

APPLICATION	Demolition of a range of existing buildings (formerly used in association with the livery business and riding school); conversion of existing buildings (formerly used in association with the livery business and riding school) to form a single dwelling; restoration and retention of ancillary buildings; and erection of four new dwellings with associated landscaping, parking and access (conservation area/affecting a public right of way)		
LOCATION	Cartledge Hall Farm, Cartledge Lane, Holmesfield, Dronfield		
APPLICANT	Mr Matthew Jacques C/O Crowley Associates Ltd		
APPLICATION NO.	19/00786/FL	FILE NO.	PP-08044834
CASE OFFICER	Mr Colin Wilson		
DATE RECEIVED	5th August 2019		

REFERRED TO COMMITTEE BY: Cllr Huckerby

REASON: Concerns regarding highway safety.

The Site Inspection Group is to visit the site to view the impact of the development on the character of the site, the openness of the Green Belt, the impact on heritage assets and the access arrangements.

1.0 SITE DESCRIPTION

- 1.1 The application site comprises Cartledge Hall Farm, a complex of buildings situated off Cartledge Lane, Holmesfield. The site is a range of buildings including traditional stone built buildings that would have comprised the original farm complex. These buildings include a threshing barn, granary/cart shed, stables and pigsties believed to date from the 17th and 18th Century. A further cartshed positioned to the north of the threshing barn is considered to date back to the late 19th century.
- 1.2 Comparatively modern buildings, and additions to the above mentioned historic buildings, more utilitarian in their appearance also occupy the site. These buildings include a Dutch Barn, a substantial blockwork addition to the threshing barn and a bungalow at the south-western corner of the site. The last stated use of the complex was as a commercial equestrian facility. At the time of Officers visit, it was apparent that the site was vacant.
- 1.3 The majority of the application site is situated within a countryside location, designated as North East Derbyshire Green Belt, with an aspect of the site (at its north-western corner) being positioned within the defined Settlement Development Limits for Holmesfield. Roughly, the northern half of the application site falls within the Cartledge Conservation Area – with land to the south of the existing Dutch Barn and threshing barn being situated outside the Conservation Area.
- 1.4 To the south of the application site is open countryside designated as Green Belt. North-west of the site are a collection of dwellings fronting Cartledge Lane, including Cartledge Hall Farm House. To the north-east of the site, on

the opposite side of the bridleway, is a farm complex comprising a range of substantial buildings of an agricultural appearance. Approximately 50m to the north of the access to the application site lies a range of Grade II Listed buildings identified as Cartledge Grange. Further to the north, beyond the buildings at Cartledge Grange, is Cartledge Hall, a Grade II* Listed building with associated Grade II Listed barns.

- 1.5 The application site is accessed via an existing private track taken from Cartledge Lane. The existing track is bound by stone walling. Cartledge Lane continues beyond the development site, bordering its north-east edge. Beyond the access to application site Cartledge Lane turns into an unmade track. Cartledge Lane and the unmade track are a designated Right of Way (Holmesfield Bridleway 53). A further designated Public Right of Way (Footpath 26) crosses the application site. The definitive line of the footpath bisects the existing threshing barn. It appears that pedestrians actually travel through the site via the existing track forming access to application site.

2.0 PROPOSAL

- 2.1 Full planning permission is sought for the demolition of a range of existing buildings (formerly used in association with the livery business and riding school); conversion of existing buildings (formerly used in association with the livery business and riding school) to form a single dwelling; restoration and retention of ancillary buildings; and erection of four new dwellings with associated landscaping, parking and access.
- 2.2 The proposals seek to remove the comparatively modern, utilitarian buildings from the site, whilst retaining the historic farm buildings. It is proposed that the existing threshing barn would be converted to form a 4 bedroom property with accommodation across the building's two floors. The remaining historic stone built buildings would be retained and converted to ancillary domestic purposes.
- 2.3 The proposals include the construction of 4 additional dwellings within the site, fronting a courtyard/turning space located to the west of the threshing barn. A pair of semi-detached dwellings would be positioned at the northern side of the central courtyard. To the south of the courtyard, two detached dwellings would be constructed. The dwellings would comprise stone walling materials with the upper floors faced in a standing seam, metal cladding system. The proposed fenestration would comprise timber framed windows set into deep reveals. Door openings would be timber. The pattern of fenestration is said to be randomised, with larger openings carved out of the stone plinth at ground floor levels.
- 2.4 Access arrangements to the site would comprise an upgrading of the existing private track, by way of resurfacing with a porous resin bonded gravel. A parking layout has been submitted with the application. In terms of parking allocation for the 5 residential units, each comprise allocated spaces. The two detached dwellings and converted threshing barn would each comprise 3 allocated spaces. Whereas, the semi-detached dwellings proposed would each comprise a single parking space located to the west of the central courtyard. An additional two parking spaces would be provided within the site area for the occupiers of the existing farmhouse (which is situated outside the defined site area).

3.0 AMENDMENTS

3.1 Amended plans have been submitted during the processing of the application and can be summarised as follows (drawing numbers are in brackets):

Received at this office on 24.10.2020

- Amended Location Plan (000-001)

Received at this office on 07.01.2020

- Amended Proposed Landscape Plan (000-010 PA2)
- Amended site plan (003 PA2)
- Amended proposed lighting strategy (000-011 PA1)
- Amended proposed car parking provision (000-012 PA1)
- Amended threshing barn - proposed elevations (300-100)

3.2 The amendments include alterations to the proposed window design for the threshing barn conversion, details of parking provision within the site, and details of an amended site area.

4.0 PLANNING HISTORY

4.1 The planning history for the site can be summarised as follows:

77/00698/FL – Alteration and extension and new building to form new Riding School, residential accommodation, stables and ancillary facilities – Refused.

77/00699/FL – Temporary/residential caravan – Refused.

77/00700/FL – Levelling of field to facilitate schooling of horses and riders. Provision of drive, car park – Conditionally Approved.

78/00753/FL – Change of use of existing indoor riding school to furniture depository – Refused.

78/00754/FL – Renovate existing dwelling and divide into two units and convert stable block into four units – Withdrawn (no decision)

81/00644/FL – Alterations to barn to form stables and store rooms in association with equestrian centre – Conditionally Approved.

82/00599/FL – Change of use to retail saddlery and equestrian supplies and repair shop – Conditionally Approved.

83/00586/FL – Retention of temporary portakabin for use as reception and office – Conditionally Approved.

87/00493/FL – Retention of change of use of farm building as livery stables – Conditionally Approved.

87/00494/RM – Use of agricultural dwelling as holiday accommodation – Conditionally Approved.

14/01269/FLH – Proposed front porch - new windows - rear dormer windows and removal of chimney stack (Conservation Area) – Conditionally Approved.

14/01295/FL – Application to increase size of outdoor riding arena to 60m x 30m – Conditionally Approved

15/00289/FL – Removal of condition relating to the occupation being by a full time worker on CHR1163/7 (Conservation Area) – Withdrawn (no decision)

16/00318/LDC – Application for Lawful Development Certificate to regularise the retention of the dwelling in its current location and void condition 2 regarding agricultural workers – Certificate Issued

17/00673/FLH – Retention of stone boundary wall to front of farmhouse (Conservation Area) – Withdrawn (no decision)

17/00390/FLH – Erection of a detached car port and retention of stone boundary wall (Conservation Area) (Amended Plans) (Amended Title) – Refused

5.0 PLANNING POLICY CONSIDERATIONS

North East Derbyshire District Local Plan

5.1 The North East Derbyshire Local Plan (adopted November 2005) forms the Development Plan for the area.

5.2 The Local Plan policies most relevant to the proposals are set out below:

- GS1 Sustainable Development
- GS2 Development in the Green Belt
- GS5 Settlement Development Limits
- GS6 New Development in the Countryside
- GS7 Change of Use and Conversions
- BE1 General Design Principles
- BE9 Development in the Vicinity of a Listed Building
- BE11 Development Within and Adjoining Conservation Areas
- H3 New Housing Outside Settlement Development Limits
- T2 Highway Access and the Impact of New Development
- T9 Car Parking Provision
- CSU4 Foul and Surface Water Drainage
- NE6 Development Affecting Nationally Rare Species

5.3 The Council is now at an advanced stage in the production of a new Local Plan (Publication Draft) (LPPD) which reflects national guidance in the NPPF and provides for the development needs of the district for the period 2014 – 2034. The Plan was submitted to the Secretary of State at the end of May 2018 and whilst under examination the Local Plan is currently paused. This document has been subject to extensive consultation and sets out clearly the Council's strategy for sustainable development and should be afforded limited weight in decision making.

5.4 The following Local Plan: Publication Draft policies are relevant to this application and are material consideration. Policies most relevant in the determination of this application are set out below.

- SS1 Sustainable Development
- SS9 Development in the Countryside
- SS10 North East Derbyshire Green Belt
- SDC1 Re-use of Building in the Green Belt and Countryside
- SDC3 Landscape Character
- SDC4 Biodiversity and Geodiversity
- SDC5 Development with Conservation Areas
- SDC6 Development Affecting Listed Buildings
- SDC9 Non-designated Local Heritage Assets
- ID3 Sustainable Travel

National Planning Policy Framework

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

Successful Places

5.6 North East Derbyshire District Council's 'Successful Places' Interim Planning Guidance is applicable in the assessment of this application.

6.0 PUBLICITY, CONSULTATIONS AND REPRESENTATIONS

6.1 The application was publicised by way of neighbour letters, site notice and in the Derbyshire Times. 9 Representation letters were received and can be summarised as follows:

- Increased ambient light. Street lights were previously voted against by local residents to preserve darkness.
- Biodiversity impacts.
- The style of the proposed metal clad housing would be at odds with the local stone buildings in the area. In this regard, the proposals would fail to preserve or enhance the character of the Cartledge Conservation Area.
- The proposed dwellings would not represent homes affordable for the residents of Holmesfield.
- Any encroachment into the Green Belt would represent an unwelcome precedent.
- Two years ago a carport was refused planning permission at this property.
- Insufficient parking. The development would not provide adequate off-street parking spaces for the cars of five households, as well as delivery lorries and visitors.
- A solution to the problem of the true route of Footpath 26 needs to be found; at present, it follows the track straight through the farm. The new road through the farm would be shared by the footpath, causing potential hazards to both walkers and drivers.
- Highway safety concerns. Concerns regarding the junction at which Cartledge Lane joins Millthorpe Lane. Increased vehicular movements

generated by the proposals would exacerbate an existing problem, with accidents having occurred within recent years.

- The proposals would result in an urbanisation of the site, including parking spaces that would reduce open space.
- Despite the revised details, there still seems to be inadequate provision in this cramped space for visitors' cars and delivery vans to park and manoeuvre.
- The proposals would result in a detrimental impact to the Conservation Area in visual terms, representing a further urbanisation of the countryside.

6.2 The **Ward Member** and **Parish Council** were consulted on the application:

- The Ward Member raised concerns regarding the proposals from a highway safety perspective. The Ward member has called-in the application for a committee determination.
- The Parish Council raised objections to the proposed development on the basis that, whilst there is an appreciation that there is a need to renovate the existing agricultural buildings, there are concerns that the proposals represent an overdevelopment of the site, with the construction of a number of new buildings. It would be preferable if more use could be made of the existing buildings on site. Furthermore, there are concerns regarding the proposed access which comprises a narrow track with poor visibility on to Cartledge Lane.

6.3 **Derbyshire County Council Highways Officers** were consulted on the application, raising concerns relating to the proposed access and parking arrangements. See Assessment below for details.

6.4 **NEDDC Environmental Health Officers** were consulted on the application, raising no objections to the proposed development, subject to conditions relating to land contamination mitigation measures.

6.5 **Historic England** were consulted on the application, advising that they have no specific comments to make in regards to the application.

6.6 The relevant **Footpaths Societies** were consulted on the application:

6.7 **Holmesfield Footpaths and Bridleways Society** raised comments stating that the definitive route of footpath 26 is unclear at the moment, and until the matter is resolved, full comments on the implications for members of the public cannot be made. That being said, it was stated in the comments that the increased traffic would adversely affect the safety of walkers and their enjoyment of the countryside. Moreover, the proposed development detract from the character and appearance of the area.

6.8 **Peak and Northern Footpaths Society** were notified of the application advising that footpath 26 is blocked by the threshing barn. Therefore, in order for the application to proceed, there is a need for the Public Right of Way to be diverted. Currently, there is an unofficial diversion which basically aligns with the service road. The Peak & Northern Footpaths Society would support an Official Diversion that follows such a route. However the PNFS emphasises the need for the Definitive Map Modification Order to be completed before Planning Permission is granted.

- 6.9 **Chesterfield, North East Derbyshire, and Bolsover Group of Ramblers** raised objections to the proposed development requesting that consideration is given to restoring the original line of the path or applying separately for a formal diversion.
- 6.10 **Derbyshire County Council Rights of Way Officers** advised that Officers should be aware that Holmesfield Public Footpath 26 passes through one of the buildings on the site and requires a public path diversion order to make the path available to the public. See Assessment below for details.
- 6.11 The **Water Authority (Yorkshire Water)** were consulted on the application, recommending that conditions relating to drainage of the site be included in any granted planning permission.
- 6.12 **Derbyshire County Council Archaeology** were consulted on the application, initially requesting the submission of an archaeological evaluation of the area. On receipt of the requested evaluation, DCC advised that, as the work did not reveal any archaeological remains, no further archaeological works in this part of the site would be necessary, though monitoring of other works will be necessary. Conditions were recommended.
- 6.13 DCC advised that with regard to the wider development, particularly the conversions and restoration of the traditional buildings on this site, this is largely welcomed. That being said, DCC raised objections to the proposals in terms of their impact in visual/ heritage terms. Officer Note: A subsequent rebuttal letter from the applicant's heritage consultant was submitted contesting the points raised by DCC. Both documents can be viewed in full via the Council's website.
- 6.14 **Derbyshire Wildlife Trust (DWT)** were consulted on the application, initially advising that that application is not accompanied by sufficient information in order to demonstrate the extent that bats may be affected by the proposed development. Subsequently, a further bat activity report was submitted to be read in conjunction with the application. DWT sought further clarification on the number surveyors and their credentials. Upon receipt of the requested information relating to surveyors, DWT advised that sufficient information has been submitted to determine the application, recommending that a number of conditions be imposed relating to mitigation/ enhancement measures.

7.0 PLANNING CONSIDERATIONS

- 7.1 The main considerations for this application are the suitability of the proposal in this location in policy terms, its effect on the character of the site and the surrounding area, impact on the Green Belt, impact on heritage assets, the privacy and amenity of neighbours, and highway safety issues.

8.0 PLANNING ASSESSMENT

Principle of Development

- 8.1 North East Derbyshire Local Plan Policy GS2 relates to new development in the Green Belt. The Policy states that the reuse of buildings in the Green Belt does not represent an inappropriate form of development, on the basis that

such development does not have a materially greater impact than the present use on the openness of the Green Belt and the purposes of including land in it, and satisfies the relevant criteria of Policy GS7 (change of use and conversions). In this respect, Policy GS2 is generally consistent with paragraph 146 of the National Planning Policy Framework (NPPF), which allows for the re-use of buildings provided that such proposals preserve the openness of the Green Belt and do not conflict with including land in Green Belt.

- 8.2 Policy GS7 relates to the change and of use of buildings. The Policy states that planning permission for the conversion or change of use of an existing building will be granted provided that: (a) the building is of a permanent and substantial construction; (b) where a building is situated outside a Settlement Development Limit it is capable of conversion without the need for major rebuilding or extension; (c) the form, scale, massing, materials, general design and appearance of the development respects the character and appearance of the original building, the site and its surroundings with particular regard to local distinctiveness in design; and (d) the proposed use of the curtilage of the building does not have an adverse effect upon the character of the area or neighbouring land uses.
- 8.3 In some other regards relevant to the assessment of this application, North East Derbyshire Local Plan Policy GS2 is inconsistent with up-to-date Green Belt Policy contained within the NPPF. Paragraphs 145 and 146 of the NPPF set out that the certain forms of development that are not inappropriate in the Green Belt. Once such identified exception, not included in Policy GS2 of the Local Plan, comprises limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would: not have a greater impact on the openness of the Green Belt than the existing development; or not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.
- 8.4 Annex 2 of the NPPF provides a Glossary, which includes a description of previously developed land. The Glossary describes previously development land as; land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or was last occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill, where provision for restoration has been made through development management procedures; land in built-up areas such as residential gardens, parks, recreation grounds and allotments; and land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape.
- 8.5 Officers consider that the principle of the re-development of the site would be acceptable provided that the development does not have a greater impact on the openness of the Green Belt than the existing use; otherwise the development would comprise inappropriate development which would be by definition harmful unless justified by very special circumstances.

Green Belt Considerations

- 8.6 On the basis of the above Policy context, Officers are of the view the conversions of existing buildings within the application site would be in compliance with the applicable Green Belt Policies. The historic buildings in question are considered to be of a permanent and substantial construction and capable of conversion in a manner that would respect the character and appearance of the original building, and their local distinctiveness. Officers are of the view that precise details of the repairs and alterations involved in the conversion of the historic buildings could be controlled by a pre-commencement planning condition.
- 8.7 Officers are satisfied that the application site complies with the definition of previously developed land, as set out above. The site currently lies vacant but its last known use was a commercial equestrian facility. Such a use is not included in the exclusions set out in the definition of previously development land.
- 8.8 The applicant asserts that the proposed development would not result in any increase in built development within the application site in volumetric terms. This is as a consequence of a number of existing buildings being removed from the site to facilitate the delivery of the proposed dwellings. Whilst Officers consider that, by offsetting the proposed development against the existing built volume, the proposals would not result in any significantly greater impact in spatial terms, openness is not measured in simple volumetric terms, with visual impact also being a fundamental consideration:
- 8.9 Officers are of the view that the buildings earmarked for demolition and removal from the site comprise a relatively low profile when compared to the dwellings proposed, particularly the two storey detached dwellings at the southern elements of the site. On this basis, Officers consider that the proposed development as a whole would fail to preserve the openness of the Green Belt in visual terms, introducing sizeable buildings towards the southern edge of the site, which is relatively conspicuous from wider views from the open countryside to the south. Consequently, the proposed development is considered to represent an inappropriate form of development in the Green Belt.
- 8.10 Paragraph 143 of the NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Matters of Very Special Circumstances are considered later in this report (starting at Paragraph 8.18).

Heritage Considerations

- 8.11 Cartledge Hall Farm is located within the Cartledge Conservation Area. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 makes it a statutory duty for local planning authorities in exercising their planning functions to pay special attention to the desirability of preserving or enhancing the character and appearance of Conservation Areas.

- 8.12 Local Plan Policy BE11 relates to development within and adjacent to Conservation Areas and is therefore relevant in the assessment of this application. The Policy sets out a requirement for development proposals to preserve or enhance the Character of the Conservation Area.
- 8.13 Local Plan Policy BE11 is not considered to be entirely consistent with the NPPF. Paragraph 196 of the NPPF sets out that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
- 8.14 The Heritage Statement that supports this planning application is considered by Officers to be both detailed and well researched. It provides clear and convincing justification for the heritage led approach chosen for the proposed development. The statement also makes it clear that the existing historic buildings on the site have significant historic value both individually and as a farm group. The statement also sets out that this proposal provides a solution for the retention of the historic farm group.
- 8.15 Officers are of the view that the proposed semi-detached properties, by virtue of their siting within the farm complex and their scale and design, sit comfortably within the farm group in visual terms.
- 8.16 Having considered the Heritage Statement submitted by the applicant, Officers are broadly supportive of the assessment in its assertion that the existing bungalow and the livery stables (both earmarked for removal) are out-of-place and detrimental to the setting of the Conservation Area. Officers consider that the existing bungalow and livery stables detract from the setting of the historic farm group, in terms of their design and appearance. In this regard their removal from the site would be welcomed. That being said, in terms of scale, the bungalow and stables are considered to be subordinate to the wider farm group. By virtue of their scale and massing, the proposed detached properties at the southern element of the site are considered to represent a more substantial form of development that would detract from the character and appearance of the Conservation Area. However, this harm identified is considered to be 'less than substantial'.
- 8.17 Whilst the harm arising as a consequence of the visual impact of the proposed detached dwellings is recognised, the proposals are considered to represent a comprehensive redevelopment scheme that repairs and retains all the historic farm buildings and the dry-stone boundary walls within the application site, all of which contribute positively to the character and appearance of the Conservation Area. The historic buildings on the site are in a very poor state of repair where the cost of repair and refurbishment is likely to be substantial. The possibility of new uses for these buildings other than residential conversion is also considered to be unlikely. Therefore, given the importance of the historic farm group, in line with paragraph 196 of the NPPF, the less than substantial harm caused by the massing and scale of the new buildings, would, in the view of Officers, be outweighed by the public benefit of saving this important historic farm group and securing an optimum viable use.

Very Special Circumstances

- 8.18 As set out above, as a consequence of its impact in visual terms, the proposed development is considered to represent an inappropriate development in the Green Belt and would therefore be unacceptable unless very special circumstances exist.
- 8.19 In this instance, Officers are of the view that the harm to the Green Belt by way of inappropriateness would be outweighed by the identified public benefits brought about by saving this important historic farm group and securing an optimum viable use. Officers therefore consider that the public benefits identified would, on balance, amount to very special circumstances in favour of the proposed development.
- 8.20 On the basis of the above, the proposed development is considered to comply with the requirements of Policy GS2 of the North East Derbyshire Local Plan and the NPPF when read as a whole.

Residential Amenity

- 8.21 It is considered that the proposed scheme would not give rise to any significant adverse impacts on the amenity levels currently enjoyed by the occupiers of adjacent sites, the nearest of which being the farmhouse to the north.
- 8.22 Moreover, the relationship between the proposed residential units is considered to result in a scheme that would provide a satisfactory level of amenity for its occupiers. Separation distances between properties and private amenity spaces for the proposed residential units would generally be in accord with guidance set out in the Council's Interim Planning Guidance, Successful Places.

Highway Safety and Public Rights of Way

- 8.23 Paragraph 109 of the National Planning Policy Framework (NPPF) states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 8.24 Derbyshire County Council Highways Officers were consulted on the application, advising that the proposed layout be amended to address concerns regarding access and parking and manoeuvring space within the site. Highways Officers advised that the width of the site access should be maximised and it would be preferable for the initial 5m in length to be 5m in width, to allow two vehicles travelling in opposite directions to pass.
- 8.25 In response to a submitted plan detailing parking layout, Highways Officers went on to raise concerns regarding the apparent under provision of off-street parking, especially given the lack of other opportunities to park within the site. Highways Officers advised that they would not wish to see turning provision negated leading to long reversing manoeuvres back to the publicly maintainable highway.

- 8.26 The concerns raised by DCC Highways Engineers are noted, however Officers consider that the proposed access and parking arrangements would not give rise to any significant highway safety concerns, in part, as a consequence of the access to the site being taken from a lightly trafficked lane (Cartledge Lane). Officers are of the view that a widening of the existing access would represent an over engineering of the access that would unnecessarily detract from the character and appearance of the area. Moreover, given its position at a location that would see limited vehicular movements and low vehicle speeds, it is considered that the existing access would adequately serve a development comprising five residential units, without causing unacceptable impacts on highway safety, or harmful residual cumulative impacts on the road network.
- 8.27 In terms of the under provision of allocated parking spaces, specifically for the proposed semi-detached properties, each comprising a single parking space, Officers consider that whilst the under provision of allocated parking space (Local Plan standards indicate that 2 spaces should be provided for new dwellings) may lead to some inconvenience to residents, this is not considered to amount to unacceptable harm from a highway safety perspective, in view of the site's location and the access arrangements referred to above.
- 8.28 Officers consider that the proposals would have no material impact on the definitive line of the footpath (Footpath 26), which bisects the existing threshing barn earmarked for conversion. As such, Officers consider that this matter could be covered by way of an informative note advising the applicant of their duties in regards to the Public Right of Way (should planning permission be granted). During the processing of this application, the applicant has indicated their intention to seek a formal diversion of the footpath to regularise the existing unofficial route of the footpath, which follows the private access track serving the proposed residential development.

Ecology

- 8.29 Derbyshire Wildlife Trust (DWT) were consulted on the application, initially advising that that application is not accompanied by sufficient information in order to demonstrate the extent that bats may be affected by the proposed development. Subsequently, a further bat activity report was submitted to be read in conjunction with the application. DWT sought further clarification on the number surveyors and their credentials. Upon receipt of the requested information relating to surveyors, DWT advised that sufficient information has been submitted to determine the application, recommending that a number of conditions be imposed relating to mitigation/ enhancement measures.

Archaeological Considerations

- 8.30 Derbyshire County Council Archaeology Development Control were consulted on the application, initially requesting the submission of an archaeological evaluation of the area. On receipt of the requested evaluation, DCC advised that, as the work did not reveal any archaeological remains, no further archaeological works in this part of the site would be necessary, though monitoring of other works will be necessary. Conditions were recommended to be included in any granted permission.

- 8.31 Derbyshire County Council Archaeology Development Control made additional comments with regard to the wider heritage considerations. These comments can be summarised as follows: The Archaeology Development Control Officer stated that the conversions and restoration of the traditional buildings on this site are largely welcomed. That being said, DCC Archaeology Development Control raised objections to the proposed the style of the new build houses and the proposed landscaping of the site in terms of their impact in visual/ heritage terms.
- 8.32 In response to the Derbyshire County Council Archaeology Development Control comments on wider heritage matters, the applicant submitted additional information in the form of a rebuttal letter, countering the concerns raised. The DCC comments and the applicant's response are available to view in full via the Council's website.
- 8.33 Having considered the comments raised by Derbyshire County Council Archaeology Development Control, the issues raised do not alter the view of Officers as set out above in the Heritage Considerations section of this report.

Conclusions

- 8.34 In summary, whilst the development site comprises previously developed land, Officers consider that the proposals would have a greater impact on the openness of the Green Belt than the existing situation. In this regard, the proposed development is not considered to comply with the defined Policy exceptions to inappropriate development in the Green Belt. Moreover, Officers are of the view that the proposed detached dwellings at the southern element of the site would result in some (less than substantial) harm to character and appearance of the Conservation Area, by virtue of their scale and massing. That being said, the proposals would represent a comprehensive redevelopment of the entire site, refurbishing and retaining all the historic farm buildings and the dry-stone boundary walls within the application site.
- 8.35 Given the importance of the historic farm group, the less than substantial harm caused by the massing and scale of the new buildings is considered to be outweighed by the public benefits arising by way of saving this important historic farm group and securing an optimum viable use, in accord with Paragraph 196 of the NPPF. Moreover, the identified public benefits are considered to amount to very special circumstance that would outweigh the harm identified in Green Belt terms.
- 8.36 Officers are of the view that, subject to conditions, there are no technical reasons that would warrant refusal of the application.
- 8.37 On balance, the proposals are therefore considered to represent an acceptable form of development in accord with the applicable Policies contained within the North East Derbyshire Local Plan and National Planning Policy Framework (NPPF).

9.0 SUMMARY OF CONSULTATIONS

- 9.1 Ward Member: Called in for Committee determination.
Parish Council: Objections
County Highways: Objections
Environmental Health: No Objections subject to conditions
English Heritage: No comments
County Archaeology: Objections
Drainage: No comments
Derbyshire Wildlife Trust: No objections
Footpath: Objections
Neighbour: 9 Representations

10.0 RECOMMENDATION

That planning permission is **CONDITIONALLY APPROVED** in accordance with officer recommendation, with the final wording of the conditions delegated to the Planning Manager:-

- 1 The development hereby permitted shall be started within 3 years from the date of this permission.
- 2 The development hereby approved shall be carried out in accordance with the details shown on the following drawings unless otherwise subsequently agreed through a formal submission under the Non Material Amendment procedures and unless otherwise required by any condition contained in this decision notice:

Received at this office on 05.08.2020

- Topographical Survey Showing Demolition (000-005)
- Demolition Layouts - Sheet 1 (100-002)
- Threshing Barn - Proposed Ground Floor Plan (100-100)
- Threshing Barn - Proposed First Floor Plan (100-101)
- House Type A & B - Proposed Plans (100-200)
- House Type C - Proposed Plans (100-201)
- House Type D - Proposed Plans (100-202)
- Proposed Site Sections - Sheet 1 (200-101)
- Proposed Site Sections - Sheet 2 (200-102)
- Demolition Elevations - Sheet 1 (300-005)
- Demolition Elevations - Sheet 2 (300-006)
- Demolition Elevations - Sheet 3 (300-007)
- Demolition Elevations - Sheet 4 (300-008)
- Threshing Barn - Proposed Elevations (300-101)
- House Type A & B - Proposed Elevations (300-200)
- House Type C - Proposed Elevations (300-201)
- House Type D - Proposed Elevations (300-202)
- Boundary Treatment (400-001)
- Photomontage - View A (400-001)
- Photomontage - View B (800-002)

Received at this office on 24.10.2020

- Amended Location Plan (000-001)

Received at this office on 07.01.2020

- Amended Proposed Landscape Plan (000-010 PA2)
- Amended site plan (drawing number 003 PA2)
- Amended proposed lighting strategy (000-011 PA1)
- Amended proposed car parking provision (000-012 PA1)
- Amended threshing barn - proposed elevations (300-100)

- 3 Notwithstanding the provisions of Article 3(1) of the Town and Country Planning (General Permitted Development) Order 2015, (or any Order revoking and re-enacting that Order) no extensions (Part 1 Class A), dormer windows (Part 1 Class B), alterations to the roof (Part 1 Class C), curtilage buildings (Part 1 Class E), means of enclosure (Part 1 Class E), hard surfaces (Part 1 Class F), means of enclosure (Part 2 Class A) shall be erected/constructed without first obtaining planning permission.
- 4 Before above ground works start, a plan to show the positions, design, materials, height and type of boundary treatment to be erected shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be completed before the occupation of the dwelling hereby approved and shall be retained as approved thereafter.
- 5 Before above ground works start, details of the existing ground levels, proposed finished floor levels of the proposed dwellings, and the proposed finished ground levels of the site, shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details.
- 6 Before above ground works start, precise specifications or samples of the walling and roofing materials to be used shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details.
- 7 Prior to the commencement of development, precise details of the proposed works to convert the historic buildings to be retained within the site, including detailed drawings, shall be submitted to and agreed in writing by the Local Planning Authority. The proposed conversions of the retained buildings shall then take place strictly in accordance with the approved details.
- 8 The new build properties hereby approved shall not be occupied until the conversion of the existing historic buildings within the farm group have been substantively completed.
- 9 Before above ground works commence, the following shall be submitted to and approved in writing by the Local Planning Authority:
 - a) a scheme of landscaping, which shall include indications of all existing trees and hedgerows on the land,
 - b) the details of any trees and hedgerows to be retained, together with measures for their protection during development,

- c) a schedule of proposed plant species, size and density and planting locations and
- d) an implementation programme
- 10 All planting, seeding or turfing in the approved scheme of landscaping shall be carried out in the first planting and seeding season following the occupation of the buildings or the completion of the development, whichever is the sooner. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.
- 11 The site shall be developed with separate systems of drainage for foul and surface water on and off site.
- 12 No piped discharge of surface water from the application site shall take place until works to provide a satisfactory outfall, other than the existing local public sewerage, for surface water have been completed in accordance with details submitted to and approved by the Local Planning Authority.
- 13 No development shall take place until details of the proposed means of disposal of foul water drainage for the whole site, including details of any balancing works, off-site works and phasing of the necessary infrastructure, have been submitted to and approved by the local planning authority. If sewage pumping is required from any part of the site, the peak pumped foul water discharge must not exceed 4.75 (four point seven five) litres per second. No buildings shall be occupied or brought into use prior to completion of the approved foul drainage works.
- 14 Before the commencement of the development hereby approved:
- a) A Phase I contaminated land assessment (desk-study) shall be undertaken and approved in writing by the local planning authority.
- b) The contaminated land assessment shall include a desk-study with details of the history of the site use including:
- the likely presence of potentially hazardous materials and substances,
 - their likely nature, extent and scale,
 - whether or not they originated from the site,
 - a conceptual model of pollutant-receptor linkages,
 - an assessment of the potential risks to human health, property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, ground waters and surface waters, ecological systems, archaeological sites and ancient monuments,
 - details of a site investigation strategy (if potential contamination is identified) to effectively characterise the site based on the relevant information discovered by the desk study and justification for the use or not of appropriate guidance. The site investigation strategy shall, where necessary, include relevant soil, ground gas, surface and groundwater sampling/monitoring as identified by the desk-study strategy

The site investigation shall be carried out by a competent person in accordance with the current U.K. requirements for sampling and analysis. A report of the site investigation shall be submitted to the local planning authority for approval.

15 Before the commencement of the development hereby approved:

Where the site investigation identifies unacceptable levels of contamination, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment shall be submitted to and approved in writing by the local planning authority. The submitted scheme shall have regard to CLR 11 and other relevant current guidance. The approved scheme shall include all works to be undertaken, proposed remediation objectives and remediation criteria and site management procedures. The scheme shall ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation. The developer shall give at least 14 days notice to the Local Planning Authority (Environmental Health Division) prior to commencing works in connection with the remediation scheme.

16 The development hereby approved shall not be occupied until:

a) The approved remediation works required by 14 above have been carried out in full in compliance with the approved methodology and best practice.

b) If during the construction and/or demolition works associated with the development hereby approved any suspected areas of contamination are discovered, which have not previously been identified, then all works shall be suspended until the nature and extent of the contamination is assessed and a report submitted and approved in writing by the local planning authority and the local planning authority shall be notified as soon as is reasonably practicable of the discovery of any suspected areas of contamination. The suspect material shall be re-evaluated through the process described in 14b to 15 above and satisfy 16a above.

c) Upon completion of the remediation works required by 15 and 16a above a validation report prepared by a competent person shall be submitted to and approved in writing by the local planning authority. The validation report shall include details of the remediation works and Quality Assurance/Quality Control results to show that the works have been carried out in full and in accordance with the approved methodology. Details of any validation sampling and analysis to show the site has achieved the approved remediation standard, together with the necessary waste management documentation shall be included.

17 No development shall take place until a Written Scheme of Investigation for archaeological work has been submitted to and approved by the local planning authority in writing, and until any pre-start element of the approved scheme has been completed to the written satisfaction of the local planning authority.

The scheme shall include an assessment of significance and research questions; and

1. The programme and methodology of site investigation and recording
2. The programme for post investigation assessment
3. Provision to be made for analysis of the site investigation and recording
4. Provision to be made for publication and dissemination of the analysis and records of the site investigation
5. Provision to be made for archive deposition of the analysis and records of the site investigation
6. Nomination of a competent person or persons/organization to undertake the works set out within the Written Scheme of Investigation"

Thereafter, development shall take place other than in accordance with the approved archaeological Written Scheme of Investigation.

- 18 The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the archaeological Written Scheme of Investigation approved under condition 17 and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured.

- 19 No development, including demolition, shall take place until a Written Scheme of Investigation for historic building recording has been submitted to and approved by the local planning authority in writing, until all on-site elements of the approved scheme have been completed to the written satisfaction of the local planning authority, and until the provision to be made for analysis, reporting, publication and dissemination of the results and archive deposition has been secured. The Written Scheme of Investigation shall include an assessment of significance and research questions; and
1. The programme and methodology of site investigation and recording
 2. The programme and provision for post-investigation analysis and reporting
 3. Provision to be made for publication and dissemination of the analysis and records of the site investigation
 4. Provision to be made for archive deposition of the analysis and records of the site investigation
 5. Nomination of a competent person or persons/organization to undertake the works set out within the Written Scheme of Investigation".

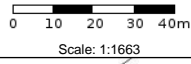
Thereafter, the development shall take place in accordance with the approved Written Scheme of Investigation for historic building recording.

- 20 The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation for historic building recording approved under condition 19 and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured.

- 21 No removal of hedgerows, trees, shrubs or brambles shall take place between 1st March and 31st August inclusive, unless a recent survey has been undertaken by a competent ecologist to assess the nesting bird activity on site during this period, and details of measures to protect the nesting bird interest

on the site, have first been submitted to and approved in writing by the local planning authority and then implemented as approved.

- 22 Prior to the commencement of development, including preparatory site clearance, a detailed badger survey for any recently excavated badger setts on the site or within 30 metres of the site boundary should be undertaken. The results and any appropriate mitigation/licensing requirements shall be submitted to the Local Planning Authority for approval. Such approved measures must be implemented in full.
- 23 All excavations shall be covered overnight or else have an escape ramp to prevent entrapment of badgers, hedgehogs and other wildlife. All pipework greater than 150 mm should be blanked off at the end of the day and chemicals should be stored securely
- 24 Prior to building works commencing above foundation level, a Biodiversity Enhancement Plan shall be submitted to and approved in writing by the Local Planning Authority to achieve a net gain in biodiversity in accordance with the NPPF 2019. Such approved measures shall be implemented in full and maintained thereafter. Measures shall include (but are not limited to):
 - a. Details of four habitat bat boxes, as per the recommendations within the reports by Estrada Ecology will be clearly shown on a plan (positions/specification/numbers).
 - b. Details of four bird boxes (including swift boxes) to be positioned on the dwellings will be clearly shown on a plan (positions/specification/numbers).
 - c. Details of at least 3 insect bricks / boxes will be clearly shown on a plan (positions/specification/numbers).
 - d. Measures to maintain connectivity for hedgehogs shall be clearly shown on a plan (fencing gaps 130 mm x 130 mm and/or railings and/or hedgerows).
 - e. Summary of ecologically beneficial landscaping (full details to be provided in Landscape Plans).



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