

10. HOUSEHOLDER APPLICATION – ALTERATIONS, EXTENSION AND DETACHED GARAGE AT JOLLY FIELD FARM, COMMON LANE, CHELMORTON (NP/DDD/1024/1161, PM)

APPLICANT: MRS EMILY NOBLE

Summary

1. Jolly Field Farm is a residential property, a barn conversion located within the Chelmorton Conservation Area. The building is a non-designated heritage asset.
2. Planning permission is sought for alterations and extensions to the property and a detached garage.
3. Overall, the proposal would not conserve or enhance the character of the existing property or the wider Chelmorton Conservation Area.
4. The application is therefore recommended for refusal.

Site and Surroundings

5. The application site comprises a residential property and associated garden land situated beside Common Lane at the edge of the village of Chelmorton.
6. The property is a former agricultural barn which was converted to a residential dwelling in the 1990s. To the south west of the former barn is an outbuilding approved in 2001 as a garage / stable.
7. The property is a non-designated heritage asset and is listed on the Derbyshire Historic Environment Record (HER) as a partially extant 19th century farmstead. The site is located within the Chelmorton Conservation Area.
8. Historically, the barn was separated from the core of the village by a small paddock, which now forms garden land serving the property. Post war residential development has encroached upon the site to the north bringing the built-up area of the village nearer to the application site. However, the converted barn itself is located opposite the entrance to Rock House Farm, beyond the western extent of residential development along the north side of Common Lane.

Proposal

9. Planning permission is sought for a detached triple garage with home office above, a porch to the south east elevation constructed from stone with a blue slate roof and a glazed link along the north west elevation of the dwelling between the main dwelling and the existing outbuilding.
10. Timber fencing has been erected along the boundary with Common Lane. Although shown on some of the proposed plans this is unauthorised, does not form part of the current planning application and the authority is seeking its removal.

RECOMMENDATION:

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

1. The application includes insufficient heritage assessment of the site, or of the impacts of the proposed development on its significance, character and appearance, and setting, contrary to Development Management policy DMC5 and paragraph 207 of the NPPF. Due to the lack of sufficient heritage assessment it is not possible to conclude that the heritage significance of the site would be conserved by the development, contrary to Core Strategy policy L3 and Development Management policies DMC3 and DMC5.
2. By reason of its proposed design and materials, the proposed ‘glazed link’ extension would detract from the character and appearance of the existing building and its setting as a former agricultural barn contrary to Core Strategy policies GSP3 and L3 and Development Management policies DMC3, DMC5 and DMH7.
3. By reason of its siting and scale the proposed garage does not conserve or enhance the setting of the former barn (a non-designated heritage asset) or the valued characteristics of the Chelmorton Conservation Area contrary to Core Strategy policies GSP3 and L3 and Development Management policies DMC3, DMC5 and DMH8.
4. The proposed garage would fall within the Root Protection Area (RPA) of T1 (lime tree). This tree makes a significant positive contribution to the character of the Chelmorton Conservation Area by reason of its prominence and good condition and life expectancy. Further built development within the RPA of T1 would harm its long-term life expectancy resulting ultimately in its loss. As such the proposal is contrary to Core Strategy policies GSP3 and L3 and Development Management policies DMC3, DMC5, DMC8 and DMC13.

Key Issues

- Principle of Development
- Impact upon character and appearance of non-designated heritage asset and wider conservation area and setting.
- Impact upon trees
- Impact upon residential amenity
- Climate change mitigation

History

11. 1996 – Conversion of barn to dwelling – Planning Permission Granted (ref DDD0196041).
12. 2001 - Erection of garage/stable – Planning Permission Granted (ref DDD0401160).
13. 2004 - Removal of condition no.3 - local need housing on NP/DDD/0196/041- Planning Permission Granted (ref NP/DDD/0504/0551).

Consultations

14. PDNPA Archaeology: No comments to make.

15. PDNPA Tree Officer: *Having read the tree report and carefully assessed all available information, there is a significant likelihood that the actual resulting arboricultural impacts will not be acceptable.*

In my comments below I use the tree numbering which is used in the tree report (different numbering is used on the architect's drawings). I note also that the tree cover which can be seen on Street view imagery (dated 2023) has significantly deteriorated - with two trees failed by windblown failure and two in very poor condition (photograph in tree report).

Tree T1 is a lime tree assigned category B. It is prominent in the streetscape and contributes significant visual amenity. Some minor pruning requirements are identified which will not have any significant effect on that amenity. This lime T1 and also tree T6 sycamore are the two best trees on site. In that context their protection and retention should be prioritised. Tree T7 is an ash tree which has Ash Dieback and which can be expected to be lost in the coming years.

Trees T4 and T5 are assigned category U indicating that their removal is advised due to their particularly poor condition. Trees T2 elm and T3 sycamore are recorded as having low vitality, and this is apparent from various of the photographic views available. As an elm it is likely that tree T2 will be lost to Dutch Elm Disease in the coming years (may be the cause of current low vitality). It would also not be surprising if T3 were to be lost – given its low vitality, and the recent history of decline and failure among its immediately adjacent trees.

In the context that the healthiest tree with the best visual amenity (T1) should be preferred for retention, the garage position would logically be entirely clear of the Root Protection Area (RPA) of T1. Building within its RPA cannot be considered acceptable when approximately 20% of its RPA is already covered by the asphalt surface of Common Lane. The lawned area proposed for building is the best part of this tree's rooting area.

It seems the main reason for positioning the garage within the RPA of T1 is to allow space for caravan access down the west side of the garage. This isn't a sufficient justification for risking tree loss. Typically, in cases like this, the harm to the tree is not immediately apparent, but over the subsequent few years tree vitality declines due to loss of rooting area - until tree condition becomes such that removal is inevitable.

Moving the garage entirely outside the RPA of T1 would likely require an incursion into T3's RPA. This would likely hasten T3's decline, but as already stated that may anyhow be inevitable for this already low vitality sycamore.

New planting along the plot's western boundary has been suggested and would be good. But the success of young growing trees is far less assured than the continued existing presence of healthy mature trees which are protected through development.

In summary, for these trees in this southern part of site, the only way to entirely avoid harm would be to alter the proposal to entirely avoid their RPAs. If some tree impacts are to be considered acceptable, it is better that they affect T2 and T3 (the less viable trees for the long-term). Lime tree T1 should be prioritised for retention and protection with RPA fully avoided.

If this application were approved (which is not recommended with the proposed layout) conditions would need to include:

- Detailed Arboricultural Method Statement (AMS) (also including proposed drainage shown clear of RPAs). With Tree Protection Plan (TPP).*
- Programme of Site Supervision and the reporting of the outcome of this.*

- *A thorough Tree Planting scheme.*

16. Highway Authority: No material impact on the public highway and therefore no comments to make.
17. District Council: No response received to date.
18. Parish Council: Chelmorton Parish Council supports this practical solution to remedy layout issues with the property and the need for garage and home office to create a work/life balance.

Representations

19. Six letters of objection have been received. The following reasons are given in the representations:
 - The triple garage would be in an area of ground which is within the Chelmorton strip field system.
 - The triple garage would erode an open area within the conservation area.
 - Concern about potential for large amounts of soil removal required to achieve a flat area for triple garage.
 - Triple garage will lead to increased vehicle movements along Common Lane - a single track road with no pavement for pedestrians.
 - Triple garage will be seen from Common Lane whereas application submission states that the proposals will not be seen from the street.
 - The scale and or potential use of the triple garage is commercial rather than residential in nature, noting that commercial vehicles associated with the applicant's business are currently parked at the property.
 - A garage was approved to serve the dwelling in 2001 however this was subsequently converted to ancillary residential use.
 - Triple garage would lead to loss of light to neighbouring occupier and disturbance due to increased vehicle movements.
 - Disruption during the construction period.
 - Concern that construction in a well-established residential garden will disrupt a well-established wildlife habitat.
 - Understand that the stone trough under the footprint of the proposed triple garage has a natural spring below.
 - Concern about loss of trees to accommodate the proposed triple garage.

Main Policies

20. Relevant Core Strategy policies: GSP1, GSP2, GSP3, DS1, L1, L3, CC1
21. Relevant Development Management policies: DMC3, DMC5, DMC8, DMC13, DMH7, DMH8

National Planning Policy Framework

22. The NPPF (revised December 2024) is a material consideration which carries particular weight where a development plan is absent, silent or relevant policies are out of date.
23. The development plan for the National Park comprises the Core Strategy 2011 and Development Management Policies 2019. Policies in the development plan provide a clear starting point consistent with the National Park's statutory purposes for determining

this application. In this case there is not considered to be any significant conflict between prevailing policies in the development plan and the NPPF.

24. Paragraph 189 states great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, which have the highest status of protection in relation to these matters. The conservation and enhancement of wildlife and heritage are also important considerations and should be given great weight.

Peak District National Park Core Strategy

25. GSP1, GSP2 – Set out the broad strategy for achieving the National Park’s objectives, and seek to secure national park legal purposes and duties through the conversion and enhancement of the National Park’s landscape and its wildlife and heritage.
26. GSP2 – Proposals intended to enhance the National Park will need to demonstrate they offer significant overall benefit to natural beauty, wildlife and cultural heritage.
27. GSP3 – All development must respect, conserve and enhance all valued characteristics of the site and buildings, paying particular attention to impact on the character and setting of buildings, scale of the development appropriate to the character and appearance of the National Park, materials, design in accordance with the National Park Authority Design Guide and adapting to and mitigating the impacts of climate change.
28. DS1 – Sets out the Development Strategy for the National Park. Residential extensions are acceptable in principle.
29. L1 – Development must conserve and enhance valued landscape character, as identified in the Landscape Strategy and Action Plan and other valued characteristics, and other than in exceptional circumstances.
30. L3 – Development must conserve and where appropriate enhance or reveal the significance of archaeological, architectural, artistic or historic assets and their settings. Other than in exceptional circumstances development will not be permitted where likely to cause harm to the significance of any cultural heritage asset.
31. CC1 – All development must make the most efficient use of land and buildings and take account of the energy hierarchy by reducing the need for energy, using energy more efficiently, supplying energy efficiently and using low carbon and renewable energy. Development should be directed away from areas of flood risk.

Development Management Policies

32. DMC3 – Design is required to be of a high standard which where possible enhances the natural beauty, quality and visual amenity of the landscape, including cultural heritage that contributes to the distinctive sense of place. Design and materials should be appropriate to the context.
33. DMC5 – Planning applications for development affecting a heritage asset, including its setting must clearly demonstrate:
- its significance including how any identified features of value will be conserved and where possible enhanced; and
 - why the proposed development and related works are desirable or necessary.
- Development causing harm to a designated asset will not be permitted unless less than substantial harm to significance is outweighed by the public benefits including securing an optimum viable use. Development causing harm to a non-designated asset will not be permitted unless the development is considered to be acceptable following a balanced judgement accounting for the significance of the heritage asset.

34. DMC8 – Development within or which affects the setting of (including important views into) a Conservation Area should clearly demonstrate how the character or appearance of the Conservation Area will be preserved or enhanced, accounting for views and vistas into the area and locally distinctive design.
35. DMC13 – Trees and hedgerows which positively contribute to the visual amenity or biodiversity of the location will be protected. Other than in exceptional circumstances development involving loss of these features will not be permitted.
36. DMH7 - Extensions and alterations. States that extensions and alterations to dwellings will be permitted provided that the proposal does not detract from the character, appearance or amenity of the original building, its setting or neighbouring buildings.
37. DMH8 – New outbuildings and alterations and extensions to existing outbuildings in the curtilage of dwelling houses. New outbuildings within the curtilage of dwelling houses will be permitted provided the scale, mass, form and design of the new building conserves and enhances:
 - the immediate dwelling and curtilage
 - any valued characteristics of the adjacent built environment and / or landscape

Supplementary Planning Documents and other material considerations

38. The Authority has adopted three separate supplementary planning documents (SPD) that offers design guidance on householder development namely the Design Guide, the Building Design Guide and the Detailed Design Guide on Alterations and Extensions.
39. The adopted Chelmorton Conservation Area Appraisal is a material consideration.

Assessment

Principle of Development

40. Policies DS1, DMH7 and DMH8 support the principle of extensions to existing residential buildings and new outbuildings within the curtilage of residential dwellings in all settlements and in countryside outside of the Natural Zone.

Impact upon heritage assets

41. The residential conversion scheme for the former barn which was approved in 1996 sought to conserve the agricultural character and setting of the former barn. It is important that further additions and alterations to the property including outbuildings within the curtilage seek to conserve the character of its former use as an agricultural barn and do not overly domesticate the character of the building and its setting.
42. The application site contains a non-designated heritage asset (the existing property) and falls within the designated Chelmorton conservation area. Therefore, policies DMC5 and DMC8 require that the proposal should be accompanied by a heritage assessment setting out the significance of the heritage assets including how identified features of value will be conserved or enhanced and why the proposed development is desirable or necessary. The submitted application does not include a heritage assessment of the site and therefore there is a lack of information to demonstrate that the heritage significance of the site would be conserved by the development, contrary to policies L3, DMC3 and DMC5.

43. The proposed triple garage would be a substantial structure with a footprint of approximately 9.5 metres by 6.5 metres and an approximate height of 2.9 metres to the eaves and 5.4 metres to the ridge. Its location away from site boundaries and existing structures would increase its prominence within the setting of the non-designated heritage asset and the wider conservation area. The proposed garage would erode the open character of the site where a break in built development exists between the ancient core of the village in the vicinity of Main Street and the former barn serving the strip field system and located beyond the original core of the village.
44. By reason of its siting and scale the proposed garage does not conserve or enhance the setting of the former barn (a non-designated heritage asset) or the valued characteristics of the Chelmorton Conservation Area. The proposal is therefore contrary to policy DMH8. It should be noted that timber fencing along the boundary adjacent to Common Lane, which would screen the proposed garage to an extent, is unauthorised.
45. Turning to the proposed porch to the south east elevation of the property. The siting, scale, design and materials of the amended scheme incorporating a mono pitched roof does conserve and enhance the existing character of the property, its setting and the wider conservation area and as such this element accords with policy DMH7.
46. With regard to the proposed timber glazed link along the north west elevation of the dwelling, whilst the scale and siting of this element is considered acceptable, the proposed design and materials, comprising a large amount of timber and glazing would detract from the character and appearance of the existing building and its setting as a former agricultural barn and as such would be contrary to policy DMH7. In design terms the link would have the appearance of a domestic conservatory which is not appropriate in character for the building.
47. Many of the windows on the former barn have been replaced with inappropriate multi pane sash windows which has greatly increased the domestic character of the property. An additional window has also been inserted at first floor level on the roadside elevation. These windows, both replacement and additions are unauthorised and would have required planning permission for their insertion, permitted development rights having been removed for alterations to the external appearance of the dwelling by the planning permission for the conversion of the barn to a residential dwelling. It is unclear when these windows were inserted although it was between 2011 and 2023 (according to google street view captures). No evidence has been provided to the authority that show that these alterations are immune from enforcement action.
48. Even if the sash windows are ultimately retained on the property, due to being immune from enforcement action, it is considered that the cumulative impact resulting from the introduction of glazed timber link, further eroding the agricultural heritage of the building would be contrary to policy DMH7.

Impact upon trees

49. A mature lime tree (identified as T1 within the submitted Arboricultural Impact Assessment) is located immediately to the east of the existing vehicular entrance. The tree is prominent within the street scene and makes a significant positive contribution to the character of this part of the Chelmorton Conservation Area.
50. An Arboricultural Impact Assessment (AIA) has been submitted with the application. This sets out the quality and life expectancy of the trees on site and identifies the root protection areas (RPAs) of the trees on site. The AIA identifies that the lime tree is a tree in good condition, of early mature age and with a life expectancy exceeding 40 years. Along with tree T6 (sycamore) it is one of the two best trees on the site in terms of its

maturity, condition and life expectancy. T6 is unaffected by the proposal but is much less prominent within the street scene. Therefore, T1 is the most significant tree on the site in terms of its maturity, condition, life expectancy and its public prominence and contribution to the conservation area.

51. Part of the RPA of T1 falls within the footprint of the proposed garage. The Authority's Tree Conservation Officer advises that building within the RPA of T1 cannot be considered acceptable when approximately 20% of the RPA of T1 is already covered by the asphalt surface of Common Lane. The area proposed for building of the garage is the best part of T1's rooting area.
52. The Authority's Tree Conservation Officer advises that if some tree impacts are to be considered acceptable, it is better that they affect T2 and T3 (less viable trees for the long-term and with less visual presence within the street scene). Due to the good condition and life expectancy of T1, this tree should be prioritised for retention and protection with further building in the RPA fully avoided.
53. The main reason for positioning the garage within the RPA of T1 is to allow space for caravan access down the west side of the garage. This isn't a sufficient justification for risking tree loss and does not amount to the exceptional circumstances referred to in policy DMC13.
54. The proposed scheme is considered contrary to policy DMC13. The scheme would lead ultimately (due to a reduction in vitality and life expectancy of the tree due to building within the RPA) to the loss of a tree which contributes positively to the character of the Chelmorton Conservation area.

Impact upon residential amenity

55. The proposed extensions and garage, given their location, scale, design and the intervening distance to closest neighbouring properties, are considered not to be harmful to the residential amenity of the neighbouring properties.

Climate change mitigation

56. As a standalone structure which will be heated at first floor level (home office) it is considered reasonable that a form of renewable energy generating equipment is required to be installed to generate required energy for the detached garage. Were the proposal acceptable in other respects this would be controlled via condition to ensure the proposal accords with policy CC1.

Conclusion

57. The application includes insufficient heritage assessment of the site, or of the impacts of the proposed development on its significance, character and appearance, and setting, contrary to Development Management policy DMC5 and paragraph 207 of the NPPF. Due to the lack of sufficient heritage assessment it is not possible to conclude that the heritage significance of the site would be conserved by the development, contrary to Core Strategy policy L3, and Development Management policies DMC3 and DMC5.
58. By reason of its siting and scale the proposed garage does not conserve or enhance the setting of the former barn (a non-designated heritage asset) or the valued characteristics of the Chelmorton Conservation Area. The proposal is therefore contrary Development Management policies DMC8 and DMH8.
59. The proposed garage would fall within the Root Protection Area (RPA) of T1 (lime tree). This tree makes a significant positive contribution to the character of the Chelmorton

Conservation Area by reason of its prominence and good condition and life expectancy. Further built development within the RPA of T1 would harm its long-term life expectancy resulting ultimately in its loss. As such the proposal is contrary to Development Management policy DMC13.

60. By reason of its proposed design and materials, the proposed 'glazed link' extension would detract from the character and appearance of the existing building and its setting as a former agricultural barn and as such is contrary to Development Management policy DMH7.
61. There are no other policy or material considerations that would indicate that planning permission should be granted, and the application is therefore recommended for refusal.

Human Rights

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

List of Background Papers (not previously published)

Nil

Report Author and Job Title

Peter Mansbridge – Planner – South Area.