

DELEGATED DECISION REPORT

HPK/2025/0092
Valid 20/03/2025

3 THE WINCH COTTAGE
BINGS ROAD
WHALEY BRIDGE

VARIATION OF CONDITION 5
IN RELATION TO
HPK/2022/0267

(LBC - ALTERATION)

MAIN ISSUES

- Impact upon Residential Amenity
- Design and Impact upon the Street Scene
- Impact upon the Heritage Asset (Listed Building)

DESCRIPTION OF SITE

On the site of 3 the Winch Cottage is a disused colliery air shaft tower which is grade 2 listed. The tower is constructed from sandstone with various irregular window openings from later use as a storage premises. The tower is considered a prominent local landmark. Next to the tower is an attached garage of matching similar materials.

PROPOSAL

This application seeks to vary Condition 5 (Replacement tiles) of the previously approved application reference HPK/2022/0267 via Section 73 of the Town and Country Planning Act 1990.

The application proposes to replace the existing gritstone slates with reclaimed sandstone slates. Therefore it is proposed to amend Condition 5 to the following:

“notwithstanding the details shown on the approved plans, the subject of condition 2, where the new stone slate roofing is required to the tower and chimney replacement stone slates should be locally sourced reclaimed sandstone slates. These should be where possible from a previous single building and should be laid in diminishing courses to best use the reclaimed slates and replicate the existing roof as possible”.

The original wording of condition 5 is as follows:

“5. Notwithstanding the details shown on the approved plans, the subject of condition 2, where any roof tiles are in need of replacement, replacement tiles must be of the same material, colour and size as those in situ. Reason:- In the interests of visual amenity and protecting the significance of the listed building.”

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 6 Design and Place Making
CF 6 Accessibility and Transport

Supplementary Planning Guidance/Documents

Residential Design (2005)
High Peak Design Guide (2018)

National Planning Policy Framework

Section 12: Achieving Well-Designed Places
Section 16: conserving and enhancing the historic environment

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

HPK/2022/0233: The repair, conservation and conversion of the disused air shaft to accommodation that will be ancillary to the house (Approved 11/11/2022)

HPK/2022/0267: Listed Building Consent for the repair, conservation and conversion of the disused air shaft to accommodation that will be ancillary to the house (Approved 11/11/2022)

HPK/2024/0524: Variation of Condition 5 for HPK/2022/0233 (Approved 12/03/2025).

CONSULTATIONS

Publicity

Site Notice expiry date: 15/05/2025
Neighbour consultation period ends: 16/04/2025
Press Advert: 24/04/2025

Public Comments

No public comments received.

Town / Parish Comments

No comments received.

Derbyshire County Council Highways (No Objection)

Condition 5 has no highway impact.

Conservation Officer (No Objection)

The application relates to the grade II listed Colliery Air Shaft, within the curtilage of 3 The Winch Cottage. The Air Shaft received previous planning approval to be converted into ancillary accommodation. It has been stated that during the course of works to repair the roof, the majority of stone slates (gritstone) have been found damaged beyond repair or reuse. As such it is proposed to vary condition 5, reroofing the listed building with reclaimed sandstone slates.

Images have been provided of the proposed sandstone slates to be used. This is considered to be an acceptable alternative to gritstone and can be supported to bring the listed building back into use and in a watertight condition. Reclaimed stone will allow for the weathered appearance of the listed building to be retained as far as is possible. Therefore, there are no heritage objections to the proposed variation in condition.

The current application is similar in nature to recently approved HPK/2024/0524. As such the heritage opinion remains unchanged.

Historic England (No Comment)

Historic England provides advice when our engagement can add most value. In this case we are not offering advice. This should not be interpreted as comment on the merits of the application.

OFFICER COMMENTS

Principle of Development

The application proposes a Section 73 material amendment application pursuant to extant planning permission reference HPK/2022/0267. Therefore the principle of the development has already been established and agreed via this consent and therefore this application does not provide the opportunity to review or re-assess the principle of development. The extant permission has already been deemed to be acceptable in principle.

The main considerations in this application relate to whether the change to the materials is appropriate and the impact upon the listed building.

Design and Impact upon the Listed Building

Policy S1 states that new development will be expected to make a positive contribution towards the sustainability of communities and where possible enhancing the environment which would be achieved by, inter alia, securing high quality and locally distinctive design.

Policy EQ6 states that all development should be well designed and of a high quality

and that this will be achieved by requiring development to be well designed to respect the character of the townscape, and requiring development to contribute positively to an areas character, identity and history in terms of scale, height, density, layout, appearance, materials and relationship with adjacent buildings.

EQ7 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 in accordance with sub area strategies S5, S6 and S7.”

The proposed alterations would remain in keeping with the historic character of the listed building. It has been acknowledged that the building as existing does have sandstones slates such as those proposed via this application. The Conservation Officer has provided commentary stating that the works would “Bring the site back into use and allow for the listed building to be retained”, additionally the weathered appearance of the reclaimed sandstone would be in keeping with the listed building and would help preserve its existing character.

With consideration to the Conservation Officers comments and the use of such sandstone on both the existing property as well as within the surrounding area the proposed alterations are deemed sustain the character of the heritage asset and not have any unacceptable impacts upon visual amenity.

The proposed alterations are in accordance with Local Plan policies EQ6, EQ7, SPDs and the NPPF.

CONCLUSION / PLANNING BALANCE

In conclusion the proposed variation of Condition 5 (Replacement Tiles) is considered to be acceptable with regards to design, and the impact upon the Listed Building. Therefore the proposal is considered to comply with relevant local and national planning policy and is recommended for approval.

OFFICER RECOMMENDATION : Approve

Case Officer: Stuart Talbot

Recommendation Date: 13/05/2025

X *J. Colley*

Signed by: Jane Colley Signature

On behalf of High Peak Borough Council