

A.E. Planning Consultants.

PLANNING STATEMENT.

HURSTFIELD HOUSE, HAGUE BAR, NEW MILLS, DERBYSHIRE, SK22 3AT.

DETACHED SUMMERHOUSE (RETROSPECTIVE APPLICATION).

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INTRODUCTION

- 1.1 This statement is submitted on behalf of Mr Bob Wood in respect of the construction of a detached, single-storey summer house building in the garden of Hurstfield House, Hague Bar, New Mills, Derbyshire, SK22 3AT. The outbuilding is used incidental to the enjoyment of the adjoining dwelling at Hurstfield House and has now been in place for approximately 12 months. The Applicant constructed the building in the belief that it was permitted development but has subsequently been contacted by the Council who have advised that planning permission is required.

2.0 SITE LOCATION AND THE APPLICATION

- 2.1 The application site comprises part of the large garden of Hurstfield House and is situated on the south side of Hague Bar in a ribbon of residential and commercial development within the Green Belt. Hurstfield House is a three-storey dwelling that forms part of the Appellants industrial premises at Hauge Bar Works. The dwelling previously formed part of the adjoining industrial use prior to the conversion which took place in the early 2000's. Hauge Bar Works manufacturers wall ties and fixings for the building industry.
- 2.2 The site is adjoined on all side by houses and industrial use, and there is a railway line to the south. The garden level of the property is set significantly below the level of Hague Bar. Photographs of the summerhouse are submitted at AE01.
- 2.3 The proposal is for a detached single-storey summerhouse that is situated immediately to the east of the dwelling. The building is constructed from timber cladding with a shingle felt roof. Doors and windows are Upvc. The documents and plans submitted with the application include
- ✓ Location and Existing Site Plan – 1:1250@A4.
 - ✓ Drawing 2892 001 – Proposed Plans and Elevations – 1:50@A3/A4.
 - ✓ Drawing 3135 001 - Proposed Site Plan – 1:500@A3.
 - ✓ Appeal Decision – 3313417 - 20 April 2023.
 - ✓ AE01 – Photographs of the Summerhouse.

3.0 PLANNING HISTORY

- 3.1 High Peak Borough Council has confirmed that the site has the following relevant planning history.

HPK/0003/8031 – Change of use of vacant office space to estate managers living accommodation – Approved 10 June 1999.

HPK/2022/0215 - Detached 2 Storey Garage Building. Parking at Road Level. Garden/Sun Room at Lower Garden Level – Refused 14 October 2022 – Appeal lodged and dismissed 20 April 2023.

HPK/2024/0067 - Existing use for the purposes of horticulture or as a 'residential garden' to the extent that is limited to the cultivation, planting or growing of grass, trees, seeds, vegetables, fruit, plants, shrubs, bushes or flowers; and the tending to and enjoyment of such land by persons who have a private right to access and enter the land ('enjoyment' in these respects includes sitting, walking, roaming, running and play that does not involve the use of installed or fixed apparatus or equipment) – Certificate of lawful use granted 11 June 2024.

4.0 PLANNING POLICY

- 4.1 The Planning and Compulsory Purchase Act 2004 requires applications to be determined in accordance with the development plan unless material considerations indicate otherwise. This section focuses on the relevant national planning policy guidance, which is a material consideration in the determination of this application, as well as reviewing the development plan for High Peak, and the National Planning Policy Framework.

National Planning Policy Framework.

- 4.2 The National Planning Policy Framework (Framework) sets out the Government's planning policies for England. It views delivery of sustainable development as a key consideration for the planning system. Indeed, within the Framework there is 'a presumption in favour of sustainable development.' Paragraphs 7 and 8 of the Framework reinforces the key principle of sustainable development, i.e., meeting the needs of the present whilst not compromising the ability of future generations to meet their own needs. The following three overarching objectives are set out, and each are seen to be interdependent and pursued in mutually supported ways to secure net gain across each of the objectives:

- (a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure.
- (b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
- (c) an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

- 4.3 The Framework seeks to achieve sustainable development and explains that this involves seeking positive improvements in the quality of the built, natural, and historic environment, as well as in people's quality of life. This includes promoting good design, the continued protection of the Green Belt and the protection of heritage assets.
- 4.4 Section 12 of the Framework relates to achieving well-designed places. Paragraph 131 states: *"The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities"*.
- 4.5 Paragraph 135 states that: *"Planning policies and decisions should ensure that developments:*
- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*
 - b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*
 - c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);*
 - d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;*
 - e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and*
 - f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users⁵²; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.*
- 4.6 Paragraph 139 states that: *"Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes. Conversely, significant weight should be given to:*
- a) development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; and/or*

b) outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings”

4.7 The Framework identifies the five purposes of the Green Belt as follows: -

- To check the unrestricted sprawl of large built-up areas;
- To prevent neighbouring towns merging into one another;
- To assist in safeguarding the countryside from encroachment;
- To preserve the setting and special character of historic towns; and
- To assist in urban regeneration, by encouraging the recycling of derelict and other urban land

4.8 The Framework indicates that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. The construction of new buildings in Green Belt should be regarded as inappropriate unless they fall within the exceptions identified at paragraph 154 of the Framework. These include:

(c) 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; and

The Development Plan.

4.9 The High Peak Local Plan (2016) sets out the strategic priorities for the future development of High Peak together with a series of detailed planning policies and proposals designed to deliver sustainable development. The Local Plan Strategy identifies the strategic objectives for spatial planning in High Peak up to 2031. Relevant policies include: -

- S 1 Sustainable Development Principles
- S 1a - Presumption in Favour of Sustainable Development.
- S 2 - Settlement Hierarchy.
- EQ 3 – Rural Development.
- EQ 4 – Green Belt Development.
- EQ 6 - Design and Place Making.
- EQ 9 - Trees, woodland and hedgerows.
- CF 6 - Accessibility and Transport

4.10 Policy S 1 of the adopted Local Plan (LP) sets out a number of sustainability principles which all new development proposals should incorporate to make a positive contribution towards the sustainability of communities and to protect, and where possible enhance the environment. Policy S1a reflects the presumption in favour of sustainable development set out within the Framework. It states that planning applications that accord with relevant policies in the Local Plan will be approved without delay.

- 4.11 LP Policy S 2 ‘Settlement Hierarchy’ directs development towards the most sustainable locations in accordance with the following settlement hierarchy: Market Towns, Larger Villages and Smaller Villages. New Mills is a Market Town and will be one of the main focuses for housing.
- 4.12 LP Policy EQ 3 refers to rural development and seeks to ensure that new development is strictly controlled in order to protect the landscape's intrinsic character and distinctiveness, including the character, appearance and integrity of the historic and cultural environment, and the setting of the Peak District National Park whilst also facilitating sustainable rural community needs, tourism and economic development. Amongst other things the policy supports the re-development of previously developed land, seeks to achieve high quality design and confirms that extensions to existing dwellings will be supported provided they are subsidiary to the building and do not have an adverse impact on the character of the landscape.
- 4.13 LP Policy EQ 4 confirms that Council will seek to protect the Green Belt and maintain its openness and permanence. The boundaries of the Green Belt are defined on the Policies Map. Within the Green Belt, planning permission will not be granted for development unless it is in accordance with national planning policy.
- 4.14 LP Policy EQ 6 of the Local Plan states 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. The policy requires development to achieve a satisfactory relationship to adjacent development and to 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.
- 4.15 LP Policy EQ 9 seeks to protect existing trees, woodlands, and hedgerows.
- 4.16 LP Policy CF 6 seeks to ensure that all development can be safely accessed in a sustainable manner.
- 4.17 The Council has also produced a Residential Design Guide (December 2005) which confirms the Council’s commitment to achieving a high standard of design. Chapter 9 refers to domestic extensions which specifically includes garages. Paragraph 9.7 states that:

“garages and outbuildings should relate to the main dwelling in terms of size, proportion and appearance. They should be subordinate in size and height and match the materials of the existing house. Double garages should have two openings wherever possible, to maintain proportion, and with the roof ridge parallel to the doors. Flat roofs should be avoided. Doors with vertical emphasis are usually preferred and timber side hung door may be required in sensitive locations.”

- 4.18 The High Peak Design Guide Supplementary Planning Document (SPD) was adopted by High Peak Borough Council on the 20th February 2018. Section 5 of the document refer to alterations and extensions which again also refers to garages.

5.0 PLANNING CONSIDERATIONS

Green Belt Policy and the Principle of the Development.

- 5.1 The site is situated within the North Derbyshire Green Belt but lies within a clear ribbon of development that stretches along both sides of Hague Bar. LP Policy EQ 4 confirms 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. Policy EQ 4 gives no further guidance on how the Council will deal with proposals for either extensions or detached outbuildings within the curtilage of houses within the Green Belt.
- 5.2 Notwithstanding the above I would, however, at this stage refer to LP Policy EQ 3 which relates to rural development. The policy, whilst seeking to control development outside the settlement boundaries, also makes it clear that this includes the Green Belt. Amongst other things Policy EQ 3 supports the re-development of previously developed land and confirms that extensions to existing dwellings will be supported provided they are subsidiary to the building and do not have an adverse impact on the character of the landscape. Development should also have an acceptable design.
- 5.3 The Councils Adopted Residential Design Guide (SPD 2) at Chapter 9 refers to domestic extensions which specifically includes outbuildings. Paragraph 9.7 states that: *“garages and outbuildings should relate to the main dwelling in terms of size, proportion and appearance. They should be subordinate in size and height and match the materials of the existing house....”*
- 5.4 In determining the appeal for the detached two-storey garage building in April 2023 (HPK/2022/0215), the Inspector acknowledges the fact that the application site forms part of the large garden of Hurstfield House. This has subsequently been confirmed by the Lawful Development Certificate granted by application reference HPK/2024/0067. Whilst the recent appeal related to a much larger outbuilding in the garden it is relevant to note the Inspector comments that:
- “.. it would be sited relatively close to the main dwelling within its garden area and, when viewed from public vantage points, would largely have a subservient appearance to the property. Therefore, the proposal would comprise a normal domestic adjunct to the host dwelling and, in this instance, it can be considered an extension under paragraph 149 c) of the Framework.”* (see paragraph 6 of Appeal Decision 3313417).
- 5.5 Considering the above, there can be no dispute that the summerhouse must be regarded as an extension under paragraph 154 c) of the updated (December 2023) Framework. This

would also be consistent with LP Policy EQ 3 and the Adopted Residential Design Guide (SPD 2). In terms of size the summerhouse is single storey with a ridge height of some 2.970m and a floorspace of some 47.6m². Hurstfield House has a floorspace of some 464m² which means that the proposal would result in a 10% increase above the size of the original dwelling. I would suggest that proposed outbuilding is, therefore, clearly subservient to the host and would not result in a disproportionate addition. The proposal would, therefore, not be inappropriate development within the Green Belt and there is no need to demonstrate very special circumstances. There can, therefore, be no objection to the principle of the retention of the summerhouse within the garden of Hurstfield House.

Design, Character and Appearance.

- 5.6 Since the application site is located within a rural area Policy EQ 3 requires extensions and outbuildings to be subsidiary to the host building and not to have an adverse impact on the landscape. LP Policy EQ 6 requires that all development should be well designed and of a high quality, responding to its environment and challenge of climate change, whilst also contributing to local distinctiveness and sense of place. Paragraph 135 of the Framework, states amongst other things, that new development should add to the overall quality of the area, be visually attractive as a result of good architecture and be sympathetic to the surrounding built environment.
- 5.10 The photographs submitted at AE01 show the context of the summerhouse in relation to Hurstfield House and the stone roadside boundary wall behind. The building is clearly a small domestic outbuilding, that is subservient to its host, and viewed against the backdrop of the stone boundary wall behind and the adjoining buildings at both Hurstfield House/ Hague Bar Works and No's 21-25 Hauge Bar. The detached and ancillary nature of the building means that the materials of timber cladding and a shingle felt roof are entirely appropriate for its garden setting and use. The overall scale of the building and its close proximity to Hurstfield House means that the building would not be prominent and would not cause any significant harm to the openness of the Green Belt. Overall, the building has an acceptable design and would be constructed with facing materials that would be sympathetic to the character of the surrounding area. The proposal, therefore, satisfies the requirements of LP Policies EQ 3 and EQ 6.

6 SUMMARY AND CONCLUSIONS

- 6.1 The proposed outbuilding would not be inappropriate development within the Green Belt and would not appear incongruous or out of place within its surroundings by means of scale, design, or position, and as such would not be in conflict with LP Policies EQ 3, EQ4 or the Residential Design Guide SPD 2, which amongst other things, seek to ensure that proposals create or reinforce local distinctiveness, are well designed, and make a positive contribution to their surroundings. The proposal would be sympathetic to the character of the area and would satisfy the requirements of Part 12 of the Framework. There would be no "significant and demonstrable harm" resulting from the proposal and therefore paragraphs 10-11 of the Framework indicate that the presumption should be in favour of the development.

Consequently, it is respectfully requested that planning permission is granted to retain the summerhouse.

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July 2024.