

Stubbins House
Stubbins Lane
Chinley
High Peak
SK23 6ED

Planning Applications
PO BOX 136
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Derbyshire
SK17 1AQ

January 19th. 2025

COMMENTS ON TWO PLANNING APPLICATIONS RELATING TO A BARN EXTENSION

- HPK/2024/0463 Retrospective Permission for extension to Barn
- DOC/2024/0065 Discharge of Condition 4 in relation to application HPK/2023/0541

Site Location: Ivy Cottage (Unnamed Road from Stubbins Lane to Tithe Barn Farm, Chinley, Derbyshire, SK23 6ED)

Once again, the Applicant gives the site location as 'Ivy Cottage'. Ivy Cottage is 4 properties away from the site location, at the western end of the terrace. The site location is adjacent to Stubbins House.

1. Planning Applications

There have been multiple planning applications relating to this site. For ease of reference, the applications and decisions are set out below:

Date	Application Ref	Decision/Comments
August 2017	Planning Application: HPK/2017/0476	Refused
December 2019	Appeal: APP/H1033/W/19/3231073	Dismissed
14 August 2020	Planning Application HPK/2020/0152 submitted by Mr & Mrs Rofer. Proposed conversion of an existing (now disused) agricultural barn into a single dwelling, to include parking and private garden space	Approved on 14 August 2020 This application was not implemented because the original barn was demolished, as concluded when the Enforcement team investigated
April 2022	Planning Application: HPK/2022/0159 Barn Conversion to 'Cottage' (?) Dwelling with single storey Rear Extension'	Withdrawn in August 2022

Date	Application Ref	Decision/Comments
June 2023	Planning Proposal: HPK/2023/0068 Erection of a former stone agricultural building to provide a residential dwelling (part retrospective)	Objection: Chinley Parish Council Objection: HP Planning Dept. Objection: Thompson Refused: June 2023
March 2024	Planning Application: HPK/2024/0276 Planning Application: DOC/2024/0065 * Please note that an extension to the Barn <u>did not</u> form part of either of these Planning Applications.	Objection: Planning Dept. Objection: Thompson Planning Consent with Conditions. It is a barn conversion. The barn is to rebuilt on the same footprint as the original barn.
July 2024	Planning Application: HPK/2024/0276 Variation of Condition 1: HPK/2023/0541	HP Planning Dept: Refused Consent 28 August 2024 Objection: Planning Dept. Strong Objection: Thompson Objection: Cllr A Benham Strong Objection: Parish Council

Consent for a barn conversion was given (HPK/2020/0152) on the basis that there would not be additional extensions or ancillary buildings.

The Delegated Decision Report (August 2020) states:

“On the basis that the proposal would re-use an existing building without the need for further extensions; that the new curtilage would be appropriate in scale relative to the barn and the existing stone boundary wall along the lane frontage would be retained; and, as there would be no new buildings, the Inspector concluded that the proposal would not be harmful to Green Belt openness and further, that the proposal did not represent an inappropriate development in the Green Belt.

The proposal would re-use an existing building without the need for further extensions. The Council has not identified any harm to openness resulting from the proposal, and, as there would be no new buildings, I have no reason to disagree.”

The condition that there would be no need for further extensions was further reinforced in the Planning Consent (HPK/2024/0276). An extension did not form part of this Planning Application - even though by this point, the extension had already been built.

Also, the Barn having now been demolished, was also rebuilt to a different specification. The Delegated Decision Report (dated August 2024) noted that the replacement building, relating to HPK/2023/0541, *“is already materially larger than the original barn it has replaced”*.

2. Extension

Despite clear instructions by the Planning Department, that there should be no additional extensions or ancillary buildings, the Applicant proceeded to lay foundations for an extension in February 2022.

An extension was then built on agricultural land, and on land that had previously been defined as 'Curtilage' by the Planning Department.

The same Delegated Decision Report (August 2024) noted that:

"this extension in this rural setting changes the appearance of the dwelling to such an extent that would lead to prominent intrusion into the countryside" (see enclosed Photo 1 and Photo 2).

Imported rubble and soil have recently been overlaid onto the land (see enclosed Photo 3).

Groundworks have extended the Curtilage, yet again encroaching into the Green Belt (see enclosed Photo 4 and Photo 5). A stream has been re-routed.

The Barn extension extends 4 metres beyond the rear elevation of the host dwelling and 8.2 metres in width. The Delegated Decision Report (again from August 2024) noted that the extension extends beyond the rear elevation by over 50% of the depth of the original building:

"resulting in a contrived and disproportionate addition which is considered to be harmful with regards to it's scale".

Following the 2nd refusal of Planning Consent (HPK/2024/0276) on 29 August 2024, a flat roof was added to the extension, on 3 September 2024. The new plans (which we are commenting on in this letter) now show a pitch roof. Yet, there is no reference within the documents submitted by the Applicant, on this substantial change to the roof. The suggested change to a pitch roof further increases the size and profile of this extension.

The Delegated Decision Report (August 2024) concluded:

"the proposed extension by reason of it's siting, scale, design, height and appearance would result in an incongruous addition to the host dwelling and would be visually unsatisfactory to the character and appearance of the adjoining dwelling and the wider area".

We concur with this reasoning.

It is unfortunate that the extension is now causing such consternation to the Applicant. The covering letter (HPK/2024/0463) states:

"If it so happens there is still no leeway after this explanation then Im unsure what the client is expected to do from a practical point of view".

This statement is made as if the Applicant is surprised by an unexpected turn of events.

Unfortunately, the problem is of the Applicant's own making. The decisions by the Planning Department should have been adhered to. Planning Consent should have been obtained prior to building an extension, when it was patently clear that Consent was required and unlikely to be agreed.

The Applicant makes reference to "tweaking". No amount of "tweaking" (see application HPK/2024/0463) will resolve the fact that there should never have been additional extensions or ancillary buildings (see application HPK/2020/0152) built.

The issue here is the unauthorised extension. The issue is not what slope the extension roof is, or where steps should be located.

We continue to object to these applications in the absolute and strongest possible terms.

We appreciate your consideration of these comments.

Yours faithfully,

Jeannette and Philip Thompson

Photograph 1: View from South West



Photograph 2: View from South East



Photograph 3: Rubble and depth of landfill



Photograph 4: Encroachment onto Green Belt / Agricultural Land



Photograph 5: Encroachment onto Green Belt / Agricultural Land

