

DELEGATED DECISION REPORT

HPK/2025/0035
Valid 18/03/2025

WINDY WALLS FARM
ASHBOURNE LANE
CHAPEL-EN-LE-FRITH

REMOVAL OF
ANNEXE/STORE AND
EXTENSION TO EXISTING
DWELLING TO FORM
DEPENDANT RELATIVE
ANNEXE

(FULL - HOUSEHOLDER)

MAIN ISSUES

- Principle of Development
- Design, Character and Appearance
- Amenity
- Highway Safety

DESCRIPTION OF SITE

The application relates to Windy Walls Farmhouse, a large detached residential dwellinghouse that owing to its attractive and traditional architectural features and choice of materials, and is considered to be of noticeable architectural merit.

The house fronts a small garden, which extends to the side and into the rear, orientated facing south-eastwards onto Ashbourne Lane. A public footpath (HP6/121/1) heads in an east/west direction immediately in front of the dwelling with clear views of the site visible.

The house has a simple rectangular form constructed in a natural traditional stone with similar traditional slate tiled roof, defined by two chimney stacks. The front elevation is characterised by a small dual pitched entrance porch, with proportionate symmetrical windows sitting either side at ground and first floor level.

The wider site within the control of the applicant but outside of the domestic curtilage as indicated by the red line on the Location Plan consists of a separate holiday let building and ancillary outbuilding immediately south-east of the main farmhouse and adjacent to Ashbourne Lane, with a small group of workshops to the north used in connection with the family's stonemason business.

For the purposes of the Local Development Plan, the site lies outside the built-up area boundary and in the open countryside.

PROPOSAL

The application seeks full planning permission for a two storey side extension that is said to function as an annex for a dependent relative.

The applicant has submitted revised plans in an attempt to address concerns raised by Officers in relation to the design, character and appearance of the proposal and its relationship with the main dwellinghouse and wider rural landscape. It is these revised plans (100B and 200B) that are the subject of assessment within this report.

The proposal involves the removal of a stone outbuilding/field shelter that sits outside of but adjacent to the south western edge of the residential curtilage.

In its latest form, the two storey extension shows a principal elevation to be set back 300mm behind that of the main dwellinghouse, characterised by a porch that is similar in all respects to that that currently exists. The extension would mirror fenestration design and also be constructed in materials that are consistent with those used in the main dwellinghouse.

The floor plans show that the extension would benefit from a ground floor containing a kitchen, sitting Room, snug and WC, with a large bedroom with en-suite bathroom at first floor level, essentially having the characteristics of an independent dwellinghouse.

The elevation plan shows that the extension would have a width spanning 8.5m, in comparison with the main dwellinghouse which has a width of approximately 14m, with the rear building line sitting flush with the main dwellinghouse. The height of the extension would sit slightly below that of the main dwelling having a dual pitched gable.

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 Chapel-en-le-Frith Neighbourhood Plan (2015) and 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.

Chapel-en-le-Frith Neighbourhood Plan 2015

No relevant policies

High Peak Local Plan 2016

- S1 Sustainable Development Principles
- S1a Presumption in Favour of Sustainable Development
- EQ2 Landscape Character
- EQ3 Rural Development
- EQ6 Design and Place Making

CF6 Accessibility and Transport

Supplementary Planning Documents

Residential Design Guide SPD (2005)
Design Guide SPD (2018)

National Planning Policy Framework 2024

Achieving Sustainable Development	Chapter 2
Promoting Sustainable Transport	Chapter 9
Achieving Well Designed Places	Chapter 12

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

HPK/0002/0706	Two Bedrooms, Lounge, Bathroom (Approved 19/03/1984)
HPK/2021/0152	Removal of Annex/Store and 1no. Dwelling (Refused 27/07/2021)
HPK/2022/0510	Certificate of Lawfulness for Existing Use: 1. A single storey structure referred to as a 'Summerhouse' (yellow area) amounts to operational development which has been present on the land for a period of more than 4 years. 2. Raised timber decked area containing a hot tub (green area) amounts to operational development which has been present on the land for a period of more than 4 years. 3. conservatory/potting shed on the north-western elevation of the stone outbuilding (red area), amounts to lawful operational development which has been present on the land for a period of more than 4 years. 4. The area of grass land to the front and side (peach area), area of grass land to the rear (blue area), and patio and gravel area to the rear (purple area) of the main dwellinghouse known as Windy Walls Farm, is in use for purposes incidental to the enjoyment of the main dwellinghouse on site, which is based on the evidence that the use has been undertaken on the land for more than 10 years. (Granted 07/03/2023)

CONSULTATIONS

Publicity

Site Notice expiry date: 30th April 2025
Neighbour consultation period ends: 11th April 2025
Press Advert: N/A

Public Comments

None received.

Chapel-en-le-Frith Town Council Comments

No objection.

Conservation Officer

I do not believe that the farm contains a listed building nor is it located within a conservation area. As such I have not identified any heritage impact of the application. On this basis I have no comments to make.

Derbyshire County Council Highways

No comments received at time of writing

OFFICER COMMENTS

Principle of Development

The application seeks planning consent for an extension to an existing residential dwellinghouse, contained entirely within the domestic curtilage, on a site which lies outside of the built-up area boundary of any town or village in the open countryside.

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. The policy supports extensions and alterations to existing dwellings provided they are subsidiary to the building and do not have an adverse impact on the character of the landscape.

As such, the principle of development can be supported subject to the application demonstrating that it would be subsidiary to the existing building and not have an adverse impact on the character of the landscape by virtue of its scale, height, massing and visual appearance.

Design Character and Appearance

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 seeks to protect, enhance and restore the landscape character of the Plan Area for its own intrinsic beauty and for the economic, environmental and social well being of the area. Development is required to have particular regard to maintaining the aesthetic and biodiversity qualities of natural and man-made features within the landscape, and sympathetic to and informed by the distinctive landscape character areas as identified in the Landscape Character Supplementary Planning Document.

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

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.

The Residential Design Guide SPD (2005) provides specific guidance for domestic extensions. The guidance pertinent to the assessment and determination of this application is set out as follows:

9.0 Extensions and alterations to existing houses can have a significant impact on the appearance of a house, neighbouring property and the street scene. It is important, on all types of houses, that domestic development is carefully designed.

9.1 Extensions should be designed so as to be subordinate to the main form of the house. It is important that the extension results in a dwelling that is well designed in itself.

Chapter 5 of the Design Guide SPD (2018) provides further useful guidance for designing domestic extensions. The guidance pertinent to the assessment and determination of this application is set out as follows:

5.5 All extensions should harmonise with the parent building. An extension should respect of the dominance of the original building and be subordinate to it in terms of its size and massing. Setting back the new section from the building line and keeping the eaves and ridge lower than the parent building will normally help.

Paragraph 135 of the NPPF states amongst other things that 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.

Paragraph 139 of the NPPF goes on to state 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.

Windy Walls farmhouse is an attractive building constructed predominately in high quality traditional materials. As such given the sites location within the open countryside, the site lies within a prominent and sensitive location in the open countryside with clear views from Ashbourne Lane and the nearby public footpath (HP6/121/1). Consequently it is imperative that an extension is carefully designed.

The current house has a simple rectangular form with proportionate dimensions which is also reflected in the siting and design of fenestration. Owing to its already lengthy width, whilst opportunities for extension do exist, these are limited.

In its original form, the proposed two storey extension was shown to essentially sit flush with both elevations of the main farmhouse, with just 100mm separating the principal elevation of the proposed extension and existing dwellinghouse. Officers held the view that owing to its excessive width totalling approximately 9.5m, the proposed extension would result in a dwellinghouse that failed to harmonise with the existing dwelling and fail to respect the dominance of the parent building. The extension did not read as a subordinate or secondary addition, and as a consequence resulted in a dwellinghouse that in itself was not well designed.

Moreover, the scale of the proposed extension was found to not read as an ancillary addition to the main house, its excessive width, with a separate porch entrance had the appearance of an independent dwelling with no reliance on the existing farmhouse.

Whilst officers were satisfied that the proposed extension would be acceptable with regards to the choice of materials, the above amounted to serious concerns with regards to the design, character and appearance of the proposed extension and its relationship with the existing dwellinghouse and impact on the wider rural landscape.

The application also relates the removal of an existing Annex/Store to facilitate the proposed development. In line with previous applications relating to this site, the Council have consistently and repeatedly maintained that the building subject to be removed is neither an Annex or a Store but simply an outbuilding, that is considered to be associated with agriculture (e.g. field shelter or similar). This position has been confirmed and validated by the Planning Inspector in dismissing an appeal in relation to a Certificate of Lawful Development (APP/H1033/X/23/3331523).

Notwithstanding the function and lawful use of this outbuilding, its proposed removal is not considered to result in any adverse harm to the rural landscape.

In the interests of working in a positive and proactive manner, Officers presented the above concerns to the applicant's agent with clear guidance as to the amendments that would be required to ensure that the application could be positively determined, which were as follows:

- (i) Reduce the width of the extension considerably (no more than 4m in width)
- (ii) Incorporate a noticeable set back (1m) behind the principal elevation
- (ii) Amend the internal layout, siting and design of external fenestration accordingly

In response to the above request, the applicant's agent has submitted revised plans which shows a reduction in width of 1m (8.5m in total), and a very modest increase in the set back behind the principal elevation of the main house by a further 200mm (300mm).

In assessing these revised plans, it is found that whilst the revisions comprise a marginal improvement comparable to the plans originally submitted, they do not overcoming the initial concerns raised.

The proposed extension continues to have a disproportionate width, amounting to an approximate 60% increase in the width of the existing dwellinghouse, which is considered to be excessive, having regard to the specific characteristics of this property and its surrounding context.

The excessive width, coupled with the absence of an amplified set back behind the principal elevation, and the introduction of a second porch that competes with the existing porch, results in an extension that fails to harmonise with the existing dwellinghouse. It does not respect the dominance of the parent building, fails to read as a subordinate or secondary addition, and as a consequence results in a dwellinghouse that is not well designed in itself. In its revised form, concerns remain in relation to the extension not reading as an ancillary addition. It visually reads as an independent dwellinghouse with no reliance on the main farmhouse.

The agent has referred officers to an Appeal Decision (APP/H1033/D/24/3340663), which allowed a two storey side extension to an end of terrace property, following the Council's decision to refuse planning permission under HPK/2023/0536. Whilst every application is determined on its own individual merits, it is important to clarify the material differences between this application and the proposals subject of this referenced appeal, and why no weight can be attributed to it in the assessment and determination of this application.

The site subject of the above appeal decision was an end of terrace property located within the built-up area boundary of Dove Holes, and as such the sensitivity to change was lower than this site. Crucially, at the other end of the row of properties was a larger property which had the same width as the property subject of the allowed appeal would after the extension was introduced. The Inspector stated the following:

8. *That the side extension would match the width of the original dwellinghouse is more a reflection of its very limited existing width than a grossly oversized extension. Importantly, the resulting 2 bedroom dwelling would be well designed in itself and would be simply seen to bookend and balance the terrace with a double fronted design that appropriately reflects the double width of No.57 at the other end of the terrace...*

It is clear therefore that whilst the extension subject of the referenced appeal amounted to a 100% increase in width, there were circumstances material to that property and its context: (1) the fact that it would result in a property that mirrored the width of a property at the other end of an existing terrace; and (2) that the site lies within the built-up area boundary, that do not apply to this application. As such, the Council content that no weight can be given to this appeal in the context of assessing and determining this application.

In conclusion, the application in its revised form by virtue of its excessive scale, width and the inclusion of an additional porch, would fail to read as a subordinate and subsidiary addition that respects the dominance of the parent building. The extension does not visually appear as an annex, given that the extension contains all necessary features to operate as an independent dwellinghouse, with no reliance on the main dwellinghouse.

As a consequence, the resultant dwellinghouse as a whole, has a disproportionate and unbalanced appearance, that is not well designed in itself. Therefore, by virtue of its overall poor design, the extension from a discordant feature which fails to harmonise with the character and appearance of the existing dwellinghouse and as a consequence the wider rural landscape.

The application is therefore in conflict with Local Plan Policies S1, EQ2, EQ3 and EQ6, the Residential Design Guide SPD (2005), the Design Guide SPD (2018) and relevant paragraphs under Chapter 12 of the National Planning Policy Framework.

Amenity

LP Policy EQ6 requires all new development to have a satisfactory relationship with existing land and buildings and protects the amenity of the area, which includes residential amenity of neighbouring properties. Aspects of residential amenity include impacts such as a loss of sunlight, overshadowing and overbearing impacts, loss of outlook, and loss of privacy.

The High Peak Residential Design Guide SPD requires extensions to preserve the residential amenity of neighbouring properties, having regard amongst other things to the relationship between existing and proposed development, the positioning of windows, and the change in land levels.

Paragraph 135 of the NPPF states that planning should create places with a high standard of amenity for existing and future users.

The site lies within an isolated location with regards to neighbouring residential dwellinghouses, with the buildings that is situated outside of the domestic curtilage closer to Ashbourne Lane being within the control of the applicant. It is understood to be used as a short term holiday let, as a consequence of planning permission being granted under HPK/2008/0187 for the conversion of this former outbuilding.

The proposed extension would be orientated in a similar manner to the existing farmhouse and would not result in any direct views between habitable windows with this neighbouring building. As such, there are not considered to be any harm to residential amenity arising from the proposal, in accordance with LP Policy EQ6, the Residential Design Guide SPD and relevant paragraphs under Chapter 12 of the NPPF.

Highway Safety

LP Policy CF6 seeks to ensure that development can be safely accessed in a sustainable manner and that all new development is located where it can be satisfactorily accommodated within the existing highway network. Suitable off-street parking provision should be provided in accordance with guidelines set out under Appendix 1 of the Local Plan.

Paragraph 115 of the NPPF states that in assessing sites for specific applications, it should be ensured that safe and suitable access to the site can be achieved for all

users. Paragraph 116 goes on to state that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impact impacts on the road network would be severe.

The existing dwellinghouse benefits from four bedrooms, with the proposed extension adding a fifth bedroom. Parking guidelines state that dwellings of four or more dwellings should provide a minimum of 3no off-street parking spaces, and thus there is no requirement for this application to demonstrate additional off-street parking. In any event, a large area exists to the rear of the main dwellinghouse that provides ample parking provision.

The development would not give rise to any adverse highway safety impacts, thereby demonstrating accordance with LP Policy CF6 and relevant paragraphs under Chapter 9 of the NPPF.

CONCLUSION / PLANNING BALANCE

LP Policy S1a reflects the presumption in favour of sustainable development contained within the National Planning Policy Framework.

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:
 - i) the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed; or
 - ii) 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, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination

The application seeks full planning permission for the removal of an outbuilding and erection of a two storey side extension to a large detached dwellinghouse that has an attractive and traditional appearance, and sits in a prominent and sensitive location in the open countryside.

Whilst the Council has sought to work in a positive and proactive manner with the applicant to overcome outstanding planning issues the applicant has declined to amend the proposals to enable officers to support the development proposals.

This report has assessed the application in its revised form which only makes negligible changes to the scale and width of the proposed extension, which has been found to fall significantly short of what is required to make the application in planning terms.

As such, for the reasons set out within the body of this report, the application fails to comply with relevant Local Development Plan policies, relevant Supplementary Design Guidance, and relevant paragraphs contained under Chapter 12 of the NPPF. The application does not therefore amount to a sustainable form of development contrary to Local Plan Policy S1a and paragraph 11 of the NPPF.

The application is therefore recommended for refusal for the reason as set out within this report and on the Decision Notice.

OFFICER RECOMMENDATION : Refuse

Case Officer: James Stannard

Recommendation Date: 13th May 2025

X 

Signed by: Jane Colley Signature

On behalf of High Peak Borough Council