

DELEGATED DECISION REPORT

HPK/2023/0137
Valid 19/04/2023

BESTHILL HOUSE
BANKWOOD
CHARLESWORTH

ERECTION OF PERGOLA TO
REAR ELEVATION

(FULL - HOUSEHOLDER)

MAIN ISSUES

- Design
- Amenity

DESCRIPTION OF SITE

Besthill House is a large detached dwellinghouse (approved HPK/2017/0691) of stone with a slate roof located within the Green Belt. The dwelling is L-shaped, a two-storey section making up the main dwelling with a single storey snug section projecting from the rear elevation. To the rear of the property is a patio area and grass lawn. There is also a gravel driveway in front of the detached garage, accessed by a vehicle gate. To the front of the property is a gravelled parking area for 2 vehicles.

The dwelling is accessed via a private driveway, upon approach the 'rear' garden, detached garage and rear elevation is first visible. At the bottom of the rear garden is a public footpath which runs between land adjoining to Besthill House and Bankwood Mill Farmhouse.

PROPOSAL

Planning permission is sought to construct a 4.3m by 7.5m Retractable Pergola above the existing patio area. The pergola will be a fabric awning material with a metal frame.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

High Peak Local Plan 2016

S 1 Sustainable Development Principles
S 1a Presumption in Favour of Sustainable Development
EQ 4 Green Belt Development
EQ 6 Design and Place Making
CF 6 Accessibility and Transport

National Planning Policy Framework

Section 4 - Decision-making

Section 12 – Achieving well-designed places

Section 13 – Protecting Green Belt land

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

HPK/2010/0396 - Removal Of Large Elements Of Former Print Works Including Adjacent Fenced Pen Area, Leaving Original Structures For Conversion To One House & One Bungalow Including Ancillary Buildings For Mixed Use & Formation Of New Internal Garden Parking & Paddocks. APPROVED 18/10/2010

HPK/2013/0298 - Removal Of Large Elements Of Former Print Works Including Adjacent Fenced Pen Area, Leaving Original Structures For Conversion To One House & One Bungalow Including Ancillary Buildings For Mixed Use & Formation Of New Internal Garden Parking & Paddocks APPROVED 01/08/2013

HPK/2015/0689 - Proposed Redevelopment of the Former Bankwood Mill for 2 Dwellings (re-design of scheme approved under application HPK/2010/0396 & HPK/2013/0298) APPROVED 01/07/2016

NMA/2016/0054 - Non material amendment relating to HPK/2010/0396 APPROVED 17/01/2017

HPK/2017/0026 - Variation of condition 23 on planning permissions (HPK/2010/0396 and NMA/2016/0054) APPROVED 19/05/2017

HPK/2017/0392 - Removal/Variation of condition 23 relating to HPK/2010/0396 and NMA/2016/0054 APPROVED 06/09/2017

HPK/2017/0691 - Erection of 2 dwellings, associated garages, stables and small office and ancillary works (variation of planning permission HPK/2015/0689) APPROVED 10/05/2018

HPK/2018/0316 - Variation of conditions 2, 3 & 16 relating to HPK/2017/0691 APPROVED 12/09/2018

HPK/2018/0594 - Vary condition number 2 in relation to HPK/2018/0316 APPROVED 31/01/2019

HPK/2020/0111 - Variation of condition 1 relating to HPK/2018/0594 APPROVED 07/07/2020

HPK/2021/0221 - Removal of condition 10 relating to HPK/2020/0111 REFUSED 08/07/2021

CONSULTATIONS

Publicity

Site Notice expiry date: 02/06/2023
Neighbour consultation period ends: 23/05/2023
Press Advert: N/A

Public Comments

None Received

Town / Parish Comments

Charlesworth Parish Council –
Neither

“The Parish Council noted the scale of the proposed pergola, which seems out of proportion with the dwelling and inappropriate in the Green Belt, but as the proposed pergola is retractable the Council agreed to make no further comment”

Environmental Health

N/A

Derbyshire County Council Highways

No highway safety comments to make

OFFICER COMMENTS

Principle of Development

The application site is within the Green Belt. Paragraph 147 of the National Planning Policy Framework (NPPF) states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. LP Policy EQ 4 states that within the Green Belt, planning permission will not be granted for development unless it is in accordance with national planning policy. As such must be determined if the proposal is considered appropriate development for within the Green Belt.

NPPF Paragraph 149 (c) states that the extension or alteration of a building is considered appropriated development provided that it does not result in disproportionate additions over and above the size of the original building.

The existing dwellinghouse replaced a now demolished former cotton mill. It was determined that the approved dwellinghouse would provide “a) an increase in footprint of approx. 14%, b) a decrease in floor area of 24%, c) virtually the same volume, d) a decrease in curtilage of 1% and e) a decrease in height of the highest elevation by 14%”. As the overall volume of the approved dwellinghouse was determined to be ‘virtually’ the same (plus 1 cubic meter) as that of the pre-existing building any further additions should be based upon the current dwelling house structure.

Based upon the above, when open the proposed pergola will add 2.7% to the volume of the existing building (including detached garage). However, when shut the pergola would not add any volume to the existing property. As such it is not considered to be a disproportionate addition to the original building and the proposed pergola is considered acceptable within Green Belt policies and is therefore accepted in principle subject to the consideration of the following policies.

Design

Section 12 Paragraph 130(c) of the NPPF states that development should be sympathetic to the character and history of the area, while not restricting change.

LP Policy EQ 6 states that all development should be well designed, of a high quality and respond to the areas character, history and scale.

From a distance the metal pergola will appear as a frame like structure from a far. However the pergola is have minimal public visibility. The property is approached by a long private driveway, and as such will only be viewed by the public from the adjacent footpath. From this footpath the proposed pergola will only be partially visible due to the existing tree line and the placement of dwellings detached garage. Due to the pergolas minimal visibility it is considered acceptable in terms of design.

Amenity

Section 12 Paragraph 130(f) of the NPPF states that development should create places with a high standard of amenity for existing and future users.

LP Policy EQ 6 states that all development should achieve a satisfactory relationship to adjacent development and doesn't cause unacceptable effects by reason of vision intrusion, overlooking, shadowing, overbearing effect, noise, light pollution or other adverse impacts on local character and amenity.

While the proposed pergola will encourage outdoor sitting, there is already a patio in place for occupants to do this. The proposed pergola is approximately 49m away from the adjacent footpath and approximately 77m away from the nearest dwelling (Bankwood Mill Farmhouse). The pergola is therefore unlikely to lead to any overlooking concerns or excessive noise or light pollution. As such the proposal is considered acceptable in terms of amenity.

Highway Safety

The proposed pergola will not increase demand for parking at the application site, nor will it reduce the existing parking availability. The proposed pergola is situated a sufficient distance from any vehicle access, passing or turning points as not to interfere with highway safety when the pergola is pitched. As such there are no highway safety concerns.

CONCLUSION / PLANNING BALANCE

In conclusion the proposed pergola is found to be acceptable in term of Green Belt policy. Further to this the development is found to be acceptable in terms of design, amenity and highway safety. The application is therefore recommended for approval.

OFFICER RECOMMENDATION : Approval

Case Officer: Rachel Robinson

Recommendation Date: 6th June 2023

X *B.J. Haywood*

Signed by: Ben Haywood

On behalf of High Peak Borough Council