

**6. FULL APPLICATION - DOUBLE GARAGE AT THE KYLE BUILDING, NEAR TO DAINS MILL, UPPER HULME, NP/SM/0422/0516, SW**

**APPLICANT:** Mr Michael Jones

**Summary**

1. The application is for a new garage to the north of the drying store (now known as the Kyle building).
2. The garage would cause harm to the significance of the mill and drying store as non-designated heritage assets by virtue of its dominant size. The harm is not outweighed by any public benefits.
3. The application is recommended for refusal.

**Site and Surroundings**

4. The application site is located in open countryside approximately 300m to the north of the hamlet of Upper Hulme. The site is located within the steep sided valley bottom of Back Brook.
5. Dains Mill is a former water-powered corn mill (with separate detached corn drying store). It is a two-storey structure constructed in natural gritstone with a pitched roof and an adjoining waterwheel house. There are also water management features associated with the mill, including a mill pond to the north of the building.
6. A public right of way runs in a north-south orientation along a track between the two buildings.
7. The site lies outside of the Upper Hulme Conservation Area.
8. Planning permission was granted in July 2021 for the conversion of the Corn mill to a single open market dwelling (NP/SM/0422/0514). It is understood that works are now underway. Planning permission was also granted later in June 2021 for the conversion of the drying store (now known as the 'Kyle' building) to a further single open market dwelling (NP/SM/0321/0302).

**Proposal**

9. Erection of double garage

**RECOMMENDATION:**

**That the application be REFUSED for the following reasons**

10. **The garage, by virtue of its size, scale and form would cause harm to the significance of the Kyle building (drying barn), which is a non-designated heritage asset. The harm would not be outweighed by any public benefits. Consequently the proposal is contrary to Core Strategy policies GSP1, GSP3 and L3, Development Management policies DMC3, DMC5 and DMH8 and advice in the Authority's Adopted Supplementary Planning Documents 'Design Guide' and 'Building Design Guide'.**

## **Key Issues**

11. Impact on the significance of Dains Mill as a historic water powered corn mill and the Kyle building, its associated drying barn.

## **History**

12. 2004 Restoration of derelict water mill – granted subject to conditions (NP/SM/1203/0923).
13. 2006 Change of use of restored water mill to holiday accommodation - granted subject to conditions (NP/SM/0106/0032).
14. December 2017 – planning permission granted to lift condition 4 on NP/SM/0106/0032 to allow the mill to be occupied as an open market dwelling (NP/SM/1017/1042).
15. June 2021 – planning permission granted for change of use of the adjacent corn drying store (now known as Kyle building) to residential use and holiday let (NP/SM/0321/0302).
16. July 2021 – planning permission granted for change of use of Dains Mill to residential and holiday let with external alterations (NP/SM/0321/0297).
17. October 2021 – pre-application enquiry submitted with regard to erection of stables and double garage (Enq 43987).
18. April 2022 - S.73 application for the variation of Condition 2 on NP/SM/0621/0598 – to be determined at 8th July 2022 Planning Committee.
19. April 2022 – planning application submitted for erection of stables, fencing and two car parking spaces – yet to be determined (NP/SM/0422/0523).

## **Consultations**

20. **Highway Authority** – no response
21. **District Council** – no response
22. **Parish Council** – no response
23. **PDNPA Conservation Officer** - *‘The principle of a garage appears acceptable.*
24. *‘The form and size of the garage would dominate the setting in this location as set against the house on higher ground and the Mill in longer views. A garage is an ancillary building and should be subservient in its form, and size to that of principle buildings.*
25. *As an alternative it is suggested that a smaller single garage may be acceptable as would a garage with a green roof in this location. To reduce impact the garage could have a parapet to the front façade to its roof and the roof could be flat or mono pitch behind the parapet sloping to the rear so that it is set in to the landform behind. This would present a garage of lower impact in terms of its height and plan form and materials to match the house with a door/s as described in the design and access statement would complement the buildings as a group. New stairs and balustrades to its rear may not be appropriate.*
26. *While PDNPA guidance on extensions states at paragraph 3.24 “ Garages should be designed in sympathy with the property they serve, with materials and roof pitches*

*reflecting those of the house.” ... It is important for buildings to respond to their context and as such a large gabled roof would not be appropriate in this location and due to the elevation of the land directly next to the house where it is important to keep heights low. The applicant may wish to proceed with a double garage in which case the advice at paragraph 3.26 of the design guide should be followed.*

27. *The applicant is advised to amend the plans in the light of the above advice.*
28. *Dains Mill was substantially repaired and restored in 2006 however it retains much original fabric and plan form and as such in its restored state it is considered to have high significance as a non- designated heritage asset. The garage would be located within the setting of the mill building and associated corn drying house and if built as proposed would result in harm to the setting due to the size, height and dominance of the garage in its setting.*
29. *The landscape setting of the mill and house including the pond, water course and surrounding lands are significant for the contribution they make to the surroundings in which the asset is experienced. In the light of this and the impact the garage would have in the proposed form and bearing in mind that a more appropriately designed garage could be achieved the harm appears to outweigh the benefit. While no public benefit has been identified it is apparent that the garage will facilitate the restored buildings in their holiday let use however notwithstanding this and due to the above reasons the plans would not meet national policy requirement of a balanced approach or local policy requirements as set out in DMC5.’*

### **Representations**

30. The PDNPA has received seven letters of support for the planning application raising the following points.
- The proposal would benefit the area
  - The development is reasonable in all aspects
  - The design has been given careful consideration in respect of choice of materials and can only improve and enhance the site.
  - The Dains Mill is an important feature in the hamlet and bringing it into residential use is important for the sustainability of the village. The buildings will not impact on the enjoyment of the land. The garage provides motivation for the track to be maintained. It also reduces the likelihood of vehicles being parked at the top of the drive which is more likely to spoil the environment and view.

### **Main Policies**

31. Relevant Core Strategy policies: GSP1, GSP2, GSP3, DS1, L3
32. Relevant Local Plan policies: DMC3, DMC5, DMH8, DMH7

## **National Planning Policy Framework**

33. The National Planning Policy Framework (NPPF) was published in 2012 and a revised NPPF was published in July 2021. The document is a material consideration and carries particular weight where a development plan is absent, silent or relevant policies are out of date. In the National Park the development plan comprises the Authority's Core Strategy 2011 and the Development Management Policies document 2019. Policies in the Development Plan provide a clear starting point consistent with the National Park's statutory purposes for the determination of this application. It is considered that in this case there is no significant conflict between prevailing policies in the Development Plan and more recent Government guidance in the NPPF.
34. Paragraph 176 of the NPPF states that *'great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in all these areas, and should be given great weight in National Parks and the Broads.'*
35. Paragraph 134 states 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.
36. Paragraph 194 states that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. It advises that the level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance.
37. Paragraph 203 states that effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

## **Main Development Plan Policies**

### **Core Strategy**

38. GSP1, GSP2 - *Securing National Park Purposes and sustainable development & Enhancing the National Park*. These policies jointly seek to secure national park legal purposes and duties through the conversion and enhancement of the National Park's landscape and its natural and heritage assets.
39. GSP3 - *Development Management Principles*. Requires that particular attention is paid to the impact on the character and setting of buildings and that the design is in accord with the Authority's Design Guide and development is appropriate to the character and appearance of the National Park.

40. L3 - *Cultural Heritage assets or archaeological, architectural, artistic or historic significance*. Explains that development must conserve and where appropriately enhance or reveal the significance of historic assets and their setting. Other than in exceptional circumstances, development will not be permitted where it is likely to cause harm to the significance of any cultural heritage asset or its setting.
41. DS1 - *Development Strategy*. Supports extensions and alterations to dwellinghouse in principle, subject to a satisfactory scale, design and external appearance.

#### Development Management Policies

42. DMC3 - *Siting, Design, layout and landscaping*. Reiterates, that where developments are acceptable in principle, policy requires that design is to high standards and where possible enhances the natural beauty, quality and visual amenity of the landscape. The siting, mass, scale, height, design, building materials should all be appropriate to the context.
43. DMC5 - *Assessing the impact of development on designated and non-designated heritage assets and their setting*. The policy provides detailed advice relating to proposals affecting heritage assets and their settings, requiring new development to demonstrate how valued features will be conserved, as well as detailing the types and levels of information required to support such proposals.
44. DMH8 – *New outbuildings and alterations and extensions to existing outbuildings in the curtilage of dwelling houses*. The policy states that ‘New outbuildings will be permitted provided the scale, mass, form, and design of the new building conserves or enhances the immediate dwelling and curtilage, any valued characteristics of the adjacent built environment and/or the landscape, including Listed Building status and setting, Conservation Area character, important open space, valued landscape character.’

#### Design Guide SPD – Garages

45. Para 7.14: These 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. Here it is best to relate the form to that of traditional outbuildings, the nearest example being the cart shed, with its openings on the building's long axis beneath the front eaves. Another approach is to minimise the garage's obtrusiveness even further by considering an underground solution.

#### Building Design Guide SPD – Garages

46. Wherever possible, a double garage should have two single width openings with a central visible pier and visible lintels. Or provide a non-building – where the form of the garage is deliberately played down and ‘lost’ behind walls and planting. This is one of the very few approaches where a flat-roofed solution is appropriate.

#### Assessment

##### Principle of Development

47. Policy L3 is clear that development must conserve and where appropriate enhance or reveal the significance of historic assets and their setting. And Policy DMH8 supports the

provision of outbuildings providing they, through their scale, mass, form and design, conserve or enhance the immediate dwelling and curtilage and any valued characteristics of the built environment and/or surrounding landscape.

48. The main issue is whether the development is considered by the Authority to be acceptable following a balanced judgement that takes into account the significance of the non designated heritage assets.

### **Background**

49. Planning permission was granted in 2021 for the conversion of the mill and the drying barn to residential dwellings or holiday accommodation as an exception under Core Strategy policy HC1, in order to secure the conservation and enhancement of the buildings as a historic former corn mill and drying barn.
50. Planning permission was refused (NP/SM/0321/0302) for an extension to the Kyle building to house a garage. The applicant then considered locating a garage to the southeast of Dains Mill, but a Slope Stability Desk Study Report has advised against it (submitted as part of this application).

### **Design and Appearance**

51. The garage is proposed to be built into the land sloping upwards to the north west of the Kyle building.
52. The garage measures 6m x 5.1m (internally), 2.4m to the eaves and 5.1m to the ridge. Two rooflights are inserted to the rear roof elevation and a small window at high level in each of the gable ends. A rainbutt is located adjacent to the southern elevation. Continuous domestic double garage doors are located on the Eastern elevation.
53. A small garage to accommodate 2 cars would need to be 5.5m wide to comfortably get in and out of a car. However, there are no British standards and no legal minimum requirement.

### **Impact on the significance and setting of the former mill building and drying barn**

54. The principle of a garage in the location proposed is acceptable. However, the size, scale and form are considered to have an adverse impact on the setting and significance of the Kyle building and the setting of the group of buildings as a whole.
55. The proposed site plan shows the footprint of the garage in comparison to the footprint of the Kyle building, demonstrating that it is not a subservient building to the non designated heritage asset.
56. The proposed streetscene shows how the garage would sit alongside the Kyle building. The streetscene shows the size, scale and massing of the proposed garage has a significant impact on the significance of the Kyle building. It appears dominating and overbearing by virtue of its size, which has resulted in a expansive roof reaching up to the eaves height of the Kyle building that is exacerbated by the location of the garage on higher ground. A garage of this size, scale and form has a detrimental impact on the significance and setting of the non designated heritage asset.
57. In addition to the size and scale of the garage, it's form depicts a residential garage more akin to a village location. This domesticated design is not in keeping with the historic industrial function of the Corn mill and drying barn. A much smaller and more subservient building of simple form would be more in keeping in this location.

### **Amenity Impact**

58. The only neighbouring property is Dains Mill which sits to the southeast of the Kyle building. By virtue of the separation distance, the presence of the garage would not cause harm to the amenity of Dains Mill as a result of noise generation.

### **Conclusion**

59. The Authority is required to take a balanced judgement towards the public benefits of the development and the impact on the significance of the non designated heritage asset. It is considered that whilst the principle of a garage in this location is acceptable, the harm to the significance of the Kyle building by virtue of the size, scale and form of the garage does not outweigh the impact on the significance and setting of the non designated heritage asset.

### **Human Rights**

60. Any human rights issues have been considered and addressed in the preparation of this report.

#### List of Background Papers (not previously published)

61. Nil

Report author: Sarah Welsh