

DELEGATED DECISION REPORT

HPK/2025/0500
Valid 06/01/2026

YEW TREE COTTAGE
UNNAMED ROAD FROM
STUBBINS LANE TO TITHE
BARN FARM
CHINLEY

DEMOLITION OF EXISTING
CONCRETE/ASBESTOS
GARAGE. CONSTRUCTION OF
A NEW STONE/SLATE
GARAGE/WORKSHOP

(FULL - HOUSEHOLDER)

MAIN ISSUES

- Principle of development
- Character and Appearance
- Impact on the Green Belt
- Impact on residential amenity

DESCRIPTION OF SITE

The application site relates to Yew Tree Cottage, a large, detached stone-built dwelling located in Chinley. The site is located within the Green Belt and designated countryside land. The property is served by a crushed limestone driveway providing access from the unnamed road to the south. Within the large forecourt area stands a detached garage.

PROPOSAL

Planning permission is sought for the erection of a detached garage following the demolition of the existing garage.

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 3 Rural Development
EQ 4 Green Belt Development
EQ 6 Design and Place Making
CF 6 Accessibility and Transport

National Planning Policy Framework

Chapter 4 – Decision-making
Chapter 12 – Achieving well-designed places
Chapter 13 – Protecting Green belt land

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

Approved, 1988 – Two Storey Extension

CONSULTATIONS

Publicity

Site Notice expiry date: 19-02-2026
Neighbour consultation period ends: 30-01-2026
Press Advert: N/A

Public Comments

No comment.

Chinley, Buxworth & Brownside Parish Council

No objection.

Arboricultural Officer

No objection.

Derbyshire County Council Highways

There appears to be no material impact on the public highway and therefore the Local Highway Authority (LHA) has no further comments to make.

OFFICER COMMENTS

Principle of Development

Local Plan Policy S2 outlines that in areas outside of the settlement boundary of settlements, including Green Belt and the Countryside which do not have a settlement boundary as defined on the Policies Maps, development will be strictly limited to that which has an essential need to be located in the countryside or comprises affordable housing in accordance with policy EQ3.

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 EQ 4 states 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.

In this instance, a replacement garage would be supported by policy EQ3, however it is necessary to consider whether the proposals comply with design, amenity and greenbelt policies.

Character and Appearance

LP Policy EQ2 seeks 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.

High Peak Adopted Residential Design guide SPD (2018) paragraph 9.7 states, 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.

High Peak Design Guide (2018) paragraph 5.10 states, garages need to be designed and built in sympathy with the properties they serve. Materials and roof pitch should generally match those of the parent building. If attached to the building, the new garage should be clearly subordinate. A separate garage building is however often the better solution particularly where more than one garage is needed.

Planning permission is sought for the erection of a detached garage following the demolition of the existing garage. The footprint of the proposed building remains broadly similar to that of the existing garage, only very marginally higher as demonstrated on the submitted plans. The new building will be finished with stone and natural slate roof tiles of which closely resemble that of the host dwelling.

The design of the replacement garage is considered acceptable and would represent an improvement to the existing structure of which is in a state of disrepair. Given the

rural context of the site, the proposed development would not result in harm to the character or appearance of the street scene.

The proposed development complies with Local Plan Policy EQ2, EQ3 and EQ6, The Design Guide SPD (2018), Residential Design guide SPD (2005) and national policy contained within the NPPF.

Impact on the Greenbelt

LP Policy EQ 4 states 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.

NPPF paragraphs 142 and 143 set out the fundamental aims of Green Belt land set out by the government.

Green Belt serves five purposes:

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

NPPF paragraph 154(d) states that development in the Green Belt is inappropriate unless one of the following exceptions applies:

The replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;

The existing garage has a footprint of 6.2 x 2.86m and an overall height of 2.35m. By comparison the proposed replacement garage would have a footprint of 6.5m by 3.3m and a maximum height of 3.5m.

While the proposal would result in a very modest increase in footprint when compared to the existing structure, the overall height would increase by just over 1m. However, this increase is not considered to be material and would not undermine the fundamental aims of Green Belt policy as set out in paragraph 143 of the NPPF. The development is therefore considered to amount to an appropriate form of development in the green belt and comply with paragraph 154(d) of the NPPF, as it constitutes a replacement building for the same use and would not be materially larger than the building it replaces.

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 proposed outbuilding is intended for use as a workshop and garage, which is considered incidental to the enjoyment of the host dwelling. The site is set within open land, with a single neighbouring property, Tithe Barn Farm, located to the east. The proposed building would be positioned approximately 22 metres from this neighbouring dwelling. Given that the structure would be broadly similar in size, siting and use as the existing garage, it is considered that the proposal would not result in any detrimental impact on neighbouring residential amenity.

CONCLUSION / PLANNING BALANCE

The proposed development is acceptable in principle, design and is not considered to be inappropriate development in the Green Belt. The proposal is therefore recommended for approval.

OFFICER RECOMMENDATION : APPROVE

Case Officer: Agatha Dutton

Recommendation Date: 02/03/2026

X 

Signed by: Jane Colley Signature

On behalf of High Peak Borough Council