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Submitted via www.ambervalley.gov.uk/planning/development-management/view-a-planning-application/comment-form

Application details:AVA/2021/1242

[redacted]

applicable): Kirk Langley Parish Council**Do you wish to object?**Yes**Grounds for objection:**AVA/2021/1242

7 Church Lane, Kirk Langley, DE6 4NP – Construction of a Wooden Garage

The Parish Council objects to the planning application on the following grounds:
A. It is contrary to the policies in the Neighbourhood Plan.
B. It is contrary to the NPPF.
C. It is within a Conservation Area (CA) but does not respect, preserve, or enhance the character or appearance of the area, contrary to the Planning (Listed Buildings & Conservation Areas) Act 1990.

A. The Kirk Langley Neighbourhood Plan
Following its referendum in 2021, the Kirk Langley Neighbourhood Plan ("NP") has now been "made" and is part of the development plan for Amber Valley.

Conflict with Policies in the Neighbourhood Plan
The proposed development conflicts with the following NP policies: -

HER 2 – Protecting the Conservation Area, listed buildings and other heritage assets
Policy HER 2 is consistent with the NPPF 184 – 200.

The size and scale of this proposal does not respect its setting within the Conservation Area and would cause significant harm to the important views along Church Lane towards 7 Church Lane and the adjacent dwellings. These workers' cottages are important to the mediaeval 'story' of Kirk Langley and domestic outbuildings incorporated subsequently have been single storey and clearly subordinate to the associated dwellings. This proposal, with a footprint of 5.4m x 5.4m, with a roof ridge height of more than

3.5m would be detrimental to, and dominate the rural 'street scene', and could not be considered as subordinate to the terraced cottages at 7-11 Church Lane.

The Conservation Area has been assessed by Creative Heritage Consultants Ltd. Their report October 2018 (NP Appendix 3) describes the evolution of the settlements and farmland within the Conservation Area and the importance of the settlements to its character and heritage, regardless of whether buildings have been individually listed. Reference is specifically made to the architectural and historic significance of smaller dwellings or workers cottages on Church Lane and the contribution they make to the CA.

A visit to the site would clearly show that the terraced cottages each have parking/a small plot of land directly opposite, on the other side of the lane. On these small plots of land are sited minor and incidental to domestic living, single storey timber sheds/garages/greenhouses. The proposed garage would be significantly larger than these other existing buildings. (Please see images 1 & 2 at foot of document).

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B. NPPF
Planning law requires that applications for planning permission be determined in accordance with the NPPF.
Paragraph 197 (c) of Section 16 of the NPPF - Conserving and enhancing the historic environment states that, 'In determining planning applications, local planning authorities should take account of:
the desirability of new development making a positive contribution to local character and distinctiveness.'
This application, in its present form, is felt to impact adversely on the local character.

C. Planning (Listed Buildings and Conservation Areas) Act 1990
Within this Act there is a general duty to respect conservation areas and that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area in the exercise of planning functions.
In the Heritage Statement submitted by the applicant they have failed to demonstrate or address how the proposal either preserves or enhances the character or appearance within its setting.

Further points to note:
- The plot sits proud of the road by approximately 1 foot to 15 inches and so the relative height of the building would, in fact, be greater than described, especially when the base is factored in.
- KLPC do not believe that the proposed development can be fairly described as a

'replacement building' because the (now demolished) garage was much smaller in terms of height and overall scale. NB - The original (demolished) garage was erected before the CA designation.

In summary, Kirk Langley Parish Council wishes to object to planning application AVA/2021/1242 as it is contrary to Neighbourhood Plan and the NPPF and does not respect, preserve, or enhance the character or appearance of the CA.

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