inappropriate, with the exception of:

"the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;"

Whilst the extension could be considered "large" within the context of Fields Head Cottage alone, the house is part of a larger "building".

Paragraph 89 of the NPPF is clear in its description of the exceptions to inappropriate development. It refers to extensions and alterations to an existing "**building**" and additions over and above the size of the original "**building**".

The proposed extension should therefore be looked at in context with the building block, as a whole, and not in relation to Fields Head Cottage as a dwelling.

We must therefore look at High Peak Borough Council's first 2 reasons for refusal:

1. The proposal is for development in the Green Belt. The proposed development would result in a further extension of a dwelling and disproportionate additions over and above the size of the original dwelling. The proposal is therefore inappropriate development in the Green Belt which by definition would be harmful and, due to its scale and massing, the development would harm the openness of the Green Belt. The proposal is therefore contrary to Policy EQ4 of the High Peak Local Plan and Section 9 of the NPPF.

2. The NPPF makes it clear that substantial weight should be given to any harm to the Green Belt and that planning permission should only be granted if there are other considerations that would amount to 'very special circumstances' that clearly outweigh the harm. Other considerations, relating to what other forms of development might be permitted by the General Permitted Development Order 2015, have been presented by the applicant. However, these considerations do not amount to 'very special circumstances' because they do not clearly outweigh the substantial weight that must be attributed to the harm to the Green Belt. The proposed development therefore would be contrary to the policy guidance contained at Section 9 of the NPPF.

Reason number 1 is the direct result of an incorrect reading and interpretation of Section 9 of the NPPF.

High Peak Borough Council cite "*disproportionate additions over and above the size of the original dwelling*" as their reason for considering the proposals to represent inappropriate development in the Green Belt.

There is no reference, in Section 9 of the NPPF, which relates to additions to the "*original dwelling*". It is the original "*building*" that the size of the extension should be judged against.

The Delegated Report chooses to ignore the Appellant's correct interpretation of Section 9 of the NPPF, stating that the extension should be considered against the size of the whole building rather than the individual dwelling. Instead, the Planning Officer has chosen to judge the size of the extension in relation to the individual dwelling.

Using the original building rather than the dwelling as a starting point. The proposed extension, on its own, would represent an increase of approximately 27-28% on the size of the original building. If you add the 2006 rear extension, the total additions would represent an increase of approximately 50% on the original size of the building.

These are the figures that should be used to judge whether the proposals represent "*disproportionate additions over and above the size of the original building*" and not those in the Delegated Report.

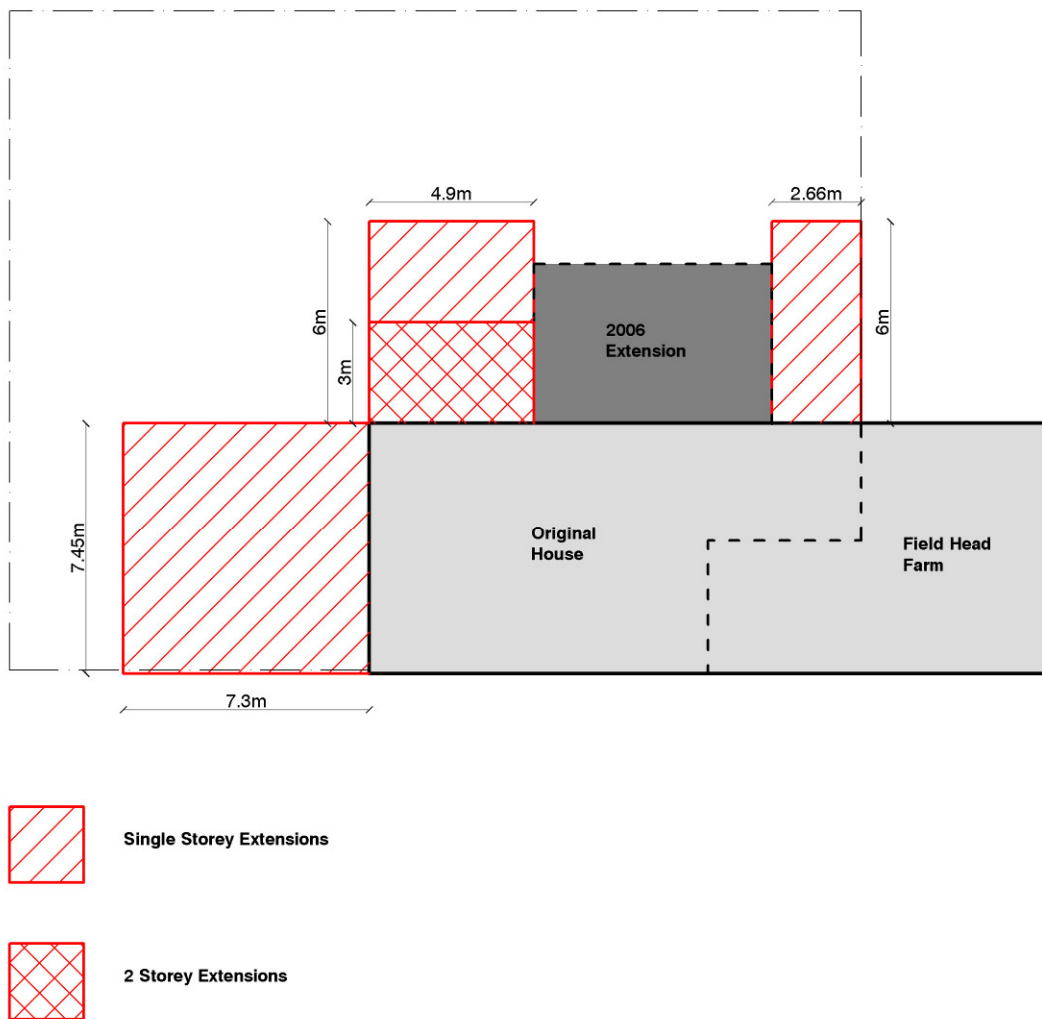
Using the correct figures significantly alters High Peak Borough Council's second reason for refusal and if the proposals are not considered, disproportionate, then they must also not be considered as inappropriate development in the Green Belt. Which would make High Peak Borough Council's second reason for refusal irrelevant.

As the proposals now represent a much lower percentage addition to the size of the original building, the weight given to the perceived harm to the Green Belt must also be reduced. This in turn means that the "very special circumstances" required to outweigh the perceived harm are reduced.

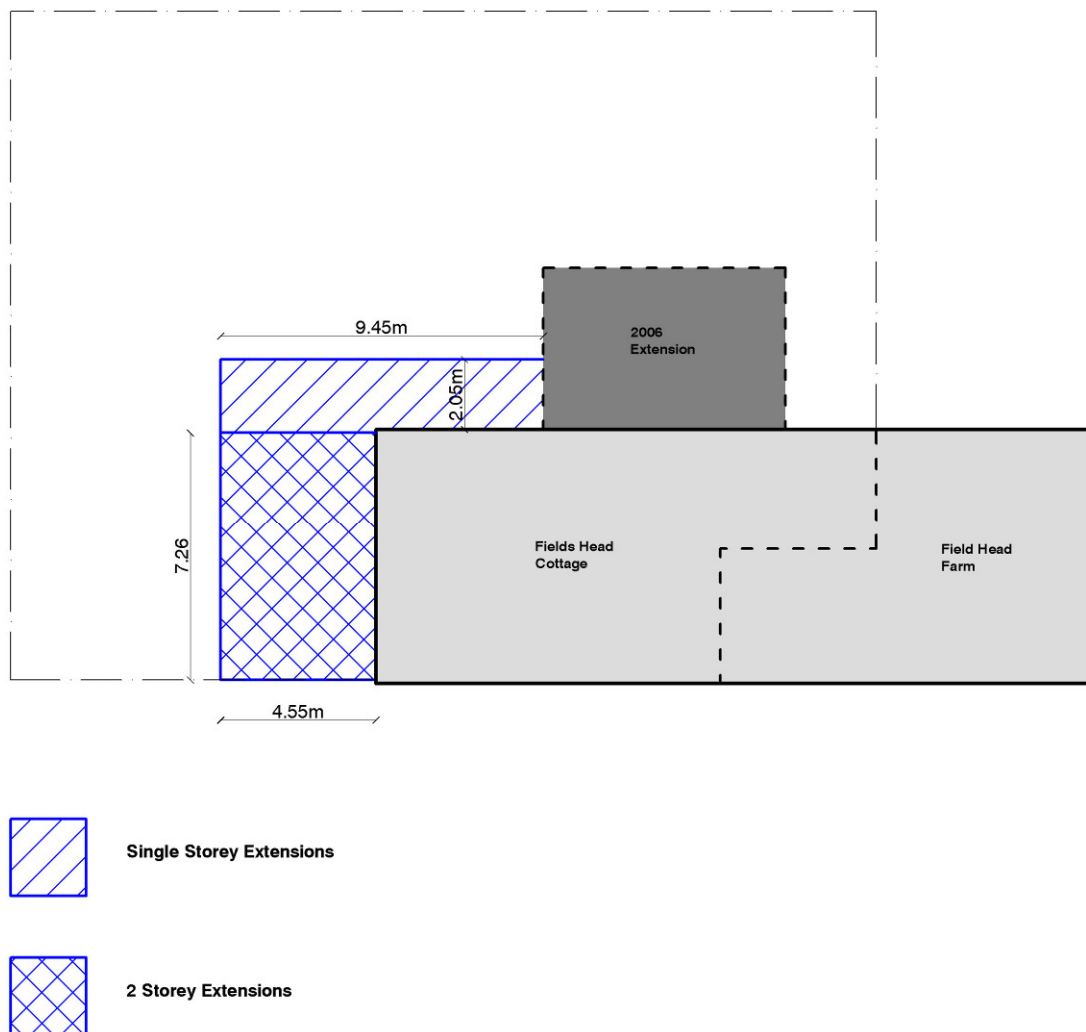
The main argument put forward by the appellant to mitigate against any perceived harm to the Green Belt, is the amount of extension that could be constructed under existing Permitted Development Rights.

Below is a diagram that was included in the Planning Statement submitted with the planning application.

It shows the extent of the additions that could be constructed under Permitted Development Rights. If constructed, these would represent an increase in the size of the original building of approximately 38% (60% if you add the 2006 rear extension).



It is clear when we compare this with the proposals, that the proposals represent a much better solution than the result of utilising the full Permitted Development Rights that are available to the applicant. The proposals would also be much more sensitive to the character and appearance of the existing buildings and would reduce the potential harm to the openness of the Green Belt, preventing unwanted encroachment into the greenbelt, as described in the NPPF Paragraph 80.



It is also an important consideration, when looking at any perceived harm to the openness of the Green Belt, that the extension will be built within an existing garden area. This has been landscaped with decking and hardstanding and falls within the existing domestic curtilage. As a result, the proposals would not represent any further encroachment into the countryside, which is one of the 5 purposes for including land within the greenbelt, as defined in the NPPF Paragraph 80.

The third and final reason for refusal was:

3. The proposed extension, by virtue of its design, would be out of keeping with the traditional character and appearance of the existing dwelling. The application is therefore contrary to Policy EQ6 of the High Peak Local Plan and is not in line with Section 7 (Requiring Good Design) of the NPPF.

The relevant sections of Policy EQ6 of the High Peak Local Plan state that:

All development should be well designed and of a high quality that responds positively to both its environment and the challenge of climate change, whilst also contributing to local distinctiveness and sense of place.

This will be achieved by:

Requiring development to be well designed to respect the character, identity and context of High Peak's townscapes and landscapes

Requiring that development on the edge of settlement is of high quality design that protects, enhances and / or restores landscape character, particularly in relation to the setting and character of the Peak District National Park

Requiring that development contributes positively to an area's character, history and identity in terms of scale, height, density, layout, appearance, materials, and the relationship to adjacent buildings and landscape features

Requiring that development achieves a satisfactory relationship to adjacent development and does not cause unacceptable effects by reason of visual intrusion, overlooking, shadowing, overbearing effect, noise, light pollution or other adverse impacts on local character and amenity

Ensuring that development takes account of national design guidance and Supplementary Planning Documents

Design is clearly a matter of opinion, but the proposals have been carefully designed to respond to the context of the application site.

The extension is designed to follow the form and scale of the existing building and it uses similar materials as those seen in the original building. The front elevation of the extension has been designed to follow the more formal "terrace" appearance of the existing building, with similar proportioned windows and door openings and coursed natural stone walls.

The rear and side elevations are less formal, as are the existing rear and side elevations of the original building. The large glazed opening in the gable of the extension has been designed to take advantage of the fantastic views to the North East of the site.

It is therefore our opinion that the extension complies with Policy EQ6 as it clearly "*responds positively to its environment*" and its modern vernacular design contributes to "*local distinctiveness and sense of place*"

It is the opinion of the Planning Officer, as highlighted in the Delegated Report, that the design is not in line with Policy EQ6. The justification for this opinion is the large amount of glazing on the gable of the extension and the modern window proportions not matching those on the original building.

Numerous examples of large glazed openings can be seen elsewhere in the High Peak and indeed the nearby Peak District National Park. It is common place to see agricultural conversions with full height, glazed wagon door openings.

Modern glazed gables have been accepted in the High Peak before and in The Peak District National Park, which is a more sensitive area when it comes to modern design.



Cadster Mill, Whaley Bridge, High Peak
HPK/2010/0645



The Old Dairy, Monyash, Peak District National Park
NP/DDD/0514/0532

Section 7 of the NPPF, which is referred to in High Peak Borough Council's third reason for refusal, states that developments should:

respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation;

We would argue that the design clearly responds to local character and history and reflects the identity of local surroundings through the uses of similar materials, vernacular forms and suitable scale.

Citing the amount of glazing and the proportions of window openings not matching the original building, in a modern extension, is clearly "*discouraging appropriate innovation*". It is also contrary to Paragraph 60 of The NPPF which states that:

Planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness.

Insisting that window openings in a modern extension should match those in the original building is a clear example of "*unnecessary prescription or detail*" and contrary to Paragraph 59 of The NPPF

To slavishly copy the buildings of the past is poor design. To respond to local context, character and local identity in a contemporary manner, is, in our opinion, the very essence of "good design".

We offered to discuss the design of the extension with the Planning Department but our offer was ignored.

Conclusion

The first two reasons for refusal hinge on determining that the proposals represent inappropriate development in the Green Belt. This determination has been made whilst using an incorrect interpretation of Section 9 of the NPPF.

The size of the extension has been judged against the size of an individual dwelling rather than the entire original building. When, in reality, there is no visual separation of the dwelling from the building as a whole.

When the extension is judged against the entire "**building**", as stated in Paragraph 89 of the NPPF, this significantly reduces the percentage increase in size, for the purposes of determining whether the proposals are disproportionate.

Given this, the perceived "harm" to the openness of the Green Belt is significantly reduced and the weight of the first two reasons for refusal must also be significantly reduced.

The proposed extension will be built using materials that match the existing buildings and its size and scale will respect the existing character and appearance of the other buildings at Field Head. The extension would be built within the curtilage of an existing dwelling so would not encroach further on the greenbelt.

The proposal also represents a much more appropriate solution to the extension of the existing dwelling than what could be constructed under the Permitted Development Rights that remain with Fields Head Cottage. The approval of the scheme, therefore, represents an opportunity to prevent the construction of unwanted and intrusive extensions that would be potentially harmful to the greenbelt and the purposes for including land within it.

The third and final reason for refusal is an example of the local authority being overly prescriptive in their ideas about design. Contrary to Paragraphs 59 and 60 of the NPPF.

The scale, form and materials of the proposals are in keeping with the character of the existing building. The extension is an example of good, modern vernacular design that responds to the historic built form whilst taking advantage of modern detailing.

This is an example of good, modern design and the opinion of the Planning Officer does not represent sufficient reason to sustain a refusal, on the basis of design.

No objections from any consultees or members of the public were received during the application.

It is our opinion that the appeal should be upheld, and planning permission granted for the proposals.