

PLANNING COMMITTEE – 20 SEPTEMBER 2022

REFERENCE NUMBER: 22/00507/FLH **Application Expiry Date:** 26 September 2022
Application Type: Full Planning Permission

Proposal Description: Application for the erection of a detached double garage with gym above.
(Amended Drawings)

At: Moor Grange, Doehole Lane, Brackenfield

For: Mr and Mrs Medforth
Third Party Reps: 1 **Parish:** Ashover
Ward Name: Ashover

Author of Report: Alice Lockett

Date of Report: 2nd September 2022

MAIN RECOMMENDATION: Refuse

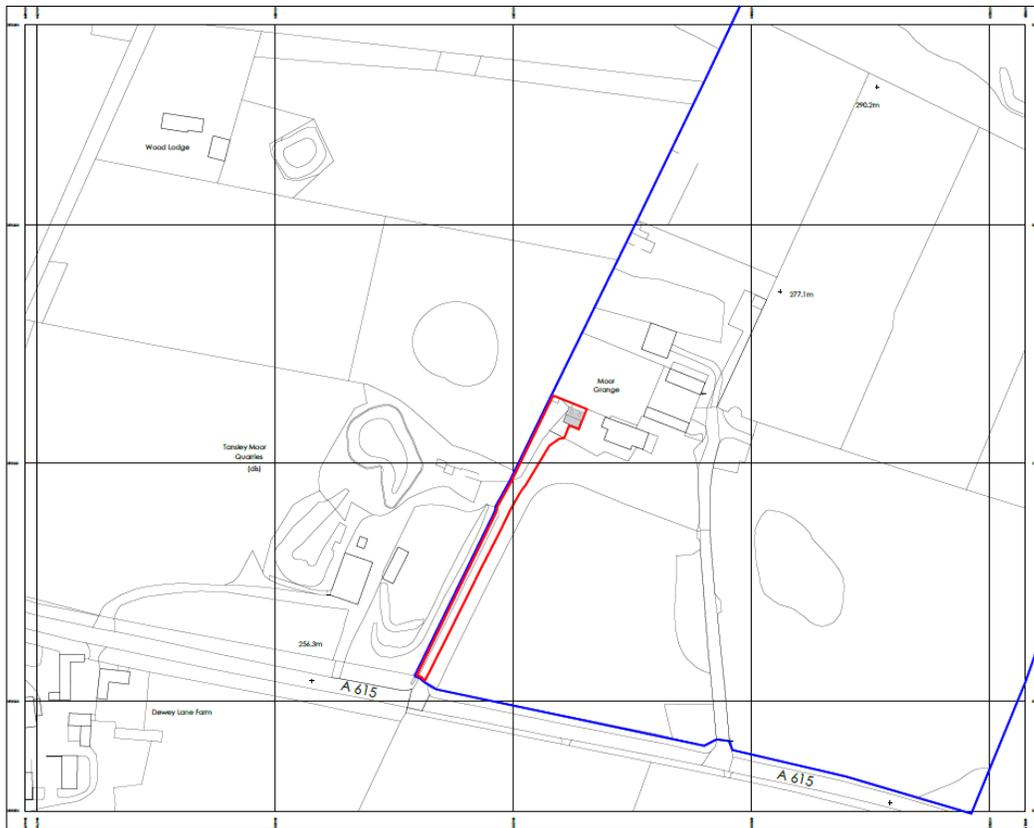


Figure 1 Location Plan

1.0 Reason for Report

- 1.1 The application has been called into planning committee by Councilor Armitage for the following reason: Over development of the site.

2.0 Proposal and Background

- 2.1 The application site consists of Moor Grange, a 19th Century “Gentlemans’ Residence” Farmhouse and its associated traditional and modern agricultural buildings.
- 2.2 The site is located to the north of the A615 Doehole Lane and is at an elevation position approximately 150m from the road.
- 2.3 This application relates to the construction of a detached double garage with gym above located to the west of the main house.
- 2.4 This application is one of 4 open applications on the site which include the conversion of a traditional barn to dwelling 22/00504/FL, the construction of a field barn 22/00394/FL and the demolition and replacement of an agricultural building 22/00506/FL.

3.0 Relevant Planning History

80/00064/FL	Refused	08.01.1981	Rehabilitation of derelict farmhouse.
96/00096/FL	Conditionally Approved	13.06.1996	Change of use of barn to two holiday cottages
22/00394/FL	Pending Consideration		Application for the erection of a field barn (amended title)(Amended drawings)
22/00504/FL	Pending Consideration		Application for conversion of barn to dwelling
22/00506/FL	Pending Consideration		Erection of a replacement general purpose agricultural building

4.0 Consultation Responses

- 4.1 Highways Comments:
No Highway Authority objections to make on the basis the proposed garage is for the applicant’s use in relation to the existing dwelling.

5.0 Representations

5.1 Parish Council Comments:

- 5.1.1 Application 22/00507/FL proposes a different drive access to application 22/00394/FL and therefore is not clear on the aims of the application as to whether this is to provide for a business at the kennels.

(Officer Comment: The application form states that the building is a double garage with Gym above. The applicant is not the same as the other applications on the wider site, so this application is not considered to be directly connected to the agricultural buildings and barn conversion also applied for)

- 5.1.2 Ashover Parish Council is not clear on the aims of the above applications and requests that the applicants provide full details of proposals and intentions.
- 5.1.3 If permission was to be granted on any or all of the above applications, Members request that conditions are imposed to tie any agricultural building to the main dwelling and that a registered holding number is required to ensure animal (sheep) welfare etc.
- 5.1.4 Ashover Parish Council considers the collation of the above applications to represent major development and over-development of the site and has asked the Ward Member to request consideration at Planning Committee.

5.2 One comment has been received from a neighbour:

- The plans show a brick construction, but I would think it would be built in stone same as the house as it can be seen from the road. *(Officer Comment- the materials have been changed and the building is now proposed to be constructed of stone)*
- The drive is narrow and if you go up the drive with a long wheel base van and the gate to the house is closed, the van cannot turn round, it has to reverse blind back onto the A615, maybe this should have been addressed *(Officer Comment- the access is the existing access to Moor Grange it is not expected that the garage will intensify the use of the access or change the existing issue with gates etc.)*

6.0 Relevant Policy and Strategic Context

- 6.1 The Development Plan comprises the North East Derbyshire Local Plan and the Ashover Neighbourhood Plan.

The most relevant policies in determining this application are as follows:

6.2 Ashover Neighbourhood Plan (ANP)

AP2 Development Proposals outside the Limits to Development
AP11 Design
AP13 Landscape Character

AP15 Important Trees and Hedgerows
AP16 Dry Stone Walls
AP20 Traffic

- 6.3 North East Derbyshire District Local Plan
SS9 Development in the Countryside
LC5 Residential Extensions
SDC2 Trees, Woodlands and Hedgerows
SDC3 Landscape Character
SDC12 High Quality Design and Place Making

- 6.4 The National Planning Policy Framework
The overarching aims of the National Planning Policy Framework (NPPF) are also material in the assessment of this application and have been taken into account

7.0 Planning Issues

Principle of Development

- 7.1 Moor Grange is located within the countryside for planning purposes. The site is located within the Enclosed Moors and Heaths Landscape type of the Peak Fringe and Lower Derwent Landscape Character Area.
- 7.2 Policy LC5 of the Local Plan (LP) permits outbuildings which are ancillary to the main residential use provided they respect the scale, proportions, material and overall design and character of the existing property and do not harm the streetscene or land area or have an impact on highway safety or amenity of neighbours.
- 7.3 Ashover Neighbourhood Plan (ANP) Policy AP11 requires that proposals should respect local character having regard to scale, density, massing, layout and access as appropriate and should enhance local distinctiveness of an area, should follow a consistent design approach in the use of materials, design and roofline.

Landscape and Design Considerations



Figure 2 Moor Grange

- 7.4 Policy SDC12 requires that all new development should be of a high quality design and make a positive contribution to the quality of the local environment by responding positively to local character and context, creating good design which is well-related to this site and surrounding in terms of its layout, form, height, massing, scale, elevational treatment, materials and rooflines which effectively integrate buildings into their local setting. This is in line with the NPPF emphasis on design contained in paragraphs 126-130.
- 7.5 As can be seen in Fig 2 above, Moor Grange is a well-proportioned 19th century house with a hipped roof and sash windows. The building sits prominently on the hillside and, although it is screened from view from Doehole lane (A615), is clearly visible from Dewey Lane to the south east.



Figure 3 Proposed garage elevations

- 7.6 This proposal is for a double garage with loft room above proposed for use as a home gym. The building will measure approximately 6.6m x6.6m, with a height of 2.95m to the eaves and 5.98m to the ridge. The roof is single pitch with skylights in the rear elevation (see Fig 3 above).
- 7.7 As can be seen above at Fig 3, the proposed garage would be finished in stone and slate (which has been agreed with the agent) to match the existing dwelling and will have two windows in the west gable end elevation and a window and first floor access door in the east gable end.
- 7.8 The proposed building is large and unlike the other buildings on the site will be set separate from the built form of the house and its existing agricultural outbuildings. Although it would be read from within the site (at the top of the drive) with the agricultural buildings behind, when viewed from Dewey Lane to the south the building would be read detached from the built form unlike the other extensions and agricultural buildings which are clustered together to the east of the main dwelling.
- 7.9 The use of stone and slate is in keeping with the host dwelling and although a slate roof is not shown on the drawing this has been agreed in correspondence with the agent and can be secured by way of condition if members are minded to grant permission.
- 7.10 It is considered by Officers that the pitch roof is discordant with the host dwelling and surrounding buildings as Moor Grange itself has a hipped roof

whilst the agricultural buildings to the rear have lower more shallow pitched roofs and narrower gables. It is not usual for local agricultural buildings to have openings in the gable ends, although in this case there are small openings in the agricultural building (proposed for conversion) to the north east. As such its design influences are unclear and it is considered by Officers that the building does not respect the scale and proportions of either the host dwelling or the traditional agricultural buildings to the north east.

- 7.11 Due to it providing first floor accommodation the building is unusually high for a garage and the additional courses of stone above the doorways make it appear out of proportion with itself and at odds with the built vernacular of the site.
- 7.12 As a consequence of the above points, it is considered by Officers that the proposed development does not represent good design and does not meet the requirements of LP policies LC5 and SDC12, and ANP policy AP11.
- 7.13 The other extensions and outbuildings on site respect the host dwelling due to their low height, shallow roof pitches and location, nestled close to the host dwelling and to the east where they are screened by trees. However the proposed garage will have a ridge height which will be close to the eaves height of the host dwelling and this, along with the location, separate from the host dwelling and prominently visible from Dewey Lane means it will look out of proportion and unsympathetic to the host dwelling.



Figure 4 View of site from Dewey Lane, the building would be clearly visibly to the west (left) of the host dwelling

- 7.14 As seen in Fig 4 above, the building would be clearly visible from Dewey Lane and due to the out of proportion nature of its design, it is considered by Officers that the building would introduce an incongruous landscape element and therefore cause harm to the wider landscape and would therefore fail to meet the requirements of LP policies SS9 and SDC3 and ANP policies AP2 and AP13.
- 7.15 Officers have discussed these issues with the applicant's agent and invited revised drawings but with the exception of changes in the roofing material no amendments have been forthcoming.

Fallback Consideration

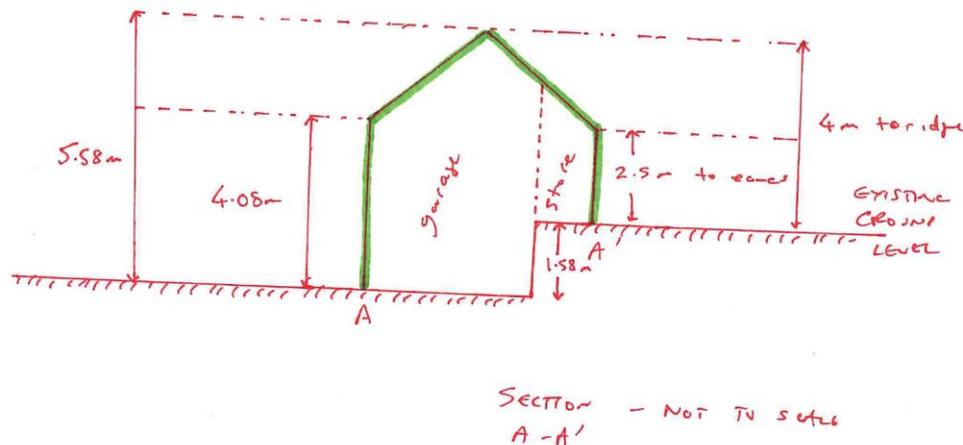


Figure 5 North to south cross section of Permitted Development fall back built onto the hill to the north

- 7.16 The applicant's agent has suggested that due to land levels a similar size building could be constructed on the site under permitted development rights (see Fig 5 above). This building would be set back into the raised ground behind the retaining wall to the north and would have a split level. However it is considered by Officers that the design is a contrivance to create the height required and crucially as permitted development under Part 1 Class E of the General Permitted Development Order would only allow a single storey building, as such it seems unlikely that the proposal is more than a theoretical fall back as it would not provide the accommodation the applicant requires. Furthermore it is unclear as to whether the proposed outbuilding would be entirely located in the domestic curtilage of the dwellinghouse. As such Officers consider that the fallback position in this instance carries limited weight in the determination of this application

Privacy and Amenity Considerations

- 7.17 Due to its location the building will not harm the privacy or amenity of neighbours and due to its size and location where there is plenty of space to park will not have an impact on the safety of the highway as such it meets criteria c and d of policy LC5.

Other Material Considerations

7.18 Human Rights are considered to have been applied.

8.0 Summary and Conclusion

- 8.1 This application is for a detached double garage with first floor accommodation to accommodate a home gym.
- 8.2 The garage will be constructed of materials to match the existing host property.
- 8.3 By virtue of the design, scale, height and location the building does not respect the scale proportion and overall design and character of the existing property. As such it would fail to meet the design criteria of LP policies SS9, LC5, SDC12 and ANP policy AP11.
- 8.4 Although the building would not be visible from Doehole Lane (A615) directly forward of the dwelling, it would be clearly visible in wider views from Dewey Lane to the south and south east. As such, it would cause harm to the character of the host building and the wider countryside and landscape and would therefore fail to meet LP policies SS9 and SDC3 and ANP policies AP2 and AP13.
- 8.5 As a consequence of the above, it is concluded by Officers that there are no mitigating circumstances against the harm outlined above and as such it is recommended that the proposal be refused.

9.0 Recommendation

- 9.1 Refusal for the following reasons:
- 9.1.1 As a consequence of its pitch roof height of nearly 6m, out of proportion design and location separated from the host dwelling, the proposed detached garage does not respect scale, proportion or overall design and character of the host dwelling and therefore fails to meet the requirements of North East Derbyshire Local Plan policies LC5 and SDC12 and Ashover Neighbourhood Plan Design policy AP11.
- 9.1.2 The proposed building would be clearly visible from Dewey Lane to the south and south east, and due to the harm to the character of the host dwelling outlined above would have a detrimental impact on the character of the local countryside and wider landscape character in the area as such it would fail to meet the requirements of North East Derbyshire Local Plan policies SS9 and SDC3 and Ashover Neighbourhood Plan policies AP2 and AP13.