

## DELEGATED DECISION REPORT

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**HPK/2022/0454**  
**Valid 19/12/2022**

**KYRKTON VILLA,  
STUBBINS LANE, CHINLEY,  
DERBYSHIRE, SK23 6AE**

**CONVERSION OF FREE  
STANDING GARAGE TO  
LIVING ACCOMMODATION  
AND TO ADD A SMALL  
EXTENSION ON THE BACK OF  
IT TO HOUSE A SMALL  
BATHROOM.**

**(FULL - HOUSEHOLDER)**

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### MAIN ISSUES

- Principle of development
- Design and Conservation
- Residential amenity
- Highway safety

### DESCRIPTION OF SITE

The application relates to Kyrkton Villa, a detached, double fronted, two storey property finished in local stone located on Stubbins Lane in the Chinley area of Derbyshire. The property benefits from an existing garage sited to the front of the property.

The property is located to the Southern Side of Stubbins Lane adjacent to other residential properties. There are no other dwellings to the immediate south of the site with the Hope Valley railway line located beyond the rear boundary of the site.

For the purposes of the Local Development Plan, the site lies within the built-up area boundary and is also located within the limits of the Chinley conservation area.

### PROPOSAL

Planning permission is sought for conversion of the existing garage to provide ancillary accommodation to the dwelling at Kyrkton Villa. A single storey extension is proposed to the rear elevation of the garage, projecting some 1.7m with a width of 1.9m. The extension will be formed with a dual pitched roof with a maximum ridge height of 2.9m. Alterations are proposed to the elevations of the garage to facilitate the conversion to a habitable space, including the reinstatement of two windows with timber framed windows to the elevation facing towards Stubbins Lane as well as a new set of side hung timber garage doors to the side elevation of the garage facing the driveway.

Additional details were requested as part of the determination process and an enhanced revised elevations drawing has been submitted to the LPA highlighting

materials to the reinstated windows and the retention of the timber framed garage doors to the front of the garage.

## **RELEVANT LOCAL AND NATIONAL PLANNING POLICIES**

Section 38(6) of the Planning and Compulsory Act 2004 requires proposals to be determined in accordance with the Development Plan taking into consideration any material considerations relevant to the determination of the application. The Local Development Plan for this site comprises the High Peak Local Plan (2016). Adopted Supplementary Planning Guidance documents and the National Planning Policy Framework (NPPF) are also material considerations in determining applications.

### **High Peak Local Plan 2016**

S 1 Sustainable Development Principles  
S 1a Presumption in Favour of Sustainable Development  
S2 Settlement Hierarchy  
Policy S 6 Central Sub-area Strategy  
EQ6 Design and Place Making

### **National Planning Policy Framework (2021)**

Section 2 Achieving sustainable development  
Section 4 Decision-making  
Section 12 Achieving well-designed places  
Section 16 -Conserving and enhancing the historic environment

### **Supplementary Planning Documents and Guidance**

Residential Design SPD (2005)  
High Peak Borough Council Design Guide SPD (2018)  
Neighbourhood Plan Area: Chinley, Buxworth and Brownside

## **SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS**

HPK/2010/0248  
Proposed Side Extension With Lower Ground Log Store  
APPROVED 15/07/2010

NMA/2010/0026  
Change A Shallow Pitch Roof Into A Gable With 30 Pitch Suitable For 2nd-hand Blue-grey Slate And To Provide Visual Extension Details And Accurate Levels Siting And Elevational Cross-section Details.  
APPROVED 24/09/2010

## **CONSULTATIONS**

### **Publicity**

Site Notice expiry date: 03/08/2022  
Neighbour consultation period ends: 03/08/2022  
Press Advert: N/A

## **Public Comments**

One neutral comment received as follows:

*I do not object in principle to this conversion, but it is difficult to see how it can be carried out satisfactorily. As the applicant says, the garage is in a poor state, and more demolition and rebuilding may be required than anticipated; to rebuild it to current standards may require more cavity walls than shown, for example. The application is lacking in other details, such as the provision of services (electricity, water, wastewater). The resulting living space would be very small, and probably not suitable for extended stays by elderly relatives as suggested.*

## **Town / Parish Comments**

No objection

## **Highways**

No objection

## **Conservation**

*With no annotation to the drawings, lack of proposed material palette and no Impact Assessment for the Conservation Area it is difficult to provide a clear response. I note the footprint may be the same but with modern walling to meet residential requirements the proposal seems to create a really rather miniscule space. I am concerned the transformation from imperceptible vernacular outbuilding to distinct residential space will be at a conflict with the frontage of Kyrton and therefore the remainder of the Conservation Area.*

## **OFFICER COMMENTS**

### **Principle of Development**

The site lies within the built up area boundary for Chinley, Buxworth and Brownside whereby under Policy S2 new development will be directed. As such the general principle of development is considered to be acceptable.

The application seeks consent for the conversion and extension of an existing garage to function as ancillary residential accommodation to the main residence at Krykton Villa.

The site lies within the built-up area boundary of Chinley which sits at the top of the Settlement Hierarchy under Local Plan (LP) Policy S2. New development will be directed towards areas such as Chinley being an area which will be the focus for new housing and economic growth.

Given the nature of development and the planning policy set out above, the principle of development is accepted subject to all relevant planning considerations.

### **Design and Conservation**

The High Peak Residential Design Guide SPD (2005) and more recently adopted Design Guide SPD (2018) contains further design guidance for extending and altering domestic properties. Extensions and alterations should respect the scale and height of the parent building reading as a subordinate and secondary addition and respecting the character and appearance of the building through an appropriate choice of materials.

Section 72(1) of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 states that with respect to any buildings or land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character and appearance of that area.

LP Policy S1 sets out a number of sustainability principles which all new development proposals should incorporate in order to make a positive contribution towards the sustainability of communities and to protect, and where possible enhance the environment.

LP Policy EQ6 states that all development should be well designed to respect and contribute positively to the character, identity and context of High Peak's townscapes, in terms of scale, height, density, and layout.

LP Policy EQ7 has regard to the Built and Historic Environment. It states that the Council will conserve heritage assets in a manner appropriate to their significance. This will take into account the desirability of sustaining and enhancing their significance and will ensure that development proposals contribute positively to the character of the built and historic environment.

The High Peak Residential Design Guide SPD (2005) and more recently adopted Design Guide SPD (2018) contains further design guidance for extending and altering buildings to facilitate changes of use and states that the improvement or alteration of a site is generally preferable to redeveloping a site, but should be undertaken with care, taking note of what is already there before preparing the design and to work with, not against, the building's character; the aim being to revitalise the building without the altering its fundamental character. The guidance states that it is always best to use existing openings to the full before considering their alteration.

Paragraph 130 of the NPPF states amongst other things that decisions should ensure that developments will add to the overall quality of the area; are visually attractive as a result of good architecture; and are sympathetic to the surrounding built environment.

Chapter 16 of the NPPF contains the national restrictive policies relating to heritage and conservation. Paragraphs 193-196 set out how a local authority should assess the significance of a heritage asset, and the potential impact of a development proposal upon that asset. Where a proposal will lead to substantial harm or total loss of a designated heritage asset, local planning authorities should refuse consent unless there are substantial public benefits that outweigh that harm. Where a development proposal will lead to less than substantial harm, this harm should be weighed against the public benefits.

The application relates to a building that sits forwards of the front elevation of the main property at Kyrkton Villa, to the back of the highway and as such is sited in a prominent position adjacent to the public highway within the Conservation Area. Any changes to the external appearance of the building therefore need to be sensitively designed.

The proposed change of use does include a small extension to the rear of the building which will be modest in size and subservient to the existing building. Changes to fenestration with regards to materials and visual appearance are proposed also which includes new timber framed windows to boarded up window openings and the installation of new hung timber garage doors. The additional plans have been submitted during the lifetime of the application provide enhanced details and a description of the proposed changes to each aspect of fenestration which refers to timber frames as well as timber garage doors to be retained over the existing garage entrance.

While the initial query from the Conservation Officer is noted, a subsequent revised plan highlighting the retention of original features such as the timber framed windows and garage doors has been submitted. Having reviewed the amended details, the scheme is considered to be an appropriate conversion in the Conservation Area setting which will help to enhance the existing appearance of the garage and vantage points along Stubbins Lane.

As such, it is considered that the application as proposed will ensure that the character and appearance of the building and wider conservation area will be preserved. Based on the additional information received alongside the application no additional pre-commencement conditions are proposed.

Subject to appropriate conditions the application is considered to demonstrate compliance with LP Policy S1, EQ6, EQ7, and relevant restrictive policies contained under Chapter 16 of the NPPF.

### **Amenity**

Local Plan Policy EQ6 requires that all development achieves a satisfactory relationship with adjacent properties. It must 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. Part 9 of the High Peak Residential Design SPD sets out the parameters against which residential extensions will be assessed.

Considering the modest scale, single storey nature of the proposal, that features no new windows directly facing neighbouring property, the proposal would not have a significant, harmful impact on the amenity of the neighbouring properties. Whilst a small increase in footprint to the existing garage is proposed to the rear elevation of this feature, this extension will project with a hipped roof, sited below that of the original roof design which will help mitigate any overshadowing or overbearing impact over the existing relationship. There would be no loss of privacy, light or any harmful overbearing impacts to the occupants of adjacent the adjacent property named Birkrigg over the existing arrangement. No other neighbouring occupiers are

considered to be adversely affected by the proposal. A suitably worded condition is proposed to ensure the annexe proposed remains ancillary to the existing dwelling at this location. In light of the proposed accommodation being ancillary to the main dwelling at Krykton Villa, the overall outlook and space provided for future occupiers is considered acceptable. The development is therefore considered to be in accordance with Policies S1, and EQ6, the guidance contained within the Residential Design SPD, High Peak Design Guide, and Section 12 of the National Planning Policy Framework.

In conclusion the proposal would have no bearing on the amenity of neighbouring occupiers over the existing arrangement.

### **Highway Safety**

The existing garage provides parking in addition to hardstanding to the front of the property. Following consultation with Highways, no objection has been raised to the proposed scheme and as such the existing parking arrangements which are to be retained are considered acceptable at this location and the development therefore meets Policy CF6 of the Local Plan.

### **CONCLUSION / PLANNING BALANCE**

Overall, this planning application is considered to represent an appropriate form of development in this location. The design is considered to be both subservient and complementary given the use of form, scale and materials. There are not considered to be any negative impacts on the amenity of neighbours or future residents. As such the application is recommended for approval subject to the conditions previously mentioned.

**OFFICER RECOMMENDATION :**     **Approve subject to conditions**

**Case Officer: John Van Eker**

**Recommendation Date: 16/02/2024**

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Signed by: Ben Haywood

**On behalf of High Peak Borough Council**