

PLANNING COMMITTEE – 19th May 2026

Reference Number: 26/00098/FLH

Application expiry: 22.05.2026

Application Type: Full

Proposal Description: Two storey front extension and enlargement of two first floor side bedroom windows

At: Yew Tree Cottage, Hemming Green, Old Brampton, Chesterfield

For: Mr Ian Goodwin

Third Party Reps: None

Parish: Brampton Parish

Ward: Brampton and Walton Ward

Report Author: Colin Wilson

Date of Report: 28th April 2026

MAIN RECOMMENDATION: Refuse



Figure 1: Location Plan, with site edged in red.

1.0 Reason for Report

1.1 The applicant is related to a current, serving NEDDC Ward Councillor.

2.0 Proposal and Background

Site Description

- 2.1 The application site comprises a detached dwelling situated within a relatively spacious parcel of land located on the southern side of a public highway which is identified as Hemming Green. The site is occupied by 3 main buildings, these being: the application property, a substantially proportioned detached garage towards the western edge of the site, and an outbuilding within the north-eastern corner of the site.
- 2.2 The site is situated within countryside designated as North East Derbyshire Green Belt. The site is also located within a primary Area of Multiple Environmental Sensitivity (AMES): The site is situated within the Peak Fringe & Lower Derwent landscape character area, and the landscape character is identified as Wooded Slopes & Valleys. Trees at the site frontage, within the northern element of the application site, are situated within an area protected by a NEDDC Tree Protection Order (TPO). The area TPO which affords protection to the boundary trees is identified as feature G18 of NEDDC TPO number 22.
- 2.3 The site is adjoined to the east by a track, which comprises a designated Public Right of Way (Brampton Footpath 55). The track to the east of the site forms intervening land between the application site and existing residential development within the defined Settlement Development Limits (SDL) for Old Brampton, with the nearest residential property being a detached dwelling identified as Denacre. The site is adjoined to the south and south-west by open fields. To the west of the site is residential property known as Tudor Cottage.
- 2.4 The site benefits from an existing vehicular access from Hemming Green.

Proposal

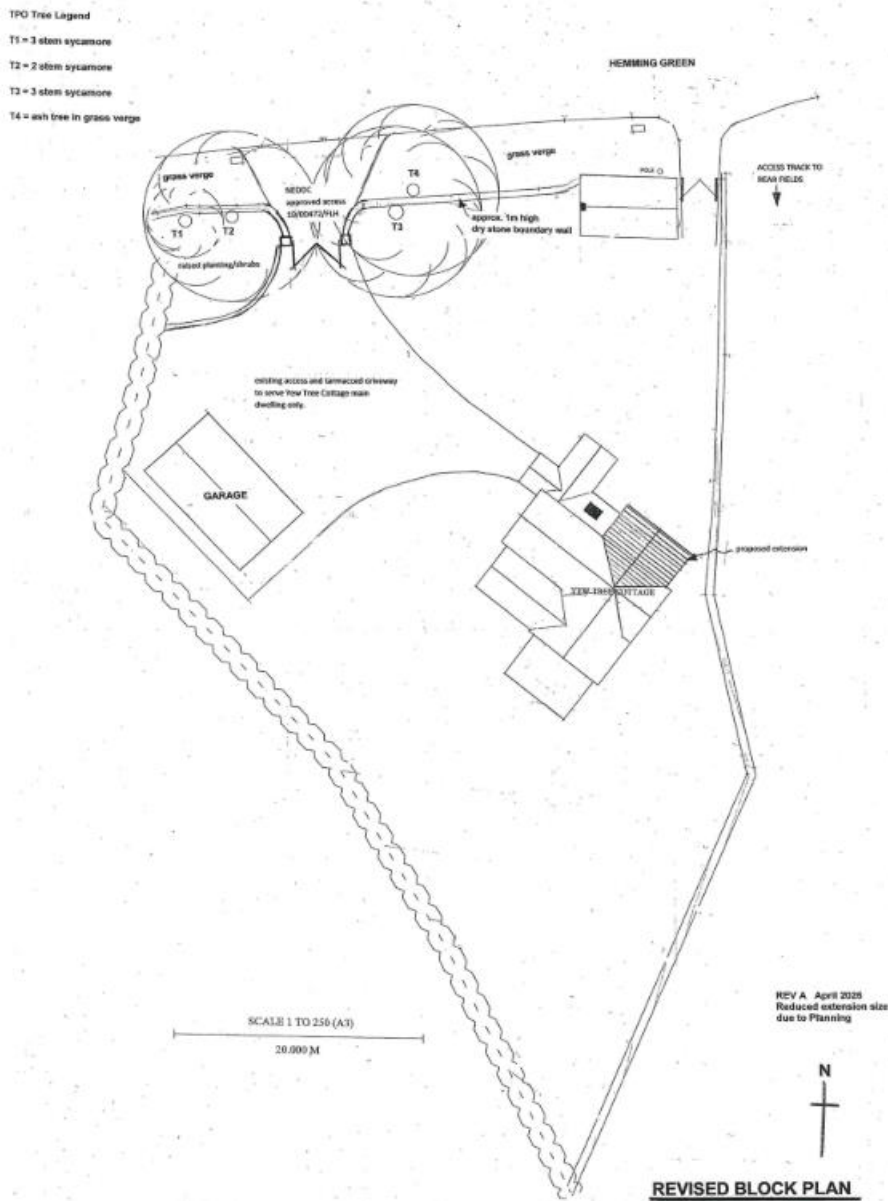
- 2.5 Full planning permission is sought for a two-storey front extension and enlargement of two first floor side bedroom windows. The proposed development has been amended during the processing of the application. The revisions can be described as a reduction in the overall projection of the proposed two-storey front extension.
- 2.6 For clarity and the avoidance of doubt, the application has been assessed on the basis of the following revised drawings, which were uploaded to the Council's website on 23rd April 2026:
- Proposed Elevations (Drawing Number 5A)
 - Proposed Elevations (Drawing Number 6A)
 - Proposed Ground Floor Layout (Drawing Number 7A)

- Proposed First Floor Layout (Drawing Number 8A)
- Revised Block Plan (Rev A)

2.7 As amended, the proposed development seeks planning permission to construct a two-storey front extension and enlarge two existing first floor side bedroom windows. The proposed extension would comprise a two-storey gable fronted addition, which would project approximately 3.4m from the north-east facing elevation of the existing dwelling. From ground level, the proposed extension would measure approximately 5.1m and 7.2m to eaves and ridge heights respectively. The extension would be constructed from Hardrow roof tiles, natural stone walling materials and UPVC windows, all to match existing.

2.8 The amended proposed Block Plan is included below to illustrate the position and footprint of the proposed extension, the subject of this application:

Revised Block Plan (Rev A)



2.9 In addition to the proposed extension, the application seeks planning permission to enlarge 2 first floor, side facing windows. The windows in question comprise a first-floor window at the north-west facing side elevation of the property and a first-floor window at the south-east facing side elevation of the property.

3.0 Relevant Planning History

3.1 The planning history for the site of application can be summarised as follows:

Reference	Status	Decision Date	Description
75/00815/OL	R	25.12.1998	Land West of Yew Tree Cottage Residential Development (outline).
76/00913/FL	CA	13.04.1976	Renovations and alterations to cottage.
76/00914/FL	CA	06.07.1976	Extension to kitchen.
77/00956/FL	CA	01.03.1977	Demolition of existing cottage and rebuild one dwelling.
89/01018/OL	R	25.12.1998	Outline Application for a bungalow
19/00012/TPO	CA	14.02.2019	Application for works to trees covered by NEDDC TPO number 22 (G18)
19/00032/FLH	CAPD	22.02.2019	Construction of a single-storey front extension, two-storey side extension and single-storey rear extension with balcony above
19/00408/AMEND	A	03.05.2019	Non-material amendment pursuant of 19/00032/FLH for addition window in lounge, hall and w/c, Bi fold door resiting in breakfast kitchen, window resizing in dressing room
19/00472/FLH	CA	31.07.2019	Proposed additional gated vehicular access
20/01158/FL	CAPD	23.08.2021	Conversion and Extension of domestic outbuilding to provide a holiday let

4.0 Consultation Responses

4.1 The **Ward Member** was consulted on the application – no comments were received.

4.2 The **Parish Council** were consulted on the application – no comments were received.

4.3 **Derbyshire County Council (DCC) Highways Officers** were consulted on the application, raising no objections to the proposed development from a highway safety perspective.

5.0 Representations

5.1 The application was publicised by way of neighbour letters and the display of a site notice.

5.2 No representations were received.

6.0 Relevant Policy and Strategic Context

National Planning Policy Framework (NPPF)

6.1 The overarching aims of the National Planning Policy Framework (NPPF) have been considered in the assessment of this application.

North East Derbyshire Local Plan 2014-2034 (LP)

6.2 The North East Derbyshire Local Plan forms the Development Plan for the District. The following policies of the LP are material to the determination of this application:

- SS1 Sustainable Development
- SS2 Spatial Strategy and the Distribution of Development
- SS9 Development in the Countryside
- SS10 North East Derbyshire Green Belt
- LC5 Residential Extensions
- SDC2 Trees, Woodlands and Hedgerows
- SDC3 Landscape Character
- SDC4 Biodiversity and Geodiversity
- ID3 Sustainable Travel

Brampton Neighbourhood Plan 2017-34

6.3 The adopted Brampton Neighbourhood Plan forms part of the Development Plan for the Area. Policies of relevance in the assessment of this application can be summarised as follows:

- Policy B3: Nature Conservation and Biodiversity
- Policy B8: Promoting High Quality and Distinctive Design
- Policy B12: Highway and Pedestrian Safety Development

7.0 Planning Issues

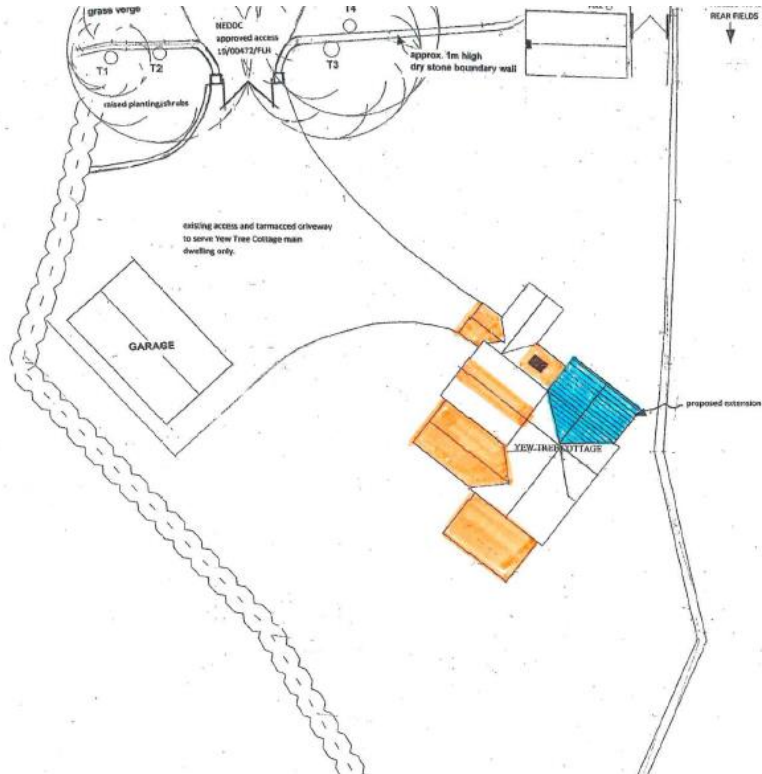
Principle of Development (New Development in the Green Belt)

- 7.1 It is stated in Paragraph 142 of the National Planning Policy Framework (NPPF) that the government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.
- 7.2 Paragraph 143 of the NPPF sets out that Green Belt serves the following 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.
- 7.3 Paragraph 153 of the NPPF states that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt, including harm to its openness. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.
- 7.4 Paragraph 154 of the NPPF identifies certain forms of development that are not inappropriate in the Green Belt. The following identified exception is potentially of relevance in the case of the proposals set out under this application:
- 154(c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building.*
- 7.5 Equally, Policy SS10 of the North East Derbyshire Local Plan relates to new development in the Green Belt. Policy SS10(2.c) is consistent with the NPPF, allowing for the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building.
- 7.6 'Disproportionate additions' are not defined in national or local planning policy. Establishing whether extension(s) represents a disproportionate addition forms part of the planning judgment for applications involving the extension of existing buildings within the Green Belt. 'Original building' is defined in the NPPF. The definition is as follows: *A building as it existed on 1 July 1948 or, if constructed after 1 July 1948, as it was built originally.*
- 7.7 When considering whether additions are disproportionate, or not, the cumulative impact of previous additions to the 'original building' must be taken into account:

- 7.8 In this case, Officers consider that the 'original building' comprises the replacement dwelling, as it was built following the granting of planning permission for a replacement dwelling under application 77/00956/FL.
- 7.9 Following construction of the replacement dwelling after the 1977 planning permission (77/00956/FL), the dwelling has been the subject of a further planning application for domestic extensions. The application in question is application reference number 19/00032/FLH, under which planning permission for the construction of a single-storey front extension, two-storey side extension and single-storey rear extension with balcony above was secured and subsequently implemented.
- 7.10 Officers have reviewed original drawings relating to the 1977 permission and the existing drawings provided with application reference 19/00032/FL, as these form a good starting point to calculate the volume of the 'original building', as up until the 2019 application there had seemingly been no major alterations or extensions of the original building. Having undertaken these calculations, Officers calculate that the volume of the original building measured approximately 644m³.
- 7.11 In the Officer report relating to application reference number 19/00032/FLH, whilst it is stated that the proposed development represents '*a relatively generous enlargement of the building*', no figures were provided to quantify the volumetric increase in the scale of the original building arising as a consequence of the extensions proposed as part of that application. Officers have subsequently calculated that the total volume of the dwelling, as extended subsequent to the approval of 19/00032/FLH, would comprise an approximate volume of approximately 978m³.
- 7.12 Contrasting the volume of the original dwelling (approximately 644m³) with the volume of the dwelling following the completion of the later additions approved in the granting of permission for 19/00032/FLH (approx. 978m³), Officers estimate that the existing additions to original dwelling house have resulted in an approximate volumetric increase of the original building of around 52%.
- 7.13 The application the subject of this report seeks permission to construct a further domestic extension, comprising a volume of approximately 132m³. This further proposed addition would result in the dwelling comprising a total built volume of approximately 1113m³. When taken cumulatively with the previous additions to the original dwelling, Officers estimate that the proposed development would result in a 73% increase in the scale of the original dwelling. Officers are of the view that a volumetric increase of this amount would represent a significant increase in the scale of the original building. Consequently, Officers consider that the proposed extension - when taken cumulatively with the previous additions to the dwelling, namely those approved under application reference number 19/00032/FLH – would represent a disproportionate addition to the original building.
- 7.14 To assist Members, Officers have sought to set out a visual representation of the proposed and previous additions to the original dwelling. This visual

representation is included below. For clarity and the avoidance of doubt, historic additions to the original dwelling are highlighted in orange with the proposed extension the subject of this application highlighted in blue.

Proposed Block Plan:



Proposed Elevations:



YEW TREE COTTAGE
HEMMING GREEN
OLD BRAMPTON
CHESTERFIELD

Hardwore roof tiles
natural stone external walls
UPVC windows
all to match existing



REV A April 2025
Reduced extension size
due to Planning

PROPOSED ELEVATIONS

YEW TREE COTTAGE
HEMING GREEN
OLD BRAMPTON
CHESTERFIELD



- 7.15 Notwithstanding the cumulative volumetric increase in the size of the original building, Officers are of the view that the proposed extension the subject of this application would represent a substantial and prominent two-storey addition, located at the dwelling's principal elevation. Officers are of the view that when assessed in conjunction with the previous additions to the original dwellinghouse, the proposed extension would result in a substantial increase in the overall scale and mass of the original dwelling. Consequently, the proposed extension is considered to represent a disproportionate addition to the original dwelling.
- 7.16 On the basis of the above considerations, Officers are of the view that the proposed development would not accord with the Policy exception to inappropriate development set out under Paragraph 154(c) of the NPPF and SS10(2.c) of the North East Derbyshire Local Plan. Nor is it considered that any of the other defined Policy exceptions to inappropriate development in the Green Belt are applicable in this instance. Consequently, the proposed development represents an inappropriate development in the Green Belt, which is harmful by definition.
- 7.17 As set out above, Paragraph 153 of the NPPF sets out that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

- 7.18 In this case, Officers are unaware of any considerations that clearly outweigh the Green Belt harm identified. For that reason, Officers are of the opinion that Very Special Circumstances do not exist. It is therefore considered that the proposed development represents an unacceptable form of development in the Green Belt. Consequently, to grant permission for the proposed development would be contrary to the requirements of Policy SS10 of the North East Derbyshire Local Plan and the NPPF when read as a whole (with particular regard to Section 13: Protecting Green Belt Land).
- 7.19 The application also sets out that permission is sought for alterations to the existing building's fenestration, namely by way of enlarging 2 existing first floor openings. Officers are of the view that the proposed enlargement of existing windows represents a relatively minor operation that would not result in any consequential harm in Green Belt terms.

Visual/ Landscape Considerations

- 7.20 Policy SS9(2) of the North East Derbyshire Local Plan states that in all cases, where development is considered acceptable (in the countryside), it will be required to respect the form, scale and character of the landscape, through careful siting, scale, design and use of materials.
- 7.21 Policy SDC3 of the North East Derbyshire Local Plan relates to landscape Character. The Policy states that proposals for new development will only be permitted where they would not cause significant harm to the character, quality, distinctiveness or sensitivity of the landscape, or to important features or views, or other perceptual qualities such as tranquillity.
- 7.22 Policy SDC3 adds that, furthermore, development proposals should be informed by, and be sympathetic to, the distinctive landscape areas identified in the Derbyshire Landscape Character Assessment and the Areas of Multiple Environmental Sensitivity (AMES), or any successor document(s), and contribute, where appropriate, to the conservation and enhancement, or restoration and re-creation of the local landscape taking into account its wider landscape character type.
- 7.23 The application site is situated within open countryside designated as a primary Area of Multiple Environmental Sensitivity (AMES), which are areas identified in the North East Derbyshire Local Plan as being the most sensitive areas of landscape within the District, and which are most likely to be negatively affected by change or development. In the Landscape Character of Derbyshire document, the landscape character area is identified as the Peak Fringe & Lower Derwent, and the landscape type is identified as Wooded Slopes & Valleys.
- 7.24 In this case, Officers are of the view that the proposed extension would result in a degree of visual impact, with the proposed extension further adding to the built form within the site of application. That being said, Officers are of the view that the proposed extension would generally be seen in the context of the existing dwelling and, for that reason, would not amount to significant landscape

harm. Equally, Officers are of the view that the proposed enlargement of existing windows would not result in any consequential harm in landscape character terms. Therefore, Officers are of the view that the proposed development would generally be in accordance with the requirements of Policy SDC3 of the Local Plan.

Highway Safety

- 7.25 Paragraph 116 of the National Planning Policy Framework (NPPF) and Policy ID3 of the North East Derbyshire Local Plan set out that, in all cases, planning permission will only be refused on transport grounds if there would be an unacceptable impact on highway safety, or where the residual cumulative impacts on the road network would be severe.
- 7.26 Derbyshire County Council Highways Officers were consulted on the application, raising no objections to the development in highway safety terms.
- 7.27 Officers consider that the proposed extension would not result in any meaningful intensification of the existing access. Consequently, Officers are of the opinion that the proposals would accord with Paragraph 116 of the NPPF, the relevant parts of Policy ID3 of the North East Derbyshire Local Plan, and Policy B12 of the adopted Neighbourhood Plan.

Tree Protection

- 7.28 As set out in the Site Description section of this report above, a number of protected trees occupy land at the site's northern, roadside frontage.
- 7.29 Officers are of the view that the proposed domestic extensions/alterations would not result in any consequential impacts on the protected trees. Therefore, the proposed development is considered to be acceptable from a tree protection perspective, in accordance with Policy SDC2 of the Local Plan.

Other Technical Considerations

- 7.30 In terms of mandatory Biodiversity Net Gain (BNG), Officers are of the view that the development would be exempt as a consequence of it comprising a householder type development.

8.0 Summary and Conclusion

- 8.1 In this case, Officers are of the view that the proposed development represents an inappropriate form of development within the North East Derbyshire Green Belt, which is harmful by definition. The NPPF and Policy SS10 make clear that inappropriate development should not be allowed unless Very Special Circumstances (VSC) exist. The NPPF (at Paragraph 153) effectively defines VSC as being other considerations that clearly outweigh identified Green Belt harm. In this case, Officers do not consider that any such circumstances exist. Therefore, to grant permission for the proposed development would be contrary

to requirements of Policy SS10 of the North East Derbyshire Local Plan and the NPPF when read as a whole.

9.0 Recommendation

9.1 On the basis of the above considerations, Officers are of the view that the proposed development represents an unacceptable form of development. It is therefore recommended that the application be **refused** for the following reason, with the final wording delegated to the Planning Manager (Development Management):-

1. The proposed two-storey front extension, when assessed cumulatively with previous additions to the dwelling, would result in a disproportionate enlargement of the original building. As such, the proposal would not fall within any of the exceptions for development deemed not to be inappropriate in the Green Belt. The development would therefore constitute inappropriate development in the Green Belt, which is, by definition, harmful.

No Very Special Circumstances have been demonstrated that would clearly outweigh the harm to the Green Belt by reason of inappropriateness, or any other identified harm arising from the proposal.

The development is therefore contrary to Policy SS10 of the North East Derbyshire Local Plan and the National Planning Policy Framework.