

DELEGATED DECISION REPORT

HPK/2025/0043
Valid 17/03/2025

LENTON START LANE
WHALEY BRIDGE

**CONSTRUCTION OF A
TIMBER (LOG CABIN STYLE)
GARDEN ROOM. TO THE
REAR GARDEN AS PER THE
ATTACHED LOCATION PLAN
AND MANUFACTURER DATA
SHEET.**

(FULL - HOUSEHOLDER)

MAIN ISSUES

- Principle of development and countryside location
- Design
- Neighbouring amenity

DESCRIPTION OF SITE

The application site relates to a semi-detached property along Start Lane in Whaley Bridge. The property has a front garden and large rear garden which slopes sharply to the north west with open fields bounding the west side of the rear garden.

The site shares a boundary with Malvern to the north, The Start to the south and open countryside to the west.

PROPOSAL

The application is proposing a timber log cabin to use as a garden room. The cabin would sit in the rear garden of the application site adjacent to the southern boundary shared with the neighbouring property The Start.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

High Peak Local Plan 2016

S 1 Sustainable Development Principles
S 1a Presumption in Favour of Sustainable Development
EQ2 Landscape Character
EQ3 Rural Development
EQ 6 Design and Place Making
CF 6 Accessibility and Transport

National Planning Policy Framework

Chapter 2: Achieving Sustainable Development

Chapter 12: Achieving Well designed Places

Whaley Bridge Neighbourhood Plan 2022-2023

WB-E1 Sustainable Development

WB-E4 Rural and Landscape Character

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

None

CONSULTATIONS

Publicity

Site Notice expiry date: 06/05/2025

Neighbour consultation period ends: 10/04/2025

Press Advert: N/A

Public Comments

None

Town / Parish Comments

None

Derbyshire County Council Highways

No objection subject to condition the structure remains ancillary to the main dwelling.

OFFICER COMMENTS

Principle of Development

The application site is located outside the defined settlement boundary of Whaley Bridge under policy S2 and therefore, it is considered a countryside location where policy EQ3 applies.

Policy EQ3 seeks to strictly control development in rural locations to protect the landscape's intrinsic character and distinctiveness and to ensure development occurs at the more sustainable locations (i.e. towns and villages). With regards to residential development, policy EQ3 sets out a strict criteria, ensuring all new development is of a high quality design and protects or enhances landscape character.

Policy EQ3 allows extensions to existing dwellings provided they are subsidiary to the building and do not have an adverse impact on the character of the landscape.

Whilst the outbuilding is not an extension to the property, it is in close proximity to the main dwelling and sits within what would be considered to be the domestic curtilage.

Therefore, the principle of development is acceptable subject to a detailed assessment of relevant planning considerations.

Design

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 EQ2 looks to resist development which would harm or be detrimental to the character of the local and wider landscape and will seek to protect, enhance and restore the landscape character of the Plan Area for its own intrinsic beauty and for its benefit to the economic, environmental and social well-being of the Plan Area.

LP Policy EQ3 refers to rural development proposals which lie outside of the defined built-up area boundaries and seeks to ensure that new development is strictly controlled in order to protect the landscape's intrinsic character and distinctiveness.

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, having regard to matters of scale, height, density, layout, appearance and materials.

Policy WB-E1 states that development must be well designed, locally distinctive to Whaley Bridge taking into account factors such as scale, height, massing, roofscape, set back from the road, spacing of properties and the pattern of front and rear gardens.

WBNP Policy WB-E4 states development should complement the rural and historic character of the area and not harm the rural and open landscape character of the area.

Paragraph 135 of the NPPF states amongst other matters that new developments should add to the overall quality of the area, be visually attractive as a result of good architecture and sympathetic to the surrounding built environment.

The Adopted Residential (SPD) (2005) chapter 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”*

The proposed outbuilding is modest in size with an internal footprint of approx. 27sq.m, with an eaves height of 2.3m and a ridge height of 3.05m, remaining subordinate when compared with the main dwellinghouse.

The proposed materials for the cabin is timber painted green, with grey accents to the windows and felt tiles to the roof. Officers considered that timber cladding is by no means a traditional material used within the High Peak, however, such a material is commonplace for garden structures, such as sheds and summerhouses. Given the rear location of the garden room it will not be visible from any public vantage points, despite the rise in ground level to the rear of the site, it would not be visible from the street scene and there are no Public Right of Ways in the open countryside to the rear, the green and grey will appear recessive when viewed in the context of the open countryside.

Considering the above points, the siting, scale and proposed materials are considered appropriate and accord with requirements of policies S1 and EQ6, the Residential Design Guide SPD and the NPPF.

Amenity

Section 12 Paragraph 135(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.

The Adopted Residential (SPD) (2005) paragraph 8.6.1 states that there should be 21 metres between adjacent inhabitable windows to provide an acceptable level of amenity.

The garden room is proposed to sit adjacent to the southern boundary of the application site, due to the existing high level boundary fencing and trees along this common boundary, there will be very limited visibility of the structure from the garden space of the neighbouring property to the south, The Start, with only glimpses of the roof visible at best. As such there would be no harm relating to overbearing impacts or overshadowing.

A window and door are proposed to the front elevation, these will outlook on to the rear of the host property. The window to the side elevation will outlook towards the rear garden at the application site and Malvern to the north, whilst there is only some 7.4m between this and the common boundary with Malvern, a site visit has confirmed the existing boundary treatment will prevent direct overlooking into the garden space of this neighbour. As such, there are no concerns regarding unacceptable loss of privacy.

It is noted external LED lights are to be confirmed, whilst artificial light can be a source of annoyance through light pollution, due to the residential nature of the area, the landscape is not intrinsically dark and it is not considered this would undermine the enjoyment of the countryside, with the light pollution being no more excessive than that of the dwellinghouse, or evening use of the garden space.

Officers have also considered an outbuilding could be built in the same location with a max. height of 2.5m under permitted development rights, which represents a realistic fallback position.

Based on the above analysis, the application is considered to be compliant with Local Plan Policy EQ6, the Residential Design Guide SPD, and the NPPF, with regards to potential impacts on neighbouring residential amenity.

Highway Safety

The proposal will not lead to an increase in bedrooms at the application site, therefore will not increase demand for off-street parking. Furthermore, the existing provision for off-street parking will not be impacted by the proposal. As such there are no highway safety concerns and the proposal complies with local plan policy CF 6.

Other Matters

Although the highway officer consider that a restriction should be imposed, to restrict its use for ancillary purposes, this is not considered to be necessary. The building is a wooden structure, with no means of heating and therefore would be unsuitable for any other purposes other than in connection with the dwelling as an ancillary building.

CONCLUSION / PLANNING BALANCE

The proposal is considered acceptable in terms of design and amenity and will not result in any adverse amenity impacts and is of acceptable design and is considered to be in accordance with the relevant policies put forward in the Local Plan and NPPF. Therefore, the application is recommended for approval.

LP Policy S1a reflects the presumption in favour of sustainable development set out within the National Planning Policy Framework (NPPF). Paragraph 11 of the NPPF sets out the presumption in favour of sustainable development. For decision taking, this means approving development proposals that accord with an up-to-date development plan without delay; or, where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission, unless:

- the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

The application seeks consent for the erection of a garden room ancillary to the existing domestic property that lies outside of the built-up area boundary in the countryside. An assessment of the application has found all aspects of development proposals to be of a satisfactory design that relates well to and respects the character and appearance of the existing dwelling and the immediate rural and wider landscape

character. Moreover, the development would not result in any adverse harm to residential amenity. It is therefore concluded that the proposal constitutes a sustainable form of development and in line with Policy S1a of the Local Plan and paragraph 11 of the NPPF is recommended for approval subject to conditions.

OFFICER RECOMMENDATION : APPROVE with conditions

Case Officer: Jennifer Robb

Recommendation Date: 08/05/2025

X 

Signed by: Jane Colley Signature

On behalf of High Peak Borough Council