

PARISH Holmesfield Parish

APPLICATION Demolition 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; erection of four new dwellings with associated landscaping, parking and access (Resubmission of 19/00786/FL) (conservation area/affecting the setting of a listed building/affecting a public right of way)

LOCATION Cartledge Hall Farm, Cartledge Lane, Holmesfield, Dronfield

APPLICANT Mr Matthew Jacques C/o Agent

APPLICATION NO. 20/01137/FL **FILE NO.** PP-09262201

CASE OFFICER Mr Colin Wilson

DATE RECEIVED 18th November 2020

REFERRED TO COMMITTEE BY: Cllr Huckerby

REASON: The proposals represent an overdevelopment in the Conservation Area and highway safety concerns and need to be considered by the Planning Committee.

This application is a revised scheme of application reference number 19/00786/FL. Members may recall that the previous application was refused at the virtual Planning Committee held on 30th June 2020, following a decision having been taken to defer the application at the previous Planning Committee held at the Council Offices on 10th March 2020. The revised application comprises amendments to the previous scheme. The amendments are set out and assessed in the report below.

1.0 SITE DESCRIPTION

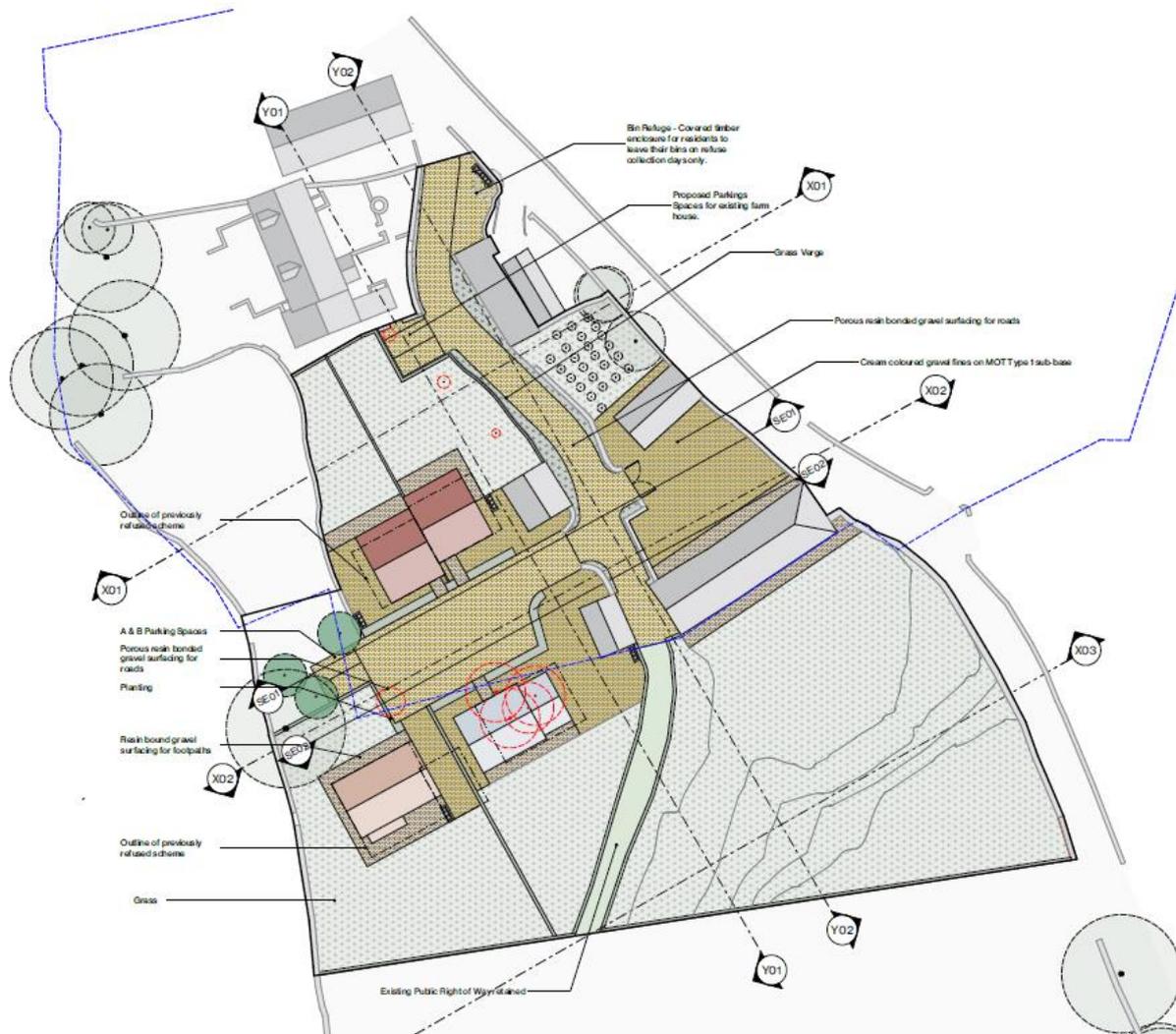
- 1.1 The application site comprises Cartledge Hall Farm, a complex of buildings situated off Cartledge Lane, Holmesfield. The site is a range of buildings including traditional stone built buildings that would have comprised the original farm complex. These buildings include a threshing barn, granary/cart shed, stables and pigsties believed to date from the 17th and 18th Century. A further cart shed positioned to the north of the threshing barn is thought to date back to the late 19th century.
- 1.2 Comparatively modern buildings and additions to the above mentioned historic buildings, being 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 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.

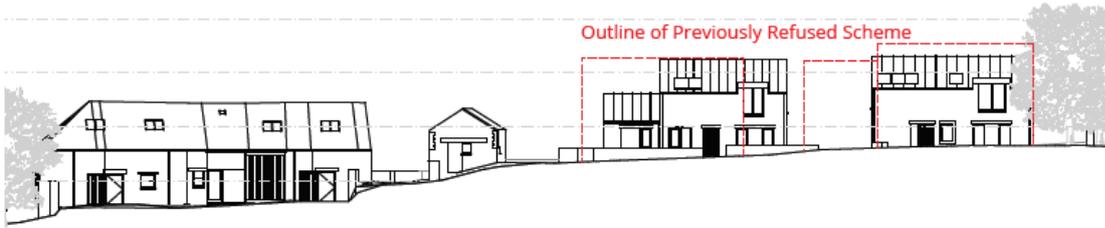
- 1.4 The application site is accessed via an existing private track taken from Cartledge Lane. The existing track is bound by stone walling. Cartledge Lane continues beyond the development site, bordering its north-eastern edge. Beyond the access to application site Cartledge Lane turns into an unmade 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.
- 1.5 The application comprises a revised scheme of 19/00786/FL. At the time of Officers visit to the site for this revised application, no substantive changes in site circumstances were noted from Officers observations of the site in relation to application reference 19/00786/FL.

2.0 PROPOSAL

- 2.1 Demolition 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; 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 As was the case under application reference 19/00786/FL, 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. See Site Layout below:



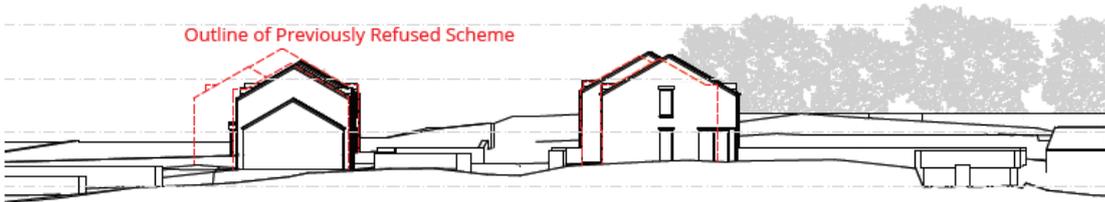
2.4 The applicant has set out that the revised proposals seek to address the reasons for refusal relating to application reference 19/00786/FL, namely impact on the Green Belt, intrusion into the countryside, and impact on the character and appearance of the Conservation Area. The main alterations to the previously refused scheme comprise a reduction in the scale and massing of the proposed development. It is set out in the submission that the total volume of the proposed built development has been reduced by nearly 20%. The proposed detached dwellings earmarked for the southern edge of the site have been reduced in terms of their mass and footprint (see image below taken from the applicant's Design and Access Statement Addendum). In addition, revisions have been made to the design of the proposed semi-detached dwellings to the north of the aforementioned detached dwellings – the main alterations being a narrower footprint and reduced eaves height. Furthermore, the previously proposed metal cladding has been omitted from the scheme, with more of an emphasis on the use of natural stone as the primary material of construction.



Proposed Short Section looking South

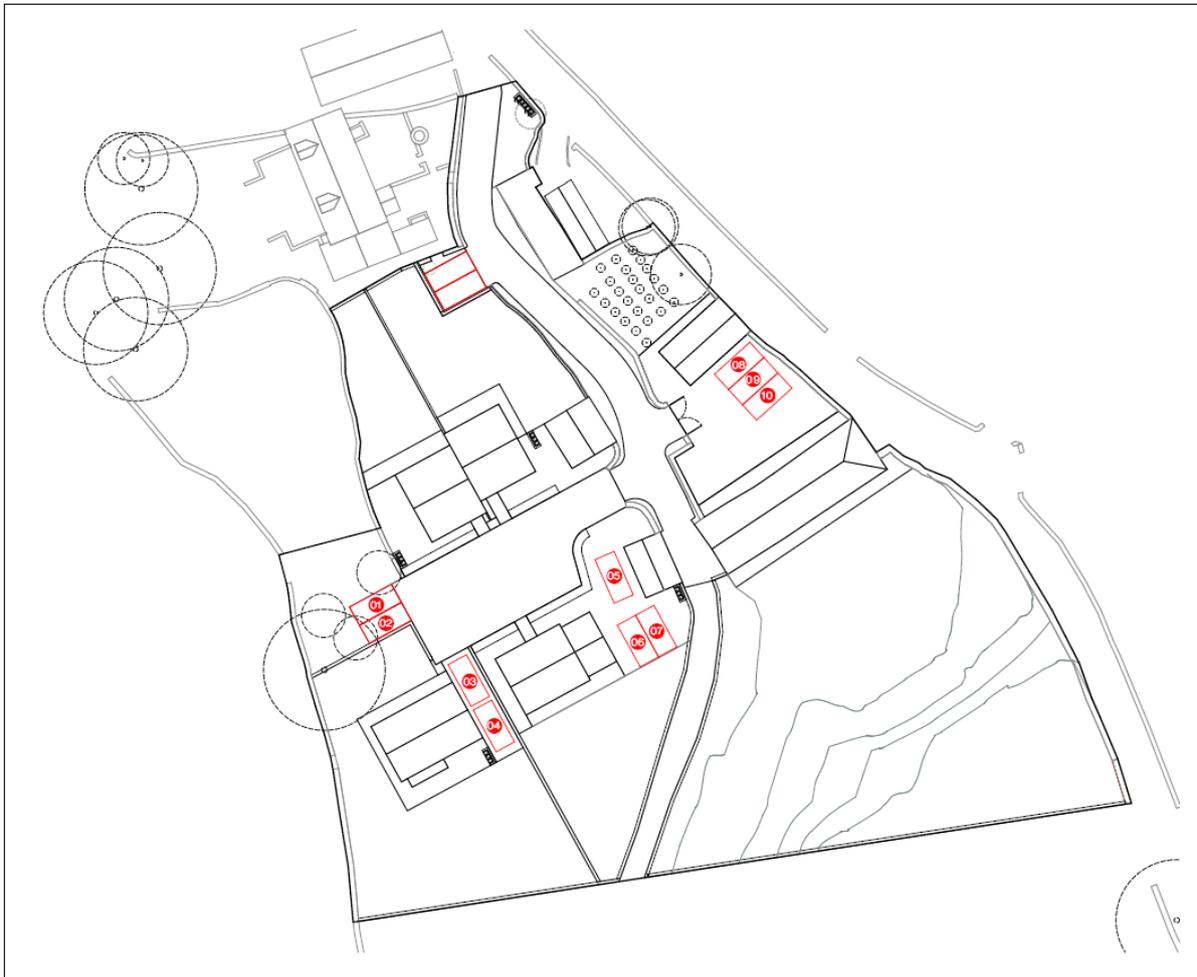


Proposed Short Section looking North



Proposed Long Section looking West

- 2.5 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 (see image below). In terms of parking allocation for the 5 residential units proposed, each would comprise allocated spaces. The converted threshing barn and detached dwelling to the immediate west of the barn would each comprise 3 allocated spaces. Whereas, the other detached dwelling, further to the west, would comprise 2 parking spaces. 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 No amendments have been submitted during the assessment of this application.

4.0 PLANNING HISTORY

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

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.

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

19/00786/FL – 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)(Amended Plans) – Refused for the following reasons:

- 1) *The application site is located primarily within the Green Belt. The proposed development is considered to be unacceptable as the 4 new dwellings would cause substantial harm to the openness of the Green Belt and so constitute inappropriate development. There are not considered to be very special circumstances that outweigh this harm. The proposal is therefore considered contrary to policy GS2 of the North East Derbyshire Local Plan and the National Planning Policy Framework when read as a whole.*
- 2) *The application site is located within the open countryside. The proposed development, by reason of its prominent location overlooking the Millthorpe valley, scale, massing and the materials proposed would not be in keeping with the character of the area and represent a prominent intrusion and so fail to protect and enhance the natural environment. The proposal is therefore contrary to policies GS1, GS6 and H12 of the North East Derbyshire Local Plan and the National Planning Policy Framework when read as a whole.*
- 3) *The site is located within the Cartledge Hall Conservation Area. By reason of their prominent location, scale, massing and the materials proposed the new buildings proposed would harm the intrinsic character of the Conservation Area. The public benefits are not considered proven and so do not outweigh this harm. The proposal is therefore contrary to policies GS1 and BE11 of the North East Derbyshire Local Plan and the National Planning Policy Framework when read as a whole.*

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 Local Plan (2014-2034) was submitted for examination in May 2018, with public hearings taking place in November/December 2018 and March 2019. The Inspector issued her interim findings in letters dated 18 February and 21 March, 2019. Following local elections in May 2019, the Council paused the Plan, pending consideration of its options around housing numbers and Green Belt release. On 27 February, 2020 the Council announced the un-pausing of the Plan to allow it to proceed to the next stage of consultation on the Main Modifications, which began on the 2nd November. It is expected that the Plan will achieve adoption in spring 2021. The emerging Local Plan is therefore at an advanced stage and, in accordance with the advice set out in paragraph 48 of the National Planning Policy Framework, significant weight should be attached to the Plan 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, display of a site notice, and a press notice published in the Derbyshire Times. 22 representation letters have been received and can be summarised as follows:

- The former equestrian operations on the site were limited and not a formal business. Whilst it is accepted that riding centre and livery could be regarded as previously developed land, that use has been abandoned and the site therefore comprises a nil use. Officer Note: Overall, Officers are satisfied that the former equestrian use of the site has not been abandoned in planning terms or 'blended into the landscape'. See Assessment below for further details.
- The claims that Cartledge Hall Farm was a riding school and equestrian centre are incorrect. It was purely an approved livery yard offering stable accommodation on a 'do it yourself' basis. Applications at the adjacent Holmesfield Equestrian Centre on the opposite side of the lane have erroneously been included in the assessment of the current application exaggerating the equestrian activities at Cartledge Hall Farm. Officer Note: Officers remain satisfied that the application site comprises a former equestrian use and therefore represents Previously Developed Land, as per the NPPF definition. See Assessment below for details.
- The proposed development does not represent an 'enabling development' and no financial assessment has been undertaken in this regard. Therefore, no very special circumstances exist. Officer Note: Officers are of the view that the wider benefits of the scheme would represent very special circumstances and public benefits that would respectively outweigh the harm arising in Green Belt and heritage terms. This matter is covered in the Assessment section of this report below.
- The amendments made to the previously refused scheme (19/00786/FL) are insignificant and do not address the reasons for refusal given by the Council.
- The design of the proposed dwellings are less sympathetic to the character and appearance of the Conservation Area, and the openness of the Green Belt, with the dwellings appearing box like and the metal profiling retained.
- The proposed dwellings would be out of place visually and detrimental to the character of the Conservation Area.
- The proposals would adversely affect the openness of the Green Belt, which could be further exacerbated should the residents have further PD rights to extend the properties proposed under this application.
- The proposals represent an overdevelopment of the site.
- Highway safety concerns. The outstanding issues outlined by Highways Officers have not been addressed. Issues relate to insufficient parking provision within the site, a substandard access onto Cartledge Lane, and concerns around the existing junction of Cartledge Lane and Millthorpe Lane.
- Concerns regarding the location of the site notice. Officer Note: Officers are satisfied that the application has been correctly publicised, inter alia, by the display of a site notice in the vicinity of the site.
- Light pollution concerns, particularly given the hillside location of the site.
- Landscape harm arising as a consequence of the proposed development of the site.
- Concerns relating to the proposed development on biodiversity in the locality.

- Whilst some welcome changes have been made to the proposed appearance of the properties, concerns remain regarding the sheet steel roofs.
- The conservation value of retaining some of the historic farm buildings on the site is overshadowed by the scale/ scope of the new private housing development. The use of more stone as a construction material is not enough to address the reasons for refusal of the previous application.
- A former occupier of Cartledge Hall Farm sets out that their old home of 45 years, Cartledge Hall Farm, was never a commercial riding school, but was an approved Livery Yard.
- The status and line of footpath 26 is yet to be clarified, which raises concerns.

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

- The Ward Member raised concerns regarding the proposals from heritage and highway safety viewpoints. 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 insufficient parking spaces for residents and the proposed access which comprises a narrow track with poor visibility on to Cartledge Lane, adjacent to a working farm.

6.3 **Derbyshire County Council Highways Officers** were consulted on the application, reiterating the comments made in relation to application reference number 19/00786/FL, which raised 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 which can be summarised as follows: It is necessary to clarify and legalise the status of Footpath 26. Previous comments by walking groups have expressed concerns, which have not been resolved. Under the proposed plan, the farm track would become a hard-surfaced road used by potential residents, visitors and service vehicles. The future use of the footpath must be discussed and considered. The legal position of the present route needs to be regularised

and if necessary redesignated before further action is taken on the planning application.

- 6.8 **Peak and Northern Footpaths Society** were notified of the application objecting to the proposals on the basis that footpath 26 is blocked by the threshing barn. It was stated in the comments that the applicant can be required by planning condition to apply for a Public Path Diversion Order under s.257 of the 1990 Town & Country Planning Act. A diversion onto the line already used without problem by walkers would be the ideal solution to all parties.
- 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, reiterating previous comments made in relation to the application. In addition, advising that a range of conditions relating to archaeological recording and monitoring, and historic building recording, be imposed should planning permission be granted.
- 6.13 **Derbyshire Wildlife Trust (DWT)** were consulted on the application, advising that the ecological survey data submitted with this application appears to be identical to the previous consultations and the information is still valid for this application. Therefore comments made on the 20th February 2020 are still valid and applicable. Previously, under application reference number 19/00786/FL, 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 It is raised in the neighbour representations summarised above that the extant use of the site as an equestrian facility has been embellished somewhat. Furthermore, it is set out in the representations that the equestrian use of the site has been abandoned and therefore the site comprises as nil use. Officers remain satisfied that the application site comprises a former equestrian use and therefore represents previously developed land, in accordance with the above Policy definition. Equestrian uses do not fall within the defined exceptions to previously developed land as set out in the NPPF definition, regardless of the intensity of said use. Moreover, Officers do not consider that the site has been abandoned or blended into the landscape. It is the view of Officers that whilst the site is currently vacant, facilities, including stabling and a riding arena, remain in situ for an equestrian enterprise to recommence from the site.
- 8.6 In light of the above Policy context, 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

- 8.7 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 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 planning condition.
- 8.8 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.
- 8.9 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:

- 8.10 Officers retain the view that the buildings earmarked for demolition and removal from the site have a relatively low profile when compared to the dwellings proposed, particularly the two storey detached dwellings at the southern elements of the site. Whilst the scale and massing of the proposed dwellings has been reduced from the scheme refused under application reference number 19/00786/FL, Officers maintain the view 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.
- 8.11 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 8.20).

Heritage Considerations

- 8.12 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.
- 8.13 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.
- 8.14 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.
- 8.15 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.
- 8.16 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. As part of this revised scheme, endeavours have been made to further improve the visual impact of

these dwellings by way of narrowing of their overall width and reducing the eaves height.

- 8.17 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. Whilst the scale and massing for the proposed dwellings has been reduced from those proposed under 19/00786/FL, Officers retain the view that they would, albeit to a lesser degree, detract from the character and appearance of the Conservation Area. The harm identified is considered to be 'less than substantial'.
- 8.18 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.
- 8.19 Overall, Officers are of the view that the reduced scale and massing of the proposed dwellings, particularly the detached dwellings proposed at the southern edge of the site, weighs further in favour of the scheme. The identified harm, against which the wider public benefits of the scheme must be weighed, has, in the view of Officers, been reduced as a consequence of the revisions made to the previously refused scheme (19/00786/FL).

Very Special Circumstances

- 8.20 As set out above, as a consequence of its impact in visual terms, the proposed development represents an inappropriate development in the Green Belt and would therefore be unacceptable, unless very special circumstances exist.
- 8.21 In this instance, 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. The public

benefits identified would, amount to very special circumstances in favour of the proposed development. The reduction in the scale and massing of the proposed detached dwellings at the southern edge of the site reduces the harm to the character of the Conservation Area and the openness of the Green Belt, thereby tipping the balance further, in terms of the benefits of the scheme outweighing the harm.

- 8.22 On the basis of the above, the proposed development complies with the requirements of Policy GS2 of the North East Derbyshire Local Plan and the NPPF when read as a whole.

Residential Amenity

- 8.23 The proposed scheme would not give rise to any significant adverse impacts on the amenity levels currently enjoyed by the occupiers of nearby sites, the nearest of which being the farmhouse to the north.
- 8.24 Moreover, the relationship between the proposed residential units results 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

- 8.25 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.
- 8.26 Derbyshire County Council Highways Officers were consulted on the application, reiterating the comments made in relation to the previous application, which advised that the proposed layout required amendments 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.
- 8.27 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.
- 8.28 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, 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.

- 8.29 On 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 would not amount to unacceptable harm from a highway safety perspective, in view of the site's location and the access arrangements referred to above.
- 8.30 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, this matter could be covered by way of an informative 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 and the preceding 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

- 8.31 Derbyshire Wildlife Trust (DWT) advise that their previous comments (relating to 19/00786/FL) remain applicable. Under the previous application DWT said that the application was not accompanied by sufficient information to demonstrate the extent that bats may be affected by the development. Subsequently, a further bat activity report was submitted. Following further clarifications DWT advised that sufficient information had been submitted to determine the application, recommending that a number of conditions be imposed relating to mitigation/ enhancement measures.

Archaeological Considerations

- 8.32 Derbyshire County Council Archaeology Development Control reiterated previous comments. In addition, it advised a range of conditions relating to archaeological recording and monitoring, and historic building recording, be imposed should planning permission be granted.
- 8.33 Derbyshire County Council Archaeology Development Control made additional comments on the previous application with regard to the wider heritage considerations. These comments can be summarised as: the conversions and restoration of the traditional buildings on this site are largely welcomed. However, they raised objections to the proposed style of the new

build houses and the proposed landscaping of the site in terms of their impact in visual/ heritage terms.

- 8.34 In response to the Derbyshire County Council Archaeology Development Control comments on wider heritage matters, the applicant previously submitted additional information in the form of a rebuttal letter, countering the concerns raised.
- 8.35 Having considered the comments raised by Derbyshire County Council Archaeology Development Control, the issues raised do not alter the view set out above in the Heritage Considerations section of this report.

Conclusions

- 8.36 Whilst the development site comprises previously developed land, the proposals will have a greater impact on the openness of the Green Belt than the existing situation. In this regard, the proposed development does not comply with the defined Policy exceptions to inappropriate development in the Green Belt. Moreover, the proposed detached dwellings at the southern element of the site would result in 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.
- 8.37 The less than substantial harm caused by the massing and scale of the new buildings, which has been reduced from the previously refused scheme, is outweighed by the public benefits arising by 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 amount to very special circumstance that would outweigh the harm to the Green Belt.
- 8.38 Subject to conditions, there are no other technical reasons that would warrant refusal of the application.
- 8.39 The proposals 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 Recommendation

Grant permission subject to the following conditions:

- 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 18.11.2020

- Proposed Lighting Strategy A1 (drawing number 000-011)
- Location Plan (drawing number 000-001)
- Proposed Site Plan (drawing number 000-003)
- Topographical Survey Showing Demolitions (000-005)
- Proposed Landscape Plan (000-010)
- Proposed Car Parking Plan (000-012)
- Demolition Layouts Sheet (100-002)
- Threshing Barn Roof Plan (100-102)
- House Type A&B Proposed Plans (100-221)
- House Type C Proposed Plans (100-222)
- House Type D Proposed Plans (100-223)
- Proposed Site Sections Sheet (200-101)
- Proposed Site Sections Sheet (200-102)
- Demolition Sheets (Drawing Numbers 000-005-008)
- Proposed Street Scene (300-010)
- Threshing Barn Proposed Elevations Sheet (300-101)
- House Type A & B Proposed Elevations (300-221)
- House Type C Proposed Elevations (300-222)
- House Type D Elevations (300-223)
- Boundary Treatments (400-001)

09.12.2020

- Threshing Barn – Proposed Ground Floor Plan (100-100(PA1))
 - Threshing Barn – Proposed First Floor Plan (100-101(PA1))
 - Threshing Barn – Proposed Elevations (300-001(PA2))
- 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 The development shall be carried out in accordance with the details shown on the submitted on drawing CHFHAP-CHG-EX-XX-DP-C-0100 (revision P2) dated 15/11/2020 prepared by Collins Hall Green Ltd., unless otherwise agreed in writing with the Local Planning Authority. (In the interest of satisfactory and sustainable drainage)
- 13 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.

- 14 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.

- 15 The development hereby approved shall not be occupied until:

- a) The approved remediation works required by 13 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 13b to 14 above and satisfy 16a above.

c) Upon completion of the remediation works required by 14 and 15a 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.

16 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.

17 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.

18 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.

- 19 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.
- 20 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.
- 21 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.
- 22 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
- 23 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).

24 The works to the Threshing Barn shall not take place until a European Protected Species licence has been obtained from Natural England and any other survey work considered necessary to inform the licence application has been undertaken. Upon receipt of a licence from Natural England, works shall proceed strictly in accordance with the approved mitigation. Such approved mitigation will be implemented in full in accordance with a timetable of works included within the licence and followed thereafter. A copy of the licence will be submitted to the LPA once granted. Confirmation will also be submitted to the LPA once all mitigation is installed, along with a copy of the results of any monitoring works.