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02 January 2019

To: All Councillors

As a Member or Substitute of the **Community & Environment Committee**, please treat this as your summons to attend a meeting on **Thursday 10 January 2019 at 6.00pm in the Council Chamber, Town Hall, Matlock.**

Yours sincerely



Sandra Lamb  
Head of Corporate Services

## **AGENDA**

### **1. APOLOGIES/SUBSTITUTES**

Please advise Democratic Services on 01629 761133 or e-mail [committee@derbyshiredales.gov.uk](mailto:committee@derbyshiredales.gov.uk) of any apologies for absence and substitute arrangements.

### **2. APPROVAL OF MINUTES OF PREVIOUS MEETING**

15 November 2018 and 10 December 2018

### **3. PUBLIC PARTICIPATION**

To enable members of the public to ask questions, express views or present petitions, **IF NOTICE HAS BEEN GIVEN**, (by telephone, in writing or by electronic mail) **BY NO LATER THAN 12 NOON OF THE WORKING DAY PRECEDING THE MEETING.**

### **4. INTERESTS**

Members are required to declare the existence and nature of any interests they may have in subsequent agenda items in accordance with the District Council's Code of Conduct. Those interests are matters that relate to money or that which can be valued in money, affecting the Member her/his partner, extended family and close friends.

Interests that become apparent at a later stage in the proceedings may be declared at that time.

## 5. QUESTIONS PURSUANT TO RULE OF PROCEDURE NUMBER 15

To answer questions from Members who have given the appropriate notice.

**Page No.**

## 6. REVIEW OF STALL MARKETS

**03 - 05**

To receive an update on the review of stall markets and consider the recommendations for closure of the Ashbourne Thursday market; the grant of a licence to occupy Shrovetide Walk, and arrangements to transfer the Ashbourne Saturday market to a community interest company.

## 7. MATLOCK BATH ILLUMINATIONS REVIEW

**06 - 11**

To note a report detailing the outturn of the 2018 event and consider approval of the general format of the 2019 event as detailed in the report.

## 8. DERBYSHIRE DALES STATEMENT OF COMMUNITY INVOLVEMENT 2018

**12 - 70**

To consider adoption of the revised Statement of Community Involvement (SCI) 2018 as set out in the report, with immediate effect.

## 9. DRAFT CONVERSION OF FARM BUILDINGS SUPPLEMENTARY PLANNING DOCUMENT

**71 - 144**

To receive a report presenting the results of the public consultation on the draft Conversion of Farm Buildings Supplementary Planning Document (SPD) and to consider adoption of the SPD and publication of the Consultation Statement and Adoption Statement in accordance with the statutory requirements.

## 10. DRAFT SHOP FRONTS AND COMMERCIAL PROPERTIES SUPPLEMENTARY PLANNING DOCUMENT

**145 - 177**

To receive a revised draft Shop Fronts and Commercial Properties Supplementary Planning Document (SPD), originally adopted in 2012, which is required in light of the adoption of the Local Plan in December 2017 and to seek approval for a formal period of public consultation on the document prior to its adoption as a SPD.

Members of the Committee - Councillors Jason Atkin, Richard Bright, Sue Bull, Martin Burfoot, Albert Catt, Ann Elliott, Chris Furness, Susan Hobson (Vice Chairman), Vicky Massey-Bloodworth, Tony Morley, Dermot Murphy, Joyce Pawley, Mike Ratcliffe, Lewis Rose OBE, Andrew Statham, Colin Swindell, Jo Wild (Chairman)

Substitutes - Councillors Deborah Botham, Jennifer Bower, David Chapman, Tom Donnelly, Richard FitzHerbert, Steve Flitter, Alyson Hill, Angus Jenkins, Jean Monks, Garry Purdy, Irene Ratcliffe, Mark Salt, Jacquie Stevens, John Tibenham, Philippa Tilbrook

COMMUNITY & ENVIRONMENT COMMITTEE  
10 January 2018

Report of the Head of Community & Environmental Services

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## **REVIEW OF STALL MARKETS**

### **PURPOSE OF REPORT**

This report provides an update on the review of stall markets and requests consideration of the closure of the Ashbourne Thursday market; the grant of a licence to occupy Shrovetide Walk, and arrangements to transfer the Ashbourne Saturday market to a community interest company.

### **RECOMMENDATION**

1. That the grant of a Licence to Occupy Shrovetide Walk was issued to a Community Interest Company (Ashbourne Communities CIC), from 3 January 2019, to continue the Ashbourne (Thursday) market is noted.
2. That Ashbourne (Saturday) market operates as a self-erect market and stall erectors receive redundancy from 23 February 2019.
3. That Ashbourne (Saturday) market is transferred to Ashbourne Communities CIC and the market remains on the Market Place.
4. That a one off amount of £10,000 (£5,000 2018/19 + £5,000 2019/20) is granted to Ashbourne Communities CIC to assist with the operation of the Ashbourne (Saturday) market for a minimum of 1 year, to be funded from general reserves.
5. That the use of £5,000 from the general reserve is referred to Council on 24 January 2019 for approval to fund the first grant instalment.

### **WARDS AFFECTED**

Ashbourne North & South

### **STRATEGIC LINK**

The Review embraces one of the District Council's priorities, which is to revive stall markets, whilst continuing to seek efficiencies and innovative working practices.

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## **1 BACKGROUND**

1.1 A report reviewing stall markets was presented to the Community & Environment Committee in November 2017 with the following recommendations.

- That Ashbourne (Thursday) Market becomes a self-erect seasonal market, opening in April and closing at the end of September annually
- That Ashbourne (Thursday) Market close should it not achieve an average occupancy level of 70% or more by the end of June 2018
- That Wirksworth Market is transferred to Wirksworth Town Council.

- That Ashbourne (Saturday) Market is relocated to Shrovetide Walk in April 2018
- That alternative options for the use of Matlock Indoor Market be considered

## **2 REPORT**

### **2.1 Wirksworth Market**

Wirksworth market was transferred to Wirksworth Town Council in April 2018 and is now performing well in its new location at the Memorial Hall.

### **2.3 Ashbourne (Thursday) Market**

Ashbourne (Thursday) market became self-erect on Shrovetide Walk on 1 April 2018 and stall erectors were given redundancy to achieve savings.

Occupancy throughout 2018 remained low with an average occupancy of 15% between 1 April and 30 November 2018. The District Council proposed the closure of the market in September. The market was allowed to continue until Christmas 2018, at the request of the traders, as they have built up a good customer base over the past few months.

Ashbourne Communities CIC approached the District Council for a licence to occupy Shrovetide Walk to allow the Thursday market to continue. Ashbourne Communities CIC intends to improve the current occupancy level and build links with the local community.

### **2.4 Ashbourne (Saturday) Market**

Occupation of stalls at Ashbourne (Saturday) market currently fluctuates between 0% and 52%.

In June 2018, a meeting was held between the District Council and traders to discuss moving the market to Shrovetide Walk from July 2018.

District Council officers and members of Ashbourne Communities CIC started formal discussions for the transfer of Ashbourne (Saturday) market since September 2018. Ashbourne Communities CIC would like the market to remain on the Market Place. They would continue to operate a weekly market and look to increase the current occupancy level of traders and the footfall of customers. Ashbourne Communities CIC proposes including local businesses and the community to improve the current market.

As part of the proposal Ashbourne Communities CIC have asked for a one off payment of £10,000, to assist with the operation of the market. If the market is unsuccessful within the first year, then the payment will be returned to the District Council on pro-rata basis.

## **3 RISK ASSESSMENT**

### **3.1 Legal**

The markets in Ashbourne, Wirksworth and Matlock were established by Royal Charter. The terms for relocation would be regulated by formal agreements. Whilst consultation has taken place, the legal risk is low to medium as the risk of a challenge cannot be fully mitigated.

### 3.2 Financial

Any additional income or savings in operational costs arising from this review will contribute towards the achievement of the Council's Corporate Savings Target.

The contribution of £10,000 to Ashbourne Communities CIC will be made in 2 instalments. The first instalment will be funded from the General Reserve following approval by Council; the second instalment will be included in the 2019/20 revenue budget.

The financial risk is assessed as low.

## 4 OTHER CONSIDERATIONS

In preparing this report, the relevance of the following factors has also been considered: prevention of crime and disorder, equalities, environmental, climate change, health, human rights, personnel and property.

## 5 CONTACT INFORMATION

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## 6 BACKGROUND PAPERS

None

COMMUNITY & ENVIRONMENT COMMITTEE  
10 JANUARY 2019

Report of the Head of Community & Environmental Services

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## **MATLOCK BATH ILLUMINATIONS REVIEW**

### **PURPOSE OF REPORT**

This report details the outturn of the 2018 event and seeks agreement to the general format of the 2019 event.

### **RECOMMENDATIONS**

1. That the achievements of the event in 2018 following the review are noted.
2. That approval is given for the fees and charges to be agreed by the working group.
3. That sponsorship is sought, by the Illuminations Working Group, to further invest in the event.
4. That the Event Organiser is given delegated authority to make operational decisions in relation to the staging of the 2019 event in consultation with the Working Group and Head of Community & Environmental Services.
5. That approval is given to invite Mr G E M Stevens MBE to comperre the 2019 event.
6. That approval is given to invite Mrs Stevens as Mr Stevens' support.
7. That £15,000 is reinvested into the event to update current lights and improve overall customer experience.

### **WARDS AFFECTED**

Masson and surrounding area

### **STRATEGIC LINK**

The Matlock Bath Illuminations supports the District Council's Corporate Aim to promote quality of life and also makes a significant contribution to the communities of Derbyshire Dales. The review has reflected on the District Council's priorities whilst also seeking to ensure that we deliver value for money and work effectively with partners.

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## **1 THE 2018 EVENT**

Matlock Bath Illuminations took place between Saturday 8 September and Sunday 28 October, with firework displays every Saturday (eight in total) and the final Sunday. 2018 was the first time the event finished on a Sunday since the District Council has operated the event.

The event comprised entertainment on or around the bandstand in Derwent Gardens, a parade of illuminated boats, festoon lighting, lighting displays and lighting of the natural features. In addition there was a funfair, food stalls and children's themed entertainment.

## **1.1 Security & Police**

Stadium Traffic Management were the successful tenderer and are contracted for 2019 and 2020 after completing 2018. There was an increase in cost from £21,112.12 in 2017 to £27,969.10 for 2018. Problems did arise throughout the season and were resolved by the event officers and steward management team.

Police were present at the event each week and assisted the Illuminations team when requested throughout the night with crowd dynamics, pedlars and traffic management.

During the 2018 season, 64 pedlars attended Matlock Bath, compared to 87 in 2017.

## **1.2 Illuminated Boats**

Visitors to the opening night of the event were asked to vote for their favourite boat, on the night, by placing a token in a bucket marked with a picture of that boat. 1,052 votes were made which is up from 562 people who voted via the District Council's Illuminations Facebook page in 2017.

## **1.3 Timings**

Timings were changed in 2018 to allow more visitors to access Derwent Gardens to view the boats for longer. During October the boats paraded at 7.15pm until 8.50pm on Saturdays and 7.00pm until 8.00pm on Sundays. The event finished on Sunday 28 October with a firework display at 8.00pm.

## **1.4 Park & Ride**

The Park and Ride in Matlock was changed to a shuttle bus service running from Matlock Bus Station. This assisted members of the public arriving from Matlock and provided a service for those who would ordinarily use the train whilst the trains weren't in operation from the start of the event until 13 October.

## **1.5 Attendance**

In 2018, attendance was up on 2017, with 58,393 visitors compared to 52,806. The 2018 event included the additional final Sunday but it is worth noting that the event was up on visitor numbers in 2017 before that night. The final night broke the record for attendance on a Sunday with 5,308 tickets issued.

## **1.6 Expenditure**

The expenditure for the 2018 event is £163,076.84 against an original budget of £172,970. Increased costs for security, first aid and rescue boat contracts were offset by reductions in expenditure on employees, fireworks displays, entertainment and general expenses. This resulted in an overall under-spend of £9,893.16.

## 1.7 Income

There was an increase in income from ticket sales (£181,319) compared to 2017 (£160,961). Through a competitive tender process there was also an increase in income for the fair and catering concessions. The overall position on income received at the time of writing this report is as follows:

	Actual Income £	Original Budget £	Variance £
Tickets	181,319.00	167,420.00	+13,889.00
Park & Ride	2,065.42	3,605.00	-1,539.58
Sponsorship	1,500.00	1,500.00	0
Traders' Contributions	350.00	4,500.00	-4,150.00
Stall Concessions	18,410.00	14,425.00	+3,985.00
<b>Total</b>	<b>203,644.42</b>	<b>191,450.00</b>	<b>+12,194.42</b>

## 1.8 Financial Outturn

At the time of writing this report, the income and expenditure attributed to Matlock Bath Illuminations 2018 event shows a surplus of £40,568, with expected income from food concessions of £6,000 to be accounted for in the final balance. It is therefore anticipated that the final surplus will be £46,568, against a budgeted surplus of £18,480.

	Actual Net Income £	Budgeted Net Income £	Variance £
Surplus	46,567.58	18,480.00	+28,087.58

## 1.9 Online Ticket Sales

As per 2017, online tickets were processed through [www.ticketsource.co.uk](http://www.ticketsource.co.uk) with TicketSource offering customers a number of secure payment options and allowing customers to receive tickets via email, post or text message.

TicketSource allow tickets to be sold up until 6.00pm on the day of each event., enabling members of the public to track the weather and decide to buy tickets closer to their preferred date.

The 2017 report highlighted the intention of the District Council to invest in ticketing software, this wasn't achieved, a lower rate of commission was negotiated with TicketSource, which offered the event considerable savings.

In 2018 the pricing structure was changed to add 50p to the online price which made advanced tickets £1.50 cheaper than purchasing on the night, replacing the £2 margin in 2017. This had no negative effect for online ticket sales with 79% of tickets sold online, total sales online were 46,355 (2018) compared to 41,027 (2017). The continued success of online tickets allowed for a reduction in staff required in the ticket office. It also ensured good crowd numbers on weekends that suffered from bad weather.



## 1.10 Promotion

The event team changed the marketing approach for 2018, social media was heavily relied upon and savings were made by not using Peak FM and advertising in magazines.

The number of Facebook 'likes' is currently 25,000. The District Council's Illuminations webpage received 124,000 visits during the event, a 43% increase on 2017.

## 1.11 Customer Feedback

A post-event consultation exercise was undertaken to gauge feedback on the success of the event. This included an online survey which received over 1,000 responses (Appendix 1) and a pre-arranged meeting in Matlock Bath with interested parties, which was held on the 26 November at the Fishpond in Matlock Bath. The information and feedback provided will form part of the discussions for the working group.

## 2 PLANS FOR THE 2019 EVENT

Areas which will be considered by the working group for 2019 are.

What?	Why?
Explore the use of alternative online ticketing options.	£13,000 was paid in commission to Ticket Source in 2018. Though reduced from £19,416 in 2017 further long term savings could be achieved. Should the District Council purchase its own online ticketing system, it would also be available for other events operated by the District Council and events on District Council land.
Improve the sponsorship take up	2018 saw the introduction of a four-tiered sponsorship package aimed to improve sponsorship income, this wasn't successful though will be repeated for 2019 with an addition of offering monthly payment options. Local businesses will be offered the opportunity to sponsor sections of new lighting.
Increase ticket prices by 50p	This would only be recommended if investment is made in new lighting and the improved customer experience is achieved.
Investment in new lighting	To use £15,000 of the surplus towards the first stage of updating the event's lights, considerable costs on repairing the current lights occurs each year, a number of lights are no longer fit to be used and the number of lights inside Derwent Gardens is being reduced.
Continue with the additional	The night finished at 8.00pm adding an extra

Sunday along with fireworks to close the event.	firework night for families to enjoy at the earlier time and add another night to the season of trading for Matlock Bath.
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## 2.1 Fees & Charges

It is recommended that the Working Group discuss the impact of a 50p rise in ticketing costs.

The table below shows the pricing structure for 2019 to be discussed and agreed by the working group.

Saturday		Sunday	
On-the night	£8.00	On-the-night	£7.00
Advanced/Online/Public Transport	£6.50	Advanced/Online/Public Transport	£6.60
Concession (on-the-night)	£7.00	Concession (on-the-night)	£6.00
Concession (Advanced/Online)	£5.50	Concession (Advanced/Online)	£4.50
Child (<16yrs)	FREE	Child (<16yrs)	FREE

## 2.2 Delegated Powers

It is recommended that the Illuminations Event Officer is given delegated authority to make operational decisions in relation to the staging of the 2019 event, in consultation with the Working Group and Head of Community & Environmental Services.

## 2.3 Illuminations Staff Roles

Staff roles will remain the same as previous years with a pay increase in line with the District Council's pay increase for 2019.

## 2.4 Health & Safety

Matlock Bath Illuminations must comply with recognised safety standards. The District Council is responsible under the Health and Safety at Work Act 1974 and its accompanying Regulations for the safety of everyone at the event including the public, employees and volunteers.

## 2.5 General

It is proposed that detailed monitoring takes place of the implementation of the above proposals to identify their impact.

### **3 RISK ASSESSMENT**

#### **3.1 Legal**

The proposals in the report are covered by the general powers of competence contained in the Localism Act 2011. Sponsorship of the event will be in accordance with the District Councils sponsorship protocol. The event is also comprehensively risk assessed during the planning stage to mitigate the risk of harm to visitors. The legal risk is therefore low to medium.

#### **3.2 Financial**

The 2018 event is expected to result in a surplus of £46,568, which is £28,088 more than the budgeted surplus. This means that there is sufficient to re-invest £15,000 in the 2019 event, subject to Members' approval.

Officers manage this event in a way that aims to at least break even. There is a risk that expected income might not cover expenditure. This risk is assessed as 'medium'.

### **4 OTHER CONSIDERATIONS**

In preparing this report, the relevance of the following factors has also been considered: prevention of crime and disorder, equalities, environmental, climate change, health, human rights, personnel and property.

### **5 CONTACT INFORMATION**

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### **6 BACKGROUND PAPERS**

Illuminations Report Data

COMMUNITY AND ENVIRONMENT COMMITTEE  
10 JANUARY 2019

Report of Head of Regeneration and Policy

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## **DERBYSHIRE DALES STATEMENT OF COMMUNITY INVOLVEMENT 2018**

### **PURPOSE OF REPORT**

This report outlines the outcomes of the public consultation exercise undertaken in respect of the Derbyshire Dales Statement of Community (SCI). It also recommends revisions to the content of the SCI and seeks approval for its adoption with immediate effect.

### **RECOMMENDATION**

That the revised Statement of Community Involvement (SCI) 2018 as set out in Appendix 2 is adopted and brought into use with immediate effect.

### **WARDS AFFECTED**

All outside the Peak District National Park.

### **STRATEGIC LINK**

A Statement of Community Involvement sets out the standards of community engagement that the District Council will seek to achieve in respect of the delivery of its Planning functions. As such the Statement of Community Involvement will support the Council's Corporate values of working in partnership with communities, businesses and residents and being open and transparent in decision making.

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## **1. BACKGROUND**

- 1.1 Section 18 of the Planning and Compulsory Purchase Act 2004 (as amended by the Planning Act 2008, the Localism Act 2011 and the Neighbourhood Planning Act 2017) requires that local planning authorities prepare a Statement of Community Involvement (SCI).
- 1.2 The purpose of the SCI is to explain to local communities and stakeholders how they will be involved in the preparation, alteration and review of Local Plans and also in the determination of planning applications. Local planning authorities are also required to set out in the SCI their policies for giving advice or assistance to neighbourhood planning groups and their policies for involving communities and other interested parties in the preliminary stages of plan-making.

- 1.3 The SCI helps to ensure that local communities have greater ownership over local planning decisions and are better able to shape the places where they live. The SCI defines the standards to be met by the District Council in terms of community involvement and stakeholder engagement.
- 1.4 The National Planning Policy Framework (NPPF) emphasises the role of community engagement in the planning system, setting out that “Plans should be prepared with the objective of contributing to the achievement of sustainable development, be shaped by early, proportionate and effective engagement between plan makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees.” (paragraph 16 NPPF). In respect of decision making the NPPF further emphasises that “early engagement has significant potential to improve the efficiency and effectiveness of the planning application system for all parties” (paragraph 39 NPPF).
- 1.5 The current Statement of Community Involvement (SCI) was brought into effect on 16<sup>th</sup> March 2016, at a time when the District Council was preparing the now Adopted Derbyshire Dales Local Plan. Whilst elements of the existing SCI remain up to date a review of the document has been undertaken to ensure the District Councils practices reflect statutory requirements and best practice.
- 1.6 As such, Members will recall that a Draft Revised SCI was presented to Community and Environment Committee on 13<sup>th</sup> September 2018. Members resolved that the revised SCI be subject to a period of six weeks public consultation, and that in the event of any substantive representations that a further report be presented to Committee. (Minute 137/18).
- 1.7 Public consultation was undertaken on the SCI for six weeks from 14<sup>th</sup> September to 26<sup>th</sup> October 2018. During this time copies of the document were made available to view in the libraries and leisure centres within the three market towns of Matlock, Ashbourne and Wirksworth and also at the District Council Offices at Town Hall. The SCI was made available on the District Councils website and consultees were encouraged to complete an online consultation survey questionnaire. Comments could also be submitted by letter and email. Additionally, targeted contacts on the Local Plan consultation database were informed of the revised SCI and how to submit representations.

## **2. RESULTS OF PUBLIC CONSULTATION**

- 2.1 During the six weeks public consultation a total of 3 completed responses were made using the online consultation survey, with an additional 5 responses received by post and/or email. Representations were received from members of the public and organisations including Derbyshire County Council, Sheffield City Council, Natural England, Highways England and the Environment Agency.
- 2.2 The main areas of concern were raised by Derbyshire County Council about planning process and regulations as well as data protection issues. The Statutory consultees who responded welcomed the document and suggested

no changes. The individuals who responded mainly took a view that the document does not reflect the Council's consultation practice. A summary of comments received and recommended modifications to the SCI in response are set out in Appendix 1.

2.3 The revised SCI is contained within Appendix 2.

### **3 RISK ASSESSMENT**

#### **3.1 Legal**

The proposals accord with the provisions of the relevant legislation, accordingly the legal risk is low.

#### **3.2 Financial**

The cost of officer time spent in preparing the Statement of Community Involvement can be met from existing budgets. There are no financial risks arising from this report.

#### **3.3 Corporate Risk**

The failure to comply with Government policy advice would constitute a strategic risk to the Council. However, the overall degree of risk is considered to be low.

### **4 OTHER CONSIDERATIONS**

In preparing this report the relevance of the following factors has also been considered: prevention of crime and disorder, equalities, environmental, climate change, health, human rights, personnel and property.

#### **Equality Considerations**

Derbyshire Dales District Council has a statutory duty under S.149 of the Equality Act 2010 to have due regard to the need to:

- Eliminate discrimination, harassment and victimisation
- Advance equality of opportunity; and
- Foster good relations between different groups

The District Council's commitment to equality and fairness is set out in the Equality Plan 2018-2019. This sets out that the District Council aims to embed consideration of equality in everything it does, including making equality an integral part of community involvement. The Equality Plan recognises that different groups require different forms of involvement to ensure their needs are met appropriately and sensitively. Equality interest groups to be engaged through the SCI are identified in Paragraph 2.10 of the SCI as set out in Appendix 2.

## 5 CONTACT INFORMATION

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## 6 BACKGROUND PAPERS

Description	Date	Location
Planning and Compulsory Purchase Act	13th May 2004	G/5/P2
Localism Act 2011	15th November 2011	G/5/P2
Town and Country Planning (Local Development) (England) Regulations 2012	6th April 2012	G/5/P2
Neighbourhood Planning Act 2017	27 <sup>th</sup> April 2017	G/5/P2
National Planning Policy Framework and Planning Practice Guidance	24 <sup>th</sup> July 2018	G/5/P2
Derbyshire Dales Local Plan	Adopted December 2017	G/5/P2
Derbyshire Dales Local Statement of Community Involvement	March 2016	G/5/P2

## 7 ATTACHMENTS

Appendix 1 – Consultation responses and officer comment.  
Appendix 2 – Derbyshire Dales Statement of Community Involvement – January 2019

## Appendix 1: Summary of Representations

Suggested additions and alterations to the SCI are shown underlined, deletions are shown ~~crossed-out~~.

Representor	Section	Summary of comments	Officer Comments
Derbyshire County Council	General	This is a comprehensive document that seems to meet most of the requirements of legislation, and is consistent with examples from other authorities. However, the document does not make reference to the General Data Protection Regulation (GDPR) and how each of the steps outlined in the 'Planning Applications' section would be compliant with it.	<p>Data protection and compliance with the requirements of the GDPR are important at all stages of planning and community involvement. It is considered that a generic section on data protection that signposts all aspects of the Council's data protection policy is most appropriate. Insert text:</p> <p><b><u>Data Protection</u></b></p> <p><u>2.26 The District Council understands the value of an individual's personal data and is committed to keeping it safe by fulfilling its obligations under, the Data Protection Act 2018 (DPA) and the General Data Protection Regulations GDPR.</u></p> <p><u>2.27 In order to assist the District Council with meeting its obligations it has created full suite of supplemental documents including a Data Protection Policy, Privacy Notice, Retention Guidelines &amp; Lawful Basis of Processing. These documents can be found on the District Councils website (<a href="http://www.derbyshiredales.gov.uk/your-council/data-information/data-protection">http://www.derbyshiredales.gov.uk/your-council/data-information/data-protection</a> )</u></p> <p><u>2.28 The District Council has also appointed a Data Protection Officer (DPO) to handle any queries or requests. Should you have any queries or would like to access your rights as a data subject please contact the DPO at <a href="mailto:dataprotection@derbyshiredales.gov.uk">dataprotection@derbyshiredales.gov.uk</a> or write to them at Derbyshire Dales District Council, Town Hall, Bank Road, Matlock, DE4 3NN</u></p>
Derbyshire County Council	General	There is no specific mention of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 and the 30 days consultation period for applications accompanied by an Environmental Statement, or of the Town and Country Planning (Local Authority Consultations Etc.) England Order 2018, which extends consultation periods for various types of	<p>Agreed that amended text is appropriate.</p> <p>Amended paragraph 7.23 to read: The dates on site notices and press advertisements give the same minimum period of 21 days for representations to be made (<u>unless the application involves Environmental Impact Assessment Development in which case 30 days will be given</u>).</p>



Representor	Section	Summary of comments	Officer Comments
		application.	<p>Amended paragraph 7.25 to read:  7.25 All neighbour notification letters will give a minimum period of 21 days <u>(30 days in the case of EIA applications)</u> for representations to be submitted, although this period will not necessarily coincide with the site notices and press advertisement.</p> <p>Amended paragraph 7.31 to read:  7.31 During the 21 days <u>(30 days in the case of EIA applications)</u> following the registration of the planning application the views of other statutory consultees or interested organisations will also be sought. The only exceptions to these arrangements are applications where the determining authority is not Derbyshire Dales District Council, applications for power lines, applications for certificates of lawful use or development and prior notifications. Such bodies as Natural England will be allowed a longer period of time to comment on applications where this is prescribed by legislation.</p> <p>Amended paragraph 7.38 to read:  The District Council normally has eight weeks from the date of <del>registration</del> <u>validation</u> in which to make a decision in the case of minor applications and 13 weeks for major applications <u>and 16 weeks for Environmental Impact Assessment development</u>, unless an extension of time has been agreed with the applicant. The vast majority of planning applications are determined by the District Council's Development Manager in accordance with the Council's scheme of delegation, which was adopted in 2015.</p>
Derbyshire County Council	General	The SCI covers public engagement in the local plan, neighbourhood plan and planning application processes but no reference is made to the District Council's proposals for adopting a Community Infrastructure Levy, which will include a number of stages of community engagement and consultation, such as the proposed Charging Schedule, Regulation 123 List, and through the subsequent examination process. This could usefully be included in the SCI.	A reference to CIL is not included in the SCI as it does not form part of planning policy and is governed by separate legislation. The District Council has formally withdrawn from the CIL process. No change is necessary.

Representor	Section	Summary of comments	Officer Comments
Derbyshire County Council	5.13	This paragraph provides limited details of the Local Plan examination process and could be expanded to include reference to the fact that, once the examination has been arranged, the Inspector will publish a schedule of his/her Main Matters, Issues and Questions, which will be considered at the Local Plan hearing sessions and invite written comments on the matters from interested parties (through hearing statements), who will also be invited to attend the hearing sessions to present their views orally to the Inspector.	Agreed an inserted paragraph would clarify the EIP process. Additional paragraph 5.14 to read: <u>Examination in Public (EIP)</u> <u>5.14 Once the Examination in Public is arranged the Inspector publishes a schedule of main matters, issues and questions which will form the basis of discussions at the EIP. The Programme Officer invites comments on the matters and coordinates who attends each session to make their views orally to the Inspector.</u>
Derbyshire County Council	6.12-6.17	These paragraphs are considered to provide thorough and comprehensive details of the requirements of the 'Duty to Cooperate' between Derbyshire Dales District Council and other local planning authorities, including Derbyshire County Council on strategic and cross boundary planning matters. Paragraph 6.14 could make specific reference to the fact that the District Council will cooperate with Derbyshire County Council on relevant issues 'particularly the provision of new and improved infrastructure to support development such as schools, roads and green infrastructure'.	Amend paragraph to reflect comments. Amended paragraph 5.43 (previously 6.12) to read: The District Council will work together with other neighbouring authorities on areas of common interest in order to achieve mutual benefits. The District Council will also cooperate with Derbyshire County Council on relevant issues, <u>for example the provision of new and improved infrastructure to support development such as schools, roads and green infrastructure,</u> and work in consultation with Local Enterprise Partnerships, Sheffield City Region'D2N2 and both the Peak District Local Nature Partnership and the Lowland Derbyshire and Nottinghamshire Local Nature Partnership Local Nature Partnership. In addition the District Council will work collaboratively with private sector bodies, utility and infrastructure providers.
Derbyshire County Council	7.1	This states: "This SCI must also outline how the community will be involved in the determination of individual planning applications." It is unclear what is meant by 'must' here. The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) require that a SCI is produced and reviewed every five years but DCC is not aware that there is a similar requirement in respect of development management. Legislatively, a planning authority is required to undertake certain forms of consultation/publicity/community involvement in the context of the planning application process. DCC would suggest that it would be better for the document to say,	This is correct, there is no legislative requirement to produce a SCI in relation to development management, however development management is implementing planning policy on a daily basis and has a very active public interface it is considered appropriate to retain this section. Paragraph 7.1 to be amended to remove reference to any obligation.  Paragraph 7.1 to read: <del>This SCI must also outline how the community will be involved in the determination of individual planning applications.</del> The Council encourages the community to be involved in all the different types, and scale of applications for planning permission for which it is the local planning authority. Any comments and

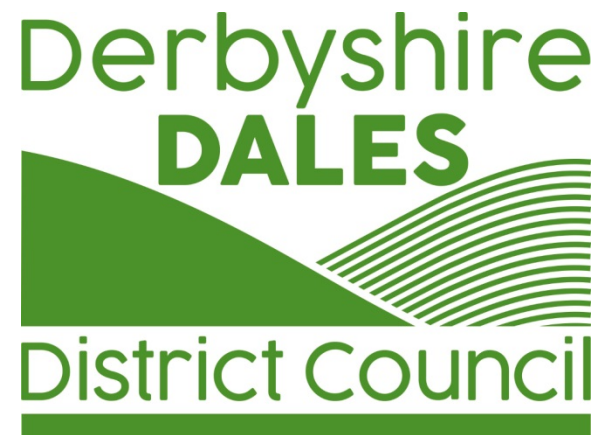
Representor	Section	Summary of comments	Officer Comments
		'that in addition to the requirements of the 2012 regulations, DDDC is also subject to the requirements of other legislation that prescribe that consultation and publicity should be undertaken in respect of planning applications. For the purposes of consistency, those requirements are also included here.....'	representations received on an individual planning application are taken into account in its determination. This does not, however, extend to applications for planning permission within the Peak District National Park, as these are the responsibility of the Peak District National Park Authority. Similarly the Council does not deal with minerals and waste applications, as these are the responsibility of Derbyshire County Council.
Derbyshire County Council	7.16	This refers to keeping a list of those people to whom neighbour notification letters have been sent. DCC would question whether or not this is compliant with the GDPR legislation.	The practice of keeping a record of neighbour notification letters is compliant with the requirements of the GDPR. Suggested amended wording of paragraph 7.17 (previously 7.16) to reflect this. Amended paragraph 7.17 to read; A clear written record of the addresses to which neighbour notification letters have been sent and the date is kept on the paper and the application file in the form of a consultation checklist. <u>This is in accordance with the Council's data protection policies.</u>
Derbyshire County Council	7.22	The 30 days consultation period for applications under the Environmental Impact Assessment Regulations should also be mentioned.	Agreed. amended paragraph 7.23 (previously 7.22) to read: The dates on site notices and press advertisements give the same minimum period of 21 days for representations to be made <u>(unless the application involves Environmental Impact Assessment Development in which case 30 days will be given).</u>
Derbyshire County Council	Consultation Period	The Town and Country Planning (Local Authority Consultations Etc.) (England) Order 2018 extends periods of public consultation before decisions are made to grant planning permission, permission in principle, listed building consent and certain prior approvals for development which is the subject of permitted development rights by one day for each bank or public holiday which occurs during specified periods. This should be mentioned.	Agreed that this would add further clarity to the document. Additional paragraph 7.8 to read: <u>The Town and Country Planning (Local Authority Consultations Etc.) (England) Order 2018 extends periods of public consultation before decisions are made to grant planning permission, permission in principle, listed building consent and certain prior approvals for development which is the subject of permitted development rights, by one day for each bank or public holiday which occurs during specified periods.</u>
Derbyshire County Council	7.37	There is no mention of Environmental Impact Assessment (EIA) development, and the 16 week time limit for determination of an EIA application.	Agreed. Amended paragraph 7.38 (previously 7.37) to read: The District Council normally has 8 weeks from the date of registration in which to make a decision in the case of minor applications, <del>and</del> 13 weeks for major applications <u>and 16 weeks for Environmental Impact Assessment development,</u> unless an extension of time has been agreed with the applicant. The vast majority of planning applications are determined by the District

Representor	Section	Summary of comments	Officer Comments
			Council's Development Manager in accordance with the Council's scheme of delegation, which was adopted in 2015.
Derbyshire County Council	7.46-7.50	These paragraphs consider the appeals process. DCC would suggest that there should be a separate section relation to a legal challenge, which also sets out the relevant timescales.	Inclusion of an additional paragraph would add to the clarity of the document. Insert paragraph 7.52 (previously 7.51) to read: <u>Planning decisions made by the Local Planning Authority or the Planning Inspectorate can be challenged in the courts, within 6 weeks from the date of the decision, if there is evidence that the process by which the decision was made was unlawful.</u>
Derbyshire County Council	9.0 Monitoring and Review	Whilst the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) are referred to on a number of occasions, no specific reference is made to the Town and Country Planning (Local Planning) (England)(Amendment) Regulations 2017 which have introduced the requirement to review the SCI every five years following the date of its adoption.	Agreed that further clarity is needed on this point. The 2017 regulations introduced a five year review of the SCI from the point of adoption. Amend paragraphs as follows:  <del>Amend Paragraph 9.4 :-This SCI will be reviewed within the AMR. This will allow the District Council an opportunity to build on the commitments made and learn from experience. Where necessary, the SCI will be updated to reflect changing priorities. Any modifications to SCI will be undertaken in accordance with the Town and Country Planning (Local Planning) (England) Regulations (2012).</del> Amend paragraph 9.6, (renumbered as 9.4): <u>A review of the Statement of Community Involvement will be completed every five years, starting from the date of adoption, in accordance with s23 of the Act and the Town and County Planning (Local Planning) (England)(Amendment) Regulations 2017. The Statement of Community Involvement will be revised appropriately, according to the findings of the review.</u>
Derbyshire County Council	Appendix: List of Consultees	It would be clearer if the Appendix differentiated between: a) the different types of consultation bodies, to reflect the different pieces of legislation; and b) local plan and development management requirements (Schedule 4 of the Town and Country Planning (Development Management Procedure) (England) Order 2015)	The list is intended to act as a indicative guide for the public, planning officers undertaking the different aspects of consultation will ensure that the relevant legislation and regulations are complied with. No change is considered necessary.
Derbyshire County Council	Appendix: Government Departments	The list excludes the Department for Business, Energy and Industrial Strategy.	The list is intended to be as accurate as possible at the point of publication. Suggest that an introductory paragraph is included in order to clarify this point. In addition an amendment to the list to include the Department for Business, Energy and Industrial Strategy

Representor	Section	Summary of comments	Officer Comments
			Amended paragraph to read: <u>It should be noted that this list is not exhaustive and also relates to successor bodies when reorganisations occur. It is recognised that organisations may change, regulations that set out who should be consulted may also change before the next review of the SCI. The District Council will consult with the most appropriate bodies, in accordance with the Regulations at the point in time that the consultation occurs.</u>
Derbyshire County Council	Appendix: Other Stakeholders	Derbyshire Chamber of Commerce and Industry is now part of 'East Midlands Chamber (Derbyshire, Nottinghamshire, Leicestershire)'.	Amend text to correct this organisation's title. <del>Derbyshire Chamber of Commerce and Industry</del> <u>East Midlands Chamber (Derbyshire, Nottinghamshire, Leicestershire)</u>
Derbyshire County Council	Appendix	Stylistically, several appendices are in different formats and font sizes. This could be improved to provide a consistent appearance.	Typographical error corrected.
Derbyshire County Council	Paragraph 6.13	There are words missing in the final sentence.	Agreed, amended paragraph 6.13 to read; The National Planning Practice Guidance provides further advice as to how such statements of common ground should be prepared, maintained, <u>kept</u> up to date and made publically available.
Derbyshire County Council	Paragraph 6.14	There should be a comma rather than an apostrophe after Sheffield City Region.	Typographical error corrected.
Environment Agency	General	We wish to highlight that the Environment Agency now charges for advice requested outside of the statutory duty to respond to planning applications and strategic documents. Therefore if an applicant or the Local Authority would like advice or Environment Agency involvement in any application or strategic document outside of the statutory process, we would ask that they contact the Environment Agency directly at <a href="mailto:planning.trentside@environment-agency.gov.uk">planning.trentside@environment-agency.gov.uk</a> . We will be able to offer details on what we offer and the costs associated with this.	Noted, no change is necessary.
Highways England	General	Welcome clear policy set out by the Council to engage with the public to help ensure that the entire cross section of the local population has the opportunity to be involved in all stages of the planning process.	Noted, no change is necessary.

<b>Representor</b>	<b>Section</b>	<b>Summary of comments</b>	<b>Officer Comments</b>
Natural England	General	We are supportive of the principle of meaningful and early engagement of the general community, community organisations and statutory bodies in local planning matters, both in terms of shaping policy and participating in the process of determining planning applications.	Noted, no change is necessary.
Sheffield City Council	General	Welcome the SCI as part of the duty to cooperate. The City Council welcomes the statements made in paragraphs 6.14-6.17 which outline that the District Council will work with neighbouring authorities on areas of common interest, will ensure strategic priorities are coordinated and reflected within the Local Plan and address matters relating to the extent of the strategic housing market area and overall development needs of the area.	Noted, no change is necessary.
Respondent 1	Q4: community involvement in plan making	In the opinion of many, if not most Dales residents, the DDDC pays lip service to community involvement and simply goes through the motions of planning "consultations", ignoring the often valid concerns of the public.	The District Council follows the processes set out in the planning regulations and National Planning Policy Guidance. In terms of Local Plan making this involves considering all comments made and at some stages of local plan making setting out a response to each comment received. In terms of planning applications all comments received are considered as part of the planning application assessment. No change is necessary
Respondent 1	Q5: involvement in local planning	The latest Local Plan was an appalling example of bureaucratic steamrolling through of a local plan which adversely affected so many people. The body language of the planning officers at the public meetings and their refusal to answer questions was an absolute disgrace. A slap in the face to the public.	The SCI sets out the mechanisms, methods and process of consultation in planning. It is not intended to review specific events. No change is necessary.
Respondent 1	Q6: involvement in neighbourhood planning	Having heard a DDDC planning officer say at a public meeting that a neighbourhood plan would only be effective in influencing planning decisions if it is first approved by DDDC planning, there seems little point in trying to produce one.	The SCI sets out the mechanisms, methods and process of consultation in planning. It is not intended to review specific events. No change is necessary.
Respondent 1	Q7: determination of	There is no "community involvement" when you state that.... "The vast majority of planning applications are determined by the District Council's Development	Delegated authority for decisions on planning applications takes place after consultation has been carried out in accordance with scheme delegation adopted in 2015. The case officer will make

<b>Representor</b>	<b>Section</b>	<b>Summary of comments</b>	<b>Officer Comments</b>
	planning applications	Manager in accordance with the Council's scheme of delegation, which was adopted in 2015"... and of course there is no right of appeal against the decision of one individual.....	reference to all public comments received in their assessment of a development proposal and address them where material / relevant (in planning terms) in their officer report. The applicant has a right of appeal against any decision to refuse planning permission and any conditions attached to an approval. Third parties are also able to challenge the lawfulness of decisions made in the Courts. No change is necessary.
Respondent 1	Q8: monitoring and review	It's one thing writing down fine words. Another thing putting them into practice. There is no real "community involvement" in DDDC Planning.	The SCI sets out the mechanisms, methods and process of consultation in planning. Community involvement that goes beyond the legislative requirements would require additional resources and at this point in time the District Council does not have the resources available. No change is necessary.
Respondent 2	Q7: determination of planning applications	Yes, I note that there is no requirement for the planning authority to respond to any of the public/neighbour comments or objections to a specific application. This will inevitably gives rise to the feeling that it is merely a 'box ticking' exercise and that any comments are ignored.	The District Council does not acknowledge receipt of representations received. All representations are, however, published on the Councils website and any comments, which are material to the consideration of the application, are referenced and addressed in the case officer's report. No change is necessary.
Respondent 2	Q9: Other comments	While it is relatively easy to write documents such as the Statement of Community Involvement, the acid test is the effective implementation. If this is not perceived as being effective, straightforward and honest then it will not be believed and the written statement is worthless.	Noted, no change is necessary.
Respondent 3	Q3	Yes	Noted, no change is necessary.
Respondent 3	Q4	Yes	Noted, no change is necessary.
Respondent 3	Q6	Yes	Noted, no change is necessary.
Respondent 3	Q7	Yes	Noted, no change is necessary.
Respondent 3	Q8	Yes	Noted, no change is necessary.
Respondent 3	Q9	Probably	Noted, no change is necessary.



**DERBYSHIRE DALES**  
**STATEMENT OF COMMUNITY INVOLVEMENT**  
**January 2019**



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## DERBYSHIRE DALES

### STATEMENT OF COMMUNITY INVOLVEMENT

#### 1.0 INTRODUCTION

- 1.1 Section 18 (Part 2) of the Planning and Compulsory Purchase Act 2004 (as amended by the Planning Act 2008, the Localism Act 2011 and Neighbourhood Planning Act 2017) requires Local Authorities to produce a Statement of Community Involvement (SCI) which sets out the authority's policy on the involvement of those who have an interest in matters relating to development in their area.
- 1.2 The Town and Country Planning (Local Planning) (England) Regulations 2012 set out the minimum requirements for Local Authorities in terms of community involvement when preparing Local Plans. These statutory requirements underpin the SCI, which itself sets out the wider steps that the District Council will take to involve and engage the community in all elements of plan making and the determination of planning applications.
- 1.3 The Localism Act 2011 also places greater emphasis upon community involvement by empowering local communities to get involved in the plan making process in their area. The Localism Act also updates the Planning and Compulsory Purchase Act 2004 requirement that local planning authorities should produce a Local Development Scheme (LDS). An updated LDS was adopted by the District Council at a meeting of Community and Environment Committee on the 13<sup>th</sup> September 2018. The LDS sets out the Council's programme for the preparation and review of Local Development Documents over a three year period. A copy of the revised LDS can be downloaded from the Council's website at: [www.derbyshiredales.gov.uk/LDS](http://www.derbyshiredales.gov.uk/LDS)
- 1.4 There is a clear emphasis through national planning policy on encouraging early and consistent community involvement. The National Planning Policy Framework emphasises the role of community engagement in the planning system, setting out that "Plans should be prepared with the objective of contributing to the achievement of sustainable development, be shaped by early, proportionate and effective engagement between plan makers and communities, local organisations, business, infrastructure providers and operators and statutory consultees" (paragraph 16 NPPF). Furthermore the NPPF states "plans should be accessible through the use of digital tools to assist public involvement and policy presentation" (paragraph 16 NPPF). In respect of decisions making the NPPF further emphasises that "early engagement has significant potential to improve the efficiency and effectiveness of the planning application system for all parties" (paragraph 39 NPPF).
- 1.5 It is therefore of great importance to involve the community within the planning process and the SCI outlines the District Council's process of doing so. The SCI not only sets out how the District Council will seek to engage with the community in all stages of plan making, but also how the District Council will engage with the community in the determination of planning applications. It is designed to ensure that members of the public have a clear understanding of when and how they can participate in both the plan making process and within the decision making process in regard to planning applications.

- 1.6 The current SCI was adopted in 2016 at a time when the District Council was preparing the now adopted Derbyshire Dales Local Plan. The Derbyshire Dales Local Plan was adopted on 7<sup>th</sup> December 2017 and sets out up to 2033 the overall vision, objectives and policies for the future development of those parts of the Derbyshire Dales that lie outside the Peak District National Park. The Local Plan provides a strategy for the spatial development of Derbyshire Dales and provides a framework for promoting and controlling development. The Plan allocates sites for housing and employment development and provides development management policies for the use in the determination of planning applications. The Adopted Local Plan can be viewed here: [www.derbyshiredales.gov.uk/Localplan](http://www.derbyshiredales.gov.uk/Localplan)
- 1.7 Whilst elements of the existing SCI continue to remain up to date and do not require significant revision a review of the document has been undertaken to ensure the District Councils practices in relation to community engagement on planning matters are articulated clearly and the contents of the SCI reflect statutory requirements and best practice.

## **2.0 OUR COMMITMENT TO COMMUNITY INVOLVEMENT**

- 2.1 The District Council already has considerable experience of engaging with the local community and has been particularly successful in working with the community and its partners in the Peak District Partnership (PDP). This partnership draws together organisations working in the Derbyshire Dales and High Peak from the statutory, voluntary and business sectors. The PDP aims to use resources collectively to tackle key priorities. It recognises the importance of working together, highlighting how more can be achieved this way.
- 2.2 The District Council is also an active participant in the Derbyshire Community Engagement Group. The group comprises public sector organisations in Derbyshire that have statutory responsibilities for carrying out consultation with the public. Its membership includes; Derbyshire County Council, Derbyshire Fire and Rescue Service, High Peak and Dales Primary Care Trust and Derbyshire Constabulary. The aim of the Group is to share resources and expertise and develop best practice in research and consultation across the public sector.
- 2.3 The District Council has a number of plans and strategies in place which relate to community involvement. This SCI builds upon approaches set out in such plans and strategies including the Council's Corporate Plan 2015-2019, Consultation and Engagement Strategy 2014-2019 and the Communications and Marketing Strategy 2017, further information on which is set out below:

### **Corporate Plan 2015-2019**

- 2.4 Working in partnership with communities, businesses and residents and being open and transparent in decision making are the District Council's Core Values as set out in the Corporate Plan. Listening to people and working with partners will ensure that communities are involved in processes that underpin all work undertaken by the Council.
- 2.5 A copy of the Corporate Plan can be found at: [http://www.derbyshiredales.gov.uk/images/documents/C/Corp\\_Plan\\_2015\\_-\\_Council\\_Corporate\\_Plan.pdf](http://www.derbyshiredales.gov.uk/images/documents/C/Corp_Plan_2015_-_Council_Corporate_Plan.pdf)

### **Consultation and Engagement Strategy 2014-2019**

- 2.6 The District Council's Consultation and Engagement Strategy 2014-2019 recognises that policies have a more lasting impact and services are more responsive to local need if influenced directly by those whom they affect. It also sets out other benefits of involving people including improving customer perceptions and satisfaction, to reduce inequalities, to strengthen local democracy and to enhance community cohesion.
- 2.7 For consultation and engagement to be effective the views of residents, service users, local businesses, voluntary and community sector organisations, partners and other stakeholders will be sought and listened to with the results used to improve the Council's decisions. The Council is committed to working with these different stakeholder groups to ensure the priorities of the Council, the policies it makes and

services it provides are shaped through local engagement. This strategy also supports one of the core values of the District Council, listening to people.

- 2.8 The District Council uses a range of methods in order to access a range of people. This involves:
- Website surveys and polls
  - Residents' surveys
  - Area Community Forums
  - Public meetings, exhibitions and 'drop-in' sessions
  - Focus Groups
  - Business breakfasts and evening meetings
  - Parish and town council conferences
  - Attending meetings and events with representatives of hard to reach groups and holding engagement events in venues used by these groups.
- 2.9 Where possible the District Council will work with partners, including those on the Peak District Partnership, to enhance the District Council's capacity to engage using existing networks. The District Council also continuously strives to improve on their approach by developing alternative methods of engagement, increasing local area working and developing a better understanding of its customers.
- 2.10 The strategy identifies people with disabilities, young people and businesses as the main hard to reach groups which will be particularly targeted. Countywide representative bodies such as Derbyshire LGBT, BME forum, Derbyshire Gypsy Liaison Group, 3D Voluntary and Community Sector Infrastructure Consortium, Learning Disabilities Partnership Board and Derbyshire and Nottinghamshire Chamber of Commerce will also be engaged as appropriate to seek the views of their members.
- 2.11 The District Council's Consultation and Engagement Strategy can be found at: [http://www.derbyshiredales.gov.uk/images/documents/C/Consultation\\_and\\_Engagement\\_Strategy\\_2014-2019.pdf](http://www.derbyshiredales.gov.uk/images/documents/C/Consultation_and_Engagement_Strategy_2014-2019.pdf)

### **Area Community Forums**

- 2.12 Local communities can also be involved in planning matters through the District Council's Area Community Forums. The Area Community Forums are an opportunity for members of the public, representatives from community groups and the voluntary and business sector to meet with Officers and Councillors from the District Council and partner organisations such as the Peak District National Park Authority, Derbyshire County Council and Fire, Police and Health Authorities. The Forums are held twice a year in three different public venues each time. Planning matters are generally included on the agenda of such forums along with wider issues. Each session normally covers 2 or 3 subjects plus an allocated session for general questions.
- 2.13 The forums are open to anyone to attend and they are publicised to Community Groups, Town and Parish Councils and more widely through the District Council's website and social media and through the use of a database of interested parties.

## **Communications and Marketing Strategy**

- 2.14 The District Council approved its Communications and Marketing Strategy in September 2014, the strategy's action plan is updated annually and was most recently updated in September 2017. Its aim is to provide a clear understanding and a positive perception of the District Council's visions, aims, values, services and achievements to all staff, residents, partners and everyone who deals with the Council in order to achieve higher levels of satisfaction and engagement. The focus of the strategy is to support and enhance the activities of Derbyshire Dales District Council through effective communications.
- 2.15 The District Council will:
- Secure and strengthen the reputation of the council in the community as an effective and efficient provider of high quality outcomes – focused on our values and priorities
  - Build and maintain a professional corporate identity for consistent and co-ordinated use throughout the organisation
  - Promote the image of the council as an effective, efficient and listening organisation focused on the public and their needs
  - Ensure that communications are consistent and co-ordinated across all channels to give maximum support to the council's strategic priorities.
  - Ensure all staff understand the priorities of the council and feel valued and able to contribute to major changes affecting services they provide
  - Ensure that communications activities reflect the full diversity of the community and help ensure equality of access to our services.
- 2.16 The District Council will also increase its efforts to understand what local communities are saying and aims to help communities to help themselves through:
- Giving individuals more say about the services and support they receive
  - Empowering communities to do more for themselves and giving them the tools they need for community actions
  - Recognising that some areas need more help than others and that, with a little support they can get their ideas off the ground.
  - Supporting the transfer of buildings and other assets to community ownership so that they can become hubs for local activity which are flexible and responsive to local needs.
- 2.17 The Communications and Marketing Strategy can be found at:  
[http://www.derbyshiredales.gov.uk/images/documents/C/Communications\\_Marketing\\_Strategy\\_updated\\_September\\_2017.pdf](http://www.derbyshiredales.gov.uk/images/documents/C/Communications_Marketing_Strategy_updated_September_2017.pdf)

## **Equality Plan: Action Plan 2018-2019**

- 2.18 The District Council has statutory duties under the Equality Act 2010 which should be considered across all the District Council's Public Functions. Three broad aims which the District Council must have due regard to under the Equality Act 2010 S.149 are the need to eliminate discrimination, victimisation and harassment, advance equality of opportunity and foster good relations between different groups.

- 2.19 The Equality Act 2010 (Specific Duties) Regulations 2011 sets out further specific duties which support the delivery of the above aims. These require the District Council to publish annually equality information about its workforce and service users, set equality objectives and specify the steps it will take to achieve them, at least every four years. The Equality, Consultation and Engagement Plan 2018-2019 supports the delivery of the District Council's equality duties.
- 2.20 The District Council is therefore committed to the implementation of the Equality, Consultation and Engagement Plan. The associated action plan sets out the equality improvements identified for 2018-2019 as:
- Work with partners to help enable more young people to access employment opportunities in the Dales
  - Enhance opportunities for vulnerable people to access suitable housing and live independently at home for longer
  - Provide services which reflect the communities of the Derbyshire Dales and are accessible to all users
  - Agree and progress the corporate programme of priority Equality Impact Assessments
  - Service Reviews of any potential equality impacts to be identified through EIA's
- 2.21 Equalities data will continue to be monitored in order to understand the customers of council services in order to make relevant improvements.
- 2.22 The Equality Plan 2018-2019 can be found at:  
[http://www.derbyshiredales.gov.uk/images/E/Eq\\_Cons\\_Eng\\_Plan\\_2018-19\\_FINAL.pdf](http://www.derbyshiredales.gov.uk/images/E/Eq_Cons_Eng_Plan_2018-19_FINAL.pdf)

### **Statement of Priorities 2015-2019**

- 2.23 The Peak District Partnership (PDP) has produced a statement of priorities which covers the period of 2015 to 2019. This builds upon the Sustainable Community Strategy 2009-2014 and provides a framework for the organisations involved to co-ordinate their actions on shared priorities. The aim of the partnership is to:
- Adopt and actively promote a shared vision for the area.
  - Identify and address gaps in partner delivery and focus on those areas where, by co-ordinating effort, more can be achieved through partnership working
  - Shape and challenge – as a critical friend – wider activities, initiatives and proposals impacting on the area to ensure they reflect Peak District priorities
  - Link existing and initiate new actions to support the economy and health & wellbeing priorities of the Peak District, avoiding any duplication between partners. Exchange and disseminate best practice amongst and beyond the Partnership
- 2.24 The vision for the Partnership for the next five years is for the Peak District to be a distinctive, high quality, rural environment with people of all ages who are healthy, high-wage high-skill jobs, affordable, decent homes for local people, towns and villages that offer a high quality of life.
- 2.25 The two main priorities of the Partnership are to maximise the benefits for Peak District communities from programmes aimed at stimulating growth and to reduce



health inequalities and improve wellbeing in the Peak District, focusing on individuals and communities with poorer health or difficulty accessing services.

## **Data Protection**

- 2.26 The District Council understands the value of an individual's personal data and is committed to keeping it safe by fulfilling its obligations under, the Data Protection Act 2018 (DPA) and the General Data Protection Regulations GDPR.
- 2.27 In order to assist the District Council with meeting its obligations it has created full suite of supplemental documents including a Data Protection Policy, Privacy Notice, Retention Guidelines & Lawful Basis of Processing. These documents can be found on the District Councils website (<http://www.derbyshiredales.gov.uk/your-council/data-information/data-protection> )
- 2.28 The District Council has also appointed a Data Protection Officer (DPO) to handle any queries or requests. Should you have any queries or would like to access your rights as a data subject please contact the DPO at [dataprotection@derbyshiredales.gov.uk](mailto:dataprotection@derbyshiredales.gov.uk) or write to them at Derbyshire Dales District Council, Town Hall, Bank Road, Matlock, DE4 3NN

### **3.0 GETTING INVOLVED IN PLANNING**

- 3.1 This section of the Statement describes how to get involved in the planning process. It identifies the documents, plans and policies upon which the District Council will be seeking community involvement upon and establishes when community involvement will be sought and who will be involved. Throughout this document the following definitions for community involvement will be used.

#### **Information Giving**

- 3.2 This is the simplest level of engagement and is simply about providing information to stakeholders. Although it is a form of engagement in itself, information-giving underpins all other levels of engagement as it is essential that participants are provided information (in varying detail and formats) about the issues upon which they are being engaged so that they are able to make informed and considered choices. Participants should also receive feedback after engagement has been completed and this is, in itself, an information-giving exercise.

#### **Consultation and Learning**

- 3.3 Ensuring that consultation is undertaken which benefits both parties. Consultation exercises will enable the community to learn more about planning and for the council to learn more about the needs of communities.

#### **Involvement**

- 3.4 At this level the community and stakeholders are actually involved in decision making and deciding together on the future of their neighbourhoods and other decisions that affect their lives. This gives the community the power to choose, without fully sharing the responsibility for action.

## **4.0 THE ROLE OF COMMUNITY INVOLVEMENT IN PLAN MAKING**

- 4.1 There are various planning policy documents prepared by the District Council, all with requirements for preparation, public involvement and consultation. Derbyshire Dales District Council is the Local Planning Authority for those parts of the Derbyshire Dales that lie outside the Peak District National Park. The National Planning Policy Framework (NPPF) commits the Government to the principle of a plan-led system where decisions on planning applications are made in accordance with the development plan unless material considerations indicate otherwise. The NPPF sets out the importance of Local Plans as being key to delivering sustainable development that reflects the vision and aspirations of local communities.
- 4.2 Local Plans should be shaped by early, proportionate and effective engagement between plan makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees. Local Plans should reflect the collective vision and priorities of the community and therefore a wide selection of the community should be involved in the process. Community involvement and engagement will therefore be sought throughout the process of the development of the Derbyshire Dales Local Plan. Furthermore the NPPF requires that Plans should contain policies that are clearly written, so it is evident how a decision maker should react to development proposals (paragraph 16 NPPF).

### **Consultation and the Local Plan Preparation Process**

- 4.4 The following sections set out the various elements of the Local Plan preparation process. Details are given of the consultation arrangements for each of the various stages in the preparation of documents and policies. The range of local groups that the District Council will seek to involve at each stage and how this involvement will be facilitated are also highlighted.
- 4.5 The District Council will seek to involve people at an early stage in the Local Plan preparation process. This will aim to seek consensus on essential issues early in the plan preparation process. By enabling individuals, organisations and the District Council to share knowledge and views at this initial stage about which options and proposals are being considered, there will be a genuine opportunity for people to influence plan content.
- 4.6 Local Plan and Supplementary Planning Documents vary in scope and scale and in the degree to which they impact on people's lives and the neighbourhoods in which they live. It is recognised that public interest in documents will vary according to the nature of their content, thus the style and scope of public consultation will be appropriate and relevant to the policy decision at issue.
- 4.7 There are numerous groups that the District Council already involves in the planning process. A long list of the groups the District Council proposes to involve in plan making is set out in Appendix 1. This is not a definitive list as many smaller groups are not included because they change more frequently. The District Council will maintain a database of organisations that make up this 'long list' and as part of the annual review of this SCI seek to ensure that the details of the organisations on the 'long list' as set out in Appendix 1 are kept up to date.

- 4.8 The District Council will employ a range of methods at each stage of the preparation and revision of the Local Plan. Further details of each method, along with the relevant merits of each of the methods are set out in Appendix 2.
- 4.9 The Local Development Scheme (LDS) sets out the Council's key planning documents and the timetable for their preparation. A copy of the LDS can be downloaded from the District Council's website:  
[www.derbyshiredales.gov.uk/LDS](http://www.derbyshiredales.gov.uk/LDS)

## **5.0 LOCAL PLAN DOCUMENTS**

5.1 Several distinct stages are involved in the preparation of a Local Plan as specified by the Town and Country Planning (Local Planning) (England) Regulations 2012. These are:

- Evidence Gathering
- Preparation of Local Plan (Regulation 18)
- Publication of Local Plan (Regulation 19 and 20)
- Submission of Local Plan to Secretary of State and Examination (Regulation 22)

Community involvement in the preparation of the Local Plan is a continuous process which is undertaken at each of the distinct stages.

### **Evidence Gathering**

5.2 At this stage the District Council gathers relevant social, economic and environmental information to provide a comprehensive and robust evidence base for plan preparation. The evidence base consists of a wide range of studies, plans and strategies provided by a wide range of organisation, not just the District Council. The evidence base is updated as required to inform development plan preparation. The District Council will provide notification, where appropriate when new evidence is published to encourage involvement in the early and initial stages of plan making.

### **Preparation of the Local Plan**

5.3 Previous regulations specified that at this stage consultation on “Issues and Options” and “Preferred Options” had to be undertaken as a statutory requirement however the Town and Country Planning (Local Planning) (England) Regulations 2012 has removed this requirement. There is now therefore greater flexibility as to how the District Council undertakes consultation at this ‘preparatory’ stage.

5.4 The District Council is however required under Regulation 18 to notify consultation bodies whom they feel may have an interest in the subject of the Local Plan and other consultation bodies deemed appropriate. In addition residents or those carrying on business within the area will also be asked to make representations at this stage. The District Council will then take into account such comments prior to the next stage.

5.5 The District Council’s database of organisations will be used as a starting point for contacting those with an interest in the Local Plan. Additional members of the public will also be contacted and appropriate publicity undertaken.

5.6 At this stage a number of consultation methods will be utilised by the District Council in order to engage effectively with the public and consultation bodies including:

- Documents made available for review at Council Offices and Libraries and on the website
- Newsletters and Leaflets published which detail and provide an opportunity to comment on the issues and options
- Public Meetings/Surgeries
- Workshops with representatives of range of issue or interest areas

## **Publication of Local Plan**

- 5.7 Following the completion of the preparatory consultation the District Council will consider the contents of the comments made, and where appropriate seek to take them into account. At this stage the District Council will consider that the Draft Local Plan is sufficient to be able to be submitted to the Secretary of State for independent examination.
- 5.8 The Draft Local Plan will be subject to public consultation alongside a Statement of the Representations in accordance with Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012. A statement of the fact that the Local Plan is available for inspection and the places and times at which it can be inspected will also be published.
- 5.9 This provides a formal opportunity for the local community and other stakeholders to reflect upon the policies and proposals in the Draft Local Plan which the District Council considers suitable for submission to the Secretary of State.

## **Submission of Local Plan to Secretary of State and Examination in Public**

- 5.10 Having considered the representations made on the Draft Local Plan the District Council will consider whether it is necessary to make any appropriate changes to the Local Plan to address comments raised.
- 5.11 The Local Plan along with a schedule of proposed changes and any other documents set out in the Regulations such as the Statement of Consultation and the Sustainability Appraisal will then be submitted to the Secretary of State to be subject to Examination in Public by a Planning Inspector.
- 5.12 As soon as is practically possible after submitting the Local Plan to the Secretary of State those general and specific consultation bodies who were invited to make representations will be notified that the Plan is available for inspection alongside the time and place at which they can be inspected. Those who requested notification of the submission of the Local Plan will also be given notified at this time.
- 5.13 At this stage a Programme Officer will be appointed to ensure the smooth running of the Examination in Public. This will include ensuring that all interested parties are kept informed of the timing and progress of the examination.

## **Examination in Public (EIP)**

- 5.14 Once the Examination in Public is arranged the Inspector publishes a schedule of main matters, issues and questions which will form the basis of discussions at the EIP. The Programme Officer invites comments on the matters and coordinates who attends each session to make their views orally to the Inspector.

## **Report and Adoption**

- 5.15 After the Examination in Public the Inspector will produce a report with recommendations for the District Council. This can include recommendations for

'main modifications' which should ensure that the Local Plan is sound and legally compliant. The District Council can also put forward 'additional modifications' of its own in order to deal with more minor matters. If major modifications are recommended the Inspector's report will only be published after public consultation on such modifications has been undertaken and the Inspector has had the opportunity to consider the representations on these.

- 5.16 The District Council will make copies of the adopted documents available at the District Council's Offices during normal office hours. They will also be made available on the Council's website: [www.derbyshiredales.gov.uk](http://www.derbyshiredales.gov.uk)

### **Supplementary Planning Documents**

- 5.17 Supplementary Planning Documents (SPDs) can cover a range of issues, and seek to expand policy or provide further detail to policies in an adopted Development Plan Document. SPDs have statutory weight and once adopted formally by the District Council are material considerations in the determination of planning applications. The preparation process for an SPD is described in more detail below. At all times the District Council will seek to provide e-mail updates to consultees on the progress of each Supplementary Planning Document.

### **Commencement of Preparation Process**

- 5.18 At this stage the Council is primarily concerned with gathering evidence that it can use to prepare the SPD. Although much work at this stage will involve gathering technical data and information from a variety of sources, it will also involve liaison with the community and key stakeholders about the issues the document should contain.

### **Public Participation on Draft SPD**

- 5.19 The Town and Country Planning (Local Planning) (England) Regulations 2012 allow for a period of formal consultation of at least four weeks on draft SPDs. In order to maximise community involvement in the process, the Council will undertake a minimum four-week period of consultation on any SPD. This timescale for consultation will allow the community and other stakeholders to formally express their views and preferences on the contents of a draft SPD. The Council will consider the comments made and take them into account in deciding how to take the SPD forward.

### **Consideration of Responses, Modification & Adoption**

- 5.20 The District Council will consider each representation received during the formal public participation stage on the draft SPD, and decide whether any changes are necessary prior to adoption.
- 5.21 Regulation 12 of the Town and Country Planning (Local Planning) (England) Regulations (2012) requires a consultation statement to be produced alongside the adoption of any SPD. This should outline the persons consulted on the document, a

summary of the main issues raised and how those issues have been addressed in the SPD.

- 5.22 Copies of the draft SPD and consultation statement will be made available at the District Council's offices and at Matlock, Ashbourne and Wirksworth library during normal office hours. They will also be available on the District Council's website at: [www.derbyshiredales.gov.uk](http://www.derbyshiredales.gov.uk)
- 5.23 The main concern at this stage is to ensure that interested parties are kept informed of the Council's views on any representations they may have made and of the progress towards adoption.
- 5.24 Once the SPD is adopted the Council will make available copies of it at the Council's Offices, and at Matlock, Ashbourne and Wirksworth libraries during normal office hours.
- 5.25 Regulation 14 of the Act above also requires an adoption statement to be produced upon adoption of a SPD. This is required to set out when the document was adopted, if applicable any modifications made in accordance with section 23(1) on the Act. The adoption statement will be sent to anyone who has requested notification of adoption of the SPD and made available at the District Council's Offices, and at Matlock, Ashbourne and Wirksworth libraries during normal office hours.
- 5.26 All draft and adopted SPD's will also be available on the Council's website: <http://www.derbyshiredales.gov.uk/planning-a-building-control/planning-policy/local-plan/supplementary-planning-documents>
- 5.27 Appendix 3 sets out which consultation methods the District Council will use at the various stages of the preparation of the Derbyshire Dales Local Plan and any Supplementary Planning Documents.

### **Sustainability Appraisal and Habitat Regulations Assessment**

- 5.28 Carrying out a Sustainability Appraisal (SA) is an essential and statutory part of the plan making process. The purpose of the SA is to appraise the social, economic and environmental effects of the emerging Local Plan and inform the plan preparation process. It is a continual process which is embedded throughout the preparation of the Local Plan.
- 5.29 Consultation will be undertaken on the initial Scoping report, which provides baseline information on the environmental, social and economic characteristics of the plan area, including the likely evolution of the baseline within the plan.
- 5.30 Regulations 12 and 13 of the Environmental Assessment of Plans and Programmes Regulations 2004 require the Council to make the SA report available alongside the Local Plan. A copy will be sent to each consultation body and appropriate steps taken to ensure the SA report is brought to the attention of those who are affected, likely to be affected or have an interest in the decisions involved in the assessment and adoption of the plan. Consultees will be advised of the location and website at



which the document will be available and invited to make comment on the document. Consultees will be advised of the time period within which comments must be made. Comments from consultation bodies should be received within 5 weeks of receiving an invitation to engage in consultation.

- 5.31 The Derbyshire Dales Local Plan, as a plan or project which may have a significant effect on a European site (Special Protection Areas (SPAs) and Special Areas of Conservation (SACs)), will be subject to a Habitats Regulations Assessment (HRA) as required under the EU Habitats Directive (92/43/EEC). Its purpose being to determine whether or not any significant effects are likely to be generated and to identify ways in which they can be avoided. This will be published alongside the SA report and consultation with the appropriate natural conservation body will be consulted under requirement from Regulation 102 of the Conservation of Habitats and Species Regulations 2010

### **Duty to Cooperate**

- 5.32 Local planning authorities have a statutory requirement to cooperate with other planning authorities, County Councils and prescribed bodies on development plan documents including Local Plans under section 110 of the Localism Act 2011. This is to ensure that strategic planning matters are adequately addressed. In doing so local planning authorities are required to engage with one another “constructively, actively and on an ongoing basis” and have regard to activities of people of specified bodies or of a prescribed description so far as they are relevant.
- 5.33 The NPPF provides further information on the specific requirements for Local Plans, stating “local planning authorities are under a duty to cooperate with each other, and with prescribed bodies on strategic matters that cross administrative boundaries” (paragraph 24 NPPF). The NPPF further emphasises that “effective and on-going joint working between strategic policy making authorities and relevant bodies is integral to the production of a positively prepared and justified strategy” (paragraph 26 NPPF). In order to demonstrate effective and ongoing joint working, strategic policy making authorities are required to prepare statements of common ground, documenting cross boundary matters being addressed. The National Planning Practice Guidance provides further advice as to how such statements of common ground should be prepared, maintained, kept up to date and made publically available.
- 5.34 The District Council will work together with other neighbouring authorities on areas of common interest in order to achieve mutual benefits. The District Council will also cooperate with Derbyshire County Council on relevant issues, for example the provision of new and improved infrastructure to support development such as schools, roads and green infrastructure, and work in consultation with Local Enterprise Partnerships, Sheffield City Region, D2N2 and both the Peak District Local Nature Partnership and the Lowland Derbyshire and Nottinghamshire Local Nature Partnership. In addition the District Council will work collaboratively with private sector bodies, utility and infrastructure providers.
- 5.35 The District Council will seek to ensure that strategic priorities across local authority boundaries are properly co-ordinated and clearly reflected in the Local Plan.

- 5.36 The District Council will also seek to utilise the Duty to Cooperate to address any matters relating to the extent of the strategic Housing Market Area and the overall development needs of the area.
- 5.37 As part of the submission of the Derbyshire Dales Local Plan the District Council will produce evidence of the extent to which there has been effective cooperation on issues with cross-boundary significance. This must demonstrate that a continuous process of engagement, has been undertaken.

## 6.0 NEIGHBOURHOOD PLANNING

6.1 The Localism Act 2011 and Neighbourhood Planning Regulations 2012 empowered communities to shape the development and growth of their local area through Neighbourhood Planning. This provides the opportunity for communities to decide the future of the places where they live and work. The key aim is to use local knowledge and evidence to develop policies and proposals to support development of the built environment within local communities. Using these rights communities are able to produce Neighbourhood Development Plans, Neighbourhood Development Orders; or progress development under Community Right to Build Orders:

- **Neighbourhood Development Plans** – Communities can write a plan which if ‘adopted’, becomes part of the statutory planning framework for the area
- **Neighbourhood Development Orders** – Can enable the community to grant planning permission for new buildings they want to see go ahead and allow new homes and offices to be built without developers having to apply for separate planning permission
- **Community Right to Build** – enables community organisations to progress new local developments without the need to go through the normal planning application process, as long as the proposals meet certain criteria and there is community backing in a local referendum.

6.2 As is the case with Local Plans and Development Plan Documents, regulations govern the preparation of a Neighbourhood Plans and Neighbourhood Development Orders. Both include consultation requirements, examination and referendum. The Localism Act identifies that community participation has to be through an appropriate qualifying body, either a Parish Council or Neighbourhood Forum. Up until the submission of a Neighbourhood Plan to a local planning authority it is the qualifying bodies responsibility to undertake public consultation and engagement.

6.3 Local community involvement in Neighbourhood Planning allows Plans to be prepared which include policies and reflect aspirations around where new homes, shops and office should be located, which green spaces should be protected, what new development should look like. It allows opportunities for a local community to be positive about how an area may change in the future.

6.4 Under the provisions of the Town and Country Planning Act 1990 (as amended) the District Council has a statutory duty to assist communities in the preparation of Neighbourhood Development Plans and Orders and take such documents through a process of examination and referendum. The Localism Act 2011 (Part 6 Chapter 3) sets out the Local Planning Authorities responsibilities as:

- Designating Neighbourhood Forums
- Designating Neighbourhood Areas
- Advising or assisting communities in the preparation of a Neighbourhood Development Plan
- Checking a submitted Neighbourhood Plan meets the legal requirements
- Arranging for the independent examination of the Neighbourhood Development Plan
- Determining whether the Neighbourhood Development Plan meets the basic conditions and other legal requirements

- Subject to the results of the referendum/s, bringing the Neighbourhood Development Plan into force.

6.5 Whilst the District Council does not lead the preparation of Neighbourhood Plans, the District Council has welcomed their principle and will continue to provide technical advice and support to communities. This may include for instance making evidence available as well as undertaking procedural checks of the plan against legislation and regulations. This will also include undertaking a 'screening' exercise to determine if the Neighbourhood Plan requires a Strategic Environmental Assessment. The District Council will assist with neighbourhood planning in the following ways:

- Initial advice regarding the suitability of preparing a neighbourhood plan or order, including attendance at suitable meetings or providing briefings.
- On-going advice, including technical input into each key stage. The focus of any advice will be on the conformity of the Neighbourhood Plan/Order with the existing national and local planning framework but guidance will also be provided to ensure that the plan is fit for purpose and deliverable.
- Provision of guidance on key issues including timetabling, the role of the qualifying body, community engagement and undertaking consultation and relevant legislation including SEA
- Practical assistance such as mapping, IT advice and printing where appropriate.
- Relevant contact information for consultation including statutory consultees and local interest groups and bodies. Advice on undertaking consultation, publicity and engagement.
- Ensuring the suitable involvement of local Councillors and other interested parties to enable timely decision making at key stages

6.6 Any communities wishing to consider Neighbourhood Planning should contact the District Council's Policy Manager in the first instance. Further information is available on the District Council's website at:

<http://www.derbyshiredales.gov.uk/planning-a-building-control/planning-policy/1275-neighbourhood-planning>

6.7 Additional guidance and advice on Neighbourhood Planning is set out within the National Planning Practice Guidance, which is available here: <https://www.gov.uk/government/collections/planning-practice-guidance>

Further guidance for communities on Neighbourhood Planning is available from the Planning Advisory Service via <https://local.gov.uk/pas/pas-topics/neighbourhood-plans> and the Planning Portal <https://www.planningportal.co.uk/>

## **7.0 PLANNING APPLICATIONS**

- 7.1 The Council encourages the community to be involved in all the different types, and scale of applications for planning permission for which it is the local planning authority. Any comments and representations received on an individual planning application are taken into account in its determination. This does not, however, extend to applications for planning permission within the Peak District National Park, as these are the responsibility of the Peak District National Park Authority. Similarly the Council does not deal with minerals and waste applications, as these are the responsibility of Derbyshire County Council.
- 7.2 The District Council's Development Management Section seeks to exercise planning control in the public interest is committed to publicising and consulting more widely on planning applications than the statutory minimum.
- 7.3 The District Council has to consider any application it receives, and can only consider the application on the basis of information that is submitted. Whilst the District Council encourages applicants to engage with the District Council through its pre-application advice service in advance of making a formal submission, many applications are submitted without any prior discussion. Once an application is submitted, we adopt a neutral position until all relevant consultations have been taken into account and the merits of the case have been fully evaluated against national and local planning policies and other material considerations. We adopt exactly the same position for the District Council's own applications as those of private applicants.
- 7.4 The Development Management Service is responsible for the assessment of planning applications; its Mission Statement being:
- "Through the provision of an efficient, professional, and responsive service, we aim to protect and enhance the quality of the District's built and natural environment whilst balancing the needs of current and future generations".*
- 7.5 The internal processes, in relation to publicity and consultation on planning applications are currently subject a review. Following completion of the current review a new Development Management Customer Charter will be prepared to set out the framework for the delivery of the service and what its users can expect.
- 7.6 A weekly list of the planning applications that the District Council receives each week including applications under the Planning (Listed Buildings and Conservation Areas) Act 1990 can be viewed on the Council's website, along with associated plans, supporting information and any consultation responses and representations received.

### **Consultation and Pre-decision Matters**

- 7.7 When the District Council receives a valid planning application, it will undertake a period of consultation where views on the proposed development can be expressed. The formal consultation period will normally last for 21 days, and the local planning authority will identify and consult a number of different groups.

- 7.8 The Town and Country Planning (Local Authority Consultations Etc.) (England) Order 2018 extends periods of public consultation before decisions are made to grant planning permission, permission in principle, listed building consent and certain prior approvals for development which is the subject of permitted development rights, by one day for each bank or public holiday which occurs during specified periods.
- 7.9 The main types of consultation are:
- Public Consultation - involving notifying neighbours of receipt of an application;
  - Statutory Consultees - those which there is a legal requirement to consult a specific body who are then under a duty to respond;
  - Consultation required by a direction where further, locally specific statutory consultation is required, and;
  - Non-statutory Consultees - those where although there are no legal requirements, planning policy warrants the engagement of other consultees who are likely to have an interest in the proposed development.
- 7.10 Where, following the initial period of consultation an application has been amended it is up to the District Council to decide whether further publicity and consultation is necessary. In deciding whether this is necessary the following considerations will apply where relevant:
- were objections or reservations raised in the original consultation stage substantial and, in the view of the District Council, enough to justify further publicity?
  - are the proposed changes significant?
  - did earlier views cover the issues raised by the proposed changes?
  - are the issues raised by the proposed changes likely to be of concern to parties not previously notified?
- 7.11 Where the District Council decides that re-consultation is necessary, such consultation may be for a period of less than 21 days. In all cases, the District Council will balance the need for consultees to be given sufficient time to consider the issue that is being re-consulted upon and respond, against the need for efficient and timely decision making processes. When consultation has been concluded the District Council will consider any representation made by consultees and proceed to decide on the application.

### **Current Practice- How the Council Publicises Planning Applications**

- 7.12 Article 15 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 specifies the requirements for the publicity of applications for planning permission. A summary of how the District Council currently undertakes publicity for the differing type and scale of planning applications is set out in Appendix 4.
- 7.13 Within the Derbyshire Dales, all planning applications are publicised either by means of press advertisement, site notices or individual neighbour notification with the following exceptions:

- Applications where the determining authority is not Derbyshire Dales District Council will not be subject to any of the three methods of publicity referred to above;
- Discharge of conditions applications;
- Prior Notification Applications (where the Council does not deem that its Prior Approval is required), and;
- Certificate of Lawful Existing or Proposed Use or Development Applications (unless it is considered a worthwhile exercise to ascertain relevant information about the content of a specific application from sources such as neighbours or Parish / Town Councils).

## Neighbour Notification

- 7.14 Neighbour notification will take the form of a standard letter generated from the District Council's mapping system and delivered by post within 10 working days of the valid date of the application to occupiers of properties affected by the development.
- 7.15 The **minimum** requirement currently adopted by the District Council is to notify any neighbouring occupiers whose property lies within 10 metres of the application site boundary (red edge). Property points within 10m of a development site are automatically identified by the Council's Geographic Information System (GIS).
- 7.16 Where the proposed development falls within the following categories, the **minimum** requirement is to notify occupiers whose property lies within 20 metres of the application site boundary (red edge):
- the erection of 10 or more dwellings;
  - an outline application with a site area of 0.5 ha or more;
  - non-residential development where the floor space to be created is 1,000 square metres or more;
  - development which is likely to cause nuisance through noise, smell, dust etc;
  - development which would significantly increase the number of people or the amount of traffic coming into a residential area;
  - development involving significant activity during unsociable hours;
  - development introducing significant visual changes to a neighbourhood;
  - buildings of over three storeys;
  - development affecting the character of an ancient monument, archaeological site or historic building;
  - proposals having a significant effect on trees that are the subject of a Tree Preservation Order.
- 7.17 A clear written record of the addresses to which neighbour notification letters have been sent and the date is kept on the paper and the application file in the form of a consultation checklist. This is in accordance with the Council's data protection policies.

## **Site Notices**

- 7.18 A summary of how the District Council undertakes publicity, including the erection of site notices, for the differing type and scale of planning applications is set out in Appendix 4. Where there is a statutory reason for its display this will be specified on the site notice. Site notices will be posted within 10 working days of the receipt of a valid application.
- 7.19 The notice will be displayed where it is visible from a public highway that forms the frontage to the application site. Where there is another frontage to a public highway or footpath, discretion will be used as to whether further site notices will be erected.
- 7.20 The site notice will be erected where possible on a gate, door, post, wall or fence which forms the boundary of the site. If this is not possible, then a lamp post or telegraph pole on the frontage of the site will be used, providing it is within 10 metres of the site boundary. Where it is impossible to comply with the above requirements, the site notice will be displayed as near to the site as is practically possible.
- 7.21 A clear record in the form of an annotated Ordnance Survey plan will be kept on the application file to identify the position where the site notice was erected and the date it was erected. A photograph will also be taken as evidence of its erection.

## **Press Advertisements**

- 7.22 A summary of how the District Council undertakes publicity, including by means of press advertisement is set out in Appendix 4. Applications received will normally be advertised in the appropriate local newspaper on a fortnightly basis. Applications in the Central area will be advertised in the Peak Advertiser and applications in the Southern area will be advertised in the Ashbourne News Telegraph.
- 7.23 The dates on site notices and press advertisements give the same minimum period of 21 days for representations to be made (unless the application involves Environmental Impact Assessment Development in which case 30 days will be given).

## **Planning Website**

- 7.24 The Derbyshire Dales Planning Service website allows comprehensive access to forms, guidance notes, planning applications and decision notices. It also allows submission of representations online and for those making such submissions and applicants to monitor the progress of applications.

## **Representations Received**

- 7.25 All neighbour notification letters will give a minimum period of 21 days (30 days in the case of EIA applications) for representations to be submitted, although this period will not necessarily coincide with the site notices and press advertisement.
- 7.26 All representations received by the District Council will be identified in the Officers report in respect of decisions made under delegated authority and brought to the



attention of the Planning Committee. An update sheet circulated at the meeting or verbally at the meeting itself in respect of items considered at committee.

- 7.27 The District Council's practice is to only negotiate minor improvements to applications, in order to add value / improve the quality of the development. Any significant amendments required to make a proposal that would otherwise be regarded as unacceptable, acceptable should be established at the pre-application stage so as to not undermine this service and ensure timely decision making.
- 7.28 Where those making representations are re-consulted a further period of up to 10 working days will normally be allowed for further representations to be made.
- 7.29 Persons making representations are able to view their comments (to note that they have been received) and monitor the progress of applications online, using the District Councils Public Access module on its website.
- 7.30 In the event of an appeal being made by the applicant, individuals who have previously made comments on the appeal application will be informed and will have the opportunity to make further representations to the Planning Inspector dealing with the appeal. Lists of decisions and appeals are published and a register of planning decisions can be inspected at the Town Hall, Matlock or via our online planning register.

### **How the District Council Consults on Planning Applications**

- 7.31 During the 21 days (30 days in the case of EIA applications) following the registration of the planning application the views of other statutory consultees or interested organisations will also be sought. The only exceptions to these arrangements are applications where the determining authority is not Derbyshire Dales District Council, applications for power lines, applications for certificates of lawful use or development and prior notifications. Such bodies as Natural England will be allowed a longer period of time to comment on applications where this is prescribed by legislation.
- 7.32 The register of planning applications can be inspected via the Self-Serve PC at the Town Hall, Matlock from 9.00 am to 5.00 pm Monday to Friday (9.30 am to 5.00 pm on Wednesdays). Application case files can also be viewed via our online planning register. Appointments to view a planning application file at the Town Hall, Matlock can be made by telephone on 01629 761336 or email [planning@derbyshiredales.gov.uk](mailto:planning@derbyshiredales.gov.uk) at least 24 hours in advance. The retrieval of historic planning files that are not stored at Town Hall will incur a retrieval charge.
- 7.33 A list of all new planning applications received the preceding week is forwarded to all relevant Town/Parish Councils and local Ward Members for information. Application documentation is also made available for public inspection online and via the self-serve PC at the Town Hall, Matlock during normal office hours. Copies of application documentation may be purchased (subject to copyright provisions) and will be provided either directly by the District Council or via the applicant/agent on payment of appropriate copying charges.

## How to Comment on Planning Applications

- 7.34 A Planning Officer is currently available at the Town Hall, Matlock, from 9am to 12 noon Mondays to Fridays to assist the public in understanding applications that have been received, provide clarification and explain how to make representations. It is recommended that anyone wishing to discuss a proposal contacts the Case Officer in advance to help ensure that the correct officer is available and sufficient time is set aside.
- 7.35 Comments may be submitted by anyone, regardless of whether they were formally consulted by us. We welcome any comments, either in support of, or objecting to proposals. Any representations of objection will however, need to be based upon valid planning considerations if they are to influence the decision making process.
- 7.36 An advice note called Making Effective Planning Representations is available to view on the Council's website to assist individuals in the formulation of Planning representations<sup>1</sup>.
- 7.37 Although the District Council will take into account representations received up to the date it makes a decision, comments should be submitted in writing as soon as possible. The Council accepts comments by email, through the Council's website or by letter. These should be addressed to the Development Management Team, Regulatory Services, Derbyshire Dales District Council, Town Hall, Bank Road, Matlock, DE4 3NN and if submitted by email directed to [planning@derbyshiredales.gov.uk](mailto:planning@derbyshiredales.gov.uk)

## The Decision Making Process

- 7.38 The District Council normally has 8 weeks from the date of validation in which to make a decision in the case of minor applications, 13 weeks for major applications and 16 weeks for Environmental Impact Assessment development, unless an extension of time has been agreed with the applicant. The vast majority of planning applications are determined by the District Council's Development Manager in accordance with the Council's scheme of delegation, which was adopted in 2015.
- 7.39 The names and contact details of Ward Members can be found in the 'Your Council' section of the District Council's website at [www.derbyshiredales.gov.uk/your-council](http://www.derbyshiredales.gov.uk/your-council). Ward Member contact details for specific applications can be viewed by clicking on the 'contact' tab when viewing applications through Public Access.

## Public Participation at Planning Meetings

- 7.40 The meetings of the Planning Committees are held in public normally commencing promptly at 6pm in the evening. Members of the public wishing to address the Planning Committee may do so by notifying the Committee Team by 12 noon on the working day prior to the meeting. Those wishing to speak to Committee will be asked

<sup>1</sup> <http://www.derbyshiredales.gov.uk/images/documents/P/Planning%20Advice%20Note%20%20-%20Making%20Representations%20on%20Planning%20Applications.pdf>

to indicate the item of business your representation relates to and whether you are supporting or opposing the proposal. The Committee Team may be contacted:

- Online via the District Council's website - <http://www.derbyshiredales.gov.uk/your-council/council-a-committee-meetings/attending-a-committee-meeting/speak-at-a-planning-meeting>
- By email – [committee@derbyshiredales.gov.uk](mailto:committee@derbyshiredales.gov.uk)
- By telephone – 01629 761133

7.41 Those persons who indicate that they wish to make representations must attend the venue by 5.45pm on the day of the meeting and inform the Committee Administrator.

7.42 Representations will only be allowed to be made in respect of those applications which are scheduled for debate at particular meeting. Those making representations will be invited to do so immediately before the relevant item of business is discussed and will be limited to 3 minutes.

7.43 A copy of the procedure for public participation at planning meetings is set out in Appendix 5.

### **Notification of the Decision**

7.44 Only the applicant (or agent if they have appointed one) will be notified and issued with a paper copy of the final decision. Anyone else wishing to be notified of the decision should use the tracking facility on our online application system.

7.45 Only the applicant can appeal against the District Council's decision. In the event of an appeal being made by the applicant, individuals who have previously made comments on the appeal application will be informed and you will have the opportunity to make further representations to the Government Planning Inspector dealing with the appeal.

7.46 Lists of decisions and appeals are published and a register of planning decisions can be inspected via the Self-Serve PC at the Town Hall, Matlock, the Leisure Centre, Ashbourne or via our Online Planning Register.

### **Appeals Against Decisions**

7.47 Planning applicants can appeal to the Department for Communities and Local Government, against any refusal of planning permission or against the imposition of any conditions attached to an approval. There is no right of appeal for a third party under any circumstances.

7.48 An appeal is intended to be a last resort where submitting a fresh application is unlikely to be a satisfactory solution. Normally, a revised application of similar nature and description made within 1 year of the decision does not attract a further fee.

7.49 Appeals, which are handled by The Planning Inspectorate, may be dealt with by:

- An exchange of written representations;
- At a local hearing (in which case no advocates are allowed);
- At a full Local Inquiry (a quasi-legal situation).

- 7.50 An appeal can be made against any of the conditions attached to an approval. There is, however, a risk to the applicant because it is possible for the whole permission to be withdrawn if the appeal is dismissed.
- 7.51 If an appeal is to be determined at a Local Inquiry or a local hearing there is a risk of costs being awarded to either party, but costs can only be awarded where there has been unreasonable behaviour. Examples of unreasonable behaviour at the decision making stage could include an application that has been refused for reasons which cannot be substantiated in planning terms or if the Authority fails to provide reasonable evidence to substantiate the harm cited in the reasons for refusal (this particularly applies to subjective opinions given as part of a refusal).
- 7.52 Planning decisions made by the Local Planning Authority or the Planning Inspectorate can be challenged in the courts, within 6 weeks from the date of the decision, if there is evidence that the process by which the decision was made was unlawful.

### **Towards Good Practice in Community Involvement and Development Management**

- 7.53 The District Council continually monitors and reviews its performance, policies and procedures in order to ensure that they operate in the best interests of the community. The District Council recognises that current practice in relation to community involvement in the consideration and determination of planning applications can be improved. To ensure greater and earlier public involvement in the process the following initiatives have been introduced by the Council.

#### **Pre-application Consultation & Discussion**

- 7.54 Good practice suggests that local planning authorities should actively encourage developers of major schemes to inform and involve the community in shaping their proposals. The Council will therefore encourage developers to undertake this type of engagement prior to the submission of planning applications.
- 7.55 Similarly for smaller applications, such as residential extensions, the District Council will actively encourage applicants to discuss their plans with neighbours prior to submitting their application.

## 8.0 MANAGING THE PROCESS

- 8.1 The information obtained through community involvement will be collated and used to inform the decision-making process and/or shape the contents of any documents produced. A summary report will be produced outlining the responses received, along with information on how the responses were used to inform the decision-making or the content of documents. The link between responses received and the District Council's decision or action will be made transparent. This will also involve an explanation of the reasons why specific actions may not have been pursued. This report will be available upon request from the District Council and will also be made available on the District Council's website.
- 8.2 The Local Plan and any Supplementary Planning Documents will be accompanied by a 'consultation statement'. This will outline how the SCI has been followed and how community engagement has benefited the preparation of the relevant documents. Copies of all formal representations made in accordance with provisions of the Town and Country Planning (Local Planning) (England) Regulations 2012 will be made available for public inspection at the Council's Offices and at Matlock, Ashbourne and Wirksworth libraries during normal office hours. They will also be available on the District Council's website [www.derbyshiredales.gov.uk](http://www.derbyshiredales.gov.uk) A summary of the outcomes and details of specific decisions will be provided directly to all those who have been involved in the process and its specific activities. Further feedback will also be made available on the District Council's website or from the District Council Offices on request.
- 8.3 Increased community involvement may require additional time and resources, particularly where capacity may need to be developed within the community itself. The District Council is committed to enhanced community engagement and in this regard, budgetary provision has been made to ensure that sufficient resources are available to meet our obligations. At all times the District Council will seek to ensure that resources are utilised as efficiently and effectively as possible.
- 8.4 This will be achieved by:
- Clearly defining the roles of the different individuals and groups involved;
  - Learning from and, where possible, utilising the skills of other organisations e.g. LSP, Health Trusts and Planning Aid; and
  - Wherever appropriate, combining and integrating involvement activities to ensure that the community is not subject to "consultation fatigue".

**Council Officers** - Officers will be responsible for the delivery of the majority of the activities set out in this SCI. Where necessary, support will be drawn from across the Council. Capabilities will be kept under review and gaps filled as appropriate through the existing programme of training and development.

**Consultants** - Where a process would benefit from additional support or expertise, for example in facilitating more interactive sessions, the use of consultants will be considered. Any such decision will have regard to a comprehensive cost and benefit analysis.

**Equipment and Material** - The District Council is already well equipped to undertake the activities outlined in this SCI.

**Venues and Other Costs** – District Council facilities will be used wherever possible having regard to accessibility and practical considerations. Where possible, activities will be combined with other initiatives to ensure that processes are efficient and costs are minimised.

- 8.5 There are a number of different individuals and groups who have a role to play in achieving effective community involvement in planning.

**Planning Officers** - provide professional advice on planning matters and formulate draft policies and plans for Council approval. Officers will also be responsible for delivering community involvement activities.

**Members** - make formal decisions regarding planning matters in accordance with the Council's rules and procedures.

**Parish/Town Councils and Other Community Networks** - provide comment on individual planning applications and development proposals that have implications for their area. These organisations will also be invited to represent community interests in involvement activities.

**Developers** - promote specific sites for development and, where appropriate, undertake extensive community involvement requirements to the highest standard.

**The Community** - raise concerns and/or state support for proposals in order to ensure that development takes place in an acceptable manner. The Council actively encourage all members of the community, including the business community, to get involved in policy development as it directly affects the area in which they live and/or work.

## Planning Aid

- 8.6 Council Officers are not always best placed to work with community groups, particularly where individuals seek independent advice. The District Council therefore support and promote the Planning Aid England service. This service provides free, independent and professional advice to communities and individuals who cannot afford to pay fees to a planning consultants. It complements the work of local planning authorities, but is wholly independent of them.

- 8.7 A new Planning Aid service in England was launched on the 13 June 2011. Planning Aid is more than giving advice, it engages communities positively in the planning process to help them manage changes to their neighbourhood areas.

- 8.8 Two main services are provided:

- **A single national Planning Advice Line** on **0330 123 9244** where all callers will receive 15 minutes of free, independent and professional advice. In addition, some callers may be eligible for further assistance from a professional volunteer. Other callers will be guided to the website and sign-posted to other organisations.
- **A neighbourhood planning service** will also be provided to support people and communities in gaining knowledge about the planning system and how they can be involved. A team of community outreach co-ordinators have been recruited to

support volunteers to work within target communities to build their own plans for the neighbourhoods in which they live.

- 8.9 Planning Aid England can help people to:
- Understand and take part in the planning system.
  - Take part in the preparation of plans.
  - Comment on planning applications.
  - Apply for planning permission or appeal against refusal of permission (however Planning Aid do not draw plans).
  - Represent themselves at appeals or public inquires.
- 8.10 Planning Aid helps to meet one of the key aims of the government's planning reform agenda, which is to place community engagement at the heart of the planning system. Planning Aid is part of the Royal Town Planning Institute.
- 8.11 The Planning Aid contact for the East Midlands can be reached on [advice@planningaid.rtpi.org.uk](mailto:advice@planningaid.rtpi.org.uk)

## **9.0 MONITORING AND REVIEW**

- 9.1 To ensure the effectiveness of this SCI, the District Council must monitor its value both in informing and shaping the Local Plan and providing people in the Derbyshire Dales with the opportunity to be more effectively involved in the planning process. It is therefore essential that the content of the SCI is continually monitored and reviewed.
- 9.2 Progress on the development and implementation of the Local Plan and other development plan documents and neighbourhood planning will be reviewed and set out in an Authority Monitoring Report (AMR).
- 9.3 The Town and Country Planning (Local Planning) (England) Regulations (2012) set out the specific requirements for Authority Monitoring Reports. Details of any local plan or supplementary documents should be included within the Local Development Scheme setting out the stage the document has reached in the statutory process and if it is behind the timetable specified in the LDS any reason for this. Any documents specified within the LDS which have been adopted will also need to be specified within the AMR.
- 9.4 A review of the Statement of Community Involvement will be completed every five years, starting from the date of adoption, in accordance with s23 of the Act and the Town and Country Planning (Local Planning) (England)(Amendment) Regulations 2017.
- 9.5 In evaluating consultation initiatives, both the outcomes and process will be reviewed. Key questions that will be addressed as part of the review process will be:
- Was consultation carried out according to the policies set out in this statement?
  - Did all members of the target audience have an opportunity for involvement in the preparation of Local Plan Documents?
  - Were there groups of the target audience who made no responses to the consultation – if so why?
  - Was the overall response rate high enough to give reliable results?
  - Were the results disseminated to consultees, the wider public and partner organisations?
  - Did community involvement directly shape the preparation of the Local Plan and inform decisions on planning applications?



**APPENDIX 1**  
**LIST OF CONSULTEES**

**It should be noted that this list is not exhaustive and also relates to successor bodies when reorganisations occur. It is recognised that organisations may change, regulations that set out who should be consulted may also change before the next review of the SCI. The District Council will consult with the most appropriate bodies, in accordance with the Regulations at the point in time that the consultation occurs.**

### **Statutory Stakeholders**

Adjoining Councils  
Derbyshire County Council  
Town and Parish Councils (within and adjoining Derbyshire Dales)

D2N2 Local Enterprise Partnership  
Highways England  
Integrated Transport Authority  
Natural England  
NHS-North Derbyshire Clinical Commissioning Group  
NHS-Southern Derbyshire Clinical Commissioning Group  
NHS-East Staffordshire Derbyshire Clinical Commissioning Group  
Sheffield City Region Local Enterprise Partnership  
The Environment Agency  
The Historic Buildings and Monument Commission for England (Known as Historic England)  
The Civil Aviation Authority  
The Homes and Communities Agency  
The National Health Service Commissioning Board  
The Office of Rail Regulation

### **Government Departments**

Department for Business, Energy and Industrial Strategy  
Department for Digital Culture Media and Sport  
Department for Education  
Department for Environment, Food and Rural Affairs  
Department for Transport  
Department for Work and Pensions  
Ministry of Housing, Communities and Local Government  
Ministry of Defence

### **Other Stakeholders**

Age Concern  
Campaign to Protect Rural England (CPRE)  
Coal Authority  
Commission for Architecture and the Built Environment  
Derbyshire Wildlife Trust  
Derbyshire Dales District Council (Internal Consultation)  
East Midlands Chamber (Derbyshire, Nottinghamshire, Leicestershire)  
Education and Skills Funding Agency  
Environmental, Heritage and Wildlife Organisations e.g. Derbyshire Wildlife Trust,  
Equality & Human Rights Commission

Fields in Trust  
Garden History Society,  
Health & Safety Executive  
Help the Aged  
Local Nature Partnership  
Mobile UK  
National Association of Local Councils  
National Grid  
Network Rail Infrastructure Ltd  
Rural Action Derbyshire  
Severn Trent (water and sewerage undertaker)  
Sport England  
Voluntary Organisations and Council for Voluntary Services  
Western Power Distribution  
Woodland Trust  
Yorkshire Water (water and sewerage undertaker)

Additional relevant gas, electricity and electronic communications network infrastructure providers  
Other bodies which represent the interests of different groups within the community (e.g. racial, ethnic, religious, disability).

### **Service Providers**

Health Trusts  
Health Services  
Derbyshire Fire & Rescue Service  
Derbyshire Ambulance Service NHS Trust  
Derbyshire Constabulary  
Transport providers (air, road, rail, water as appropriate)  
Education Establishments  
Sports Organisations

### **Business Sector**

Business, Trade and Industry Associations/Federations  
Chambers of Trade and Commerce  
Economic Development Organisations  
Employment Organisations  
Larger and multi-national businesses  
Retail outlets  
Small and medium sized businesses  
Tourism Organisations  
Town & Shopping Centre Management

### **Local Communities**

Community Development Organisations  
Community Groups (interest, activity and belief)

Community Forums (Area Meetings)

Individual residents and tenants

Local Civic Associations

Peak District Partnership

Residents Associations

NFU

Wardens Service

Other organisations for specific community groups (e.g. youth, women)

### **Developers and Landowners**

Crown Estates

Defence Estates

The Home Builders Federation Ltd

National Trust

Post Office Property Holdings

Individual Developers

Development and Building Companies

Regeneration Companies/ Organisations

**It should be noted that the lists at Appendix 1 are not exhaustive and also relate to successor bodies when reorganisations occur**

**APPENDIX 2**  
**METHODS OF COMMUNITY INVOLVEMENT**

<b>Method</b>	<b>Issues</b>	<b>Information</b>	<b>Consultation</b>	<b>Involvement</b>
Newsletters & leaflets (including those produced by stakeholders)	Can provide up to date information, but can be costly. Can also reach large numbers but it is not possible to guarantee that it will be read	Yes	No	No
Media (local press/TV/radio)	Can reach large numbers of people but adverts can be costly. It is not possible to guarantee how the information will be reported.	Yes	No	No
Exhibitions & displays	Can be more interesting and interactive but requires people to attend. It is possible to display information in places such as supermarkets but audience may not be representative.	Yes	Yes/No	No
Website	Can be very resource efficient and convenient, particularly for organisations, however not everyone has access to a computer	Yes	Yes/no	No
Questionnaires and Surveys	Can be effective in gaining a large number of responses but is often viewed as boring and many people do not reply. Not effective for complex issues which need to be explained.	Yes	Yes	No
Online Panel	Already exists and is available for use in relation to planning documents. Would need to consider how representative the panel is.	Yes	Yes	No
Public meetings & surgeries	Can be relatively inexpensive and can be effective. But can suffer low attendance and attendees may not be representative. Could use existing meetings such as Area Forums	Yes	Yes	No
Focus Groups	Can be used to actively involve hard to reach or specific interest groups but can be costly and time consuming. Expertise is required.	Yes	Yes	Yes/No
Workshops	Can be effective for complex issues and can involve a large number of people at one event. Expertise is required and significant planning is required.	Yes	Yes	Yes
Participative Planning Activities	Can be more tailored and interesting to those people who do not usually get involved but can be difficult to organise and facilitate	Yes	Yes	Yes
Community forums or liaison groups	Allows ongoing/regular involvement at a more informal level. Groups gain in-depth understanding of issues and are able to contribute in more detail. Can help to overcome conflict but can be costly.	Yes	Yes	Yes

**APPENDIX 3**  
**PROPOSED CONSULTATION METHODS**  
**DEVELOPMENT PLAN DOCUMENTS**  
**&**  
**SUPPLEMENTARY PLANNING DOCUMENTS**

## LOCAL PLAN DOCUMENTS

Stage	Document Type	Initial Preparatory Stage (Regulation 18)	Draft Local Plan (Regulations 19 and 35)	Submission to Sec of State (Regulation 22)	Examination (Regulation 24)	Report & Adoption (Regulations 25 and 26)
<b>Method</b>						
Making documents available for review at Council offices and libraries	Local Plan	√	√	√	√	√
Newsletter or leaflet available	Local Plan	√	√			
Information sent to existing network of organisations and their newsletters	Local Plan		√	√	√	
Information sent to organisations and individuals who asked to be notified	Local Plan					√
Press releases /articles in press	Local Plan		√			
Exhibition/display in local area(s)	Local Plan		√			
Information and documents on website	Local Plan	√	√	√		√
Questionnaire survey	Local Plan		√			
Public meeting/ surgery	Local Plan	√	√			
Focus group with representatives of specific issue area	Local Plan		√			
Workshop with representatives of range of issue or interest areas	Local Plan	√	√			
Participative planning activities	Local Plan		√			
Community liaison group	Local Plan		√			

**KEY** √ Consultation Method will be employed  
 ? Consultation Method may be employed depending upon issue/topic



## SUPPLEMENTARY PLANNING DOCUMENTS

Stage	Start – scoping	Draft SPD Consultation (Regulation 12 & 13)	Consideration of Responses (Regulation 12)	Adoption (Regulation 11 & 14)
<b>Method</b>				
Making documents available for review at Council offices and libraries		√	√	√
Newsletter or leaflet available				
Information sent to existing network of organisations and their newsletters	?	√	?	?
Information sent to organisations and individuals who asked to be notified				√
Press releases /articles in press	?	√	?	?
Exhibition/display in local area(s)				
Information and documents on website	?	√	√	√
Questionnaire survey	?	√		
Public meeting/surgery				
Focus group with representatives of specific issue area	?	?		
Workshop with representatives of range of issue or interest areas	?	?		
Participative planning activities				
Community liaison group				

**KEY** √ Consultation Method will be employed  
 ? Consultation Method may be employed depending upon issue/topic

**APPENDIX 4  
STATUTORY PUBLICITY REQUIREMENTS  
& DERBYSHIRE DALES PRACTICE**

## Publicity requirements for Planning Applications

The following are the statutory requirements for publicising planning applications:

	Site Notice	Site Notice or neighbour letter	Press	Website
Major applications		X	X	X
EIA dev with environmental statement	X		X	X
Departure (i.e. Applications which do not accord with the development plan in force in the area)	X		X	X
Development Affecting a Public Right of Way	X		X	X
Non-major		X		X
LB with exterior works	X		X	X
Variation or discharge of condition attached to LBC or CAC or involving works to exterior of listed building	X		X	X
Applications for development which would affect the setting of a listed building, or affect the character or appearance of a conservation area.	X		X	X

The following is the practice currently adopted by DDDC:

	Site Notice and neighbour letter 20 m	Site Notice and neighbour letter 10 m	Press	Website
Major applications	X		X	X
EIA dev with environmental statement	X		X	X
Departure	X		X	X
Development Affecting a Public Right of Way		X	X	X
Non-major	(X <sup>2</sup> )	X		X
LB with exterior works listed building		X	X	X
Variation or discharge of condition attached to LBC or CAC or involving works to exterior of listed building		X	X	X
Applications for development which would affect the setting of a listed building, or affect the character or appearance of a conservation area.		X	X	X

<sup>2</sup> In accordance with the criteria set out at paragraph 7.15.

**APPENDIX 5  
PUBLIC PARTICIPATION AT  
PLANNING MEETINGS**

## **At Planning Committees**

Members of the public may make a statement, petition or ask questions relating to planning applications or other agenda items in the non-exempt section of an agenda at meetings where those matters are to be considered, and where the Council is the Local Planning Authority.

### **Procedure**

A member of the public may participate and ask a question or make a statement if notice has been given by electronic means, telephone or in writing to the Head of Democratic Services, no later than Midday on the working day prior to the meeting date. Each question or statement must give the name and address of the questioner, the subject matter to which it relates and the identity of the Councillor to whom it is to be put.

At any one meeting no person may submit more than 3 questions and no more than 1 such question may be asked on behalf of one organisation.

Petitions may be considered by an appropriate Committee in accordance with the Council's Scheme set out in Article 3 of the Constitution.

## **At Planning Committees**

- a) Where it has been decided by the Council that a planning application will be dealt with by the Planning Committee, the applicant (or agent) and anyone who has made representations will be notified of the time and date of the Committee meeting.
- b) An agenda listing the items to be discussed at meetings of the Planning Committee and the Local Plan Advisory Group will be posted on the District Council's web site and at the offices of the Town hall, Matlock, 5 clear days before the meeting.
- c) Public Participation will be limited to one hour per meeting, with the discretion to extend exercised by the Committee Chairman (in consultation) in advance of the meeting. On line information points will make that clear in advance of registration to speak.
- d) Anyone wishing to make representations at a meeting must notify the Committee Section before Midday on the working day prior to the relevant meeting. At this time they will be asked to indicate to which item of business their representation relates, whether they are supporting or opposing the proposal and whether they are representing a town or parish council, a local resident or interested party.
- e) Those who indicate that they wish to make representations will be advised of the time that they need to arrive at the meeting venue so that the Committee Clerk can organise the representations and explain the procedure.
- f) Where more than 2 people are making similar representations, the Committee Administrator will seek to minimise duplication, for instance, by establishing if those present are willing to nominate a single spokesperson or otherwise co-operate in the presentation of their representations.
- g) Representations will only be allowed in respect of applications or items which are scheduled for debate at the relevant Committee meeting,

- h) Those making representations will be invited to do so in the following order, after the case officer has introduced any new information received following publication of the agenda and immediately before the relevant item of business is discussed. The following time limits will apply:

Town and Parish Councils	3 minutes
Objectors	3 minutes
Ward Members	5 minutes
Supporters	3 minutes
Agent or Applicant	5 minutes

- i) At the Chairman's discretion, the time limits above in point h) may be reduced to keep within the limited one hour per meeting for Public Participation.
- j) After the presentation it will be for the Chairman to decide whether any points need further elaboration or whether any questions which have been raised need to be dealt with by Officers
- k) The relevant Committee Chairman shall exercise discretion during the meeting to rule out immediately any comments by participants that are not directed to genuine planning considerations.
- l) Those making representations are not allowed to circulate any photos or written material to the Committee.

**COMMUNITY AND ENVIRONMENT COMMITTEE**

10<sup>th</sup> January 2019

**Report of the Head of Regeneration and Policy**

**DRAFT CONVERSION OF FARM BUILDINGS SUPPLEMENTARY PLANNING DOCUMENT**

**SUMMARY**

This report presents the results of the public consultation on the draft Conversion of Farm Buildings Supplementary Planning Document (SPD). It recommends modifications to the contents of the SPD and seeks approval for its adoption.

**RECOMMENDATION**

1. That the Conversion of Farm Buildings Supplementary Planning Document (SPD), attached in Appendix 1 be approved and formally adopted.
2. That the Consultation Statement attached in Appendix 2 and Adoption Statement in Appendix 3 be published in accordance with the statutory requirements.

**WARDS AFFECTED**

All wards outside the Peak District National Park

**STRATEGIC LINK**

The implementation of the Conversion of Farm Buildings Supplementary Planning Document through the determination of planning applications will assist with developing a thriving district, as stated in the Council's Corporate Plan 2015-19.

**1 BACKGROUND**

- 1.1 Supplementary Planning Documents seek to expand on existing planning policy, to provide detail and depth that may not be possible in a Local Plan. In November 2005 the District Council formally adopted the Conversion of Farm Buildings Design Guidance Supplementary Planning Document. This has, since that time, sought to provide complementary guidance and advice for farm building owners who are seeking to find alternative uses for their farm buildings. The SPD has operated well since that time, however following the adoption of the Derbyshire Dales Local

Plan in December 2017 it can no longer be used as a “material consideration” in the determination of planning applications.

- 1.2 To ensure that the Conversion of Farm Buildings Supplementary Planning Document can continue to be given statutory weight in the determination of planning applications it has been necessary to update its contents to reflect changes to the Local Plan policies, legislation and the approach to the conversion and re-use of farm buildings. Once adopted it can be used in the determination of planning applications as a “material consideration”.
- 1.3 Consultation on the revised Conversion of Farm Buildings Supplementary Planning Document was approved by the Community and Environment Committee on the 13<sup>th</sup> September, minute 134/18 . The consultation period ran from the 14<sup>th</sup> September to the 26<sup>th</sup> October 2018.

## **2. MAIN ISSUES**

- 2.1 Valid representations were received from 12 individuals and organisations during the public consultation period. Details of the representations received are set out in the Consultation Statement attached in Appendix 2 to this report. This has been prepared to satisfy the requirements of Regulation 12 (Part 5) of the Town and Country Planning (Local Planning) (England) Regulations 2012. The Consultation Statement is required to be published alongside the final version of the Supplementary Planning Document.
- 2.2 The main issues raised during the public consultation period, where modification of the Draft SPD is considered necessary are:
  - Additional text to clarify the dual use of terminology “heritage assets; designated and non-designated” with listed, curtilage listed and conservation areas.
  - Additional text to clarify references to the presence of archaeology and the advice available from Derbyshire County Council for applicants.
  - Clarification regarding the location of flue terminals and when it is appropriate for the Local Planning Authority to consider internal installations.
  - Additional information regarding “inappropriate” window frames and door/door frames.
  - Advice regarding the location of energy efficiency measures such as solar panels and car charging points.
  - Cross referencing to the Adopted Landscape Character and Design SPD.
  - Additional information on the Council’s pre-application advice offer.
  - Additional contact information for organisations who offer advice and guidance regarding heritage assets, archaeology and biodiversity.



### 3. THE NEXT STEPS

- 3.1 An Examination in Public is not required. The Supplementary Planning Document can be used in the determination of planning applications and as advice for the public from the point of adoption. However, there is period of three months where any person with sufficient interest in the decision to adopt may apply to the High Court for permission for a judicial review. The Adoption Statement is in Appendix 3.

### 4. RISK ASSESSMENT

#### 4.1 Legal

The consultation was undertaken in line with the requirements set out within The Town and Country Planning (Local Planning) (England) Regulations 2012. The legal risk is therefore low.

#### 4.2 Financial

The costs associated with the Supplementary Planning Document are contained within current budgets. It is intended that this would be published as an online document with paper versions available on request. The financial risk is, therefore, assessed as low.

### 5. OTHER CONSIDERATIONS

In preparing this report, the relevance of the following factors has also been considered: prevention of crime and disorder, equalities, environmental, climate change, health, human rights, personnel and property.

### 6. CONTACT INFORMATION

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### 7. BACKGROUND PAPERS

Description	Date	File
The Town and Country Planning (Local Planning) (England) Regulations 2012 Part 5: Supplementary Planning Documents	08-03-12	<a href="http://www.legislation.gov.uk/ukxi/2012/767/part/5/made/data.pdf">http://www.legislation.gov.uk/ukxi/2012/767/part/5/made/data.pdf</a>
The Derbyshire Dales Local Plan	December 2017	<a href="http://www.derbyshiredales.gov.uk/localplan">http://www.derbyshiredales.gov.uk/localplan</a>

Community And Environment Committee Agenda Item 8	13 <sup>th</sup> September 2018	<a href="http://www.derbyshiredales.gov.uk/images/documents/C/Committee/Community/13-09-2018_Agenda_Community_Environment.pdf">http://www.derbyshiredales.gov.uk/images/documents/C/Committee/Community/13-09-2018_Agenda_Community_Environment.pdf</a>
Community And Environment Committee Minute 134/18	13th September 2018	<a href="http://www.derbyshiredales.gov.uk/images/4 - CE 13-09-18.pdf">http://www.derbyshiredales.gov.uk/images/4 - CE 13-09-18.pdf</a>

## 8. ATTACHMENTS

Appendix One: Conversion of Farm Buildings Supplementary Planning Document

Appendix Two: Consultation Statement

Appendix Three: Adoption Statement



# THE CONVERSION OF FARM BUILDINGS

Supplementary Planning Document  
January 2019



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## THE CONVERSION OF FARM BUILDINGS GUIDANCE

### INTRODUCTION

In the predominantly rural district of the Derbyshire Dales, farm buildings are a common, distinctive and prevalent building type. When these buildings are not required for the purpose for which they were constructed there is pressure to convert them to alternative uses. This Supplementary Planning Document seeks to expand on existing planning policy which guides planning applications for the area of the Derbyshire Dales which falls outside the Peak District National Park, to provide detail and depth that may not be possible in the Derbyshire Dales Local Plan. It intends to provide complementary guidance and advice for farm building owners who are seeking to find alternative uses for their farm buildings without having an adverse impact on their character, appearance and setting.



### STATUS OF FARM BUILDINGS

#### *Listed Farm Buildings (Designated Heritage Assets)*

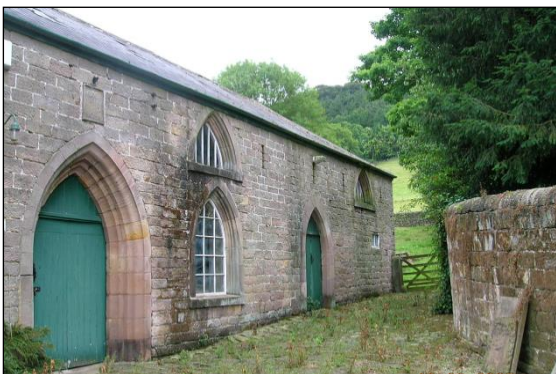
A significant number of farm buildings within the Derbyshire Dales Local Plan Area are listed in recognition of their special architectural and historic interest. The listing protects both the exterior and interior of the buildings from inappropriate alterations. Details of listing grades, the listing description and advice on the implications of listing can be obtained from the District Council.



Any works of alteration which would be considered to affect the special character or appearance of the listed building, however subtle, requires an application for Listed Building Consent to be made to the Local Planning Authority. Proposals for change of use and conversion also require an application for Planning Permission and/or Listed Building Consent.

***Curtilage Listed Farm Buildings (Designated Heritage Assets)***

Buildings adjacent to, or within the curtilage of a listed building may also be afforded protection by the listing of that building. Such buildings or structures are termed *curtilage listed buildings*. Using government guidance and criteria on what may constitute a *curtilage listed building*, the District Council has the power to assess whether a building or structure is deemed to be *curtilage listed*. For example, there may be instances whereby a farmhouse itself is listed and its adjacent farm buildings will be deemed, by the District Council, to be *curtilage listed*.



There may also be instances where a single farm building is listed in its own right and that others adjacent to it, or perhaps

forming a group around it, may also be deemed *curtilage listed*. The District Council is able to advise on this issue. Any works of alteration which would be considered to affect the character or appearance of the curtilage listed building, however subtle, would require an application for Listed Building Consent to be made to the Local Planning Authority. Proposals for change of use and conversion would also require an application for Planning Permission.



***Unlisted Farm Buildings (Non-designated Heritage Assets)***

Within the Derbyshire Dales there are many farm buildings and groups of farm buildings that are not listed or are not adjacent to, or within, the curtilage of listed buildings. They may, however, have architectural & historic merit (benefitting from protection as non-designated heritage assets) and/or their form, grouping, massing and configuration may play an important part in their contribution within the landscape. Such buildings may also play an important part in the topography and street-scape within a designated Conservation Area. Proposals for change of use and conversion would require an application for Planning Permission, unless the requirements of Class Q of the General Permitted Development Order (April 2015) are met, see page 21.

## PLANNING POLICY

The Derbyshire Dales Local Plan contains a number of relevant policies relating to the design, conversion and use of buildings. These policies form the basis of the important considerations the Council will take into account for proposals to convert and change the use of existing farm buildings. **See Appendix A**

## SUSTAINABILITY

The objectives of this Supplementary Planning Document (SPD) are to provide clear guidance to owners/developers/applicants/agents etc. on the conversion of farm buildings and to ensure that any alternative use of farm buildings is sympathetic to their character, appearance and surrounding landscape.

The Council has identified a number of sustainability issues that are important when considering the conversion of farm buildings. **Appendix B** provides a checklist to help identify relevant sustainability issues that owners/developers/applicants/agents should address as part of (or prior to) the submission of any planning application in order to assess the relative sustainability of their proposal.

## BUILDING REGULATIONS

With any proposed conversion scheme, building regulation approval will be required for a variety of works. Requirements under the Building Regulations could have important and serious implications with conversion proposals and details. It will be expected that proposed works requiring Building Regulation approval will be designed, from the out-set, with those regulations clearly in mind. Any queries regarding the Building Regulations, and their application/impact, should be made directly to Derbyshire Building Control (or an approved Building Control consultant).

The Local Planning Authority will not view proposed changes or amendments to an *approved* conversion scheme favourably where such changes are concerned with

fundamental elements controlled under the published Building Regulations.

## CHARACTER AND CONTEXT

Farm buildings have a recognisable form that is apparent in a number of constructional elements. They are generally simple, linear and functional in their form, shape and design, and use local materials and uncomplicated detailing. Roofs can be long and uninterrupted, window and door openings are few (with their locations dictated by function) and there is generally a larger ratio of blank walling to openings contributing to that unique character and appearance.



Internally, farm buildings generally comprise large open spaces, with unplastered walls, roof trusses and no ceilings. Historic evolution (or planned farmsteads) has often led to the grouping of farm buildings to form 'L' and 'U' shaped clusters around a yard. Additional service/ancillary functional buildings have often been constructed, sometimes of one or two storeys, with external stone steps to gain access to upper floors and haylofts.



The location, orientation and configuration of farm buildings are invariably associated with the farmhouse itself and, unless physically attached to it, the farm buildings are usually close by forming a hierarchical grouping. There is a common and distinctive characteristic, seen throughout the Dales area, whereby the farmhouse is the most prominent element of the farmstead grouping and usually placed or positioned adjacent to, or close to, the road serving access to the farmstead. This association and relationship between the farmhouse and farm buildings is an important element & attribute of the character, context & setting of farmsteads. That relationship forms and presents an intrinsic entity of farmhouse & farm buildings that make a positive contribution to the character and appearance of the farmstead, or farm grouping, and contributes significantly to their integrity and authenticity. The disconnection of that relationship through the loss or replacement of the farmhouse, or vice versa, is likely to have a negative impact on the existing, inherent character and appearance of the existing farmstead.

Furthermore, the open spaces/gaps between individual or groups of farm buildings are also considered to be an important element in the overall character and context of a farmstead and as a visual record of its historical development and evolution. These gaps or spaces allow the surrounding landscape to be glimpsed and, therefore, contribute to the character of a farm grouping. The context or agricultural setting of farm buildings is an equally important issue. Their immediate landscape is usually one of a hard surfaced communal yard (the primary

openings & fenestration etc. being introspective to the functional & working yard) with the adjacent agricultural land backing directly against the buildings.

The Derbyshire Dales is diverse in its character ranging from the hard, robust and gritty northern part to the soft, fertile and gentle southern area. This diversity of landscape and materials is reflected and characterised in the buildings that are situated throughout the District. The northern area has a prevalence of stone (which dominates as a building material) whereas the south relies on its local clays to make bricks and roofing tiles. Much of the landscape of the northern area is suitable, in part, only for sheep farming and the farm buildings reflect that usage in terms of their size, form and location. The southern area is abundantly fertile with dairy farming as its chief resource. Here the buildings are of brickwork, or exceptionally (and more rarely) of timber framed construction, and their size and form reflects a more intensified and affluent usage. Such differences and subtleties in the materials, form and usage of such buildings are integral to their character and appearance. This special character and appearance is considered to be an invaluable attribute and one that must be understood, recognised and retained in any conversion proposal.

## **EXTERNAL ELEMENTS**

### ***Roofs***

Roofs of farm buildings are generally of the simplest form and shape (double-pitched or mono-pitched) and covered with traditional roofing materials such as stone slate, slate and clay tile (appropriate to the part of the Dales area they occupy). Some farm buildings retain their original stone ridge tiles. A common and characteristic form or shape of the buildings usually includes long uninterrupted roofs with no chimneystacks, dormers or rooflights. The often simple configuration and juxtaposition of roofs is also an important and characteristic element of farm buildings.



The timber roof structures of some farm buildings can display varying degrees of decay and damage as a result of water ingress or structural failure or fatigue. Such potential problems should be inspected, assessed and reported upon by a qualified structural engineer, with experience in inspecting old and historic buildings, and recommendations put forward. There will always be a presumption in favour of retaining as much of the existing fabric as possible and any proposals for roof works should reflect this presumption.

- The wholesale removal and renewal of an existing roof structure will generally be resisted (unless sound, conservation structural engineering advice and recommendations support such a proposal).
- Where roof trusses and/or roof timbers are assessed (by a conservation structural engineer) to be structurally inadequate for the roof loadings, conservation engineering proposals to strengthen the existing roof structure will be expected as opposed to a proposal to renew the roof structure.
- The introduction of roof dormers and gablets, as part of a conversion scheme, will be resisted as representing the introduction of non-original details.
- Where the requirement for additional light levels can be soundly justified, the installation of a rooflight (of the smallest size necessary) may be considered acceptable if sensitively and appropriately located. Rooflights should always be located below the centre of the roof slope and should

be recessed, low-profile, 'conservation' type rooflights.

- Where the existing roof covering is of a traditional material this shall be retained and re-used and, where necessary, made up with second-hand or new materials to match the existing.
- Where the existing roof covering material is non-traditional there would be a programme for a non-shiny, non-reflective material to be used when replacement is occurring.
- The introduction/construction of new chimneystacks to farm buildings will be resisted as representing the introduction of non-original details/elements.
- The installation of a metal flue pipe/terminal will require very careful consideration and its location, scale, appearance & finish will be of paramount importance. It is desirable to locate flue terminals so that they do not project / protrude above the existing roof ridgeline. However, such elements must comply with the requirements of the Building Regulations and, in this regard, their location and height must be clearly indicated on any proposals.
- Rainwater goods should be of a traditional material (cast-iron or timber) and designed with simple gutters that should be located on painted metal rise & fall brackets. Cast metal rainwater goods (such as aluminium) may be acceptable on unlisted farm buildings. Plastic rainwater goods, barge-boards to gables, boxed timber soffits and fascia boards to eaves will not be considered appropriate or acceptable.

### **Walling**

Across the Dales area farm buildings are generally constructed from limestone, sandstone (or sometimes a mixture of both) and brickwork that reflect the indigenous materials and the local building tradition of the area they are in. Exceptionally, and rarely, farm buildings may be of timber-framed construction.



Occasionally, some farm buildings were part or fully rough-cast rendered.

Many farm buildings of the later nineteenth century were invariably constructed from brickwork when this material became more widely available to rural areas that had once been reliant on stone.

Modern farm buildings are generally constructed from concrete bases and timber/metal cladding.

Farmsteads may contain detached functional service/ancillary buildings and structures of a more transient and ephemeral nature. These may be simply constructed with timber and clad with either timber boarding or corrugated metal sheeting (for both walls and roofs). Their transient nature, and in many cases their lack of maintenance, presents them as secondary or tertiary structures within a farmstead grouping. Occasionally, such a type of structure has been added onto an existing stone or brick farm building to serve a particular, functional, purpose.

Many farm buildings can display varying degrees of potential structural inadequacy. This may be apparent in cracking, bowing or leaning to various parts of the building.



Such potential problems should always be inspected, assessed and reported upon by a qualified structural engineer with experience in assessing old and historic buildings. Such information is considered to be an important pre-requisite in determining a buildings potential for conversion. Some farm buildings may require (based on recommendations by a qualified structural engineer) full or partial restraint, buttressing, shoring or propping

being installed/put in place **prior** to any works taking place on the building in order to avoid the loss or collapse of any part of the existing fabric during the works.

In most cases it should be assumed that historic/traditional farm buildings have little or no foundations (in the modern sense of the term). In that regard, it is strongly advised that a detailed assessment (and trial holes) should be undertaken under the direction etc. of a qualified structural engineer as to whether (whole or partial) under-pinning will be necessary for the building/structure in order to achieve a conversion. The engineer's specific recommendations & specification for such works should be strictly adhered to.



The Local Planning Authority will not usually approve schemes that will involve substantial elements of demolition and re-building of the fabric of historic farm buildings. To ensure that this does not occur, potential conversion schemes should be accompanied by a detailed structural survey report on the building(s).



Based on this report/knowledge, a chronological methodology of conversion should be produced and established **prior** to works commencing on site to ensure that the proposed conversion is undertaken in a manner that protects the structural integrity of the building(s) during that conversion.

- A detailed structural report, and accompanying recommendations for all stabilisation methods for the building **prior to, and during**, the conversion works may be required by the Local Planning Authority as a supplement to any application for Planning Permission/Listed Building Consent.
- Schemes that propose extensive or substantial dismantling and re-building works to existing fabric will be resisted.
- Proposals whereby the large-scale reconstruction of a farm building(s) is required will be resisted.
- Where additional building materials are required, these shall match the existing in terms of their geological type, colour, size, texture and surface finish.
- Reconstituted or artificial building materials, as alternatives to the existing construction materials, would not be considered appropriate.
- Re-pointing of stonework or brickwork, on a large-scale, should be avoided, as this can/will significantly alter the character and appearance of the walling. Localised re-pointing is acceptable but only where this is carried out using a traditional lime-based mortar and the pointing technique, and method of application, is appropriate to the original construction of the building,
- Grouting of traditional stone walls (internal or external) will be considered acceptable where this does not cause damage to, or accelerates the collapse of, any walls and does not alter the external character or appearance of the walls (experienced structural engineering advice and recommendations on the, necessary, scope and extent of such

works should be sought on this issue).

- Underpinning of walls (external and internal), referred to previously in this section, may be considered acceptable where this will not cause the walls to collapse, crack or bow as a result or consequence of the excavation works required for such an operation (experienced structural engineering advice and recommendations on the, necessary, scope and extent of such works should be sought on this issue).
- The cleaning of stonework and brickwork will, generally, be resisted as it is considered that this will damage the fabric and alter the character and appearance of the farm building.
- Specifications & methodology for repairs to historic timber-framed structures/elements should be prepared by an appropriately qualified heritage professional.
- Proposals for the raising of walls (in order to raise the overall height of a roof/roof structure) to provide habitable space to a proposed first floor (or second floor) are likely to have a harmful impact on the existing character and appearance of a farm building or structure and introduce inappropriate visual/physical changes to the elevations. In this regard, such a proposal is unlikely to be supported on application.

Where planning permission is granted for the conversion of a farm building, it is important to note that that permission relates **only** to the **conversion** of the existing building/structure and does not authorise any demolition or re-building beyond the scope & extent of the original application proposal(s).

## WINDOW AND DOOR OPENINGS

A fundamental and important characteristic of farm buildings are the existing type, form, size, shape and detailing of door & window openings and the minimal number of door and window openings (i.e. the ratio of solid to openings) to the elevations. Door and window openings generally only exist to perform a specific function. Many farm buildings are introspective (facing onto a communal yard or area) with other elevations blank or almost blank. The form, rhythm and location of existing door and window openings can often identify the original use of a farm building and are, therefore, important distinctive elements and characteristics that should be retained and respected as part of any conversion scheme.



Existing window and door openings generally come under significant pressure to be altered as part of a proposal(s) to convert a farm building. Such alterations can significantly affect the existing character and appearance of a farm building. Other pressures/considerations include the methods and types of glazing, to both historically glazed and unglazed openings, and the formation of new door and window openings. The following guidance is given in this regard.



- In considering the residential conversion of a farm building, it will be expected that the building owner (and their architect/agent) recognises and acknowledges the particular building type/genre they have and that the distinctive character & appearance of such building types do not readily convert to serve & function as a modern home.
- The distinctive character and appearance of the original building should be retained in any conversion scheme/proposal and, therefore, sound justification (which does not constitute harm to character & appearance) for the inclusion/insertion of any new door and window openings would need to be provided.
- Proposals for new windows, doors, openings, etc. to historically blank elevations will generally be resisted as compromising, and potentially harming, an inherent and distinctive characteristic of a farm building.
- Proposals for the enlargement or reduction in the width/height of any existing window/door opening will be resisted as being harmful to the building's existing character and appearance.
- Should an existing window opening be considered appropriate to block, then that blocking should be in-set within the structural opening to an appropriate dimension. The type and method of blocking will also be important and need to be

appropriate to the building's character and appearance. Sound justification for the blocking of existing openings will always be required.

- Where new openings are considered acceptable (based on sound justification and no harm to character & appearance) they should be carefully designed in terms of their scale, proportion and detailing, with careful consideration given to their location on the building elevation(s). Furthermore, and of equal importance, the Council would need to be assured that the constructional operation & methodology of satisfactorily forming the new opening will be possible within the fabric concerned.
- Where original openings within the fabric are to be copied (based on sound justification and no harm to character & appearance), their detailing shall match the existing exactly in all respects and they must be appropriate to their new location or position.
- The provision of any escape window(s) (appropriately justified) shall be considered by the designer and discussed with the District Council at an early stage.

### **Windows**

Most farm buildings have existing timber glazed or, exceptionally, cast-iron glazed window frames. These are predominantly of the agricultural type with a pivoting opening section (to all or upper part). This is known as a 'hopper' type window frame – the opening part usually opening inwards and restrained by a quadrant stay. In shape, they are generally horizontal rectangles, usually multi-paned and the timberwork is invariably painted.

Whilst there may be examples of modern 'storm-proof' type window frames to some farm buildings this particular window type is deemed inappropriate to historic farm buildings. Replacement with a suitable, and appropriate, window frame type would, therefore, be considered acceptable (subject to detailing).

Proposals for the introduction of 'storm-proof' type window frames would be resisted as being inappropriate to historic farm buildings.



The palette of paint colours used seems to have been very limited - the most common colours being various shades of grey and blue-grey, black (paint or tar) and a dark dull red or dark green. All existing historic windows are single-glazed. 'Model' farm buildings (architect designed) of the mid-later 19<sup>th</sup> century may have examples/inclusions of casement windows (multi-paned) and other idiosyncratic or architecturally inspired window designs such as ovals or circles.

- The type, pattern and form of existing, traditional, window frames to a farm building are considered important attributes of its character and appearance and should, therefore, be retained.
- All existing (historic) window frames (and glazing) should be retained and repaired wherever possible.
- Where existing (historic) windows are beyond repair, they should be replaced with **exact like-for-like replicas**.
- Where windows were originally painted, they shall be re-painted and the new paint colour should be matched to the existing paint colour (see above). Where windows have lost all traces of their paint finish, a

- suitable colour should be agreed with the Local Planning Authority,
- Alternative materials, such as UPVC and powder-coated metal, as a replacement for existing, historic, timber window frames, will not be considered appropriate or acceptable.
  - Where specific & rare circumstances arise (and can be fully and soundly justified) the use of powder-coated metal window frames may be considered.
  - Where window frames are considered inappropriate in pattern, material and form these should be replaced with window frame and form of appropriate pattern, material and form for the building.
  - Existing window cills (of stone, tile, brickwork) shall be retained and repaired.
  - Existing window heads (of stone, tile, brickwork) shall be retained and repaired.
  - Existing window jambs (of stone or brickwork) shall be retained and repaired.
  - The depth/recess of a window frame is an important element of the character and appearance of the farm building. The depth/recess of existing window frames should be used to inform the depth/recess of any replacement/new windows unless that window is not original or appropriately recessed
  - Where cast-iron glazed windows survive detailed proposals and methodology for their retention and repair shall be submitted as part of the proposed scheme.

The District Council considers that window frames should be constructed of timber (being the traditional material for their construction) and that the timber should be given a painted finish in accordance with historic tradition and precedent.

*Listed and Curtilage-Listed Farm Buildings:*

With regard to the glazing of the window frames, there is a presumption in favour of retaining single-glazing as this allows

(where replacement is necessary) the most authentic and fine joinery work associated with historic window frames.

In considering alternative glazing proposals, technological developments in double-glazing, over the last ten years or so, have produced a product ('thin double-glazing') that allows replacement window frames to fulfil a number of important criteria relating to character, appearance & detail. Whilst a presumption in favour of single-glazing remains, the Local Planning Authority will consider the use of the 'thin double-glazing', under certain circumstances, where the use of double-glazed windows is deemed not to harm, or be detrimental to, the character and appearance of the farm building. In order for the Authority to consider the use of 'thin' double-glazed windows, all of the following criteria should be followed -

- The window frames should be constructed from timber (either hardwood or softwood).
- The existing pattern, form, type and opening mechanism of the replacement window should match those of the existing window frame.
- All on-face dimensions of the existing window frame shall be replicated in the replacement window frame.
- The double-glazed units themselves shall be 'thin' (12mm maximum).
- Where the window frame has glazing bars, these shall be integral timber bars (i.e. not 'stick-on' bars) of the same on-face width and moulding, etc. of the existing glazing bars.
- The double-glazed units shall be putty pointed into the timber window frames (i.e. not secured with a timber bead).
- The new window frames shall have no 'trickle-vents' incorporated or projecting cills.
- The completed window frame shall be primed and painted.

Proposals for double-glazed windows, which comply with all of the above criteria, will be considered as part of a conversion scheme, with the important caveat that

they will only be deemed acceptable if the introduction of double-glazing is considered not to harm, or be detrimental to, the building's character and appearance.

#### *Unlisted Farm Buildings:*

Whilst historic, un-listed, farm buildings still present and display a strong agricultural character and appearance, it is unlikely that the Local Planning Authority would raise any objection to the introduction of double-glazed windows, where this does not affect its significance. However, in terms of advice and guidance in relation to an application for conversion, it is considered that the above criteria are pertinent and should be utilised for un-listed historic farm buildings.

#### **Doors**



Farm buildings usually display two types of door. These are the stable type door and the fully boarded door. In most cases, these doors are hung with plain metal strap hinges (with metal hinge pins) and have simple metal latch handles. Many such doors were designed without doorframes – a rebate being formed in the stone or brickwork into which the door

closes. Doorways can have segmental brick arches or flat lintels (the latter usually of timber or of stone).



Many doors were designed to open outwards and fold back against the walling so as not to foul up the internal space. Where doorframes do exist, they are generally of stout and robust construction. In farm buildings constructed in brickwork, stone blocks were generally inserted to house the metal hinge pins and latch catch. These are an important element. Doors were, generally, always painted.

- Existing doors (and doorframes) should be retained and repaired wherever possible, including their historic ironmongery.
- Where existing doors (and doorframes) are beyond repair they should be replaced with **strictly like-for-like replicas**. Ironmongery should be re-used or replicated.
- Where doors and doorframes are considered inappropriate in pattern, material and form these should be replaced with window frame and form of appropriate pattern, material and form for the building.
- Alternative materials such as UPVC and powder-coated metal, as a replacement for existing historic timber doors/doorframes will not be considered appropriate or acceptable.
- Where doors were originally painted they shall be re-painted. The new paint colour should be matched to the existing paint colour (where

traces exist). Where doors have lost all traces of their paint finish a suitable colour should be suggested for approval by the Local Planning Authority.

- In some cases, proposals may be made to remove an existing door or permanently fix it back in the open position in order to install glazing (within the structural opening) to minimise the pressure for new openings in the fabric. Such proposals will be considered, however, the design and form of the new glazed installation will require careful consideration and design detailing, including its proposed position/location within the structural opening (i.e. depth of recess etc.). It would be expected that the perimeter framing size for such installations will be the minimum required and that there would be no intermediate rails or glazing bars.
- Should an existing door opening be considered appropriate to block then that blocking should be in-set within the structural opening to an appropriate dimension. The type and method of blocking will also be important and would need to be appropriate to the building's character and appearance. Sound justification for the blocking of existing openings will always be required.

For clarity, where the insertion of glazing to such elements is proposed the following approach shall be expected.

*Listed and Curtilage-Listed Farm Buildings:*

Glazing, either single or double-glazed, in the form of a panel or aperture within any existing boarded timber door (or a replica new replacement timber boarded door) shall not be deemed appropriate in terms of the intrinsic character and appearance of the listed building.

Where a new glazed element is considered to be acceptable, then the Local Planning Authority will consider the use of 'thin double-glazing'. However, the

use of double-glazing for new glazed elements or installations to former doorways would need to fulfil **all** of the following criteria -

- The design, form and appearance of the new element/installation shall be considered appropriate and acceptable to the buildings character.
- The glazed element/installation should be constructed from timber (either hardwood or softwood).
- The double-glazed units themselves shall be 'thin' (12mm maximum).
- The double-glazed units shall be putty pointed into the timber frames (i.e. not secured with a timber bead).
- The new element/installation shall have no 'trickle-vents' incorporated or projecting cills.
- The completed element/installation shall be primed and painted.

Proposals for double-glazed elements, or installations to existing doorway openings, which comply with all of the above criteria, will be considered as part of a conversion scheme, with the important caveat that they will only be deemed acceptable if the introduction of double-glazing is considered not to harm or be detrimental to the building's character and appearance.



*Unlisted Farm Buildings:*

Whilst historic, un-listed, farm buildings still present and display a strong agricultural character and appearance, in this regard, it is unlikely that the Local Planning Authority would raise any

objection to the introduction of double-glazed elements or installations to existing doorway openings where this does not affect its significance. However, in terms of advice and guidance in relation to an application for conversion, it is considered that the above criteria are pertinent and should be utilised for un-listed historic farm buildings.

## OTHER OPENINGS

### *Hayloft Openings (historically unglazed openings)*

Many farm buildings contain (functional) openings to their elevations that were never intended to have a door or window frame. Farm buildings generally display a number of ways in which such openings were covered or closed against the weather. Those to first floor haylofts, a common feature of farm buildings, usually take the form of plain-boarded hatch doors, square or rectangular in form and usually with simple metal strap hinges and hinge pins that generally opened outwards (although some examples open inwards). In some instances, the opening has a small external rebate into which the hatch door neatly closed. On brick farm buildings, the metal hinge pins and latches to haylofts are usually fixed into a stone block incorporated into the fabric at the time of its construction. This gave a sounder fixing than into brickwork or brickwork joints.



These existing/traditional openings are considered to be important elements which contribute to the inherent character and appearance of a farm building. In this regard the following guidance is given -

- Existing timber hatch doors should be retained and repaired wherever possible.
- Where it is proposed to utilise the opening for additional light (i.e. to install glazing), the hatch door should be fixed in the open position, unless such an element is proposed to be used for security or other purposes. The proposed new framing and glazing of such openings shall be treated as outlined and detailed in the previous section - 'Windows' & 'Doors'.
- UPVC alternatives will not be acceptable.
- The proposal to introduce glazing to such openings will be considered on a case-by-case basis and assessed in terms of the potential impact of the proposed glazing on the character and appearance of the building.
- Proposals for the reduction or enlargement of such structural openings will be resisted as an undesirable alteration to the existing and traditional character and appearance of the building.
- Where timber hatch doors have been historically lost, it is not desirable to make replicas for reinstatement unless the reason for reinstatement is based on security purposes.
- Where evidence of their visual form and appearance can be ascertained, without recourse to conjecture, such elements could be considered for reinstatement.



## Large Openings (historically unglazed openings)



Many farm buildings contain large openings (sometimes with double doors) or open-fronted cart openings. These elements or features are considered to be important to the character and appearance of the farm building. It is considered essential, therefore, to retain the physical presence & visual character of such openings in any conversion scheme. As part of a conversion scheme, proposals may be put forward to fully glaze, or part-glaze, large openings and cart openings.

Full or part glazing to large openings and cart openings will need to be carefully considered, designed and detailed to retain and respect the original character, form and physical/visual presence of the openings. The framing and glazing of such openings should be treated as outlined in the preceding section - 'Windows' & 'Doors'.

- Where existing timber doors survive they should be repaired and retained or replaced on a strictly like-for-like basis. If it is intended to introduce glazing to the opening, then the doors should be capable of being fixed back or fixed in the open position. The permanent removal of such doors is unlikely to be considered acceptable.
- The design of the new glazed element should be carefully considered in terms of its framing & division and its relationship to the

structural opening and elevation in general.

- Alternative materials, such as upvc, will not be considered acceptable.
- The proposed recess or extent of inset for the new glazed element will be an important consideration in its design. In order to maintain the character of a large opening, it will be expected that the new glazed element is *deeply recessed* within the structural opening. This particular detail should be clearly indicated/annotated on any proposed plans/elevations.
- Where opening parts/sections (i.e. windows/doors) are proposed for incorporation within the new glazed element these will need to be carefully detailed and appropriately integrated into the overall glazing design proposal.
- Where it is proposed to only part-glaze a large opening, the treatment of the 'solid' part will require careful consideration and design appropriate to the character and appearance of the opening and building elevation(s).
- Where new, inserted, floor planes may be proposed (behind glazed openings) such elements will require careful consideration and an appropriate and acceptable design solution put forward.

Where large openings, or cart openings, are to be utilised for the parking of vehicles, consideration should be given to retaining these as open fronted buildings. The installation of new, modern, 'garage' type doors (in metal or timber) may be inappropriate and would, therefore, be resisted.

## Vent Holes

Many farm buildings display ventilation holes in their external walling. These vary in form from simple narrow, vertical slots to interesting patterns (diamonds, triangles, lozenges, etc.) formed in brickwork or stonework.



They are considered to be an integral and important element of a farm buildings character and appearance and such features must, therefore, be retained in any conversion proposals.



- Proposals to seal vent holes shall be undertaken in such a way as to not alter their external character or appearance. Where vent holes have a significant visual depth and three-dimensional character, this effect must be retained in any sealing proposal.
- Proposals to unblock (historically blocked) vent holes may be considered acceptable.
- Proposals for the glazing of vent holes shall be carefully considered and designed in such a way as to not alter their visual character or appearance. Glazing should be setback in all circumstances.

- The removal, alteration and loss of vent holes and vent hole patterns, to facilitate the introduction of new window or door openings, will be resisted as injurious to their existing character and appearance.

## ARCHITECTURAL & DECORATIVE FEATURES

Farm buildings can display a number of other interesting and important features that are integral and significant to their character and appearance. Such features may include: external stone steps (with integral dog kennel below); stone water troughs (and feeding troughs); roof vents; weather vanes; dove holes; cast-iron columns; gable finials & coping stones; decorative eaves and verge detailing; hooks, rings and latches affixed to external walls and date stones.



Internally, there may be animal stalls, feeding bins and hayracks. Historic ironmongery to doors, hatches and windows are also considered important elements of the building.

- On listed farm buildings and curtilage-listed farm buildings, all such features are protected under the statutory listing and their removal or alteration will not be permitted without consent.

- In any conversion scheme, it shall be expected that all such features, and any others, are retained and incorporated into the scheme wherever possible. Their removal, on the grounds of redundancy, will be resisted. Whilst not advocated, any proposals to remove, or to re-locate, such features will require sound justification in each case.
- Where such features have been lost historically, but good sound & compelling evidence of their form and detailing survives, these could be replicated/reinstated. However, conjectural reinstatement or replication will not be acceptable and should not be proposed.

## NEW SERVICES

Any conversion scheme will require the supply and installation of new services such as cables, wiring, pipework vents, grilles and meters. Where these installations will, or are likely to, have an undesirable impact on the external character or appearance of the building, they shall be concealed or designed-out.

- The use or installation of externally fixed pipes, cables, vents, grilles, wires, etc. will be resisted. Where sound justification can be made for their inclusion their location, type & finish should be carefully considered.
- Pipework (for drainage and disposal) shall be located internally wherever possible. Where, with justification, pipework may need to be externally located, this should be positioned, by design, on *hidden* elevations.



- Meter boxes (for gas & electricity) shall be located internally and not be

positioned on any external elevation of the building.

- On listed and curtilage-listed farm buildings, the introduction of a satellite dish would normally constitute an alien and inappropriate addition to the character and appearance of the farm building and would, therefore, be resisted. A similar view would be taken with regard to the introduction of security alarm boxes.
- Where there is a proposal to install solar equipment on a roof, or roofs, to a listed or curtilage-listed farm building, these will require careful consideration in terms of their type, form and layout. Such equipment can, however, have an adverse, and potentially harmful, visual & physical impact on character and appearance and, where this is deemed to be so, it is unlikely that such an installation would be considered acceptable or appropriate.
- The introduction of a satellite dish and solar equipment to an unlisted farm building (converted to a dwelling house) is likely to be restricted by the removal of Permitted Development Rights.

## INTERIORS

The interior spaces of most farm buildings generally consist of large open spaces, sometimes open to the roof, together with other examples of the surviving paraphernalia of their agricultural use, such as feeders, stall dividers, harness and hay racks, etc. Interiors to listed and curtilage-listed farm buildings, and their associated fixtures and fittings, are protected under the statutory listing. Interior walls were generally lime-washed (not plastered – although some examples do exist), as were, on occasion, roof timbers and floor joists. Original ground floors may be stone flagged, stone setted or brick paved. However some have been replaced over time with in-situ concrete. In some cases, original lime-ash floors survive (generally to first floors or lofts). A fundamental characteristic of lime-ash floors is their undulation which is an important natural feature of such floors.



Roof structures were seldom, if ever, ceiled and the roof trusses (usually king-post or queen-post trusses) were on view. Internal divisions were generally created by way of stone or brick walls or, in some cases, timber framed and plaster in-fill walls. Farm buildings rarely had fireplaces and, consequently, rarely had chimneystacks.

### Listed and Curtilage-Listed Farm Buildings

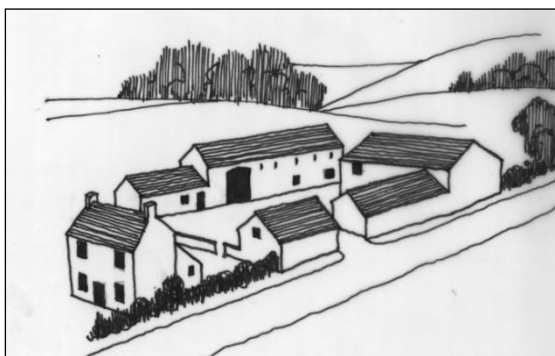
- The interior spatial quality and character of farm buildings is considered to be an important and significant attribute and retention, by design, of that interior spatial quality shall be expected in any conversion scheme.
- In connection with the above, as few new sub-divisions as possible shall be introduced as part of a conversion proposal in order to retain that spatial quality and reduce the requirement for additional new windows and door openings.
- Where new internal divisions are proposed, these should always respect the interior architectural features and spatial qualities of a farm building (and, for example, be aligned with roof trusses and bays).
- The removal, re-location or the cutting through of structural timbers (to floors, roofs and roof trusses) will not be acceptable. First floors to many farm buildings have low headroom, particularly under the tie-beam of trusses. Accurate, vertical dimensions, to assess the available headroom, should be undertaken to inform the feasibility of introducing habitable use within such spaces.
- The removal (or re-location) of roof trusses or structural beams within a farm building will be resisted as injurious to the internal character and appearance of the farm building.
- Any proposal for the lowering or raising of any existing floor level, or internal element, will be resisted as injurious to the internal character and appearance of the farm building.
- Original interior fixtures and fittings shall be retained wherever possible in any conversion scheme. Their imaginative re-use can usually enhance the interior spaces of converted farm buildings. Full justification must be provided if their removal is being proposed.
- The removal of original or existing floor surfaces (i.e. those considered by the Council to be of historic, architectural and archaeological importance) will be strongly resisted.
- Proposals for the lifting and re-laying of historic ground floor surfaces, and the installation of an integral damp proof membrane, *may* be considered an acceptable proposal but this would be subject to a detailed methodology, extent of excavation work and impact on potential archaeological deposits.
- The removal of lime-ash floors will be strongly resisted. Proposals for their retention and repair should be submitted with any scheme for conversion. Any proposals for their removal would need to be fully justified on structural engineering grounds (confirmed by a conservation engineer's report). Removal, because of their undulating character or cracking, will not be considered sufficient justification.
- The positioning and design of new elements, such as staircases, will require careful consideration. Over decorative or 'period-type' staircases will be resisted.
- The introduction of chimneybreasts, fireplaces and ingle-nooks will be resisted as being wholly inappropriate to the character of farm buildings.

- Metal flue terminals (for free-standing wood burning/multi-fuel stoves, ranges or boilers) should always be painted out matt-black. Where such terminals project through roof coverings, they should be located on 'hidden' roof elevations.
- Where evidence of the historic introduction of a chimneystack (or stacks) can be clearly justified (and its dimensions extrapolated from existing, extant evidence), lost or decayed chimneystacks may be reconstructed (conjectural reconstruction would not be considered acceptable).
- It is desirable to locate flue terminals so that they do not project / protrude above the existing roof ridgeline. However, such elements must comply with the requirements of the Building Regulations and, in this regard, their location and height must be clearly indicated on any proposals.

### *Un-listed Farm Buildings*

On un-listed farm buildings, it is desirable to respect and retain the internal character of the building wherever possible. Whilst there is no statutory protection for the interior of an unlisted farm building. The Council would welcome early discussions about the internal proposals for such buildings in order to ensure a sensitive and appropriate scheme is put forward.

## **EXTENSIONS AND ADDITIONS**



Farm buildings, by their nature, are simple, functional structures that were generally built for specific agricultural uses. This is an important and significant

element of their original design, form, character and appearance. The open spaces or gaps between farm buildings are also considered to be important elements to the character and context of a farmstead or farm grouping. To this end, the retention of this visible separation and independence of individual or groups of farm buildings is considered to be a vital attribute of their character and should be respected and retained in any proposals for conversion. In that regard, with any conversion proposal it will be considered that:

- The existing size, form, mass and shape of the farm building will be retained and that the proposed conversion use will suit the existing space available without recourse to additions or extensions.

It is most probable that there are farm buildings that will be of a size & form, or their access is difficult, that will not be suited to a residential conversion scheme without serious compromise and harm to their existing shape, form, fabric, character and landscape context. In such circumstances, innovative alternative & appropriate non-residential uses could be considered.

Guidance provided within this supplementary planning document relates primarily to the **conversion** of existing farm buildings & structures. However, the District Council is aware that proposals for extensions or additions to existing farm buildings may be contemplated by building owners/developers/agents, etc. In this regard, the District Council would strongly advocate that owners/developers/agents, etc. seek pre-application advice.

There may be farm buildings or structures where the concept of an extension or addition would significantly compromise its existing attributes (for example, form, shape, mass, appearance and associated character with other adjacent buildings and structures). Where this is the case, the Local Planning Authority would be unlikely to support a proposed extension/addition.

Therefore, if an extension, addition or separate building is to be considered, it is recommended that at the pre-application stage the building owner (or their agent/advisor) prepares a design concept appropriate to the building to which it is being attached, or the manner in which it interrelates with the setting, to justify the proposals.

A design concept would expect to include and assess the following considerations in relation to form, scale and size, positioning on the building, positioning in relation to the building, materials and how this informs the overall character and appearance of the proposal.

Where, the *principle* of extending a farm building may be considered acceptable, the following will be expected:

- Extensions or additions shall be designed to respect and harmonise with the existing building in terms of the extensions' form, shape, character, size, scale, and massing.
- Extensions or additions shall be designed to respect and harmonise with the existing building in terms of their position/location and alignment (in relation to the host building).
- Extensions or additions shall be subservient in their size, scale, form and massing to the original, principal, farm building or structure.
- The original, principal farm building must always remain the dominant element. Extensions or additions should always be set back to respect the corners of the principal farm building.
- Proposals to construct 'link' buildings or structures within the open spaces or gaps between separate and historically independent farm buildings will, generally, be resisted.
- The proposed location of any extension or addition shall be given careful consideration so as to reduce its visual impact on the building and on its setting.
- Proposals for multiple extensions or additions to a farm building, or structure, will be resisted.

- Building materials will need to be given very careful consideration and be appropriate to the design concept of the extension or addition.
- The design and detailing of the junctions between the extension/addition and the host building will need to be given careful consideration.
- The extent, form, shape and type of fenestration/openings to an extension or addition will need to be given very careful consideration in terms of their potential impact on the host building.
- Continual, and future, extensions or additions to a farm building will, generally, be resisted as a dilution of the principal building and its character & appearance.
- The transference of existing architectural details (for example, coped gables etc.) from the host building to an extension or addition will be resisted.
- Chimneystacks to extensions or additions will, generally, be resisted.
- Consideration of potential impacts on archaeology and biodiversity.

### ***Conservatories, Sun-Lounges, Garden Rooms, Porches and Porch Canopies***

The above elements would be considered as extensions/additions and the guidance outlined above is, therefore, pertinent. However, the following specific guidance is given in relation to these particular elements.

- Conservatories, sun-lounges, garden rooms, porches or porch canopies represent distinct domestic elements and in this regard are considered to be alien and inappropriate extensions/additions to the traditional character and appearance of farm buildings. Their form, character, details and appearance are in strong contrast and opposition to the innate and intrinsic agricultural theme/genre,
- The proposed addition, therefore, of conservatories, sun-lounges, garden rooms, porches or porch canopies to any external elevation to a principal

farm building (or its existing extensions/additions), or associated farm buildings, will be strongly resisted as such additions would be deemed harmful and detrimental to the character and appearance of traditional farm buildings.

### **Garaging and Parking**

Proposals for car parking will need to be given serious consideration at the out-set of any conversion scheme. This may take the form of discreet areas of hard standing (of an appropriate surfacing material) suitably located within the curtilage of the farm building(s).

Alternatively, parts or areas of the existing building may be able to be utilised for such a purpose, or, more radical, the construction of a new building to provide under-cover vehicle parking could be explored. The following guidance is provided.

- Garaging of cars may be able to be accommodated within the existing buildings where previous cart sheds survive or form part of the farm building group. Utilisation of such structures for the garaging of cars, rather than the structure being included as part of any residential conversion, should be fully explored as part of any scheme proposal,
- Proposals to construct a new, *attached* garage (single, double or more) to an existing farm building will require very careful design consideration in terms of its appearance, form and detailing in order to minimise its visual impact on the existing building. Such a proposal may, however, compromise the existing character and appearance of the host building to a detrimental degree and, in that regard, be deemed inappropriate,
- Proposals to construct a new, *detached*, garage (single, double or more) will generally be resisted unless its design, scale, mass, form, detailing and location/orientation does not impede or detrimentally affect the character and setting of

the existing farm building(s) or farm building group,

- Modern, 'up-and-over' metal or timber clad garage doors will be resisted as being wholly inappropriate to the agricultural tradition. Double, vertically boarded, (side-hinged) painted doors are considered to be more appropriate to the agricultural tradition.

### **OUTBUILDINGS AND CURTILAGE**

The setting of a farm building or group of farm buildings has its own distinctive character and appearance. Associated with many principal farm buildings are ranges or examples of small, often subsidiary buildings that served the agricultural operation of the farm. These are considered to be very important elements of the overall setting of farm buildings and their retention, repair and re-use is desirable. Some such buildings may be listed in their own right or may be curtilage-listed buildings.

In association with outbuildings are the boundaries to the farmyard itself. These may be dry stone walls, brickwork walls, hedges or metal fencing. In many cases these may mark ancient boundaries and/or clearly define the farmyard from its surrounding fields and landscape. Farmyards may also retain original and historic surface treatments, such as stone setts, paved areas or brick pavements. These surfaces are a fundamental and important characteristic of the agricultural setting and should be retained.

- Outbuildings shall be retained, repaired and re-used wherever possible. The demolition of outbuildings deemed heritage assets will be resisted in most cases.
- The over-domestication of the setting of a converted farm building (in terms of patios, timber-fencing, railings, extensive garden landscaping, ornamental ponds, lamp posts and pergolas) would be undesirable unless that building/site is deemed a heritage asset.
- The formation of ornamental water features, fountains, fish ponds and

larger bodies of water would be undesirable unless that building/site is deemed a heritage asset.

- Existing boundary treatments (walls, hedges) shall be retained and repaired/re-planted.
- Where new boundaries need to be created, their form, type, height and material shall be informed by the existing type, character and appearance within the immediate environs of the farm buildings/farmyard.
- The entrance or approach to a converted farm building, or group of buildings, should retain its original rural and agricultural character. Over prestigious entrances, with gateposts and gates, extensive block paving, setts or tarmac, would be undesirable unless that building/site is deemed a heritage asset.
- Gates to entrances, or other accessways associated with a farmstead, shall be of the agricultural type and form (i.e. a traditional five-bar timber gate) or, if appropriate, solid vertically boarded and framed gates (with a painted finish) of a plain and simple character. Gate posts should be simple and subservient in form, character & material (i.e. metal or timber).
- Decorative and fussy metal or timber gates, would be undesirable unless that building/site is deemed a heritage asset.
- The widening of existing gateways (vehicular or pedestrian) would be undesirable unless that building/site is deemed a heritage asset.
- Original gates, gate posts and railings should be retained in-situ and re-furnished where necessary.
- Proposals to sub-divide an original, or historic, farmyard with new walls (or the heightening of existing walls), fences or hedges will generally be resisted. In this regard, careful planning and design will be required at the design stage to ensure that the original farmyard character, spatial qualities and the historic relationship between the farmhouse and farm buildings, is retained

following any conversion scheme. Where *sufficient* physical evidence survives for the historic sub-division of a farmyard, its reinstatement may be considered acceptable.

- The provision of additional areas for 'domestic' curtilage may be considered acceptable only where these proposed areas do not impede or affect the character, appearance and setting of the farm building(s) and farmstead. Their extent, location and boundary treatment will require careful design consideration.
- External swimming pools and tennis courts, with or without enclosure, are considered to be detrimental to the character, setting and grouping of a farmstead and their introduction would be undesirable unless that building/site is deemed a heritage asset.

***In order to retain and protect the character, appearance and setting of the buildings any grant of planning permission would normally remove residential and minor operations permitted development rights.***

## **CLASS Q**

Class Q of the General Permitted Development Order was introduced in April 2015 (amended in April 2018) allowing the **change of use** and **conversion** of agricultural buildings to dwelling houses. The intent of the legislation is clear in referring to, & allowing '*conversion*' of, the existing agricultural building rather than its replacement or re-building.

Class Q does not include or extend to agricultural buildings that are listed buildings, buildings located within a Conservation Area or are scheduled monuments (or have scheduled monuments within their site).

For those agricultural buildings falling outside the above categories, the general permitted development right can be exercised (subject to compliance with a number of criteria). This can, therefore, relate to traditionally built stone and



brickwork agricultural buildings and modern (steel, concrete and metal/timber clad) agricultural buildings.

Where such buildings are deemed to fulfil the criteria of Class Q, the development (i.e. change of use & conversion) is permitted subject to the building operations being “reasonably necessary to convert the building”. Class Q identifies such building operations as –

- the installation or replacement of windows, doors, roofs or exterior walls, or
- the installation or replacement of water, drainage, electricity, gas or other services to the extent reasonably necessary for the building to function as a dwelling house, or
- partial demolition to the extent reasonably necessary to carry out the building operations above.

The National Planning Practice Guidance states that –

“Building works are allowed under the right permitting agricultural buildings to change to residential use. However, the right assumes that the agricultural building is capable of functioning as a dwelling. The right permits building operations which are reasonably necessary to convert the building, which may include those which would affect the external appearance of the building and would otherwise require planning permission. This includes the installation or replacement of windows, doors, roofs, exterior walls, water, drainage, electricity, gas or other services to the extent reasonably necessary for the building to function as a dwelling house; and partial demolition to the extent reasonably necessary to carry out these building operations. It is not the intention of the permitted development right to allow rebuilding work which would go beyond what is reasonably necessary for the conversion of the building to residential use. Therefore it is only where the existing building is already suitable for conversion to residential use that the building would be considered to have the permitted development right”.

Further to the above guidance, the courts have deliberated over the meaning of **reasonably necessary** building operations and have confirmed that, succinctly, this equates to a conversion “**without extensive re-building or new structural elements, including any extensions**”.

The effect of Class Q, the courts meaning relating to reasonably necessary building operations and national guidance, effectively means that such agricultural buildings must be converted more or less as they stand. This is considered important in terms of their existing character and appearance as agricultural building types within the landscape. In that regard, proposals under Class Q for change of use and residential conversion should fully respect the building’s existing agricultural character and appearance and, prior to any proposals being put forward, be the subject of a comprehensive structural assessment to ensure that it can be successfully converted ‘without extensive re-building or new structural elements, including any extensions’.

The effect and outcome of this requirement will be to ensure that those agricultural buildings converted under Class Q maintain, as much as possible, their existing agricultural structure, form, materials, character and appearance.

## **POST-CONVERSION**

The retention of character and appearance of converted farm buildings (& their curtilage/setting) is considered crucial to their long-term presence and contribution to the built environment and landscape of the Derbyshire Dales District. In most cases, therefore, to safeguard character and appearance, permitted development rights will normally be removed.

Following an approved & implemented conversion scheme, it is unlikely that the Local Planning Authority would support further alterations to the building(s), or support development within the curtilage, that are likely to erode or diminish its

agricultural character, appearance and setting. This would include inappropriate additions and extensions (as set out previously in this document) as well as, for example, the insertion of new/additional window/door openings (including rooflights), the enlargement of existing window/door openings and alterations/additions within its curtilage (structures, fences, etc.).

## ARCHAEOLOGY

In some cases the immediate landscape to a farm building or group of buildings may have significant archaeological interest. The farm buildings to many ancient farmsteads may have occupied their site/footprint for centuries. As a consequence these buildings will have a significant archaeological value and interest not only in terms of their built fabric but also the ground on which they are located, and that which is adjacent to them. There may, in some instances, be the remains of medieval ridge and furrow adjacent to, or surrounding, a farmstead.



With regard to the buildings themselves, any works deemed to have archaeological potential impact on deposits (for example the (part or total) excavation of floors within the building; excavation works adjacent to the building; excavation works for new footings and service trenching and proposed works for the repair/replacement of historic timbers, etc.) will need to be recognised and appraised and monitored in order to safeguard archaeological interest. This should be undertaken by a suitably qualified and experienced practitioner. Derbyshire County Council

archaeological advisers can assist in the scoping of the necessary input and where to source archaeological contractors.

*Both listed and non-listed traditional farm buildings are deemed heritage assets in NPPF. When considering the potential impact on the significance of both the buildings themselves and, potentially, below ground archaeology associated with the use of the buildings through time, advice on should be sought at a pre-application stage. Derbyshire County Council archaeological advisers would welcome such pre-application enquires.*

In some cases, a measured survey of the building(s) and their archaeological interpretation and significance may be required by the Local Planning Authority. In other cases, the archaeological recording and drawing of certain elements (architectural details, historic timbers etc.) may also be required by the Local Planning Authority. All such recording and assessment work should be overseen by an appropriately qualified archaeologist. The archaeologists report and drawings shall, when completed, be submitted to the Local Planning Authority.

- An assessment of any potential archaeological interest to the immediate and adjacent landscape should be undertaken and this information submitted with any proposal for landscaping works.
- An assessment of any potential archaeological interest to the buildings themselves (including their ground floors) should be undertaken and this information submitted with any proposed conversion works.
- Archaeological works shall be undertaken in line with the advice & guidance as set out in the National Planning Policy Framework (and Guidance) and in line with other guidance from Historic England and the Chartered Institute for Archaeologists.

## LANDSCAPE



The appearance of barns and farm buildings and the relationship they have with their surroundings, is an important element of local landscape character which varies markedly throughout the District. This diverse character is highlighted within landscape assessment work that has been undertaken by Derbyshire County Council in partnership with the District Council. Equally, the landscape that provides the immediate setting for barns and farm buildings makes a significant contribution to their character and to the character of the site itself.

The District Council has produced a Landscape Character and Design Supplementary Planning Document that reflects the landscape assessment work and offers advice on how to comprehensively consider all landscape issues. It can be seen here: [www.derbyshiredales.gov.uk/landscapeSPD](http://www.derbyshiredales.gov.uk/landscapeSPD).



Existing landform and topography, trees, hedgerows and other vegetation, walls and fences, the nature of tracks, access ways and pathways, and landscape features such as ponds and water courses, will all be important components of site character.

- The retention and enhancement of local landscape character is required. The key document in this regard is “*The Landscape Character of Derbyshire*” (2004), prepared by Derbyshire County Council.
- All landscaping schemes in association with the conversion of farm buildings, shall be considered holistically with the conversion scheme and with special regard to local landscape character. Full details, such as the proposed layout of the landscaping scheme and planting details (including species, numbers and planting distances), should be submitted at the same time as the planning application for assessment and approval,
- The retention of existing trees and hedgerows will be expected. Where any work is proposed within their proximity, an accurate survey of the location and canopy spread of all the trees and hedgerows (which may be affected) shall be submitted with the application. In some cases, the Council will expect to see a full arboricultural report, identifying the species, size, (canopy spread) age, class, condition and retention value for each tree. Early advice should be sought from the Council’s Trees and Landscapes Officer,
- Schemes for new or supplementary planting shall be considered holistically with the conversion scheme and full details submitted with such a scheme for approval,
- The introduction of any new boundaries or divisions to a site will require very careful consideration in terms of the type, form, material and detailing of boundary treatment(s) being proposed in relation to the character, appearance and setting of a farm building, or farm grouping,
- There will generally be a presumption in favour of native species,
- Where orchards survive, there will be a presumption that these will be retained as an important landscape feature of the farmstead,
- The breaching and removal of historic hedgerows, or other historic

boundary treatments, to form new access or entrance ways, together with their removal to form associated visibility sight-lines will, generally, be undesirable. Advice should be sought from the District Council Trees and Landscapes Officer to see if a Hedgerow Removal Notice is required.

- Proposals for upgrading existing access ways (or the forming of new access ways) shall be submitted with any conversion scheme. Wholesale tarmac surfacing, the widening of existing track/access ways and the introduction of kerbing will, generally, be resisted,
- The introduction of cattle-grids, where necessary and appropriate, may be acceptable.

## WILDLIFE



Farm buildings (those in use or out of use) and land, hedgerows, trees and ponds, etc. can provide suitable habitats for a variety of protected species, such as bats, owls, birds, great crested newts, dormice and badgers etc. Protected species are subject to strict licensing procedures when any development proposal is likely to result in the disturbance or killing of individuals or the destruction of the places that they use for shelter/roost.

Protected species come under the protection of the Wildlife and Countryside Act 1981. Any farm building has the potential to be a habitat for protected species. **Prior** to any conversion scheme, the farm building(s), and associated land which will become part of the curtilage to the converted farm building(s), should be the subject of a comprehensive assessment and survey, where required, to identify the presence (or not) of any protected species. Prior to making a formal application to the Local Planning Authority, Derbyshire Wildlife Trust could be consulted for advice & guidance.

When a formal application is submitted it will be expected that a protected species report (assessment, findings & recommendations including provision, where necessary, for bird/bat boxes) accompanies that application. The report should be up to date at the time the application is being submitted.

On receipt of the application, the Local Planning Authority will seek professional/specialist advice on the report and take this advice into consideration as part of the determination of the application. It is unlikely that an application will be validated without such a report forming part of the submission. The Local Planning Authority should be provided with sufficient information at the planning stage to be confident that if a license is required it is likely to be granted.

Should Planning Permission be granted for the conversion of the farm building(s), this shall not absolve the applicant from obtaining the requisite licence(s) from the statutory authorities (e.g. Natural England). In obtaining a licence mitigation measures will be required where impacts on protected species are likely.



The National Planning Policy Framework (and Guidance) advocates biodiversity enhancement, providing a net biodiversity gain, as part of any development proposals. Such enhancements should be clearly identified in any application.

The following, general, guidance is given –

- Wherever possible, habitat for Protected Species should be made

- and accommodated within the existing farm buildings.
- The Local Planning Authority will be likely to require, as a condition of any approval, that facilities for Protected Species be installed on or adjacent to, the farm buildings. The location of such facilities must be both carefully considered and identified on proposed building elevations. On listed farm buildings, such facilities may require specific consent. Advice should be sought at an early stage,
  - Existing ponds, associated with farmsteads, also provide important habitats for wildlife and should be respected, retained (with safety measures put forward where applicable) and protected in any development scheme.

### Further guidance & advice:

#### Derbyshire Dales District Council

The District Council operates a pre-application advice service, more information can be seen here: <http://www.derbyshiredales.gov.uk/planning-a-building-control/submit-a-planning-application/pre-application-advice>

Derbyshire Dales District Council  
Town Hall  
Bank Road  
Matlock  
Derbyshire  
DE4 3NN

Tel; 01629 761336

The Derbyshire Dales Local Plan (Adopted 2017) can be seen here: [www.derbyshiredales.gov.uk/LocalPlan](http://www.derbyshiredales.gov.uk/LocalPlan)

[www.derbyshiredales.gov.uk/farmbuildingsSPD](http://www.derbyshiredales.gov.uk/farmbuildingsSPD)

The Derbyshire Dales Landscape Character and Design SPD can be seen here: [www.derbyshiredales.gov.uk/landscapeSPD](http://www.derbyshiredales.gov.uk/landscapeSPD)

### Historic England publications:

Farmstead Assessment Framework – *Informing sustainable development and the conservation of traditional farmsteads*. Historic England, April 2015.

*Adapting Traditional Farm Buildings – Best Practice Guidelines for Adaptive Reuse*. Historic England, September 2017.

*The Adaptive Reuse of Traditional Farm Buildings – Historic England Advice Note 9*. September 2017

Find out if your property is listed by using the Historic England website: <https://historicengland.org.uk/listing/the-list/>

### Other Organisations:

The Derbyshire Wildlife Trust can be contacted by phone: 01773 881188 email: [enquiries@derbyshirewt.co.uk](mailto:enquiries@derbyshirewt.co.uk)

Derbyshire County Archaeology Services can be contacted on 01629 539773 see: <https://www.derbyshire.gov.uk/environment/conservation/archaeology/archaeology.aspx>

## Appendix A: Policy Context

### Local Plan Policies relating to Farm Buildings

The Local Plan policies are written in such a way that the policies in the whole document can be applied to a new development or works to existing buildings. This Supplementary Planning Document (SPD) will add detail to the policies in the Local Plan and help raise awareness of the design issues related to farm building conversions and provide an important reference point for all those involved in farm building conversions, outside the Peak District National Park.

It has been prepared having regard to the National Planning Policy Framework and National Planning Policy Guidance.

This Supplementary Planning Document is more specifically related to the following Local Plan policies;

- S2: Settlement Hierarchy
- S3: Development within Defined Settlement Boundaries
- S4: Development in the Countryside
- PD1: Design and Place Making
- PD2: Protecting the Historic Environment
- PD3: Biodiversity and the Natural Environment
- PD7: Climate Change
- PD8: Flood Risk Management and Water Quality
- HC8: Conversion and Re-Use of Buildings for Residential Accommodation
- EC8: Promoting Peak District Tourism and Culture
- EC10: Farm Enterprises and Diversification

To read the Local Plan see: [www.derbyshiredales.gov.uk/localplan](http://www.derbyshiredales.gov.uk/localplan)

Many farm buildings lay outside Settlement Framework Boundaries (Local Plan Policy S3) and therefore **Policy S4: Development in the Countryside** will apply. This seeks to ensure that development will protect and enhance the landscape's intrinsic character and distinctiveness, including the integrity of

the historic environment, whilst also facilitating sustainable rural community needs, tourism and economic development. Development considered appropriate in the countryside includes that associated with agriculture, forestry, farm diversification, rural business, tourism, sport and recreation.

**Policy HC8: Conversion And Re-use of Buildings for Residential Accommodation** refers specifically to the conversion and/or reuse of existing buildings to residential accommodation.

Where a farm building is a designated or non-designated heritage asset, **Policy PD2: Protecting the Historic Environment** will apply to ensure that the heritage asset is conserved in a manner appropriate to its significance.

Where a farm building is situation in a flood zone the requirements of **Policy PD8: Flood Risk Management and Water Quality** will need to be met as well as the requirements of the NPPF, which may include the need for a Flood Risk Assessment.

### National Planning Policy Framework 2018

The NPPF recognises that heritage assets range from sites and buildings of local historic value, to those of the highest significance, such as World Heritage Sites. The NPPF also recognises that heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance. Paragraphs 126-141 set out how the potential impacts of development on a heritage asset are assessed and considered.

The NPPF can be seen here: <https://www.gov.uk/government/publications/national-planning-policy-framework--2>

## Appendix B Sustainability Checklist

You are advised to consider and address the following sustainability issues before submitting your application. The checklist aims to assist applicants to give full consideration to these issues before discussing their proposals with the Council. Failure to take account of this may result in your application being delayed.

TOPIC	<b>Legally Protected Species</b>
OBJECTIVE	<i>To protect and enhance key habitats and species.</i>
ISSUES FOR CONSIDERATION	<p>Farm buildings can provide suitable habitats for a variety of protected species.</p> <p>These may include <b>bats, great crested newt, otter, dormouse, badger, water vole, schedule 1 birds (e.g barn owl, kingfisher) and Schedule 5 of the Wildlife and Countryside Act 1981 (as amended).</b></p> <p>Protected Species are now subject to strict licensing procedures when any development proposal is likely to result in the disturbance or killing of individuals or the destruction of the places that they use for shelter.</p> <p>Your proposal may provide an opportunity to maximise biodiversity.</p>
ACTION	<p>You will need to establish whether the site provides a habitat that may support protected species?</p> <p>Have you discussed with Natural England and/or Derbyshire Wildlife Trust whether they have any entries on the Protected Species records?</p> <p><b><i>If the proposal is likely to impact upon such species you are advised to employ an ecological consultant to survey the application site to establish the presence of protected species. The consultants will need to assess the impact of the development on any protected species found to be present and, if necessary, produce a mitigation statement/recommendations.</i></b></p>

TOPIC	<b>Swifts, Swallows and House Martins</b>
OBJECTIVE	<i>To protect and enhance key habitats and species.</i>
ISSUES FOR CONSIDERATION	<p>There is increasing concern over the loss of house martins, swifts and swallows habitats when converting farm buildings as it can have detrimental effects on populations.</p> <p>These species are protected during the bird breeding season and it is an offence under the Wildlife and Countryside Act 1981 (as amended) to disturb birds while nesting or attempting to nest.</p> <p>Your proposal may provide an opportunity to maximise biodiversity.</p>
ACTION	<p>Have you taken into consideration whether Swifts, Swallows and House Martins are present?</p> <p><b><i>You are advised to discuss with Derbyshire Wildlife Trust what measures can be taken to protect these birds from the farm building conversion.</i></b></p>

TOPIC	<b>Wildlife Habitats</b>
OBJECTIVE	<i>To protect and enhance key habitats and species</i>
ISSUES FOR CONSIDERATION	<p>Some habitats are considered significant and may be vulnerable to damage from the farm building conversion.</p> <p>The application site may be within or in close proximity to a designated site such as a Special Areas of Conservation, Site of Special Scientific Interest, Local Nature Reserve or County Wildlife Site,</p> <p>Your proposal may provide an opportunity to maximise biodiversity</p> <p>The <b>Wildlife &amp; Countryside Act 1981 (as amended)</b> provides protection for scheduled species and their habitats, especially Sites of Special Scientific Interest (SSSIs) and National Nature Reserves (NNRs). Trees are habitat to a variety of protected species.</p> <p><i>The <b>Countryside and Rights of Way (CROW) Act 2000</b> also covers protected species and their habitat, as well as including reckless destruction/disturbance. These species are protected during the bird breeding season and it is an offence under the Wildlife and Countryside Act 1981 (as amended) to disturb birds while nesting or attempting to nest.</i></p>
ACTION	<p>Have the ecological impacts of the proposal been fully considered at the design stage?</p> <p><b><i>Your proposal, where appropriate, should identify conserve and enhance existing biodiversity.</i></b></p> <p><b><i>You are advised to employ ecological consultants to survey the application site to establish the ecological value of the site.</i></b></p>

TOPIC	<b>Traffic</b>
OBJECTIVE	<i>To reduce the need to travel by car</i>
ISSUES FOR CONSIDERATION	<ul style="list-style-type: none"> <li>• Is the site near to existing public transport services because the growing reliance on the car is having serious implications for the environment and road safety. Any reduction in the amount of car travel helps towards achieving sustainability</li> <li>• Impact of potential new traffic on the existing infrastructure associated with the farm building</li> <li>• physical considerations of upgrading existing road surfaces and their impact on landscape character</li> </ul>
ACTION	<p>Have you considered if the site is suitable for the amount of vehicles that would be potentially generated by the proposal?</p> <p><b><i>You should undertake an assessment of how the site links with existing and potential links to the public transport network.</i></b></p> <p><b><i>You are advised to contact the Highways Authority for further advice.</i></b></p>



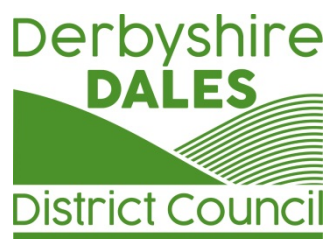
TOPIC	<b>Source of local materials</b>
OBJECTIVE	<i>To ensure the design of conversion is not detrimental on the fabric and character of farm buildings and surrounding landscape</i>
ISSUES FOR CONSIDERATION	<p>Farm buildings are generally constructed from limestone, sandstone (or sometimes a mixture of both) and brickwork that reflect the indigenous materials and the local building tradition.</p> <p>Reusing secondary and recycled building products helps to achieve efficient use of resources and reduce energy consumption and waste production.</p> <p>The Council would scrutinise and where considered appropriate ask for details of the source of any secondary or recycled building products.</p>
ACTION	<p><b><i>You should consider:</i></b></p> <ul style="list-style-type: none"> <li>• <b><i>using secondary or recycled materials only if they are in character with the existing farm buildings. Where appropriate you should identify the source of materials.</i></b></li> <li>• <b><i>using local building materials where possible.</i></b></li> </ul>

TOPIC	<b>Access to local service and facilities</b>
OBJECTIVE	<i>To encourage sustainable development near to existing services and facilities.</i>
ISSUES FOR CONSIDERATION	Many farm buildings are located in isolated rural locations that are not near to local services and facilities, which may be considered inappropriate in terms of sustainable development.
ACTION	<p>Have you considered whether the proposal reduces the need to travel by car?</p> <p><b><i>You should undertake an assessment of how the site links with existing and potential links to the public transport network</i></b></p>

TOPIC	<b>Landscape</b>
OBJECTIVE	<i>To protect and enhance the character of landscape.</i>
ISSUES FOR CONSIDERATION	<p>Historic landscape issues – The special character and appearance of the area is an invaluable asset. The appearance of barns and farm buildings and the relationship they have with their surroundings, is an important element of local landscape character, which varies throughout the District. The landscape that provides the immediate setting for barns and farm buildings makes a significant contribution to their character and to the character of the site itself. The conversion of farm buildings and the establishment of an associated curtilage may have an impact on the landscape and this impact will be considered as part of an application.</p> <p><b>Trees</b> - Barn conversions can have an impact on trees within or close proximity to the application site. Some or all of them may be protected by a Tree Preservation Order or be protected by virtue of being sited within a Conservation Area.</p> <p>All or part of any hedgerow may need to be removed as part of the proposal.</p>
ACTION	<p>Have you referred to Derbyshire County Council’s landscape character assessment “The Landscape Character of Derbyshire” which has been published in partnership with the District Council?</p> <p>Have you discussed your proposal with the District Council’s Trees and Landscape Officer about landscape character assessment?</p> <p>Have you read the Landscape Character and Design Supplementary Planning Guidance? See <a href="http://www.derbyshiredales.gov.uk/landscapeSPD">www.derbyshiredales.gov.uk/landscapeSPD</a></p> <p><b><i>All proposals should include appropriate landscape and planting schemes informed by a landscape character assessment and the Derbyshire Dales Landscape Strategy.</i></b></p> <p><b><i>Before any work is carried on trees you will need to discuss with the District Council’s Trees and Landscapes Officer the following:</i></b></p> <ul style="list-style-type: none"> <li>• <b><i>Whether the application site benefits from a Tree Preservation Order</i></b></li> <li>• <b><i>If you propose to cut down or carry out any work on a tree in a conservation area.</i></b></li> <li>• <b><i>Give notice to the District Council if you propose to remove all or part of a hedgerow.</i></b></li> </ul> <p><b><i>You will need to contact the Forestry Authority if you need to fell a certain size and timber volume of trees</i></b></p>

TOPIC	<b>Heritage/Archaeological Assets</b>
OBJECTIVE	<i>To protect and enhance finite historical assets</i>
ISSUES FOR CONSIDERATION	<p>Appropriate management and handling of any archaeological remains is important as archaeological remains are a finite resource and in many cases are highly fragile and vulnerable to damage and destruction.</p> <p>Many farm buildings are listed, curtilage-listed or are non-designated heritage assets.</p> <p><i>Any works of alteration, however subtle, which would be considered to affect the special character or appearance of a designated heritage asset would require an application for Listed Building Consent.</i></p>
ACTION	<p>You will be expected to contact the County Archaeologist and Historic Environment Record Officer at Derbyshire County Council to establish whether the building (s) and site contains, or is adjacent to, archaeological interest and value.</p> <p>Have you checked to see if your property is listed by using the Historic England website? See <a href="https://historicengland.org.uk/listing/the-list/">https://historicengland.org.uk/listing/the-list/</a></p> <p>Have you checked to see if your property is included on the Historic Environment Record? See: <a href="https://www.heritagegateway.org.uk/Gateway/CHR/">https://www.heritagegateway.org.uk/Gateway/CHR/</a></p> <p><b><i>Where appropriate, proposals should include schemes to record and protect any archaeological interest informed by an independent assessment including listed buildings</i></b></p>

TOPIC	<b>Energy Efficiency</b>
OBJECTIVE	<i>To reduce energy consumption and waste production and facilitate renewable energy</i>
ISSUES FOR CONSIDERATION	<p>The installation of energy efficiency systems is important to help reduce and conserve energy consumption.</p> <p>The use of renewable energy will help achieve effective energy production and savings which play a major part in achieving greater sustainability. The term “renewable energy covers those resources that occur and recur naturally in the environment. Such resources include, for example, heat from the earth or the sun, power from the wind and water.</p> <p>The provision and location of electric car charging points should be considered, subject to any planning restrictions that may apply.</p> <p><i>It is important the use of energy efficiency materials / system does not have an adverse impact upon other issues such as character and appearance of the buildings or its surroundings.</i></p>
ACTION	<p>You should consider whether there are appropriate opportunities to install an energy efficient system or use materials that would help reduce energy consumption.</p> <p><b><i>Where appropriate proposals should provide details of energy efficiency measures</i></b></p>



## Consultation Statement

### Supplementary Planning Document: The Conversion of Farm Buildings September 2018

#### REGULATION 12 OF THE TOWN AND COUNTRY PLANNING (LOCAL PLANNING) (ENGLAND) REGULATIONS 2012

1. This statement sets out who was consulted in the preparation of the draft Supplementary Planning Document: The Conversion of Farm Buildings September 2018, how they were consulted, what issues were raised and how those issues influenced the preparation of the document.

2. Supplementary Planning Documents seek to expand on existing planning policy, to provide detail and depth that may not be possible in a Local Plan. In November 2005 the District Council formally adopted the Conversion of Farm Buildings Design Guidance Supplementary Planning Document. This has, since that time, sought to provide complementary design guidance and advice for owners of farm buildings (or agents/advisors working on their behalf) when they are not required for their original purpose. The SPD has operated well since that time and has provided important design advice & guidance, however following the adoption of the Derbyshire Dales Local Plan in December 2017 it can no longer be used as a “material consideration” in the determination of planning applications.

3. To ensure that the Conversion of Farm Buildings: Supplementary Planning Document can continue to be given statutory weight in the determination of planning applications it has been necessary to update its contents to reflect changes to the Local Plan policies, legislation and the approach to biodiversity and landscape management. Once adopted it can be used in the determination of planning applications as a “material consideration”.

#### Consultation: Stage One

4. The revised draft Conversion of Farm Buildings: Supplementary Planning Document was subject to an internal consultation, from 30 April 2018 to 31 May 2018 with the following Officers:

- Development Management Team
- Planning Policy Team.

This took the form of discussions and meetings with individual officers. The principal issue which arose was that the document should include reference and guidance relating to ‘Class Q’ (*Agricultural Buildings to Dwelling Houses*) of the General Permitted Development Order 2015. No other substantive issues were raised, although some minor amendments and a general refreshing & up-dating

of the whole document have been made relating to such items as glazing, structural works to existing farm buildings and extensions and additions.

### **Consultation Process**

5. A six week consultation period ran from 14<sup>th</sup> September 2018 to 26<sup>th</sup> October 2018. An email or letter will be sent to targeted contacts contained on the Council's Local Plan consultation database. This included statutory consultees, Parish and Town Councils, neighbouring authorities, agents and developers and landowners.

6. In addition, the consultation documents were available online and in the following locations:

- Derbyshire Dales District Council, Town Hall, Bank Road, Matlock DE4 3NN
- The Arc Leisure Centre, 1 Bakewell Road, Matlock DE4 3AZ
- Matlock Library, Steep Turnpike, Matlock DE4 3DP
- Ashbourne Leisure Centre, Clifton Road, Ashbourne DE6 1DR
- Ashbourne Library, Compton, Ashbourne DE6 1DA
- Wirksworth Leisure Centre, Hannage Way, Wirksworth DE4 4JG
- Wirksworth Library, Town Hall, Wirksworth DE4 4EU

7. People were invited to submit comments online or in writing to ensure that representations can be registered and considered by the Council. See [www.derbyshiredales.gov.uk/farmbuildingsSPD](http://www.derbyshiredales.gov.uk/farmbuildingsSPD)

8. In accordance with the Derbyshire Dales District Council Statement of Community Involvement a press release was issued regarding the consultation.

9. A summary of the main issues raised and how the issue was addressed is included in the Appendix One. Proposed amendments to the SPD are shown in italics.

10. This statement and the main issues raised were reported to Members prior to adoption.

10<sup>th</sup> January 2019

## Appendix One

This table sets out a summary of the main issues raised by the persons consulted and how those issues have been addressed. This approach complies with regulation 12 (b) of the Town and Country Planning (Local Planning) (England) Regulations 2012.

The text that the Council propose to delete from the SPD is ~~crossed out~~. The new text that the Council propose to include in SPD is in *italics*.

Section	Summary of main issue	How the issue has been addressed
Introduction	<p>Conversion of farm buildings situated in flood zones will need to ensure that it meets the requirements of the Policy PD8: Flood Risk Management and Water Quality, as well as the requirements of the National Planning Policy Framework, for example the production of a suitable Flood Risk Assessment (FRA), highlighting that the proposed usage after conversion is a suitable vulnerability class for the flood zones it is situated in etc. Whilst the requirements and criteria for development in flood zones 2 and 3 is defined in the adopted Local Plan, as well as national policy, it may be prudent to highlight this within this SPD as well.</p>	<p>Appendix 1 sets out the policy context for the SPD. This has been amended to reflect the comments made in the following way:</p> <p>Insertion of text: <i>PD8: Flood Risk Management and Water Quality</i> into the list of Local Plan policies.</p> <p>Insertion of text: <i>Where a farm building is situation in a flood zone the requirements of <b>Policy PD8: Flood Risk Management and Water Quality</b> will need to be met as well as the requirements of the NPPF, which may include the need for a Flood Risk Assessment.</i></p>
	<p><b>Biodiversity enhancement</b></p> <p>This SPD could consider incorporating features which are beneficial to wildlife within development, in line with paragraph 118 of the National Planning Policy Framework. You may wish to consider providing guidance on, for example, the level of bat roost or bird box provision within the built structure, or other measures to enhance biodiversity in the urban environment. An example of good practice includes the Exeter Residential Design Guide SPD, which advises (amongst other matters) a ratio of one nest/roost box per residential unit.</p>	<p>Biodiversity: pg 24, para 3 amended to take into account the issue raised. Amended text to read;</p> <p>When a formal application is submitted it will be expected that a protected species report (assessment, findings &amp; recommendations, <i>including provision, where necessary, for bird/bat boxes</i>) accompanies that application.</p>
	<p><b>Landscape enhancement</b></p> <p>The SPD may provide opportunities to enhance the character and local distinctiveness of the surrounding natural and built environment; use natural resources more sustainably; and bring benefits for the local community, for example through green</p>	<p>The section on Landscape on page 23 considers the built form in the landscape setting. The District Council has adopted a Landscape Character and Design SPD (September 2018) which seeks to offer a comprehensive guide to landscape issues in the Derbyshire Dales and additional advice for</p>

Section	Summary of main issue	How the issue has been addressed
	<p>infrastructure provision and access to and contact with nature. Landscape characterisation and townscape assessments, and associated sensitivity and capacity assessments provide tools for planners and developers to consider how new development might makes a positive contribution to the character and functions of the landscape through sensitive siting and good design and avoid unacceptable impacts.</p>	<p>developers/agents/landowners when considering development in the countryside. A change to the text is proposed to include a reference to this SPD.</p> <p>Additional text to read:  <i>The District Council has produced a Landscape Character and Design Supplementary Planning Document that reflects the landscape assessment work and offers advice on how to comprehensively consider all landscape issues. It can be seen here: <a href="http://www.derbyshiredales.gov.uk/landscapeSPD">www.derbyshiredales.gov.uk/landscapeSPD</a> .</i></p>
	<p>Please could the document make it clear within the introduction that the SPD only relates to the areas of Derbyshire Dales that fall outside the Peak District National Park as the document uses statements such as ‘Within the Derbyshire Dales.’ throughout the document.</p>	<p>Insert into the introduction, page 1 sentence 3, the following change:</p> <p>This Supplementary Planning Document seeks to expand on existing planning policy, <i>which guides planning applications for the area of the Derbyshire Dales which falls outside the Peak District National Park</i>, to provide detail and depth that may not be possible in the <i>Derbyshire Dales Local Plan</i>.</p> <p>Where Derbyshire Dales is referred to Page 1, para2, text amended to read:  Derbyshire Dales <i>Local Plan Area District</i></p>
	<p>We have read the SPD and fail to see any mention of steel portal frame buildings, can they be included in future planning applications seen as there are many of these in our countryside as brick buildings. Some no longer in use and would value development in keeping with the traditional look. Special consideration ought to be given to people already living in the countryside i.e farms, horticultural who wish to remain there who can offer a better understanding of the countryside and the protection of it.</p>	<p>The conversion of steel portal frame buildings falls under Class Q, see page 21. Guidance and regulations relating to their possible conversion is included in the relevant section of the GDPO in addition to the pre-application advice service that is available to offer advice to applicants/agents/developers who would like to progress a scheme of this nature.</p> <p>No change is necessary.</p>
<p>Status of</p>	<p>Listed Farm Buildings  Page 1, 2nd column, end of first paragraph: Reference could be</p>	<p>The text on page 1 sets out the advice available from the District Council which goes beyond finding out if the property is listed.</p>

Section	Summary of main issue	How the issue has been addressed
Farm Buildings	made to Historic England's website to find out about a listed building, as well as the District Council.	<p>However an additional reference can be inserted into page 26 to the search facility that Historic England have on their website.</p> <p>Additional text to read:  <i>Find out if your property is listed by using the Historic England website: <a href="https://historicengland.org.uk/listing/the-list/">https://historicengland.org.uk/listing/the-list/</a></i></p>
	Page 2, 1st column, end of 2nd paragraph: 'and/or Listed Building Consent' should be deleted as reference to Listed Building Consent is described in the previous sentence.	<p>Amend text, page 2 paragraph 1, to reflect the issue raised.  Amended text to read;  Proposals for change of use and conversion also require an application for Planning Permission. <del>and/or Listed Building Consent.</del></p>
	Curtilage Listed Farm Buildings, Page 2, could this section refer the reader to the Council's pre-app advice pages on your website regarding finding out whether a farm building is curtilage listed?	<p>If somebody would like to know if a building is curtilage listed to a principle Listed Building they are encouraged to contact the District Council. This is a factual check carried out and whilst not the interpretation of policy national advice may be relevant. It therefore would not be appropriate to insert a reference to the pre-application advice service in this section.</p> <p>No change is necessary.</p>
	Unlisted Farm Buildings, Page 2 Unsure if this is referring to 'non-designated heritage assets' or buildings that aren't heritage assets.	<p>The titles in the introductory section have been amended to provide clarity on the two types of terminology in use.</p> <p>Amended text to read:  Listed Farm Buildings (<i>Designated Heritage Assets</i>)  Curtilage Listed Farm Buildings (<i>Designated Heritage Assets</i>)  Unlisted Farm Buildings (<i>Non-designated Heritage Assets</i>)</p>
	Page 10, 2nd column, 1st paragraph: Is the term 'unlisted' correct?	<p>The wording is correct.  No change is necessary.</p>
	Page 2, There are farm buildings that are not listed but are non-designated heritage assets, which are afforded a level of protection (contrary to what this paragraph states) and then there are buildings that aren't heritage assets. The adopted Local Plan seems to allow the conversion of both heritage	<p>The NPPF affords a degree of protection to non-designated heritage assets, the wording in this section, page 2 para 4, has been amended to reflect this.</p> <p>Amended text to read:  Within the Derbyshire Dales there are many farm buildings and</p>



Section	Summary of main issue	How the issue has been addressed
	assets (Policy HC8) and existing farm buildings that aren't heritage assets (Policy EC10) and therefore should these be described in separate paragraphs?	groups of farm buildings that are not listed or are not adjacent to, or within, the curtilage of listed buildings. <del>Although they do not benefit from statutory protection</del> They may, however, have architectural & historic merit ( <i>benefitting from protection as non-designated heritage assets</i> ) and/or their form, grouping, massing and configuration may play an important part in their contribution within the landscape.
	Should the sub-headings be changed to separate non-designated heritage assets from buildings that aren't heritage assets?	The titles in the introductory section have been amended to provide clarity on the two types of terminology in use.  Amended text to read: Listed Farm Buildings ( <i>Designated Heritage Assets</i> ) Curtilage Listed Farm Buildings ( <i>Designated Heritage Assets</i> ) Unlisted Farm Buildings ( <i>Non-designated Heritage Assets</i> )
	Page 2 The last sentence: 'Proposals for change of use and conversion would require an application for planning permission' is incorrect due to Part Q of the GPDO that is referred to later in the document.	Introduction of additional text to include a cross reference to the Class Q section will further improve the accuracy of this section.  Amended text to read: Proposals for change of use and conversion would require an application for Planning Permission, <i>unless the requirements of Class Q of the General Permitted Development Order (April 2015) are met, see page 21.</i>
	We should consider the environment and wildlife habitat.	Wildlife is considered in the proposed Conversion of Farm Building Design Guide: Supplementary Planning Document on page 24. No change is necessary.
	I would ask that the scope of the document includes all types of rural buildings including not just traditional buildings and Class Q buildings but also other rural building which are not in agricultural use but which are of permanent construction. Such buildings should include former stables, and buildings created to tourism or recreational uses. Portal frame farm buildings in other uses can be converted to form good, highly sustainable dwellings and with high quality design these can enhance the landscape in line with the advice in the NPPF (paras 79(c) and	All planning applications are determined in accordance with the Derbyshire Dales Local Plan. The SPD relates to farm buildings and seeks to add to the policies in the Local Plan providing additional guidance and advice. Class Q proposals are included in the SPD on page 21 for reference as proposals qualifying under Class Q do not require a planning application.  No change is necessary.

Section	Summary of main issue	How the issue has been addressed
	83(a) & (b). At the moment the document ignores the potential of these buildings and is contrary to national policy.	
Planning Policy	<p>The policy is excessively restrictive in both what can be done and the materials to be used. While there is some merit in preserving the existing form, it should not be at the expense of creating an improved and more energy efficient dwelling. The materials to be used are irrelevant provided that the desired visual aspect is retained. It needs to be recognised that these buildings were not built in aspic and will have already been modified during their life. It is, therefore, artificial to regard a chosen and arbitrary point in time as the ideal.</p>	<p>The policy approach is set out in the Derbyshire Dales Local Plan Adopted December 2017. The SPD intends to add detail and guidance to the existing policy and therefore does not represent a new policy direction. One of the primary objectives of the SPD is to conserve and enhance the character and appearance of the Derbyshire Dales District. The materials used are an integral part of that character.</p> <p>No change is necessary.</p>
	<p>The general attitude of the policy is far too prescriptive and tries to freeze the countryside at a moment in time. The countryside is an evolving scene. The farm buildings themselves would evolve and change if they were still in use. A more liberal attitude is needed to enable farm buildings to be converted into modern, efficient homes but retaining the general appearance of their earlier life</p>	<p>The policy approach is set out in the Derbyshire Dales Local Plan Adopted December 2017. The SPD intends to add detail and guidance to the existing policy and therefore does not represent a new policy direction. One of the primary objectives of the SPD is to conserve and enhance the character and appearance of the Derbyshire Dales District. The materials used are an integral part of that character.</p> <p>No change is necessary.</p>
	<p>“Disastrous - are the Councils and Govt intending to bury England under concrete?” Stop building everything including HS2 which is a farce”</p>	<p>This comment is not relevant to the Conversion of Farm Building Design Guide: Supplementary Planning Document.</p> <p>No change is necessary.</p>
	<p>At the moment this document is contrary to the NPPF policy regarding conversion of rural buildings. The existence of Class Q applications and other change of use/flexible use schemes permitted development schemes indicate that the government wishes to see all types of buildings put to good use. Instead of ignoring them this SPD should encourage their re-use and include ideas of how the appearance of these buildings can be improved and encourage high quality designs which will enhance the landscape.</p>	<p>The policy approach is set out in the Derbyshire Dales Local Plan Adopted December 2017. The Local Plan was subject to an Examination in Public in May 2017 and independent Inspector considered that the Local Plan did not contradict Government guidance and policy, including the NPPF. The SPD intends to add detail and guidance to the existing policy and therefore does not represent a new policy direction. Guidance relating to Class Q is set out on page 21.</p> <p>No change is necessary.</p>
Sustainability	Page 3, 1st column: Should the second paragraph refer to	Text amended to reflect comment and improve consistency (page 3)

Section	Summary of main issue	How the issue has been addressed
	agents as well as developers/applicants, like the first paragraph?	<p>para 1&amp;2).</p> <p>Amended paragraph 1 to read: The objectives of this Supplementary Planning Document (SPD) are to provide clear guidance to owners/developers/<i>applicants</i>/agents etc. on the conversion of farm buildings and to ensure that any alternative use of farm buildings is sympathetic to their character, appearance and surrounding landscape.</p> <p>Amended paragraph 2 to read: The Council has identified a number of sustainability issues that are important when considering the conversion of farm buildings. Appendix B provides a checklist to help identify relevant sustainability issues that <i>owners/developers/applicants/agents</i> should address as part of (or prior to) the submission of any planning application in order to assess the relative sustainability of their proposal.</p>
	Sustainability is vital and I assume that this include achieving a low energy footprint. At no time should an artificial desire to preserve a building at an arbitrarily chosen point of time be allowed to interfere with the achievement of a sensible level of sustainability.	<p>The sustainability checklist has been included to help building owners/agents/developers considering a conversion of a farm building to identify issues that need to be addressed as part of the submission of any planning application.</p> <p>No change is necessary.</p>
	"the Council ignore it"	<p>The sustainability checklist has been included to help building owners/agents/developers considering a conversion of a farm building to identify issues that need to be addressed as part of the submission of any planning application.</p> <p>No change is necessary.</p>
	Portal type buildings can be sympathetically designed to blend in with the surrounding countryside. The character of the countryside has changed over the past 60 years incorporating a large number of these portal frame buildings.	<p>The SPD intends to add detail and guidance to the existing policy in the Local Plan and does not represent a new policy direction. One of the primary objectives of the SPD is to conserve and enhance the character and appearance of the Derbyshire Dales District.</p>

Section	Summary of main issue	How the issue has been addressed
	<p>In terms of sustainability I suggest that document should require positive statement that measures should be carried out to retain and/or add bat roosts and swallow, house-martin, house-sparrow, and swift nest sites. I appreciate the latter birds are not protected species but their numbers have declined drastically. Significant in that decline is the loss of nest sites through the conversion and demolition of rural buildings.</p> <p>I would also suggest that the Council require on all rural conversions, particularly tourism or residential conversions, the provision of charging points for electric cars.</p>	<p>Sympathetic changes and alterations can be achieved through good design.</p> <p>No change is necessary.</p> <p>Guidance relating to biodiversity is set out in pages 24-25 in the SPD. With regard to non-protected species it is currently beyond the scope of the SPD and planning policy. The provision of bat/bird boxes for protected species is recognised as important in the SPD.</p> <p>Amended text, page 24 column 2 paragraph 2. When a formal application is submitted it will be expected that a protected species report (assessment, findings &amp; recommendations <i>including provision, where necessary, for bird/bat boxes</i>) accompanies that application.</p> <p>Alteration to sustainability checklist (energy efficiency), page 31, to reflect this issue.</p> <p>Amended text to read: <i>The provision and location of electric car charging points should be considered, subject to any planning restrictions that may apply.</i></p>
Building Regulations	"A farce. Anyone can build anything anywhere"	<p>Not relevant to the Conversion of farm Building Design Guide: Supplementary Planning Document.</p> <p>No change is necessary.</p>
Character and Context	<p>The title should be in bold, like the other titles.</p> <p>Page 4, 1st column, last paragraph refers to the diverse landscape of the Derbyshire Dales. Is this the Derbyshire Dales as a whole? Or the part that is outside the Peak District National Park?</p>	<p>The text is in bold.</p> <p>No change is necessary.</p> <p>The introduction as amended in response to comments made to the Introduction sets out that the SPD applies to the area of the Derbyshire Dales that lies outside the Peak District National Park and is covered by the Derbyshire Dales Local Plan (Adopted 2017). No further changes are necessary.</p>

Section	Summary of main issue	How the issue has been addressed
	<p>Character and context are fine providing that they do not inhibit the function of the building as a sustainably acceptable dwelling. By definition these buildings are no longer in regular use for farming and thus the question of whether they should either be allowed to decay or altered and incorporated into the local housing stock needs to be considered more deeply than it appears to have been.</p>	<p>The SPD acknowledges that the owners/developers of disused farm buildings may be seeking an alternative use, the SPD provides guidance and parameters for those who would like to convert the farm building to a dwelling. No change is necessary.</p>
	<p>“It is ignored”</p>	<p>Not relevant to the Conversion of farm Building Design Guide: Supplementary Planning Document therefore no change is necessary.</p>
	<p>You note farm buildings have several constructural elements and it is fair to say a large number of buildings in the Derbyshire Dales are of steel portal frame construction because these were the types of building that came into use in the 1960's onwards and this has been the choice of farm buildings for the past 60 years. Therefore should be included in this document as they can be bought back to traditional character and offer the opportunity for a family home for the farming community</p>	<p>Under Class Q some steel portal frame buildings can be converted to residential however it is unlikely that such buildings could be given a “traditional character”.  No change is necessary.</p>
Roofs	<p>Page 5, 7th bullet point refers to flues. However flues are also mentioned twice in the section titled ‘Interiors’ and all three refer to different aspects. I assume flues should be included in this section rather than ‘Interiors’ as they talk about their external appearance, siting and design rather than anything internal.</p>	<p>It is appropriate that flues are mentioned in both the External Elements and Interiors sections with regard to consistency, however to improve clarity the following text will be added to the External Elements section, bullet point 7, this text duplicates the Interiors section advice.  Amended text to read: <i>It is desirable to locate flue terminals so that they do not project / protrude above the existing roof ridgeline. However, such elements must comply with the requirements of the Building Regulations and, in this regard, their location and height must be clearly indicated on any proposals.</i></p>
	<p>Roofing materials and styles have varied so much with time, more tolerance should be shown to innovations such as dormer windows.</p>	<p>Dormer windows are resisted as they represent the introduction of a non-original detail. See page 5 which sets out guidance regarding the installation of rooflights. No change is necessary.</p>

Section	Summary of main issue	How the issue has been addressed
	"Ignored by you"	The Conversion of farm Building Design Guide: Supplementary Planning Document seeks to offer advice concerning the treatment of Roofs in conversions. No change is necessary.
	Galvanised sheeting has been used on many buildings and can be supplemented with modern coloured sheeting (green) to ensure they fit within the countryside, look original and which meets modern insulation requirements.	It is recognised that existing roofs may be of non traditional materials and guidance regarding its replacement is relevant for inclusion in the SPD. Additional bullet point (page 5) to read: <ul style="list-style-type: none"> <li data-bbox="1182 507 2065 608">• <i>Where the existing roof covering material is non-traditional there would be a programme for a non-shiny, non-reflective material to be used when replacement is occurring.</i></li> </ul>
Walling	Page 5, 2nd column: The 3rd sentence in the 3rd paragraph beginning, 'Their transient nature...' does not relate to anything to do with walling. Should this be deleted?	The term "transient" is being used in this context to describe the type of building construction within the farmstead that has a more temporary life. The building and its walls will therefore be "transient in nature". It is important that the SPD recognises the variety of farm buildings. No change is necessary.
	If dismantling and rebuilding is required for either safety or sustainability, it should be allowed. It may well give the building in question a much greater longevity and thus preserve its character for future generations.	An assessment of the structural suitability of the building for conversion to a dwelling is considered important pre-requisite in determining its potential for conversion. It is recognised that some farm buildings will require structural works prior to conversion works. See page 6 for more guidance. No change is necessary.
	"Ignored by you"	The Conversion of Farm Buildings: Supplementary Planning Document seeks to offer advice concerning the treatment of walls. No change is necessary.
	Disagree with the comments suggesting all walls are made of limestone. Generally farm building built over the past 60 years have been of concrete block construction or some form of metal sheeting. So as suggested on the document this can be rendered and metal sheet work re-painted and internally insulated to give these buildings look original and with an	Page five states that farm buildings are "generally constructed of limestone, sandstone (or sometimes a mixture of both) and brickwork". The section on Walling, page 5, recognises that there are buildings within farmsteads that have a functional or ancillary purpose which may be more simply constructed with timber boarding or metal sheeting. Wording on page 5 column two

Section	Summary of main issue	How the issue has been addressed
	updated look.	<p>amended to reflect the issue raised.</p> <p>Amended text to read:  <i>Modern farm buildings are generally constructed from concrete bases and timber/metal cladding.</i></p>
Window and door openings	<p>i) Page 9, 2nd column, 1st bullet point states that UPVC would not be an appropriate material for replacing existing, historic timber window frames, but would UPVC be an appropriate material in any circumstance on a heritage asset, both designated and non-designated?</p> <p>ii) Also, if the building already has UPVC/ inappropriate windows, should the text state that the replacement window should be timber?</p> <p>iii) Is UPVC acceptable in those buildings not deemed to be heritage assets?</p>	<p>i) The material changes that uPVC would bring to a traditional farm building (designated and non designated) would generally be unacceptable to its character and appearance.  No change is necessary.</p> <p>ii) Suggest additional 7<sup>th</sup> bullet point, page 9.  Amended text to read:</p> <ul style="list-style-type: none"> <li>• <i>Where window frames are considered inappropriate in pattern, material and form these should be replaced with window frame and form of appropriate pattern, material and form for the building.</i></li> </ul> <p>iii) There may be circumstances under Class Q where this is appropriate for modern arm buildings, see page 21 for more guidance.  No change is necessary.</p>
	Page 9, 2nd column, 6th bullet point: 'The depth/recess of existing window frames should be used to inform the depth/recess of any replacement/new windows'. What if the existing window frame isn't original and the depth/recess isn't correct? You wouldn't want the replacement window frame to match the existing window in this scenario.	<p>Changes to the text on page 9, column two, to reflect the issue raised.</p> <p>Amended text to read:</p> <ul style="list-style-type: none"> <li>• The depth/recess of a window frame is an important element of the character and appearance of the farm building. The depth/recess of existing window frames should be used to inform the depth/recess of any replacement/new windows <i>unless that window is not original or appropriately recessed.</i></li> </ul>
	Listed and Curtilage-Listed Farm Buildings Page 9, 2nd column: The paragraphs that follow this sub-	The intention of the paragraphs is to identify the presumption in favour of single glazing but providing detailed guidance where

Section	Summary of main issue	How the issue has been addressed
	heading relate to double-glazing units and would be applicable to all heritage assets. The title should be changed to 'Double-glazing units in Heritage Assets'.	double glazing may be appropriate. No change is necessary.
	Page 10, 1st column, last paragraph: This states 'any conversion scheme' however this would include those buildings not deemed to be heritage assets, where-as the title refers to listed and curtilage-listed farm buildings.	Amended text, page 10, to clarify that the reference made is to Listed and Curtilage-Listed farm buildings.  Amended text to read: Proposals for double-glazed windows, which comply with all of the above criteria, will be considered as part of <del>any</del> a conversion scheme, with the important caveat that they will only be deemed acceptable if the introduction of double-glazing is considered not to harm, or be detrimental to, the building's character and appearance.
	Unlisted Farm Buildings Unsure if this is referring to 'non-designated heritage assets' or buildings that aren't heritage assets.	The titles in the introductory section, page 2, have been amended to provide clarity on the two types of terminology in use.  No additional change is necessary.
	Page 10, 2nd column, 1st paragraph: Is the term 'unlisted' incorrect?	The term 'unlisted' is correct. No change is necessary.
	Non-designated heritage assets do benefit from a level of protection.	Amended text on page 10 to reflect the guidance in the NPPF regarding non-designated heritage assets. Amended text to read: Whilst historic, un-listed, farm buildings still present and display a strong agricultural character and appearance, <del>they do not benefit from statutory protection. In this regard, it</del> <i>It</i> is unlikely that the Local Planning Authority would raise any objection to the introduction of double-glazed windows, <i>where this does not affect its significance</i> . However, in terms of advice and guidance in relation to an application for conversion, it is considered that the above criteria are pertinent and should be utilised for un-listed historic farm buildings.
	Is 'double-glazed windows' referring to UPVC window frames or double glazed window panes within a wooden/power-coated metal frame? (Could this be clarified?) If it's referring to the	The text refers to meeting all of the criteria including the use of timber.



Section	Summary of main issue	How the issue has been addressed
	<p>former, UPVC shouldn't be considered acceptable in non-designated heritage assets, only buildings that aren't heritage assets. If it's referring to the latter, would the previous paragraphs regarding double-glazed units in listed and curtilage-listed buildings be applicable?</p>	<p>No change is necessary.</p>
	<p><b>Doors</b> Should the sub-headings be changed to separate non-designated heritage assets from buildings that aren't heritage assets?</p>	<p>The titles in the introductory section, page 2, have been amended to provide clarity on the two types of terminology in use.</p> <p>No additional change is necessary.</p>
	<p>i) Page 11, 1st column, 3rd bullet point: Would UPVC be considered acceptable in farm buildings that aren't heritage assets? ii) Also, this only refers to UPVC and powder-coated metal doors being an unacceptable replacement for existing timber doors/ doorframes.</p> <p>iii) Also, if the building already has UPVC/inappropriate doors/door frames, should the text state that the replacement door/door frame should be timber?</p>	<p>i) The material changes that uPVC would bring to a traditional farm building (designated and non-designated) would generally be unacceptable to its character and appearance.</p> <p>No change is necessary.</p> <p>ii) Insertion of "historic" to provide clarification and consistency with the section on windows. Amended bullet point 3 to read:</p> <ul style="list-style-type: none"> <li>• Alternative materials such as UPVC and powder-coated metal, as a replacement for existing <i>historic</i> timber doors/doorframes will not be considered appropriate or acceptable.</li> </ul> <p>iii) Suggest additional 3rd bullet point, page 11. Amended text to read:</p> <ul style="list-style-type: none"> <li>• <i>Where doors and doorframes are considered inappropriate in pattern, material and form these should be replaced with window frame and form of appropriate pattern, material and form for the building.</i></li> </ul>
	<p>Issues regarding 'Listed and Curtilage-Listed Farm Buildings', 'Unlisted Farm Buildings', no mention of non-designated heritage assets, the use of the term 'unlisted' etc. (See previous comments).</p>	<p>The titles in the introductory section, page 2, have been amended to provide clarity on the two types of terminology in use.</p> <p>No additional change is necessary.</p>
	<p>Page 11, 2nd column, 2nd to last paragraph, (text starting 'Where a new glazed...'): The text doesn't states that the use of single glazing is the first preference. It goes straight into talking about 'thin double glazing'.</p>	<p>There is a distinction between an opening or aperture within a door or a glazed element in a former doorway. The paragraph states that single glazed elements where the area of glazing is relatively small is likely to be appropriate and a new glazed element in a former doorway thin double glazing is likely to be appropriate.</p>

Section	Summary of main issue	How the issue has been addressed
		No change is necessary.
	Page 12, 1st column, 1st paragraph after the bullet points: The text refers to 'any conversion scheme' but it is under the sub-heading 'Listed and Curtilage-Listed Buildings' so it wouldn't relate to 'any' conversion scheme, just those involving listed and curtilage listed buildings.	Change to text to reflect the issue raised and for consistency with the section on windows. Amended text to read: Proposals for double-glazed elements, or installations to existing doorway openings, which comply with all of the above criteria, will be considered as part of a <del>any</del> conversion scheme, with the important caveat that they will only be deemed acceptable if the introduction of double-glazing is considered not to harm or be detrimental to the building's character and appearance.
	Page 12, 1st column, last paragraph: There is an issue regarding 'double-glazed elements' as previously discussed in the Windows section under the sub-heading regarding unlisted buildings.	Amended text on page 12 to reflect the guidance in the NPPF regarding non-designated heritage assets. Amended text to read: Whilst historic, un-listed, farm buildings still present and display a strong agricultural character and appearance, <del>they do not benefit from statutory protection.</del> in this regard, it is unlikely that the Local Planning Authority would raise any objection to the introduction of double-glazed elements or installations to existing doorway openings <i>where this does not affect its significance</i> . However, in terms of advice and guidance in relation to an application for conversion, it is considered that the above criteria are pertinent and should be utilised for un-listed historic farm buildings.
	Double glazing should be allowed in all cases as should the use of either metal or up can, providing that the general appearance is maintained. Doors should be able to be upgraded to modern standards.	The material changes that uPVC would bring to a traditional farm building (designated and non-designated) would generally be unacceptable to its character and appearance. No change is necessary.
	"Hideous whenever planning is granted"	The Conversion of Farm Buildings: Supplementary Planning Document provides advice on the treatment of doors and doorframes and does not propose a change in policy approach therefore no change is necessary.
Other Openings	Hayloft Openings Page 13, 1st column, list of bullet points: The reference in the original SPD regarding 'UPVC alternatives will not be acceptable' should be put back into this list.	Bullet point was omitted as an error, re-instate text to correct.  Amended bullet point 3 text to read:

Section	Summary of main issue	How the issue has been addressed
	<p>Unused or unneeded openings should be allowed to be closed up permanently</p> <p>“Hideous whenever planning is granted”</p>	<ul style="list-style-type: none"> <li>• <i>UPVC alternatives will not be acceptable.</i></li> </ul> <p>The material changes that uPVC would bring to a traditional farm building (designated and non-designated) would generally be unacceptable to its character and appearance. No change is necessary.</p> <p>The Conversion of farm Building Design Guide: Supplementary Planning Document considers the treatment of openings and does not propose a change in policy approach to that set out in the Local Plan. No change is necessary.</p>
Architectural & Decorative Features	<p>Page 15, 2nd column, first bullet point: ‘...that all such features, and any others, are retained...’ should be changed to ‘...that any such features should be retained...’</p> <p>If significant these should be retained.</p> <p>“A standing joke what is got away with”</p> <p>A general comment covering all the above external element - walls, roofs , etc- in relation to portal frame or other modern farm or rural buildings is that the use of modern materials can change these often unattractive buildings onto ones which can enhance and grace the landscape, Why not do this instead of adopting a negative approach.</p> <p>The Council have recently required that a new build outside Brassington be designed to look like a modern farm building</p>	<p>The existing wording is considered more pertinent to this part of the guidance “all such features” is considered correct. No change is necessary.</p> <p>The Conversion of Farm Buildings: Supplementary Planning Document considers the treatment of architectural and decorative features that are integral and significant to the character and appearance of farm buildings. The SPD does not propose a change in policy approach to that set out in the Local Plan, therefore no change is necessary.</p> <p>The Conversion of Farm Buildings: Supplementary Planning Document considers the treatment of architectural and decorative features and does not propose a change in policy approach to that set out in the Local Plan, therefore no change is necessary.</p> <p>The SPD is not advocating a negative approach but on the contrary is aiming to retain the character and appearance of farm buildings within the Derbyshire Dales context. No change is necessary.</p>

Section	Summary of main issue	How the issue has been addressed
	<p>which has been converted to a house but should not look like a dwelling. This application (17/00999/FUL) was recently approved. I appreciate that this was new build but it shows what can be achieved through high-quality design and the right approach. shows what can be achieved through good.</p>	<p>Your comments are welcomed. The design ethos taken with the scheme identified and others reflects the Council's approach.</p>
New Services	<p>Page 15, 2nd column, last bullet point: A satellite dish would look like an alien feature on any agricultural building, not just listed/curtilage-listed buildings. Satellite dishes would be inappropriate on all heritage assets, including 'non-designated heritage assets'.</p>	<p>A new bullet point on page 16 is proposed to reflect the issue raised concerning unlisted farm buildings converted to a dwelling house.</p> <p>Additional bullet point to read:</p> <ul style="list-style-type: none"> <li>• <i>The introduction of a satellite dish and solar equipment to an unlisted farm building (converted to a dwelling house) is likely to be restricted by the removal of Permitted Development Rights.</i></li> </ul>
	<p>Page 16, 1st column, 1st bullet point: Regarding solar equipment, the paragraph should also refer to non-designated heritage assets, not just listed/curtilage-listed buildings.</p>	<p>A new bullet point on page 16 is proposed to reflect the issue raised concerning unlisted farm buildings converted to a dwelling house.</p> <p>Additional bullet point to read:</p> <ul style="list-style-type: none"> <li>• <i>The introduction of a satellite dish and solar equipment to an unlisted farm building (converted to a dwelling house) is likely to be restricted by the removal of Permitted Development Rights.</i></li> </ul>
	<p>Within reason I agree, but regard the idea that security alarms must not be visible as ludicrous. Visibility is part of their effectiveness</p>	<p>The SPD does not refer to the concealment of security alarms however each proposal will be considered on a case by case basis. No change is necessary.</p>
	<p>"All awful"</p>	<p>The Conversion of farm Building Design Guide: Supplementary Planning Document considers the treatment of new services and does not propose a change in policy approach to that set out in the Local Plan, therefore no change is necessary.</p>
	<p>New services is only applicable to incoming services such as Electric, water and telecoms. The document does not address outgoing services such as sewage and water run off. Rural communities often deal with sewage by discharging to septic</p>	<p>The reason this is not included in the SPD is because sewerage and water run off are issues which are required to be satisfied under the Building Regulations. No change is necessary.</p>

Section	Summary of main issue	How the issue has been addressed
	<p>tank. It is essential that for new development sewage is discharged in a safe way on not just linked up to existing sewage discharge systems as it will cause the systems to become over capacity and become an environmental hazard as is the case on my land. The document is silent on this. It needs to address this directly so capacity is increased in line with increased demand but it also needs to address the 2020 Environment Agency change in legislation outlawing discharge septic tank.</p>	
Interiors	<p>The commas at the end of the bullet points should be changed to full stops for consistency.</p>	<p>Changes made to the document to correct this typing error.</p>
	<p>Same issue previously raised regarding the use of the headings 'Listed and Curtilage-Listed Farm Buildings' and 'Un-listed Farm Buildings' and the lack of clarity surrounding 'non-designed heritage assets' and farm buildings that aren't heritage assets.</p>	<p>The titles in the introductory section, page 2, have been amended to provide clarity on the two types of terminology in use.</p> <p>No additional change is necessary.</p>
	<p><b>Listed and Curtilage-Listed Farm Buildings</b> The first two paragraphs relate to all agricultural buildings, not just listed/curtilage-listed buildings. The 'Listed and Curtilage-Listed Farm Buildings' sub-heading (or preferably a new heading 'Heritage Assets') should go before the list of bullet points in the 2nd column on page 16.</p>	<p>It is intended to move the sub heading to precede the bullet points on page 17 to address this point.</p> <p>Change of position of heading "Listed and Curtilage-Listed Farm Buildings" to preceded the bullet points on page 17.</p>
	<p>Page 16, 1st column, 1st paragraph: Is there a word missing? Should it read 'harness racks' not just 'harness'?</p>	<p>Amend text to correct error.</p> <p>Amended text to read: The interior spaces of most farm buildings generally consist of large open spaces, sometimes open to the roof, together with other examples of the surviving paraphernalia of their agricultural use, such as feeders, stall dividers, harness <i>and</i> hay racks, etc.</p>
	<p>Page 17, 6th bullet point, 1st column: This relates to flues outside of the building, therefore it is not relevant under the 'Interiors' heading. Should this be moved to the Roofs section?</p>	<p>The nature of a flue is that the point of projection through the roof is directly related to the location of the flue in the interior, therefore the reference to flues is in the Interior section and the Roofs section of the SPD.</p>

Section	Summary of main issue	How the issue has been addressed
		No change is necessary.
	Page 17, 1st bullet point, 2nd column: This relates to flues outside of the building, therefore it is not relevant under the 'Interiors' heading. Should this be moved to the Roofs section?	The nature of a flue is that the point of projection through the roof is directly related to the location of the flue in the interior, therefore the reference to flues is in the Interior section and the Roofs section of the SPD. No change is necessary.
	Page 17: Issues regarding 'Unlisted Farm Buildings', no mention of non-designated heritage assets, the use of the term 'unlisted' etc. (See previous comments).	The text refers to internal works only. Text amended to provide additional clarification. Amended text to read: On un-listed farm buildings, it is desirable to respect and retain the internal character of the building wherever possible. <i>Whilst there is no statutory protection for the interior of an unlisted farm building. However, there is no statutory protection in this regard.</i>
	The interior should not be subject to these sort of planning constraints, provided that any installations do not directly impact the external aspect.	The section is intended to give additional advice and guidance where the farm building being converted is listed or curtilage-listed. In these circumstances they are subject to planning constraints. No change is necessary.
	"Who knows"	The Conversion of farm Building Design Guide: Supplementary Planning Document considers the treatment of interiors and does not propose a change in policy approach to that set out in the Local Plan, therefore no change is necessary.
	In general all interiors need to be upgraded with sufficient insulation to ensure building are meeting modern eco guidelines as regards heat conservation as cutting down on oil, gas, electric etc.	Energy efficiency measures will be considered on a case by case basis. No change is necessary.
Extensions & Additions	The commas at the end of the bullet points should be changed to full stops for consistency.	Changes will be made to the document to correct this typing error.
	This is a very confusing section of the document. It is noted that a lot of additional text has been included on page 18, in the first column, however: The last paragraph, 2nd column, page 17 should be joined to the	This layout was intended to clarify the guidance within this bullet point. No change is necessary.

Section	Summary of main issue	How the issue has been addressed
	first bullet point in the 1st column on page 18.	
	The 1st paragraph, 1st column, page 18 talks about conversion schemes in general rather than extensions and additions. Should this be moved to the Introduction?	This is an introduction to this section and it is considered that it should remain as a bullet point in this location. No change is necessary.
	The 2nd paragraph, 1st column, page 18 talks about this document primarily being about the conversion of farm buildings, not extensions to farm buildings. Again, should this be moved to the Introduction?	This is introductory in nature and it is considered that it should remain in this location. No change is necessary.
	Most of the 3rd paragraph, 1st column, page 18 repeats what is said in the first paragraph (bottom of page 17) and the bullet point (top of page 18) under the 'Extensions and Additions' heading.	The third paragraph, 1st column, refers to extensions and additions whereas the reference on page 17 refers primarily to the nature, function and spaces, gaps and separation of farm buildings. No change is necessary.
	The 4th paragraph doesn't flow correctly. The sentence should begin 'The LPA would be unlikely to support a proposed extension/addition. However, if an extension/addition...' and then continue as is.	It is considered that the SPD paragraphs in this regard are the link between paragraph 3 and 4 and are deemed acceptable. No change is necessary.
	Page 18, 2nd column, 8th bullet point: The text refers to 'separate building' however this is a section on extensions and additions. Separate buildings are covered in the section on 'Outbuildings and Curtilage'. This term should be deleted from this section.	Text alteration is suggested for clarity. Amended text to read: Where, the principle of extending a farm building <del>or structure</del> may be considered acceptable, the following will be expected: 8th Bullet point amended to read: <ul style="list-style-type: none"> <li>• Building materials will need to be given very careful consideration and be appropriate to the design concept of the extension, <del>or addition or separate building</del>.</li> </ul>
	Page 18, 2nd column: The text introduces the term 'farm building or structure' a number of times. This is an SPD on the conversion of farm buildings, therefore references to structures isn't applicable. This term should be deleted from the text.	Text alteration is suggested for clarity. Amended text to read: Where, the principle of extending a farm building or structure may be considered acceptable, the following will be expected: 8 <sup>th</sup> Bullet point amended to read: <ul style="list-style-type: none"> <li>• Building materials will need to be given very careful consideration and be appropriate to the design concept of the</li> </ul>

Section	Summary of main issue	How the issue has been addressed
		extension, <del>or addition or separate building.</del>
	<p>Conservatories, Sun-Lounges, Garden Rooms, Porches and Porch Canopies, Page 19</p> <p>The paragraph under this heading should be deleted. It refers the reader to the previous guidance regarding extensions and additions being applicable to these types of development however the previous guidance outlines how an extension/addition should be designed in order for it to be acceptable. Whereas these types of extension/addition are unacceptable on converted farm buildings and couldn't be made acceptable by better design/materials etc. The paragraph is also located under the sub-heading 'Extensions and Additions' and therefore it is not necessary to state that they comprise extensions/additions.</p>	<p>It is considered that the introductory paragraph is necessary within the 'extensions and additions' section to refer back to aforesaid guidance and as a preamble to the bullet points under this heading. No change is necessary.</p>
	<p>Page 19, 1st column: The two bullet points should be removed and made into two paragraphs. These two paragraphs say everything that needs to be said.</p>	<p>This is a layout issue and not a comment on the content. No change is necessary.</p>
	<p>Page 19, 1st column, 2nd bullet point: The terms 'principal' and 'or associated farm buildings' should be deleted from the text as the former is confusing and the latter isn't applicable.</p>	<p>The term principle relates to the existing building which may or may not have already been converted. It is considered 'associated farm buildings' term to be important as identifying those other farm buildings within the curtilage of the primary building. No change is necessary.</p>
	<p>Garaging, Page 19</p> <p>The sub-heading should be changed to 'Parking and Garaging'.</p>	<p>Amendment to title to reflect this comment. Amended title to read: <i>Garaging and Parking</i></p>
	<p>The sub-heading should be changed to a main heading as the text talks about garages as an extension to a converted farm building, as well as surface parking and detached garages.</p>	<p>The garaging sub section referred to sits within the Extensions and Additions section. It is considered that this is the most appropriate location for this topic in the SPD. No change is necessary.</p>
	<p>The text on page 19 regarding garaging is confused by the new text that is included at the top of the 2nd column which seems to</p>	<p>The text indicates that the construction of a new building to provide parking can be "explored" and the bullet point sets out the issues</p>



Section	Summary of main issue	How the issue has been addressed
	indicate that new garage buildings are acceptable. Where-as the bullet point list that follows states that new detached garaging will be resisted.	and constraints to such a development that will be considered as part of the planning application process. No change is necessary.
	The last paragraph at the bottom of column 1, page 19 should end with 'This may take the form of:' and the text regarding 'discreet areas of hard standing' should be included as a bullet point.	The paragraph forms part of the context setting for the section, the bullet points refer to a structure specifically used for parking. No change is necessary.
	The bullet points regarding the different forms of parking/garaging could be listed in order of preference.	The bullet points on page 19-20 list the options for garaging in appropriate order, firstly using the existing spaces within the farm building, secondly constructing an attached garage and thirdly a detached garage. No change is necessary.
	Derbyshire County Council archaeological advisers would welcome pre-application enquires in relation to extensions or additions to farm buildings. NPPF para 198 which requires developers to establish the significance of any heritage assets which will be affected by their proposals, requires that the minimum an applicant should do when assessing this is contact the County Historic Environment Record. It would be appreciated this recommendation could be included in para 4 under this section.	The insertion of an additional bullet point on page 19 will raise awareness of archaeology within the extensions and additions section. Appropriate contact information has been included on page 26 and archaeology is addressed in a separate section on page 22.  Additional bullet point, page 19, to read: <ul style="list-style-type: none"> <li>• <i>Consideration of potential impacts on archaeology and biodiversity.</i></li> </ul> Additional contact information: <i>Derbyshire County Archaeology Services can be contacted on 01629 539773</i> see: <a href="https://www.derbyshire.gov.uk/environment/conservation/archaeology/archaeology.aspx">https://www.derbyshire.gov.uk/environment/conservation/archaeology/archaeology.aspx</a>
	These should be subject to normal planning rules only, provided they are in keeping. Conservatories, etc.; should be allowed as they can enhance the look of the building.	The Conversion of farm Building Design Guide: Supplementary Planning Document considers the issues of extensions and additions and does not propose a change in policy approach to that set out in the Local Plan. Conservatories are considered to be in contrast and oppose the agricultural nature of the original building

Section	Summary of main issue	How the issue has been addressed
	<p data-bbox="315 309 779 341">"Terrible, uniformly out of character"</p>	<p data-bbox="1182 236 1346 268">and setting.</p> <p data-bbox="1182 272 1503 304">No change is necessary.</p> <p data-bbox="1182 309 2063 448">The Conversion of farm Building Design Guide: Supplementary Planning Document considers the issues of extensions and additions and does not propose a change in policy approach to that set out in the Local Plan.</p> <p data-bbox="1182 453 1503 485">No change is necessary.</p>
<p data-bbox="107 496 282 560">Outbuildings &amp; Curtilage</p>	<p data-bbox="315 496 1160 596">Page 20, 1st column, 1st paragraph: Refers to listed buildings and curtilage-listed buildings but not non-designated heritage assets.</p> <p data-bbox="315 608 1160 746">Page 20, 1st column, 1st bullet point: It should say 'traditional outbuildings' or 'outbuildings that are heritage assets' not just 'outbuildings', as not all outbuildings are worthy of being retained.</p> <p data-bbox="315 794 1160 933">Page 20, 1st column, 2nd and 3rd bullet points: How will these features be resisted when the majority do not comprise development and therefore cannot be controlled by the removal of permitted development rights?</p>	<p data-bbox="1182 496 2040 596">The titles in the introductory section, page 2, have been amended to provide clarity on the two types of terminology in use.</p> <p data-bbox="1182 571 1637 603">No additional change is necessary.</p> <p data-bbox="1182 608 1733 639">Text amended to provide additional clarity.</p> <p data-bbox="1182 644 1473 676">Amended text to read:</p> <ul data-bbox="1182 681 1966 783" style="list-style-type: none"> <li data-bbox="1182 681 1966 783">• Outbuildings shall be retained, repaired and re-used wherever possible. Their demolition of <i>outbuildings deemed heritage assets</i> will be resisted in most cases.</li> </ul> <p data-bbox="1182 794 1989 933">The SPD used to guide applicants as to the features that are undesirable in the conversion of the property. With a heritage asset such features can be resisted where not they would be undesirable. The text is altered to reflect this.</p> <p data-bbox="1182 975 1608 1007">Amended bullet point; 2, to read:</p> <ul data-bbox="1182 1011 2024 1193" style="list-style-type: none"> <li data-bbox="1182 1011 2024 1193">• The over-domestication of the setting of a converted farm building (in terms of patios, timber-fencing, railings, extensive garden landscaping, ornamental ponds, lamp posts and pergolas) <del>will</del> <i>would be undesirable unless that building/site is deemed a heritage asset. resisted,</i></li> </ul> <p data-bbox="1182 1198 1592 1230">Amended bullet point 3 to read:</p> <ul data-bbox="1182 1235 2056 1337" style="list-style-type: none"> <li data-bbox="1182 1235 2056 1337">• The formation of ornamental water features, fountains, fish ponds and larger bodies of water <del>will generally be resisted,</del> <i>would be undesirable unless that building/site is deemed a heritage asset.</i></li> </ul> <p data-bbox="1182 1342 1592 1374">Amended bullet point 6 to read:</p>

Section	Summary of main issue	How the issue has been addressed
		<ul style="list-style-type: none"> <li>• The entrance or approach to a converted farm building, or group of buildings, should retain its original rural and agricultural character. Over prestigious entrances, with gateposts and gates, extensive block paving, setts or tarmac, <del>will be resisted, would be undesirable unless that building/site is deemed a heritage asset.</del> Amended bullet point 8 to read:</li> <li>• Decorative and fussy metal or timber gates <del>will be resisted, would be undesirable unless that building/site is deemed a heritage asset.</del> Amended bullet point 9 to read:</li> <li>• The widening of existing gateways (vehicular or pedestrian) will generally be resisted, would be undesirable unless that building/site is deemed a heritage asset. Amended bullet point 13 to read:</li> <li>• External swimming pools and tennis courts, with or without enclosure, are considered to be detrimental to the character, setting and grouping of a farmstead and their introduction <del>will, therefore, be resisted. would be undesirable unless that</del> <i>building/site is deemed a heritage asset.</i></li> </ul>
	The commas at the end of the bullet points should be changed to full stops for consistency.	Changes will be made to the document to correct this typing error.
	Page 21, 1st column, paragraph in bold: Should this also refer to the removal of permitted development rights for gates, walls and fences as these fall outside the scope of residential permitted development rights? This would tie-in with the text within 'Post-Conversion' that refers to inappropriate alterations/additions within its curtilage including fences.	Amend the paragraph to reflect the GDPO Part 2.  Amended text to read: In order to retain and protect the character, appearance and setting of the buildings any grant of planning permission would normally remove residential <i>and minor operations</i> permitted development rights.
	There is nothing in the text regarding the care needed when creating a residential curtilage. Most farm buildings don't have a defined curtilage associated with them, particularly isolated	It is considered that bullet point 12 on page 20 adequately addresses this point. No change is necessary.

Section	Summary of main issue	How the issue has been addressed
	buildings within fields. The size of the curtilage should be carefully controlled and may even be unacceptable in its own right due to the landscape character of the area.	
	There is nothing in the text that states that the creation of garden areas and hard standings, or the domestic paraphernalia, associated with a converted residential farm building can be unacceptable in landscape terms and can render a proposed conversion unacceptable in certain locations.	These issues are deemed to be covered by existing paragraphs/bullet points in the SPD. No change is necessary.
	When in use for farming, these would have been altered as necessary in order to satisfy current requirements. This rule should continue and changes thus allowed.	The use of a farm building and its setting for agriculture does not have the same impact on the landscape as domestic curtilage. Approved changes may be allowed subject to the guidance of the SPD. For this reason the advice in this section is included in the SPD. No change is necessary.
	"should be stopped"	The Conversion of Farm Building Design Guide: Supplementary Planning Document considers outbuildings and curtilage and additions and does not propose a change in policy approach to that set out in the Local Plan, therefore no change is necessary.
Class Q	"?"	Information about Class Q is set out in the SPD to give additional guidance and advice.  No change is necessary.
	It is clearly the intention of the Council to try to refuse permission to as many proposed conversions of farm buildings to houses as possible. Yet the conversion of these very often redundant buildings to housing use is the only economic way that they can be saved and improved, in many cases removing an eyesore and replacing it with a nice new building of real use. The text of the section on Class Q indicates that no permission will be given if there is any alteration whatsoever in the building to convert it	The Class Q regulations are not in place to oppose the conversion of farm buildings to residential use, however this piece of legislation (Class Q) has now been tested on occasion through appeals and the Courts and the information provided in the SPD reflects the current and up to date decisions made.

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	to become a house. This is clearly done to prevent any such conversions and the whole tone of this section needs to be made more favourable to conversion to residential use. As it is currently written, we feel this section is against the spirit of the National Planning Policy Framework and government policy which is much more in favour of the conversion of farm buildings to residential use.	
	What about conversions to other types of use? Surely these should be included in the document with advise on how to achieve a good quality design. Again advise on how to achieve good design when converting Class Q buildings would be helpful and raise the standard of design.	The SPD provides guidance for conversion of farm buildings to other uses, the majority of applications received by the District Council are for conversion to dwellings however the principles and guidance can apply to all future uses. Where conversion of a farm building to a residential use meets the requirements of Class Q the conversion is not guided by planning conditions that may specify design elements and would normally form part of a planning consent. No change is necessary.
Post conversion	If the initial planning approach is balanced, sensible and reasonable then this should not be a major issue, but normal planning rules should apply	The policies in the Derbyshire Dales Local Plan will be applied to all planning applications. The Conversion of Farm Building Design Guide: Supplementary Planning Document provides additional advice and guidance to applicants and will be a “material consideration”.  No change is necessary.
	“?”	Information about post conversion issues is set out in the SPD. No change is considered necessary.
Archaeology	Paragraph 1: suggested text: <i>Both listed and non-listed traditional farm buildings are deemed heritage assets in NPPF. When considering the potential impact on the significance of both the buildings themselves and, potentially, below ground archaeology associated with the use of the buildings through time, advice on such should be sought at a pre- application</i>	Insert additional paragraph, page 22 to read: <i>Both listed and non-listed traditional farm buildings are deemed heritage assets in NPPF. When considering the potential impact on the significance of both the buildings themselves and, potentially, below ground archaeology associated with the use of the buildings through time, advice on should be sought at a pre- application</i>

Section	Summary of main issue	How the issue has been addressed
	<p>stage. Derbyshire County Council archaeological advisers would welcome such pre-application enquires.</p>	<p>stage. Derbyshire County Council archaeological advisers would welcome such pre-application enquires.</p> <p>Additional contact information on page 26. Amended text to read: Derbyshire County Archaeology Services can be contacted on 01629 539773 see <a href="https://www.derbyshire.gov.uk/environment/conservation/archaeology/archaeology.aspx">https://www.derbyshire.gov.uk/environment/conservation/archaeology/archaeology.aspx</a></p>
	<p>Paragraph 2: Suggest a slightly more accurate wording for the second paragraph would be: <i>‘With regard to the buildings themselves any works deemed to have a potential impact on archaeological deposits ...(retain existing text in brackets) will need to be monitored in order to safe guard archaeological interest. This should be undertaken by a suitably qualified and experienced archaeological practitioner . Derbyshire County Council archaeological advisers can assist in the scoping of the necessary archaeological input and where to source archaeological contractors.</i></p>	<p>Amend 2<sup>nd</sup> paragraph to reflect these comments.</p> <p>Amended text to read:</p> <p>With regard to the buildings themselves, any works deemed to have archaeological interest and potential impact on deposits (for example the (part or total) excavation of floors within the building; excavation works adjacent to the building; excavation works for new footings and service trenching and proposed works for the repair/replacement of historic timbers, etc.) will need to be recognised and appraised and monitored in order to safeguard archaeological interest. <i>This should be undertaken by a suitably qualified and experienced practitioner. Derbyshire County Council archaeological advisers can assist in the scoping of the necessary input and where to source archaeological contractors.</i></p>
	<p>Final bullet point: suggested change that the term <i>‘in conjunction with’</i> be replaced with <i>‘in line with’</i>.</p>	<p>Amend final bullet point to read:</p> <ul style="list-style-type: none"> <li>Archaeological works shall be undertaken <del>conjunction</del> in line with the advice &amp; guidance as set out in the National Planning Policy Framework (and Guidance) and <del>in-conjunction-with-line</del> with other guidance from Historic England and the Chartered Institute for Archaeologists.</li> </ul>
	<p>“Ignored by Council and developers”</p>	<p>The Conversion of Farm Buildings: Supplementary Planning Document considers archaeology and does not propose a change</p>

Section	Summary of main issue	How the issue has been addressed
		<p>in policy approach to that set out in the Local Plan.</p> <p>No change is necessary.</p>
Landscape	<p>Page 24, 2nd column, 3rd bullet point: Should the text read ‘...identifying the species, size (including canopy spread), age, class...’ rather than ‘...identifying the species, size – including canopy spread, age, class...’?</p>	<p>Change to text to improve clarity. Amended bullet point 3 to read:</p> <ul style="list-style-type: none"> <li>The retention of existing trees and hedgerows will be expected. Where any work is proposed within their proximity, an accurate survey of the location and canopy spread of all the trees and hedgerows (which may be affected) shall be submitted with the application. In some cases, the Council will expect to see a full arboricultural report, identifying the species, size, <del>(including (canopy spread)</del>, age, class, condition and retention value for each tree. Early advice should be sought from the Council’s <i>Trees and Landscapes</i> <del>Arboriculture</del> Officer, </li></ul>
	<p>Page 24, 1st column, 4th bullet point: Should this refer to the requirement to submit a Hedgerow Removal Notice to the Local Planning Authority for consideration rather than simply stating the removal of hedgerows will be resisted?</p>	<p>Additional text inserted to include a reference to Hedgerow Removal Notices and contacting the Council. Additional wording to replace “resisted” in line with the tone of the SPD in other section. Amended bullet point 4 to read:</p> <ul style="list-style-type: none"> <li>The breaching and removal of historic hedgerows, or other historic boundary treatments, to form new access or entrance ways, together with their removal to form associated visibility sight-lines will, generally, be <i>undesirable resisted</i>. <i>Advice should be sought from the District Council Trees and Landscapes Officer to see if a Hedgerow Removal Notice is required.</i>, </li></ul>
	<p>Scarred by our criminal councils and government.</p>	<p>The Conversion of Farm Buildings: Supplementary Planning Document considers farm buildings in the landscape and does not propose a change in policy approach to that set out in the Local Plan. The Council has also adopted a Landscape Character and Design Guidance SPD.</p> <p>No change is necessary.</p>

Section	Summary of main issue	How the issue has been addressed
	We agree the least disturbance to wildlife and birds, trees is important to uphold.	The support is welcomed. No change is necessary.
Wildlife	We fully support the requirement for a ‘comprehensive survey and assessment’ and the advice that ‘any farm building can have potential to support protected species’. We also welcome the clear requirements for this information to be provided prior to validation.	The support is welcomed. No change is necessary.
	It may be helpful to refer to the British Standard for Biodiversity (BS: 42020: 2013), which provides further detail on what is considered ‘up to date’ survey and also on planning conditions relating to protected species.	The British Standard is not a free publication or available online and therefore not accessible to all agents/developers/owners. The SPD advises that the Derbyshire Wildlife Trust is contact for help and advice. No change is necessary.
	It may also be useful to state that mitigation will be required when impacts to protected species are likely and that this is often required as part of obtaining a licence. The LPA should be provided with sufficient information at the planning stage to be confident that a licence is likely to be granted, based on a consideration of the ‘three tests’ set out in the Conservation of Habitats and Species Regulations 2017. Mitigation is different to enhancement, which is required to provide a net biodiversity gain in accordance with the NPPF 2018.	Amend text to provide additional clarity and reflect the comments made. Amended paragraph 4 to read: On receipt of the application, the Local Planning Authority will seek professional/specialist advice on the report and take this advice into consideration as part of the determination of the application. It is unlikely that an application will be validated without such a report forming part of the submission. <i>The Local Planning Authority should be provided with sufficient information at the planning stage to be confident that if a license is required it is likely to be granted.</i> Amended paragraph 5 to read: Should Planning Permission be granted for the conversion of the farm building(s), this shall not absolve the applicant from obtaining the requisite licence(s) from the statutory authorities (e.g. Natural England). <i>In obtaining a licence mitigation measures will be required where impacts on protected species are likely.</i> Page 25 amended paragraph 1 to read: The National Planning Policy Framework (and Guidance) advocates biodiversity enhancement, <i>providing a net biodiversity</i>



Section	Summary of main issue	How the issue has been addressed
		<i>gain</i> , as part of any development proposals. Such enhancements should be clearly identified in any application.
	Page 24, 1st column, 1st paragraph: Should the text refer to Natural England when stating 'protected species are subject to strict licensing procedures...'?	Natural England is referred to in the text on page 25. No change is necessary.
	Page 24, 2nd column, 1st paragraph: The sentence, 'Any farm building has the potential to be a habitat for protected species' repeats what is said in the first sentence of the first paragraph under the Wildlife heading.	The first paragraph provides a broad context referring to farm buildings, in and out of use, land and hedgerows. The subsequent paragraphs are written to provide further explanation and more detailed advice relating specifically to the conversion of buildings. No change is necessary.
	Page 24, 2nd column, 1st paragraph: Should the text be amended to state that Derbyshire Wildlife Trust 'should' rather than 'could' be consulted?	It is not possible to oblige the applicant to consult the Derbyshire Wildlife Trust through the SPD. No change is necessary.
	Page 25: The 3rd and 4th bullet points should be joined together.	Merge the two bullet points referring to ponds to remove duplication. Amended text to read: <ul style="list-style-type: none"> <li>• <del>Existing ponds shall be retained (with safety measures put forward where applicable).</del></li> <li>• Existing ponds, associated with farmsteads, also provide important habitats for wildlife and should be respected, retained (<i>with safety measures put forward where applicable</i>) and protected in any development scheme.</li> </ul>
	I agree that wildlife needs protection but we should not lose sight of the need to create reasonable accommodation for human beings.	The Conversion of Farm Buildings: Supplementary Planning Document seeks to provide guidance and advice for owners considering conversion and the measures that need to be taken to accommodate wildlife. No change is necessary.
	"Ignored and destroyed"	The Conversion of farm Building Design Guide: Supplementary Planning Document considers wildlife in the context of farm buildings. Regarding biodiversity there are further policies are contained within the Local Plan and advice in the Landscape

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	<p>As stated earlier this should not just relate to protected species. Wildlife in general is in decline; a 50% decline in species nationally in the last twenty years. The document should protect existing nest and roosting sites for not just protected species but also require positive measures, such artificial nesting boxes/nests on all conversions.</p>	<p>Character and Design SPD. No change is necessary.</p> <p>Amended text on page 24 to reflect the need to provide bird/bat boxes where necessary. Amended text to read: When a formal application is submitted it will be expected that a protected species report (assessment, findings &amp; recommendations <i>including provision, where necessary, for bird/bat boxes</i>) accompanies that application. The report should be up to date at the time the application is being submitted.</p>
Appendix A Planning policies	Local Plan Policy HC8, 2nd column: It is my understanding that this policy only relates to the conversion of heritage assets (i.e. listed buildings, curtilage-listed buildings and non-designated heritage assets) due to criterion (b), therefore it would not be applicable for all conversion schemes involving farm buildings, as stated in the text.	Policy HC8 in the Local Plan refers to the conversion and reuse of buildings in the rural area, for residential accommodation and is not only referring to Heritage Assets. Paragraphs 6.15-6.18 explain the approach in more detail. No change is necessary.
	Local Plan Policy PD2, 2nd column: This policy doesn't just refer to listed or curtilage-listed buildings it also refers to non-designated heritage assets. The text fails to address non-designated heritage assets.	Amended text to improve clarity. Amended text to read: Where a farm building is <i>a designated or non-designated heritage asset listed (or curtilage-listed)</i> , <b>Policy PD2: Protecting the Historic Environment</b> will apply to ensure that the heritage asset is conserved in a manner appropriate to its significance.
	“?”	No change is necessary in response to this comment.
Appendix B Sustainability Checklist	The introduction to Appendix B in the original SPD was useful and should be incorporated into this SPD.	The introduction to Appendix B was inadvertently omitted from the consultation version of the SPD. Reinsertion of the text to correct the error. Amended text to read: <i>You are advised to consider and address the following sustainability issues before submitting your application. The checklist aims to assist applicants to give full consideration to these issues before discussing their proposals with the Council. Failure</i>

Section	Summary of main issue	How the issue has been addressed
	<p>Where reference is made to contacting a specialist member of the District Council (i.e. Conservation Officer, Tree Officer etc.) should this be deleted and instead a note attached about submitting a pre-application request and directing the reader to the relevant page on your website?</p>	<p><i>to take account of this may result in your application being delayed.</i></p> <p>Owners/agents/developers are encouraged to contact the District Council in the first instance. If the query is appropriate for the pre-application advice service they will be directed towards this service. Seeking a good dialogue with people who are involved in the conversion of farm buildings from an early stage is intended to secure a good quality conversion. The contact details for the District Council will be included on page 25 under “Further Guidance &amp; Advice No change is necessary.</p>
	<p>Page 27, Legally Protection Species, Action, 2nd paragraph: ‘Records’ is repeated.</p>	<p>Amend text to provide clarification. Amended text to read: Have you discussed with English Nature and/or Derbyshire Wildlife Trust whether they have any <del>records</del> <i>entries</i> on <i>the</i> Protected Species records?</p>
	<p>Page 28, Wildlife Habitats, Action, 2nd paragraph: ‘Application site’ is repeated.</p>	<p>Typographical error to be corrected. Amended text to read: Your proposal, where appropriate, should identify conserve and enhance existing biodiversity. You are advised to employ ecological consultants to survey the application site to establish the ecological value of the <del>application</del> site.</p>
	<p>Page 28, Traffic, Action: Should the text direct the reader to contact the Highways Authority?</p>	<p>Amend text to provide clarification: Amended text to read:  You should undertake an assessment of how the site links with existing and potential links to the public transport network. <i>You are advised to contact the Highways Authority for further advice.</i></p>
	<p>Page 30, Landscape, Issues for Consideration, Historic Landscape Issues: Should this paragraph also refer to the impact that forming residential curtilages can have on the landscape, as well the impact of domestication of the landscape from any residential paraphernalia (i.e. washing lines,</p>	<p>Text amended to reflect this comment and the potential impact of establishing a domestic curtilage.. Amended text to read: Historic landscape issues – The special character and appearance of the area is an invaluable asset. The appearance of barns and</p>

Section	Summary of main issue	How the issue has been addressed
	trampolines etc.) that cannot be controlled by removing permitted development rights?	farm buildings and the relationship they have with their surroundings, is an important element of local landscape character, which varies throughout the District. The landscape that provides the immediate setting for barns and farm buildings makes a significant contribution to their character and to the character of the site itself. <i>The conversion of farm buildings and the establishment of an associated curtilage may have an impact on the landscape and this impact will be considered as part of an application.</i>
	Page 30, Landscape, Issues for Consideration, Trees: Amend text to read ‘...or be protected by virtue of being sited within a Conservation Area.’	Additional text to provide clarification regarding trees situated in Conservation Areas. Amended text to read: Trees - Barn conversions can have an impact on trees within or close proximity to the application site. Some or all of them may be protected by a Tree Preservation Order or be <i>protected by virtue of being sited</i> within a Conservation Area.
	Page 29, Landscape, Action: Bullet points are missing from the text towards the end of the table.	This is a layout issue. No change necessary.
	Page 30, Heritage Assets, Issues for Consideration: There is no mention of curtilage-listed buildings or non-designated heritage assets in the text.	Amended text to improve clarity and the use of all terminology.  Amended title to read: <i>Heritage/Archaeological Assets</i>  Amended “issues for consideration” to read: Many farm buildings are listed, <i>curtilage-listed or are non-designated heritage assets</i> . <del>by the District Council for their special architectural and historic interest.</del> Any works of alteration, however subtle, which would be considered to affect the special character or appearance of a <i>designated heritage asset</i> <del>listed building</del> would require an application for Listed Building Consent.
	Page 30, Heritage Assets, Action: Should people be advised to	Insert additional text to provide information and contact details.

Section	Summary of main issue	How the issue has been addressed
	consult the Historic Environment Record and Historic England website?	Amended "action" section to read: <i>Have you checked to see if your property is listed by using the Historic England website?</i> See <a href="https://historicengland.org.uk/listing/the-list/">https://historicengland.org.uk/listing/the-list/</a> <i>Have you checked to see if your property is included on the Historic Environment Record?</i> See: <a href="https://www.heritagegateway.org.uk/Gateway/CHR/">https://www.heritagegateway.org.uk/Gateway/CHR/</a>
	Heritage assets box page 30: the Sites and Monuments Record Officer is now called the Historic Environment Record Officer	Correction to page 30 Heritage Assets. Amended text to read; You will be expected to contact the County Archaeologist and <i>Historic Environment Record Officer</i> <del>Sites and Monuments Records Officer</del> at Derbyshire County Council to establish whether the building (s) and site contains, or is adjacent to, archaeological interest and value.
	“?”	No change is necessary in response to this comment.
General Comments	Very little is discussed about the pre-application advice service the Council has in place. Should this be included?	There is a reference to the pre-application advice service on page 18, however it is acknowledged that additional text inserted into the Further Guidance and Advice section page 25 would be a positive addition to the SPD. Amended text to read: <i>The District Council operates a pre-application advice service, more information can be seen here:</i> <a href="http://www.derbyshiredales.gov.uk/planning-a-building-control/submit-a-planning-application/pre-application-advice">http://www.derbyshiredales.gov.uk/planning-a-building-control/submit-a-planning-application/pre-application-advice</a>
	There is no mention in the document about removing undesirable extensions/additions as part of a conversion scheme to reveal the original structure/significance of the building, particularly if the building is a heritage asset.	There is a perceived difficulty in defining what would and what would not be an ‘undesirable’ extension or addition to an existing farm building. An assessment on a case by case basis will be made relating to existing extensions and additions. No change is necessary.
	No mention is made of the Council having a Local List of non-	The District Council does not have a Local List, the reference in

Section	Summary of main issue	How the issue has been addressed
	designated heritage assets, even though the Local Plan at Table 7 and the definition of 'Heritage Asset' in Local Plan's Glossary suggests there is one.	Table 7 of the Local Plan includes a Local List as one of many implementation mechanisms, should the Council have one in future it would be a way of implementing the policy. No change is necessary.
	<p>I have read these proposals. and I think that they are unnecessary.</p> <p>i) I note that the stated intention is to "provide detail and depth that may not be possible in the Local Plan. It intends to provide complementary guidance and advice for farm building owners who are seeking to find alternative uses for their farm buildings without having an adverse impact on their character, appearance and setting". Some of these residents are farmers who need to diversify their property if they are to survive.</p> <p>ii) I think that the proposals seek to make it all the more difficult for owners of such buildings to negotiate the planning process. The existing process is already difficult and highly subjective. Use of language such as 'will be rested', "will not usually be approved" and 'it is unlikely' does nothing to clarify the situation for any prospective developer. Either something is allowed or it isn't; lets have a document that gives clarity, or why bother publishing it?</p> <p>iii) The council needs to take in to account that barns converted to residential form part of the housing stock of our area. People moving into a barn conversion may free up housing further down the chain. The Council should not deter barn conversions as this will impact on the availability of housing in the area.</p> <p>iv) Also barn conversions tend to be more expensive to build than 'new builds'; it is easier to build a house from scratch rather than work around something that needs upgrading to conform with building regs, never mind also having to negotiate</p>	<p>i) The Council recognises the issue and importance of rural diversification, see Policy S9 in the Local Plan.</p> <p>ii) With regard to buildings deemed to be heritage assets the SPD has a responsibility to identify those works of alteration or development that would be detrimental to their character and appearance. Such considerations with regard to heritage assets cannot be simply binary.</p> <p>iii) The Council does take into account that converted farm buildings form part of the housing stock for the District. The Local Plan Policy HC8 refers specifically to the conversion and reuse of</p>

Section	Summary of main issue	How the issue has been addressed
	<p>the whims of the local planning department. Let's also recognise that the conversion of these buildings provides employment in the local area.</p> <p>v) If the additional expense of converting a barn to a residence is not enough, the council resists the addition of environmentally friendly products such as solar panels. WHY?</p> <p>vi) I accept that barn conversions should retain their distinctive appearance as much as possible, but this must be balanced with the fact that they are being converted for habitation by people, who require different types of types of comfort and convenience to that needed in the prior usage of the building.</p> <p>vii) In short, the Council should adopt a reasonable approach to the conversion of farm buildings. From what I've experienced of the planning process it is arbitrary and difficult. Will the residents of this area really benefit from even more petty conditions and requirements, especially as they will not be applied uniformly?</p>	<p>buildings for residential accommodation. Those proposed conversions which would not be deemed acceptable will be usually be for reasons of design, extent of alterations, materials and changes to their context.</p> <p>iv) Building costs are beyond the scope of planning functions. The Council recognises that building works undertaken with approval in the District may employ local contractors and be of benefit to the local economy.</p> <p>v) The Local Planning Authority is not resistant to the concept of products such as solar panels but has to take into account with any development proposal an assessment whether those panels will be detrimental to the character and appearance of the farm building or the setting and context.</p> <p>vi) A fundamental consideration relating to a barn conversion will be to retain as far as possible its distinctive appearance. In that regard the buildings innate character should be safeguarded as part of the proposals for residential conversion.</p> <p>vii) The SPD is supplementary guidance with the primary objective of seeking alternative uses for redundant farm buildings but safeguarding their character, appearance and setting.</p>



**Planning and Compulsory Purchase Act 2004**  
**Town and Country Planning (Local Planning) (England) Regulations 2012**  
**Regulation 14**  
**The Conversion of Farm Buildings Supplementary Planning Document**  
**Adoption Statement**

Derbyshire Dales District Council adopted the Conversion of Farm Buildings Supplementary Planning Document on 10 January 2019.

The SPD will apply to that part of the Derbyshire Dales District Council area for which it is the local planning authority, and is a Supplementary Planning Document for the Derbyshire Dales Local Plan 2017.

Copies of the Supplementary Planning Document and the Consultation Statement which outlines the Council's response to the main issues raised on the draft consultation Supplementary Planning Document are available for inspection at the following locations:

- Derbyshire Dales District Council, Town Hall, Bank Road, Matlock DE4 3NN
- The Arc Leisure Centre, 1 Bakewell Road, Matlock DE4 3AZ
- Matlock Library, Steep Turnpike, Matlock DE4 3DP
- Ashbourne Leisure Centre, Clifton Road, Ashbourne DE6 1DR
- Ashbourne Library, Compton, Ashbourne DE6 1DA
- Wirksworth Leisure Centre, Hannage Way, Wirksworth DE4 4JG
- Wirksworth Library, Town Hall, Wirksworth DE4 4EU

The documents can also be viewed and downloaded from the Council's website <http://www.derbyshiredales.gov.uk/farmbuildingsSPD>

Any person aggrieved by The Conversion of Farm Buildings Supplementary Planning Document must promptly apply to the High Court for permission to apply for a judicial review of the decision to adopt the Supplementary Planning Document within three months of the adoption date.

Steve Capes  
Head of Regeneration and Policy  
Derbyshire Dales District Council  
Town Hall, Bank Road, Matlock, Derbyshire DE4 3NN



COMMUNITY AND ENVIRONMENT COMMITTEE  
10 JANUARY 2019

Report of the Head of Regeneration and Policy

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## **DRAFT SHOP FRONTS AND COMMERCIAL PROPERTIES SUPPLEMENTARY PLANNING DOCUMENT**

### **SUMMARY**

This report presents a draft Shop Fronts and Commercial Properties Supplementary Planning Document (SPD) for Members consideration. This being an updated version of the previously adopted SPD (2012) which is required in light of the Adoption of the Local Plan in December 2017. Approval is sought for a formal period of public consultation on the document prior to its formal adoption as a SPD.

### **RECOMMENDATION**

1. That the draft Shop Fronts and Commercial Properties Supplementary Planning Document (SPD), attached in Appendix 1 be approved and subject to a period of six weeks public consultation.
2. That in the event that the public consultation results in no objections to the draft Shop Fronts and Commercial Properties Supplementary Planning Document then delegated authority is given to the Head of Regeneration and Policy to take forward its formal adoption.
3. That in the event of any substantive representations being received during the public consultation on the draft Shop Fronts and Commercial Properties Supplementary Planning Document, then a further report be presented to this Committee for consideration of the representations received.

### **WARDS AFFECTED**

All wards outside the Peak District National Park

### **STRATEGIC LINK**

The implementation of the draft Shop Fronts and Commercial Properties Supplementary Planning Document will assist with developing a thriving district, as stated in the Council's Corporate Plan 2015-19.

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## **1 BACKGROUND**

- 1.1 Supplementary Planning Documents seek to expand on existing planning policy, to provide detail and depth that may not be possible in a Local Plan. In 2005 the District Council formally adopted the Shop Fronts and Commercial Properties Design Guidance Supplementary Planning Document, updated and modified in November 2012. This has, since that time, sought to provide complementary guidance and advice for owners and managers of shops and commercial properties to consider when preparing planning applications. The SPD has operated well since that time,

however, following the adoption of the Derbyshire Dales Local Plan in December 2017, with revised policies that reflect current national guidance, it can no longer be used as a “material consideration” in the determination of planning applications.

- 1.2 To ensure that the Shop Fronts and Commercial Properties Supplementary Planning Document can continue to be given statutory weight in the determination of planning applications it has been necessary to refresh its contents to reflect any changes to the Local Plan policies. There are no significant changes in approach or content, the changes that have been made are points of clarification or an explanation of technical terminology.
- 1.3 Once adopted the Supplementary Planning Document can be used in the determination of planning applications as a “material consideration”.
- 1.4 The Draft Supplementary Planning Document recognises that the District contains the medieval market towns of Ashbourne and Wirksworth and the later spa towns of Matlock and Matlock Bath. The buildings that form the street-scapes of the towns are such that there is a need to be sensitive when alterations are proposed. An attractive and well-designed shopping area will attract shoppers and tourists which benefits the local economy. The SPD seeks to inform commercial property owners, occupiers and developers on how to improve the visual quality of the shopping area, whilst maintaining its special historic character and contribute to the long term benefit that it would bring to the local shopping centre and the district as a whole.
- 1.5 A copy of the refreshed draft Shop Fronts and Commercial Properties Supplementary Planning Document is set out in Appendix 1.

## **2. PUBLIC CONSULTATION**

- 2.1 To enable the revised draft Shop Fronts and Commercial Properties Supplementary Planning Document to have statutory weight it is necessary for it to be subject to a minimum period of 4 weeks public consultation. This must be accompanied by a consultation statement that sets out the persons consulted, the time period of the consultation, where the documents can be seen and the details of where to send comments. A copy of the draft consultation statement is contained in Appendix Two.
- 2.2 Unlike the Local Plan there is no requirement for an Examination in Public.

## **3. NEXT STEPS**

- 3.1 It is recommended that a six week period of public consultation be held from 18<sup>th</sup> January 2019 to 1<sup>st</sup> March 2019. In line with the Statement of Community Involvement, targeted contacts on the Local Plan consultation database will be informed by email and letter, comments will be invited to be made via an online survey.
- 3.2 The draft Shop Fronts and Commercial Properties Supplementary Planning Document is effectively a refresh of the existing document. It is therefore anticipated that there will be only limited public interest and as such it is considered for expediency purposes that delegated authority be given to the Head of Regeneration and Policy to adopt the SPD in the event that there are no substantive objections received during the public consultation period.

## 4 RISK ASSESSMENT

### 4.1 Legal

The Council will be following the consultation requirements set out within The Town and Country Planning (Local Planning) (England) Regulations 2012. The legal risk is therefore low.

### 4.2 Financial

The costs associated with the Supplementary Planning Document are contained within current budgets. It is intended that this would be published as an online document with paper versions available on request. The financial risk is, therefore, assessed as low.

## 5 OTHER CONSIDERATIONS

In preparing this report, the relevance of the following factors has also been considered: prevention of crime and disorder, equalities, environmental, climate change, health, human rights, personnel and property.

## 6 CONTACT INFORMATION

Tanya Rountree, Senior Planning Policy Officer  
Tel: 01629 761240 E-mail: [tanya.rountree@derbyshiredales.gov.uk](mailto:tanya.rountree@derbyshiredales.gov.uk)

## 7 BACKGROUND PAPERS

Description	Date	File
The Town and Country Planning (Local Planning) (England) Regulations 2012 Part 5: Supplementary Planning Documents	08-03-12	<a href="http://www.legislation.gov.uk/uksi/2012/767/pdfs/uksi_2012_0767_en.pdf">http://www.legislation.gov.uk/uksi/2012/767/pdfs/uksi_2012_0767_en.pdf</a>
Derbyshire Dales Local Plan	December 2017	<a href="http://www.derbyshiredales.gov.uk/planning-a-building-control/local-plan-2015-16">http://www.derbyshiredales.gov.uk/planning-a-building-control/local-plan-2015-16</a>

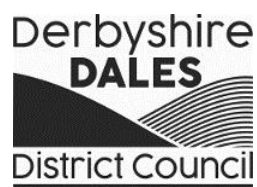
## 8 ATTACHMENTS

Appendix One: draft Shop Fronts and Commercial Properties Supplementary Planning Document  
Appendix Two: Consultation Statement



# SHOPFRONTS & COMMERCIAL PROPERTIES

*DRAFT*  
Supplementary Planning Document  
January 2019



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## SHOPFRONTS AND COMMERCIAL PROPERTIES

### INTRODUCTION

The Derbyshire Dales District contains the medieval market towns of Ashbourne and Wirksworth together with the later spa towns of Matlock and Matlock Bath. The qualities of the buildings that form the street-scapes of these towns are such that there is a need to be particularly sensitive when alterations are proposed. To the pedestrian, the most visible element of these towns is generally the ground floor elevation where the majority of properties have a commercial use and shop frontage. Shopfronts are, by their nature, vulnerable to alterations over time as a consequence of

changing business needs and occupancies. However, some historic shopfronts have survived to the present day, more or less intact with little concession or alteration to suit modern retailing.



There can be no doubt that an attractive and well-designed shopping area will attract shoppers and tourists, creating an atmosphere that is beneficial for business. The intention of this supplementary planning document is to guide and advise commercial property owners, occupiers and developers on how to improve the visual quality of the shopping area of which they are part; maintain its special historic character and contribute to the long-term benefit that this would bring to the local shopping centres and district as a whole.



This supplementary planning document outlines the main principles, guidelines, advice and policies that the Local Planning Authority will use when assessing applications primarily those relating to both historic and new shopfronts and their associated advertisement, colour/finish and illumination. This guidance is, however, also equally applicable to the following commercial properties:

- banks and building societies,
- professional businesses

and also,

- public houses (see pages 18-19)

## PLANNING POLICY

The Derbyshire Dales Local Plan contains a number of policies relating to commercial properties and the protection of listed buildings. These policies form the basis of the important considerations the Council will take into account for proposals to alter, add, change of use or convert commercial properties and listed buildings. **See Appendix A**

## SUSTAINABILITY

The objectives of this Supplementary Planning Document (SPD) are to provide clear guidance to owners/occupiers/developers on works relating to commercial properties and in particular to shopfronts and external advertisement.

Through a sustainability appraisal the Council has identified a number of issues that are important when considering works to commercial properties and shopfronts. **Appendix B** provides a checklist to help identify relevant sustainability issues that owners/occupiers/developers should address as part of or prior to) the submission of any planning application and/or Listed Building application in order to assess the relative sustainability of their proposal(s).

## STATUS OF SHOPFRONTS AND LEGISLATION

Virtually all changes to a shopfront will require Planning Permission and may require other consents, such as Listed Building Consent; Advertisement Consent and Building Regulation Approval. To summarise:

### ***Planning Permission:***

Under the Town & Country Planning Act 1990 Planning Permission is required for a replacement shopfront or for any alteration, which would materially affect the appearance, of the building.

Commercial properties (within Conservation Areas) have restricted Permitted Development Rights. This would include the alteration of an existing shopfront or the installation of a new shopfront and, consequently, Planning Permission is likely to be required for such works. Building owners (or occupiers/tenants) are recommended to discuss their proposals to commercial properties with the Local Planning Authority at an early stage (via the Council's Pre-Application Advice Service).

The building on which a shopfront is located may be covered by an 'Article 4 Direction' (imposed by the Secretary of State) which may further restrict Permitted Development Rights.

Currently, there is an 'Article 4 Direction' in place on a large number of properties in Wirksworth, Matlock Bath and Matlock Bridge. The Local Planning Authority keeps 'Article 4 Directions' under review.

### ***Listed Building Consent:***

The building on which a shopfront is located may be a listed building. By virtue of the listing the shopfront is protected from inappropriate or unauthorised change or alteration. Listed Building Consent, controlled under the Planning (Listed Buildings & Conservation Areas) Act 1990, would be required from the Local Planning Authority to carry out alterations (even potentially minor works) to a listed shopfront. In some cases listed buildings that have shopfronts may also retain historic *internal* shop features such as counters, display cabinets, shelving etc. Such elements would also be protected by the listing which may further restrict Permitted Development Rights.

### ***Advertisement Consent:***

Advertisements are controlled under the Town & Country Planning (Control of Advertisements) (England) Regulations 2007. Where an advert is proposed, the application for Advertisement Consent must indicate:

- the size of the proposed sign, its height, width and depth from the building line;
- the lettering and the way that the letters are to be formed (i.e. are they to be painted on, fixed on, set in or protrude from the fascia);
- the construction materials to be used;
- whether a matt or gloss finish is to be used;
- the colour scheme proposed;
- whether the sign is to be illuminated;
- the method of lighting and its location;
- the location of sign on the shopfront;
- details of the fittings / fixings.

Building owners/occupiers/tenants etc. are strongly advised to discuss advertisement proposals with the Local Planning Authority at an early stage (via the Council's Pre-Application Advice Service).

The District Council currently has only one 'Area of Special Control of Advertisements' in Matlock

Bath. This special control imposes further restrictions within this particular area and owners/occupiers/tenants should consult the Local Planning Authority at an early stage to discuss their requirements/proposals (via the Council's Pre-Application Advice Service).

See section on 'Advertisements' (page 15) for further information.

### **Building Regulation Approval:**

Certain building works and changes of use are controlled under the Building Regulations. Approval is required where the proposals are for a significantly different shopfront design; involve structural alterations or affect the means of escape from any part of the building. It will be expected that proposed works, requiring Building Regulation Approval, will be considered and designed, from the out-set, with those Regulations clearly in mind. Early consultation with Derbyshire Building Control is recommended, and certainly **prior** to any submission of a Planning or Listed Building application.

'On-line' application forms for Planning Permission, Advertisement Consent & Listed Building Consent are available on the Local Planning Authority's website. Fees are applicable to all except Listed Building Consent. (see [www.derbyshiredales.gov.uk](http://www.derbyshiredales.gov.uk)).

No alterations to a shopfront should be carried out in advance of obtaining the necessary consents or approvals. In the case of a listed building this may be considered as a criminal offence and could result in prosecution.

If unauthorised work is carried out, either in advance of obtaining the necessary consents/approvals or the works are not in accordance with the relevant consents/approvals (and any attached conditions) then the Local Planning Authority will not hesitate to use its power of enforcement to safeguard the environment from inappropriate development or alteration.

## **THE EVOLUTION OF SHOPFRONTS**

Shopfronts are a familiar feature of all towns, cities and to lesser extent villages. Their design and appearance is diverse in terms of their form, size and materials, however, there are a number of general elements that have evolved over the centuries. These familiar elements that generally include a raised window or windows, with a decorative surround, a fascia with the shop name

and a central or off-set doorway first appeared in the second half of the 18<sup>th</sup> century. Few of these early shopfronts survive. The golden age of the shopfront was throughout the 19<sup>th</sup> century and in particular it's second half.



Many new commercial buildings were specifically designed to have an *integral* shopfront, whilst others may have been built as residential properties and only later were formed into commercial or business premises requiring the insertion of a shopfront or shop window. In both cases, historic examples show that the design of the shopfront respected the building onto which it was placed or inserted and an often very successful attempt to harmonise them with the entire façade of the building was achieved. Scale and proportion were guiding factors in shopfront design and there are many good examples of historic shopfronts in the District that have survived.



From these examples a clear evolution of shopfront design can be seen. The common elements that evolved include the stall-riser,

pilasters, console brackets, a central or off-set doorway and a fascia with cornice over. In most cases decorative embellishments were applied on to these common elements often resulting in very unique and original shopfronts – in some instances clearly, and cleverly, conveying what type of wares the shop was selling. Close examination of these historic shopfronts shows the attention to detail, craftsmanship and the skill and ingenuity of the shopfront designers and builders. As glass became available in larger sheets, shopfronts lost the multi-paned windows in favour of larger expanses of glass. In general, however, the size of glass sheets during the later 19<sup>th</sup> century was still limited, and vertical glazing bars, often in the form of slender colonettes, divided the shopfront.

Large, uninterrupted expanses of plate glass are a particularly modern development.

As well as the exterior of shopfronts it is important to record the survival of a number of historic shop interiors. As much design and attention to detail was often put into these. Where they survive, or partly survive, it is clear that the fittings were designed and considered in parallel with the exterior shopfront to create a holistic ensemble.

## PRINCIPLES

A number of fundamental principles guide the design approach for both existing and new shopfronts. The understanding and application of these principles are considered to be elementary issues regarding existing, and new, shopfronts. These principles are set out below.

### Quality

Traditional shopfronts that have survived more or less intact often display a level of high quality design that is both attractive to the eye and significantly enhances the character and appearance of a shopping area. Historic shopfronts are examples of high quality and excellent craftsmanship. In designing a new shopfront the following principles should be embraced.

- A commitment to high quality and standards of craftsmanship;
- Each new shopfront should be designed as a whole, and not as an assemblage of components or separate elements with simply applied mouldings;
- The design of the shopfront should be carried through with flair and skill;
- Materials should be of the highest quality;

- The results should be both elegant and appropriate.

### Relationship to the Building

Historic shopfronts display a fundamental relationship with the buildings they occupy. In almost all cases they were designed to fit the building in terms of their size and proportion. Shopfronts were generally designed as a whole, where the building above it was considered as an important and integral element at the design stage. The following principles should be employed in this respect.

- The size and shape of the shopfront should be determined in relation to the size and form of the building it is to occupy.
- Architectural elements of the building, such as window positions and spacing, decorative details and overall height and scale should be taken into account in new shopfront design



### Scale and Proportion

The study of historic shopfronts reveals a 'language' of scale and proportion that is visually apparent in the overall size and shape of the shopfront. This understanding can also be seen in the individual elements and components that form the shopfront. If a new shopfront is to look right, then scale and proportion must form a guiding and fundamental issue at the design stage. Such issues are as follows.

- Through correct scale and proportion the shopfront should respect and enhance the building it occupies;
- The design should reflect a clear understanding of the principles of scale and proportion;



- No single feature of the shopfront should be too dominant;
- All the parts of the shopfront should be in harmony with each other.

## Context

Where a number of historic shopfronts have survived within a streetscape they may be of different designs and different sizes but a visual unity is provided by use of a number of common, basic, elements - their craftsmanship and attention to detail and their general appearance and colouring. New shopfronts should always be designed to fit in with their wider surroundings or context. The character of a shopping street can change from area to area, or even from street to street, and research and understanding of this character and context will form an important stage of the design process. Particular attention should be given to the following.

- An assessment and understanding of the character and context of the area where the new shopfront is to be located. If the property is located within a Conservation Area Character Appraisal may be available.
- An assessment of the buildings and their shopfronts to either side of the proposed new shopfront (in terms of form, scale & proportion).
- An assessment of the prevailing, historic, form, details and colours of existing shopfronts in the immediate area.
- The drawn design of the new shopfront clearly shown in context with the shopfronts to either side.
- The appropriateness of the new shopfront design within its context.

## Existing Shopfronts

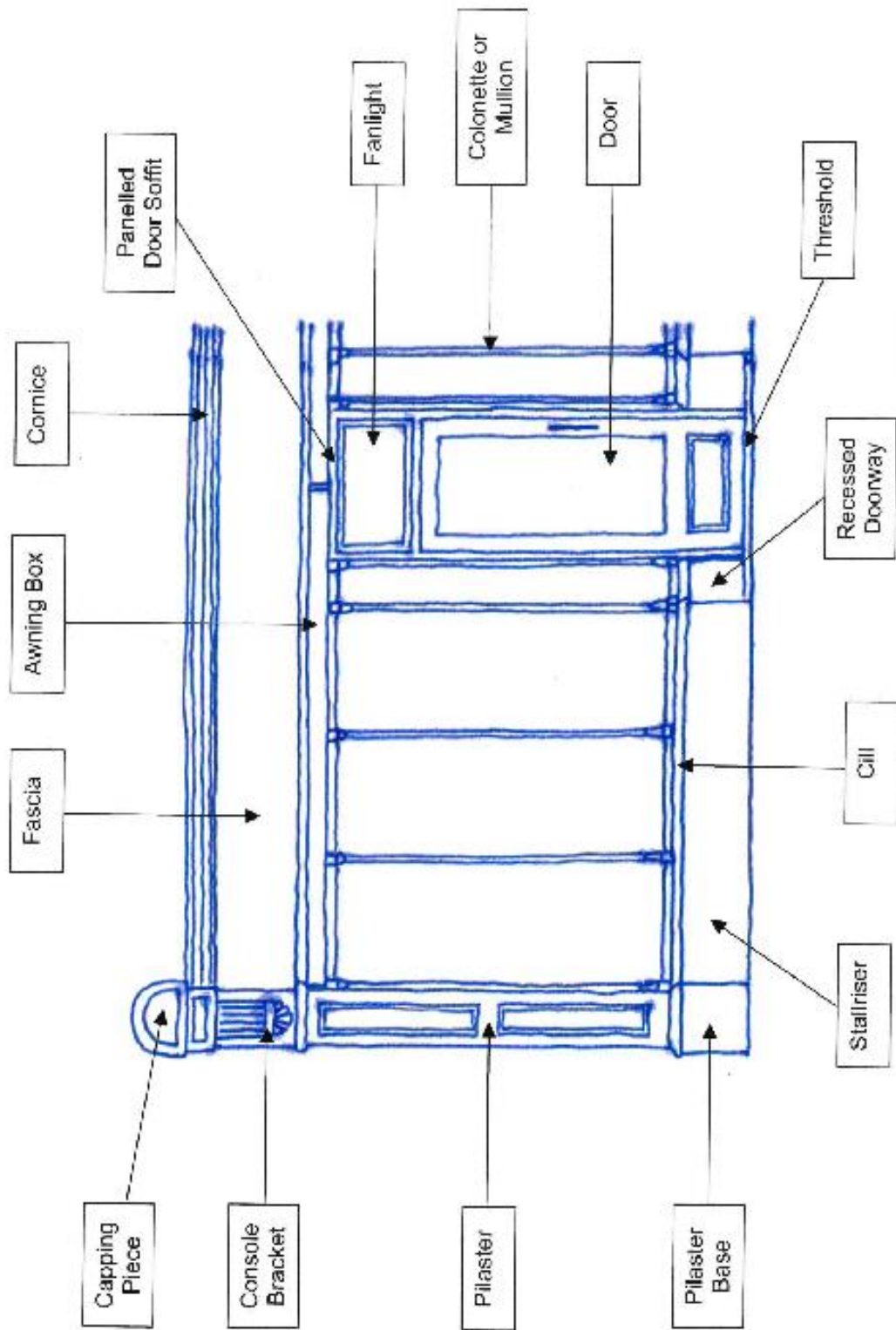
Examples remain of historic shopfronts that have survived more or less intact. Examples also survive of historic shopfronts that have been altered over time but retain some elements and details of the original design (sometimes hidden or concealed behind modern fascia boards). The quality, craftsmanship and detailing of a historic shopfront, and its associated elements, is generally very high. Any proposed alterations to 'intact' shopfronts will be assessed in detail in order that their special character and appearance

is not eroded or compromised by inappropriate works. Altered historic shopfronts may retain enough original material to enable the shopfront to be, convincingly, 'restored'. Where such fabric exists this should always be retained. Where only a small element or part of the original shopfront has survived its reconstruction may need to be based on comparative research and examples and any historic photographs. Purely conjectural reconstruction and detailing will not be considered appropriate. To summarise, it will be expected that evidence of a close inspection and identification of any original elements or components of a shopfront will have been made. Permission will not normally be granted for the removal of surviving original shopfront elements or components. Such elements or components should always be integrated into the repair and 'restoration' of the shopfront.

## New Shopfronts

There are two types of new shopfront – those that are to replace an existing, inappropriate, modern shopfront to an existing building and those that are to be installed to new buildings. With regard to the former, the principles as outlined above will need to be taken fully into account and consideration – the result of which should be a new shopfront that is appropriate to its building and context, and appropriate in its design, detailing, proportion and general appearance. With regard to the latter, it will be expected that the new shopfront will have been designed as a fundamental, and integral, element/part of the new building – the result of which should be a shopfront entirely in harmony with the new building of which it is part.

Whether a new shopfront is a replication of an historic shopfront or a contemporary design, the above principles remain fundamental. Good design, being about attention to detail, proportion, harmony & craftsmanship, the recognition & use of traditional principles and features and the quality of materials and workmanship will always result in a new shopfront that fulfils the desire to enhance the environment. Such an approach will also promote an environment for good business and economic regeneration and be a significant contribution to the town or village-scape and be of value.



**Elements of a Shopfront**

## ELEMENTS, DETAILS, MATERIALS & COLOUR

Traditional shopfronts in the District comprise a number of elements that have developed over time. Although in their detailing shopfronts can be diverse, a range of conventional & traditional elements can usually be seen. It is these elements, individually and collectively, that make up a shopfront and these are described below (from ground level upwards).

### Stallriser

The stallriser (or plinth) is an important element of any shopfront and separates the glazing elements of a shopfront from the pavement. The virtue of this element is its practicality. Generally, stall risers:

- Are relatively low in relation to the overall height of the shopfront;
- Are constructed from (appropriate) durable materials – such as stonework, brickwork, (painted) render or tile - resistant to scuffing, damp and water spray;
- Generally have a moulded or chamfered top edge;
- Are, traditionally, never constructed from timber or panelled-timber for reasons of damage, rot and damp.

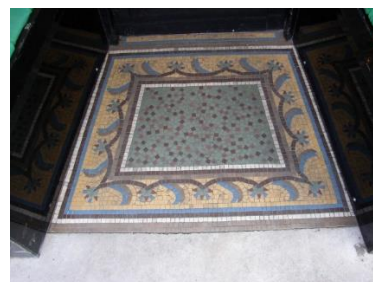


### Doorways or Entrances

Shop doorways are either aligned with the plane of the shopfront or they are recessed. Recessed doorways are a particularly prevalent feature of historic shopfronts in the District and form a

practical and characteristic element to many shopfronts. Recessed doorways are generally splayed and their depth can vary from shop to shop. There are examples of central recessed doorways and off-set recessed doorways. Generally, doorways or entrances:

- Are recessed to a depth of, at least, one metre;
- Contain a threshold of an appropriate durable material such as stone, marble, tile or mosaic-work (the latter may spell out the owners name or illustrate the nature of the business);
- Contain a panelled soffit and possibly panelled or tiled reveals;
- The location of the recessed doorway is generally dictated by its relationship to the overall width or design of the shopfront, or for purely practical purposes (particularly with narrow shopfronts);
- Properties within flood risk areas may need to consider flood resilience measures. Such proposals will be considered on a case-by-case basis.



### Doors

Many shop doors were specifically designed to complement the design and details of the shopfront as a whole. A traditional form consists of the single door with integral glazing – either in the form of a single pane with a solid timber panel

(with inset perimeter moulding) at the base, or glazing divided by glazing bars into multi-panes or margin panes. The use of double-doors is exceptionally rare and seldom used for practical reasons. Above the door is generally a horizontal 'fanlight' (that can be opened for ventilation), or a more decorative fanlight comprising a pattern of fine glazing bars. Ironmongery is usually in the form of a push/pull handle for ease of use. To summarise, doors are generally:

- Single leaf doors – designed & detailed to complement the shopfront;
- Part glazed and part timber panelled;
- Have a fixed or openable glazed 'fanlight' above the door or a decorative fanlight;
- Have a pull/push handle – appropriate to the design/style of the door;
- Doors, and fanlights always have a painted finish;

In addition -

- The location of a letter-box within the door generally requires careful design consideration;
- Doors are inward opening. (Outward opening doors have no historical precedent and there are restrictions on a door opening out onto a public pavement).
- Automatic opening doors are generally considered to be inappropriate to most existing shops and commercial properties.



## Glazing

The purpose of any shopfront is to display the products they sell and allow a view into the interior of the shop in order to tempt customers inside. Glazing of traditional shopfronts of the 19<sup>th</sup> and early 20<sup>th</sup> century, were restricted due to the size of glass that was practically available. The result of this was the need to introduce vertical, and horizontal, division of the shopfront by way of glazing bars. The most common form of division appears to be the slender colonette, with turned head and base. Most traditional shopfronts present a vertical emphasis provided by the ratio of width to height of each glazing pane. The introduction of horizontal members or glazing bars is often not as common. Glazing to shopfronts is generally:

- Divided vertically (to a harmonious proportion) with slender glazing bars in the form of fine glazing bars or colonettes with ornately turned heads and bases. The turned heads and bases come in a variety of designs and local examples should be studied where new ones are proposed;
- There is an emphasis on the verticality of glazing panels;
- The timber cill (fixed to the top of the stall riser) is generally robust in form and moulded and projects to shed water;
- The head rail at the top of the glazing is generally moulded or chamfered. The head rail may also display shaped and relief carved spandrels;
- Colonettes are generally half-round, quarter-round or three-quarter-round colonettes;
- Horizontal glazing bars are, generally, uncommon, but where found are invariably/usually moulded;
- The timber work is always given a painted finish;
- Glass is always clear (and to a suitable thickness for its size);

- Etching of glass is relatively uncommon but examples of property number (usually to the fanlight) and the name of the shop can be found on some historic shopfronts;
- Examples of leaded, coloured, glazing (generally geometric in pattern and small in scale) can be found in some shopfronts;
- Frosted, opaque, tinted, patterned and mirrored glass is not considered to be acceptable for shopfront windows;
- The glazing to a new shopfront would be required to meet the relevant safety requirements of the current Building Regulations (unless conservation issues over ride these requirements). Consultation with the Building Control Officer on this issue should be made;
- The glazing should also comply with the relevant requirements of the current Building Regulations in relation to impact, opening and cleaning.

There are modern examples of concertina or folding shop windows. Historically, these have no traditional precedent. The use of such a feature would not, generally, be considered appropriate to an existing or historic shopfront. With new shopfronts (in new buildings) its architecture and form could be designed so as to accommodate a concertina or folding shop frontage.

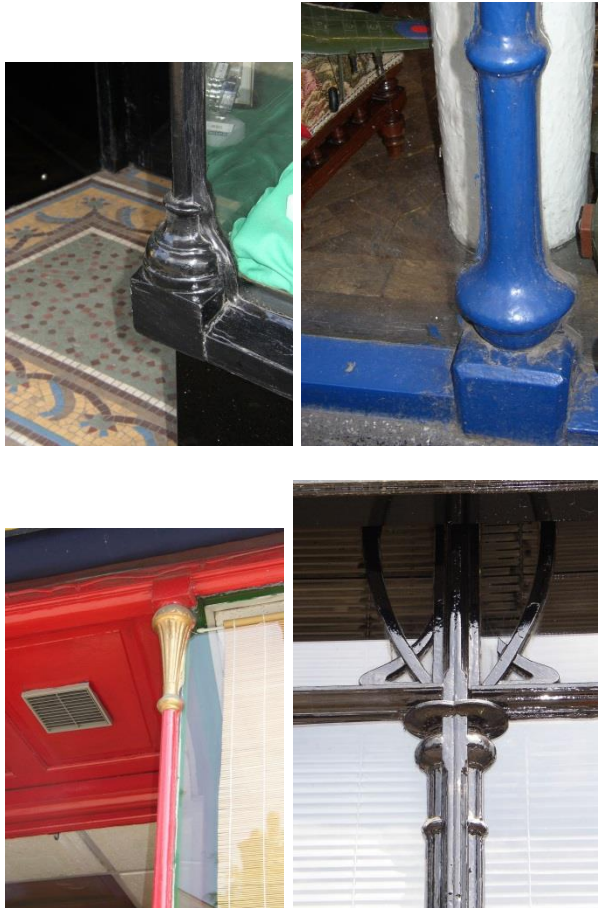


**Roller Shutters**

Some historic shopfronts (mainly dating from the late 19<sup>th</sup>/early 20<sup>th</sup> centuries) retain their original, painted, timber roller shutter. These were integral elements of the original shop design and are considered to be important survivals.

Modern, metal, roller shutters or grilles are generally applied or fixed to an existing shopfront resulting in an uncomfortable appearance and location. Sometimes they are added to new shopfronts as an afterthought and can also appear uncomfortable in their form and location (see also section on Security)

- Where original, integral, (timber) roller shutters survive these should be retained. If required to be used they should be maintained/overhauled and the timberwork painted to match the general colour scheme of the shopfront;
- The removal of such features would, generally, be resisted;
- The addition of modern roller shutters to an existing shopfront would generally, be resisted;
- The addition of modern roller shutters to a new shopfront would also be resisted, as its integration should be considered when the new shopfront is designed;
- Listed Building Consent and Planning Permission would be required to install a modern, external, roller shutter on a Listed Building. Listed Building Consent would also be required to install internal roller shutters.





### Console brackets:

- generally comprise of carved and moulded timber scroll brackets, which are generally deep and detailed. They are also proportionate to the size and form of the pilaster and to the overall shopfront;
- Shaped brackets, cut and shaped from single pieces of timber generally consist of a single piece of thick timber or are coupled under the capping piece;
- Capping pieces or console bracket terminations are always protected by leadwork capping and flashing;
- The timberwork is always given a painted finish.

### Pilasters

The vertical pilaster, generally located to terminate each end of a shopfront, is an important element based on Classical architecture and is in essence a flat, projecting, column. Its essential parts comprise a base or plinth, the column or shaft and a capital or capping. Many varieties of pilasters are to be found – columns or shafts can be plain, panelled or fluted. Pilasters are generally:

- proportionate in width and height to the size and form of the overall shopfront;
- their projection or depth is related and proportionate to the size and form of the overall shopfront;
- their base or plinth generally aligns with the height of the stall riser but alternatives can be found;
- where pilasters are fluted the fluting is generally based on Classical fluting - i.e. full half-round scoops - rather than slender, narrow, grooves;
- where pilasters are panelled the panels are recessed with inset mouldings to their perimeter with mitred corners;
- the capital or capping is generally moulded/carved and proportionate in size and form to suit the overall shopfront;
- the timberwork is always given a painted finish.



### Console Brackets

The console bracket is a familiar element of traditional shopfronts. They can take many forms but the most common are in the form of a projecting scroll bracket based on, or copied from, Classical architecture. Other brackets - such as shaped or angled pieces of timber can also be found. Console brackets are usually terminated with a capping piece. Traditional forms to be seen are triangular or semi-circular – with associated moulded and recessed fronts.

### Fascia

The fascia board generally runs between the console brackets and its purpose is to carry the name of the shop. Fascia's can either be flat or angled and from place to place, or town to town, the tradition can vary.

- The height or depth of a fascia is always proportionate to the overall size of the shopfront – this principle will negate a visually 'top heavy' appearance;
- Fascia's are constructed from timber and have a painted finish;
- The proposed use of a flat or angled fascia should be based on an assessment and understanding of the local & prevailing type of fascia's in the area;

- Where an angled fascia is to be used the angle degree should be informed by other local & prevailing angled fascia's in the area;
- Hand written sign-writing is the traditional method of advertising the shop name and what it sells.



### Cornice

Above the fascia, and running between the console brackets (or on occasions running over the top of the console brackets), is the moulded timber cornice. The mouldings to the cornice are based on Classical mouldings.

- In depth and projection this element is proportionate to the overall size and form of the shopfront and its fascia;
- Cornices are generally always protected by a leadwork capping and flashing;
- In some circumstances moulded cornices can be supported by, proportionally sized, shaped/moulded timber brackets or corbels or dentil courses;
- The timberwork is always painted.

### Canopies

The introduction of canopies, awnings or sun-blinds appears to be a late 19<sup>th</sup> century element when technology had developed a canopy that could be wound in, or out, whenever necessary.

Many shopfronts of the late 19<sup>th</sup> and early 20<sup>th</sup> century have integral canopies designed as part of their shopfront. For practical reasons, canopies are generally found on shopfronts that face south. Where they exist they are considered to be important survivals. In many cases they may not have been used for years but their removal would be resisted as they generally form an integral part of a shopfront design.

*New canopies or awnings:*

- Should be integral to the overall design of a shopfront and not an incongruous addition;
- Should not detrimentally obscure or affect any element of the existing shopfront;
- Should be of a traditional material, such as canvas. Plastic canopies of any form/shape are not considered to be appropriate;
- Should be fully retractable within a concealed box (which should be of painted timber, not plastic);
- Should be located in a traditional location as part of the overall shopfront design.

It is unlikely that retro-fitted, new, canopies or awnings to historic shopfronts will be visually and physically appropriate as they will appear as an addition to the shopfront rather than being an integrated part of it. Where such, new, canopies or awnings are proposed to an historic shopfront their design, form, type, location and positioning will all need very careful consideration so as to present a proposal which the Local Planning Authority considers is not harmful to the character and appearance of the historic shopfront.

*Existing canopies or awnings:*

- Should be retained and brought back into working order;
- If not required, left in-situ, together with their metal brackets, stays and winding gear.



## MATERIALS

Traditional shopfronts represent works of fine joinery and carpentry. The attention to detail and traditional craftsmanship were essential parts of the construction of any historic shopfront.

The overall achievement of this presents a fundamental and distinctive characteristic of a traditional shopfront. The majority of the elements that make up a shopfront are constructed from timber and that timber is always given a painted finish. The choice of timber is considered to be an important and a fundamental consideration in terms of long-term durability and integrity. Only durable, traditional materials, (well-seasoned good quality softwood, or sustainable hardwood) in conjunction with high quality skills and craftsmanship and the attention to detail, will be considered for both repairs to existing shopfronts and the fabrication of new shopfronts. For particularly vulnerable elements such as cills or the capping to a cornice, consideration could be given to the use of hardwood.

With regard to stall-risers, where these are to be of stone the stone type & colour should be appropriate to the area (i.e. locally sourced). The unit size, colour and finish of any external tile work should be given careful consideration to the locality & context to which the shopfront is part. Similarly, render (self-coloured or painted) should also be given careful consideration to the locality & context to which the shopfront is part.



## PAINT COLOUR

### **Preamble**

Shopfronts were always intended to have a painted finish as a practical coating to protect the timberwork. The historical development of paint colours to shopfronts, from the earliest survivals, dating from the late 18<sup>th</sup> century, to the last decorative timber shopfronts of the 1920s, shows that these changed over time.

The greatest concentration of surviving historic shopfronts are to be found in the towns and larger villages of Matlock, Matlock Bath, Wirksworth, Cromford & Ashbourne. Whilst many historic shopfronts may have undergone some minor physical changes over time as a result of their age and general maintenance, architectural paint research appears to confirm a distinctive change in colour preference and use during the 19<sup>th</sup> century. The 'Georgian' period strictly runs from 1714 to 1830 but in terms of architecture and design is seen to end about 1840. The 'Regency' period, within this time period, is generally considered to be circa. 1800 to 1820. After 1840 the 19<sup>th</sup> century is divided into the early, mid, high and late 'Victorian' periods, ending in about 1900. The 'Edwardian' period, whilst strictly being only nine years from 1901, covers an architectural and design period of circa. 1900 to 1920.

On-going architectural paint research (much of which has been carried out, nationally, by Historic England) has revealed that shopfronts of the later 18<sup>th</sup> and early 19<sup>th</sup> centuries – i.e. the late 'Georgian' & 'Regency' period were often painted in greys, creams and beige/fawn colours, as well as being painted, on some occasions, in imitation of expensive dark woods such as mahogany & walnut. Across the Derbyshire Dales only a few shopfronts from the 'Georgian' & 'Regency' period survive.

The vast majority of the surviving historic shopfronts in the District date from after 1840 and the greatest number of these date from the later 19<sup>th</sup>/early 20<sup>th</sup> centuries – circa. 1870-1915. There are fewer examples of surviving post-War shopfronts (after 1920). There is an important distinction to be made regarding the date of the installation of a shopfront to a building façade. In Ashbourne, for example, where the majority of the building facades date from the 'Georgian' period, the majority of shopfronts were installed onto these buildings during the 'Victorian' period.

Whilst there was no immediate change of preference for paint colour to shopfronts at the beginning of the 'Victorian' period research

indicates that a strong tradition emerged where the paint colour of shopfronts was of a dark hue. This tradition has strong historical justification and is supported by historical photographs of the late 19<sup>th</sup>/early 20<sup>th</sup> centuries where few light coloured shopfronts are to be seen. Whilst the actual dark hues/colours cannot be ascertained from such photographs it is clear that dark colours were almost universally used. The pigments that were used to make these dark colours were both cheap and practical. As such, a tradition became widespread and those 'Georgian' shopfronts, perhaps originally painted in lighter colours, were re-painted in the darker colours prevalent, and in use, during the 'Victorian' and 'Edwardian' periods.

Where new shopfronts are approved in a 'period' style the finish paint colour will be expected to follow the established tradition of paint colours of the original 'period'. Where a new shopfront is of a modern, contemporary, design and materials the choice of finish paint colour would not be restricted to 'period' colours.



### **Choosing a Paint Colour**

The choice of colour remains a crucial consideration particularly where the buildings are listed or where additional planning controls are in place. In making a decision on which paint colour to use, a shop owner/tenant should undertake research to identify the date of the building and the date of the insertion of the shopfront (*these may be different*).

The colour of a shopfront should never detract from the overall building façade of which it is part and should always have careful regard to its immediate and wider setting and context (in some cases the property may be located within a Conservation Area or World Heritage Site).

In terms of authenticity and the appropriateness of paint colours for historic shopfronts it is considered that the date or period of the shopfront should advise and inform this decision. Based on paint research and colour charts from heritage paint manufacturers, the following approach to the choice of paint colour for historic shopfronts is advocated by the District Council.

The following generic colours are considered appropriate to 'Georgian' & 'Regency' shopfronts (circa. 1780-1840):

- BROWN**
- GREEN**
- GREY**
- CREAM**
- BEIGE / FAWN**

The following generic colours are considered appropriate for 'Victorian' & 'Edwardian' shopfronts (circa. 1840-1920):

- BLACK**
- DARK BLUE**
- DARK GREEN**
- DARK RED**
- BROWN**
- GREY**
- BEIGE / FAWN**
- DARK CREAM**

The District Council suggests that owners/tenants refer to the following colour ranges when considering paint colour for their shopfront:

- British Standard 4800 Range
- Little Greene/English Heritage Range
- Dulux Heritage Range
- Farrow & Ball Range

Whilst the above paint colour ranges contain colours that are vibrant, bright or acidic in tone and hue, architectural paint research has shown that such colours were not used, externally, in the 18<sup>th</sup>, 19<sup>th</sup> and early 20<sup>th</sup> centuries. Such colours should, therefore, be avoided as wholly inappropriate and historically incorrect for external, period, joinery painting.

With regard to shopfronts from the 'Victorian' and 'Edwardian' periods the traditional use of a basic palette of dark hues persists. In some locations, the overall or entire painting in one colour is the traditional norm, whereas in other locations a tradition of picking out minor elements of detail in a lighter colour (such as cream) can be seen. Such variations distinguish the character and appearance of a shopping area or street. These

contribute significantly to local distinctiveness and are, therefore, important considerations where new shop fronts are proposed, or indeed where historic shopfronts are to be re-painted.

Where 'picking out' of detail is proposed this should be based on the local prevailing tradition. Where that tradition is not evident the use of 'picking out' will be resisted as being inappropriate.



#### **Listed Buildings:**

The main consideration of any application for Listed Building Consent is the potential effect of the proposal on the 'special character and appearance' of that listed building. Where Listed Building Consent is required, an objective approach which can be soundly justified, should always be undertaken. Where it is considered that the special character and/or appearance of the building will not be affected by such works, Listed Building Consent will not be required. The above information, contained within the 'Shopfront & Commercial Properties Design Guidance' aims to focus on, and utilise, objective research that has been undertaken in this regard.

Where an owner/tenant wishes to pursue an application for Listed Building Consent for a paint colour outside the above, suggested, generic colours, or for a colour that is vibrant/bright/acidic, they would need to provide *sound justification* for the use of such a colour.

#### **Properties covered by an 'Article 4 Direction':**

Where the building/shopfront has had its permitted development rights removed in respect of painting (i.e. via an 'Article 4 Direction'\*), the control of paint colours has been introduced to ensure that proposals will accord with the identified character and appearance of the wider historic environment and ensure that the impact of any chosen colours will not be detrimental to the overall street scene and the Conservation

Area in which the building is located. 'Article 4 Directions' are based on a comprehensive assessment and consideration of the types of development which may be considered to be harmful to the historic environment.

### **Corporate Colours:**

As a result of their recognition and value, listed buildings and buildings in Conservation Areas are deemed to be particularly 'sensitive' to change in their character and appearance. Some businesses may have a *corporate* colour that they wish to use nationwide. However, such colours will be considered but only in association with the philosophy and approach as outlined in the above guidance. It is possible that a corporate colour that is deemed inappropriate in its colour and context will be resisted or that the company is asked to put forward a more appropriate, perhaps muted shade/hue, to suit the particular status and context of the shopfront.

### **Paint Finish:**

With regard to paint finish, the traditional finish is for a relatively high gloss. This has practical advantages in being able to be washed down on occasions and may also be more resilient to damage. Discussions regarding the proposed paint finish should be made with the Local Planning Authority.

#### *\* Footnote:*

'Article 4 Directions' are currently in place controlling external paint colours on properties in the Conservation Areas of Matlock Bath (render & joinery), Matlock Bridge (joinery) & Wirksworth (render, stonework & brickwork).

### **Permissions & Consents:**

The Local Planning Authority will assess any proposed colour schemes for shopfronts on the impact they make on the building and on the wider area and context of which they are a part. To summarise:

- Planning Permission is required for painting a shopfront (and in some cases the building itself) where an 'Article 4 Direction' removes permitted development rights in relation to painting. Currently this covers a large number of shops/properties at Matlock Bath and Matlock Bridge.
- On a listed building, Listed Building Consent is required for painting a shopfront where the colour is considered to affect the special character and appearance of the building. Re-painting a shopfront in the *exact* same colour does not, normally, require Listed Building Consent.

With any application for painting, an accurate colour sample(s) and/or British Standard references number(s) are required. Where the shopfront is ornate or of a two-tone colour scheme an elevation drawing indicating the colours of each component or element may also be required as part of an application.

## **ADVERTISEMENTS**

### **Preamble**

Any shopfront can be completely ruined by ill-considered colour schemes and badly and un-inspired lettering and illumination. It is recognised that in advertising a shop this will be done using appropriate colour, lettering/signage and illumination, however, there is a modern tendency to make a shopfront stand out by using bright colours, large signage and lettering and over-illumination.

Shopfronts that people remember most tend to be those that have an element of historical accuracy and detail and use restraint in colour, imaginative signage and discrete illumination to allow the characteristics of the building and its integral shopfront to be their advertisement. An approach and philosophy of 'less is more' can often be most applicable to a successful shop.



### **Guiding Principles**

There are a number of guiding principles that should be considered with regard to advertisement. Generally they should be:

- Designed to be in scale and proportion with the shopfront and the building of which the shopfront is part;
- They should be to a high standard of design;
- They should relate architecturally to the building on which they are part and should not dominate the shopfront or building but should respect its scale and proportion;
- They should not appear over significant to the shopfront or building;
- They should be sympathetic to the surrounding scale and street scene;
- They should be constructed from durable, and traditional materials;

- The type-face or font for the lettering and its layout and design should form a satisfactory composition.

**General Principles**

Advertisements are generally found in four forms – horizontally along the fascia board to the shopfront, on a projecting, hanging, sign, on wall mounted boards or signs (to the front or side of a building) and as lettering applied directly to the building fabric (generally render). There can be combinations of these.

**Fascia boards**

The fascia is the most traditional part of a shopfront to display its name and what it sells. Many of the late 18<sup>th</sup> and early 19<sup>th</sup> century fascia's were much shallower than normally seen on modern shopfronts, but they were usually written with just the shop name or trade.



As fascia's increased in the depth, as the 19<sup>th</sup> century progressed, lettering became a little more decorative and ornate.

Traditional lettering was not confined to the fascia but could also be found on the cill, stall riser or entrance threshold. In the later 19<sup>th</sup> century and early 20<sup>th</sup> century some fascia's had incised and gilded lettering protected behind a sheet of glass.

Sign-written lettering remained the tradition until the mid-20<sup>th</sup> century. On a traditional fascia board this gives the shopfront a sense of individuality and distinction. In general:

- Existing fascia's should be used wherever possible;
- Lettering should, ideally, be sign-written directly onto the fascia board. Lettering should always be well spaced, the font carefully chosen and the colour of the lettering and background also carefully considered;
- Historically, a dark background with lighter coloured lettering was the norm;

- Added modern plastic or aluminium fascia's are not, generally, considered appropriate, however, where (in particular cases) they may be appropriate they should respect the depth and width of the existing fascia;
- Intermittent, flashing or moving fascia displays are not considered to be acceptable;
- Wholly backlit or internally illuminated fascia's are not considered to be acceptable;
- Shiny, glossy, highly reflective and luminous colours are not considered to be acceptable;
- Halo illuminated lettering is not considered to be acceptable;
- The use of individually fixed and raised lettering may be considered for fascia boards or wall signage but their material (which should be metal of an appropriate finish/colour etc.), size and colouring would be assessed on a case-by-case basis.



**Hanging and/or Projecting Signage**

There is a general tradition for hanging, or projecting, signage to shops and commercial premises. In many historic town centres these were once prevalent and occasionally original wrought and decorative metal brackets survive. A true hanging sign is allowed to swing freely. Some modern projecting signs are static and have been designed to mimic a traditional hanging sign. Although hanging signs can provide a useful form of advertisement, proliferation can create visual clutter to a street scene, thus undermining their advertisement purpose.

With regard to hanging/projecting signs the guiding principles are:

- Where existing metal brackets survive these should be re-used. Their size will generally dictate the size of the hanging sign. The metalwork is almost always painted black;
- Where a new hanging sign is proposed the bracket, and its location on the building frontage, should be given careful design consideration;

- The scale and size of the new hanging sign should respect the scale, form and appearance of the building;
- Hanging signs should be positioned so as not to be a hazard to both pedestrians and to adjacent carriageway vehicles. Height restrictions, as recommended by the Highway Authority, are in force;
- Generally, only one hanging sign to each shop unit will be permitted. The necessity for a hanging sign will need to be soundly justified and the Local Planning Authority will carefully scrutinize its justification and make a determination based on the long-term character and appearance of the street scene;
- The historic tradition of hanging signs has led to two principle shapes - the vertical rectangle and the oval. These are generally always of painted timber with a robust and substantial, moulded, perimeter frame (to three and often four sides). There is, of course, scope for innovation and imagination. A number of historic hanging signs are cut and shaped to reflect the principal product or produce on sale or have been purposefully designed to reflect the unique character of a shop. Such signs add inspired variety and vitality to a street scene;
- Internally illuminated hanging or projecting signs are not considered to be acceptable.
- Printed canvas or vinyl banners stretched between two horizontal brackets have no traditional precedent and do not have the visual/physical permanency and integrity of traditional painted timber hanging/projecting signs. In this regard their use will be resisted



**Other, wall mounted, signage and “A” boards**

Commercial premises sometimes show a lack of respect for the street of which they are part, in their attempt to over-advertise. This is generally seen in a proliferation of signage to various parts of the building in the hope of attracting attention. This also includes ‘A’ boards placed outside a shop. Such proliferation of signage is most often visually damaging to the street scene and does not, in reality, provide the shop with a presence or appearance in the street scene that is attractive in any way. Other signage (other than the fascia and hanging signs) should:

- Only rarely be considered;
- Its size, form and location should be carefully considered;
- Such signage should respect the building and the street scene;
- Its materials and colours should reflect those of the shop itself;
- In most cases such signage should be small and discreet (if required at all);
- Such signage should not be illuminated in any way;
- In many cases the pavement immediately outside a shopfront is not a private forecourt but is controlled by the Highway Authority. ‘A’ boards are not generally allowed to be placed on the pavement as they can be a hazard to the old and infirm, visually impaired persons and wheelchairs and pushchairs. The placing of ‘A’ boards on pavements is controlled by the Highway



Authority. **Placing an ‘A’ board on land controlled by the Highway Authority should only be undertaken with their approval.**



### **Lettering on Render**

There is a historic tradition of lettering being applied, in painted form, directly onto render (and occasionally onto brickwork). In some circumstances this method of advertisement can be appropriate and complement a building and shopfront.

Such advertisement should:

- Be appropriate to the type, style and period of the shopfront and the building of which it is part;
- Be hand sign-written in a clear and (appropriate) attractive script/font;
- Be appropriate in its scale, form and proportion to the building/part of the building on which it is applied.

## **PUBLIC HOUSES**

### **Preamble**

Signage and lighting on public houses can present specific issues for consideration by the Local Planning Authority. The following approach and guidance to signage and lighting on public houses is advocated by the Local Planning Authority

### **Listed Public Houses:**

As a building is listed for its special architectural and historic interest, the extent or amount of signage and lighting can often be an issue of concern. Many public houses are corporately owned. From time to time breweries re-brand their buildings and this generally involves a unification

of appearance. With listed buildings, and historic un-listed public houses, their architectural form, materials, details and appearance are unique and different. A unifying branding is therefore not always appropriate and the Local Planning Authority will resist such proposals where the corporate branding is not flexible in respecting the uniqueness of individual listed, and un-listed historic public houses.

- The extent or amount of signage to the external elevations of a public house should be based on the minimum required. In formulating that minimum the guiding approach should be a primary concern that the architecture and character of the building can remain to be clearly ‘read’;
- The proposed size, form and location of the signage will require careful consideration. All signage should fully respect the special architectural character and appearance of the building.

The signage should not overwhelm the building elevations or detract in any way from the architectural character of the building. In essence, a minimalist and subservient approach should be taken. This approach also applies to any curtilage listed walls or structures associated with the public house.

- The signage should all be of painted timber with hand-written lettering;
- Individual signs should all have a perimeter moulded frame (in proportion and detailing to the size of the sign);
- Paint colours should generally be a dark background with lighter coloured lettering. The script or font should be of a type to harmonise with the character and age of the building;
- Where the building is rendered, lettering painted directly onto the render may be considered to be acceptable in place of applied signage boards. Its location, size, font and its proportion & design should be carefully considered and be appropriate to the building/part of the building on which it is applied;
- Where a hanging sign is proposed its size and location will need careful consideration. The traditional shape for hanging signs is a vertical rectangle with a carefully selected and painted pictorial image. Lighting of a hanging sign (if necessary) should always be from its bracket and not from lights attached to the fabric of the building. Hanging signs should always have a traditional metal bracket;
- External lighting to a listed public house will require careful consideration. All lighting

proposals should be the minimum required. Modern light fittings will generally be inappropriate, unless their design, form & finish is considered appropriate to the listed building. Light fittings should be of a durable and traditional material and be of a design/form that complements the building character;

- Excessive lighting proposals are not considered appropriate. All lighting requirements should be able to be clearly justified in each case. Concealed 'trough-lighting', subject to its design, form and size, may be considered acceptable for some signage. Lighting introduced to provide a 'light-wash' over a building façade(s) is unlikely to be justifiable and is likely to be deemed harmful to the character & appearance of a listed building.

#### *Un-listed Public Houses:*

There are a number of un-listed public houses within the District which are of historic origin and retain something of their historic character and appearance. Although they do not have listed status, the Local Planning Authority will aim to safeguard their unique character and appearance, wherever possible. The Local Planning Authority will seek to achieve the minimum amount of signage and lighting to the exterior of the building. Any new signage should complement the architecture and appearance of the building in terms of its size, form and location. Unlike listed public houses, the Local Planning Authority will consider the use of (appropriately designed & detailed) non-traditional signage materials, such as painted or screen-printed aluminium.

## ILLUMINATION

Street lighting was generally poor or non-existent in the late 18<sup>th</sup> and early 19<sup>th</sup> centuries and shopfronts were often shuttered at night. Gas lighting became more widespread in the later 19<sup>th</sup> century but its luminance was poor in comparison with modern day street lighting.

Shopfronts themselves were never, specifically, illuminated. With a superabundance of lighting types the modern approach, and desire, is to illuminate a shopfront. In general terms it is considered that the illumination of a shopfront is only required to those businesses that operate in the evenings. Those that close at 5.30pm should rely on internal illumination for security purposes. Where illumination is required for evening operation the proposed method of lighting should be given careful consideration from the outset. To

summarise, approval from the Local Planning Authority would be required for:

- The installation of any form/type of lighting to the building or to the shopfront/signage to a listed building;
- The installation of lighting to any shopfront, signage or hanging/projecting sign to an un-listed commercial property.

Where the principle of external illumination is considered to be appropriate, lighting should be:

- Carefully considered in design terms to reflect the character of the shopfront and its presence in the street scene;
- Discreet and the minimum level of illumination provided;
- Lighting should, wherever possible, be designed as an integral element of any new shopfront;
- Lighting should not be fixed to the building fabric – particularly to illuminate a hanging sign or sign board.

In addition:

- Concealed strip-lighting (with a metal tubular cowl painted to match the shopfront colour scheme) of an appropriate scale, form and detail may be appropriate in certain circumstances;
- Integral spot lights concealed within a painted projecting soffit or moulded cornice may be appropriate in certain circumstances;
- Internally illuminated box signage is not acceptable (including for projecting/hanging signs and wall mounted sign boards);
- Brass or painted 'swan-neck' light fittings are not considered to be appropriate;
- Spot lights/floodlights mounted on the fascia, cornice or elsewhere on the shopfront are not considered appropriate;
- Partial or wholesale illumination of a building frontage, *above* the shopfront, will generally be resisted, unless the reasons for this can be strongly justified;
- The use of neon lighting will generally be resisted as being particularly inappropriate;
- Flashing, intermittent or moving illumination/displays are not considered to be appropriate.

## SECURITY

Security is acknowledged as a primary consideration for shop owners. On this basis, however, security measures should always be

gauged and considered in relation to the building and the shopfront. In Conservation Areas or on listed buildings this should be carried out in a sensitive and respectful way, which does not detract from the character and appearance of the area or building. There are several security measures that are generally seen – lighting, alarm systems and shutters.

### **Lighting**

Security lighting to a shopfront should be considered only where it is necessary. In most cases security lighting will be provided by external lighting (subject to approval) and internal lighting. With regard to the latter, such lighting is invariably left on overnight to act as a deterrent. The use of floodlighting or additional high luminance lighting will generally be resisted.

### **Alarm Boxes**

On listed buildings consent is required to install an external alarm box. Where there is a sound, justified, need for such a system, the location and type of box will need to be given careful consideration. In general, they should not be fixed to the main frontage of the building. On un-listed buildings, the location of the box should also be carefully considered.

### *External roller shutters*

Some historic shopfronts retain original painted timber roller shutters. Where these survive they should always be repaired and used. Modern external roller shutters/grilles have no element of design and are purely functional components. Such elements virtually always spoil or detract from the visual appearance of a building/shopfront. Their impact on a building is such that when they are open, the large projecting external box (often crudely fixed directly onto the shopfront) is an ugly appendage and when closed they create a flat and deadening effect to the whole frontage. They can also have a confrontational effect on the street-scene, making the area less attractive, particularly at night. They induce an unwelcoming atmosphere and in some cases can attract graffiti, which again can make the area feel threatening.

All security shutter systems should be **internally** located and should be of an open lattice or perforated design and should be positioned as far back from the display window as possible, preferably behind the window display itself. This type of open grille should be suitably painted or colour coated to disguise or co-ordinate them with an existing colour scheme. Illumination from behind the grille / screen also helps to animate the shop after dark.

Security measures should always be incorporated into new shopfronts at the design stage. Traditional shopfronts are generally well placed/designed to provide increased security. Solid stall risers can prevent ram-raiding and window mullions can give additional strength as well as reducing the size of the glazed area.

### **Glass**

An alternative to shutters, which may help to reduce vandalism, is laminated or toughened glass. In the design of a new shopfront this element could be integrated into its design. With existing shopfronts the replacement of old glass may be considered appropriate if the justification for such measures is sound. With listed buildings the replacement of historic glass would generally be resisted.

### **To summarise:**

- Planning Permission is required for **any** external roller shutter and is unlikely to be supported especially on traditional shopfronts, shopfronts in Conservation Areas and on Listed Buildings.
- On a listed building, Listed Building Consent is required for **any** external roller shutter and is unlikely to be supported.
- Planning Permission is not required for internal shutters.
- On a listed building, Listed Building Consent is required for internal shutters and may be supported dependent upon the effect of them on the special character and appearance of the building.
- Planning Permission is not required for the installation of laminated or toughened glass.
- On a listed building, Listed Building Consent would be required for the installation of laminated or toughened glass if this were considered to be a significant alteration to the special character and appearance of the building.

## **AUTOMATIC TELLING MACHINES (ATM)**

Banks, Building Societies and some post offices & shops are often required to install an ATM (and/or Night Safe) on the external face of their premises. These should be accommodated where it will have the least impact on any architectural elements of the building or character & appearance of the shopfront. The District Council will resist the presence of ATMs where they will be intrusive, restrict window display or have a detrimental impact on the building elevation and/or the character & appearance of a shopfront.



- Planning Permission is required for the installation of an ATM where they form part of a larger shopfront scheme.
- Planning Permission is required for an independent ATM if it is considered to constitute a material alteration to the premises.
- On a listed building, Listed Building Consent would be required for the installation of an ATM as potentially affecting the special architectural and historic interest of the building. Dependant on location and potential loss or alteration of historic fabric and building character, such a proposal may not be supported.
- When an ATM (or night safe etc.) is no longer required it should be removed (obtaining the necessary approvals where applicable) and the cavity etc. infilled and made good to match the existing, surrounding material/fabric.

## ACCESS TO COMMERCIAL PROPERTIES

As far as possible access to commercial properties, for people with a disability, should be provided without detriment to the character, appearance and design of the shopfront and to the standards in current legislation, as administered by Building Regulation Control. Where alterations to a **listed building** are proposed, early discussion and advice (via the pre-application advice service) should be sought from the Local Planning Authority as to the potential impact the requirements may have on the special character and appearance of the listed building. Discussion with the Building Control Officer on this issue should also be made at an early stage. Occasionally, there are proposals to lift the tarmac to the pavement to create a ramped access. Such works would require Planning Permission (and possibly Listed Building Consent) and would also require consultation with the Highway Authority.

With any potential application for the installation of disabled person access and alteration of a **listed building** in order for it to comply the following will be required:

- The undertaking of a full, independent, Access Audit and Access Plan – carried out in line with Historic England’s guidance note. (*Easy Access to Historic Buildings* - June 2015)

Other works to enable disabled, or less-abled access to a shop or commercial property are the installation of hand railing and ramps/steps.

External metalwork hand railing of a simple and robust nature does have historical precedent. Proposals for such an installation should:

- Be carefully considered with regard to its necessity (based on the Access Audit);
- Be designed to complement the building and/or shopfront of which it will become part;
- Be, generally, of simple and robust design without any decorative or ornamental elements;
- Have a painted finish (to a suitable and appropriate colour);
- Be located/positioned so as to not cause hazard or hindrance to users of the building, restrict egress in the case of an evacuation or cause issues with the highway/public footway.

In addition, such installation should also:

- be considered in terms of its potential impact on a listed or non-listed building;
- be designed to a high standard with materials of high specification;
- be complementary and harmonious with the building and its immediate setting.

With regard to the provision of steps and/or ramps the design, form, materials and detailing of such would require careful consideration in terms of its potential impact on the character and appearance of the shopfront/building. Proposals will be considered and assessed on a case-by-case basis.

## 7 STEPS TO MAKING AN APPLICATION FOR ALTERATIONS AND/OR ADVERTISEMENT:

1. Find out the status of the building – is it listed, un-listed, in a Conservation Area, covered by an ‘Article 4 Direction’?
2. Find out something about its history. Is the existing shopfront original, partially original or a modern replacement? Do any original features survive under later fascia’s, boxing-out or cladding? Some physical investigation may be required. Do any historic photographs survive showing the building and its shopfront as it was?
3. Based on your proposals for the building/shopfront undertake early discussion with the Local Planning Authority (via the Pre-application Advice Service) to obtain their initial comments and what approvals may be

required – planning permission, listed building consent, building regulation approval, advertisement consent. You may also wish to discuss your proposals with the Highway Authority.

4. Find a professional architect/designer who fully understands the special demands of historic areas and buildings. Such skills and advice will be required if alterations to an existing building and shopfront are proposed or a new shopfront is to be designed.
5. Make sure that the architect/designer is fully aware and understands the principles set out in this guidance, and how those principles may affect your particular building/shopfront as well as your proposals for the building/shopfront. Ensure that your architect/designer has acquainted him/herself fully with the area and its particular character and details.
6. Following initial work by your architect/designer they should prepare plans/drawings etc. in order to obtain more specific and perhaps detailed advice and information from the Authority (via the pre-application advice service). This stage will allow final adjustments to be made to the proposals *prior* to formal submission as an application or applications.
7. Submit your proposals to the Local Planning Authority for the relevant approvals that are required. Application forms detail the amount of information required for each type of application and the type and metric scale of drawings that would be required. If the building/shopfront is listed and/or within a Conservation Area, your application may go before the Council's Conservation Advisory Forum for comment. Applications take up to 8 weeks to determine and this time period should be included as part of your overall project timetable. If any conditions are imposed on the grant of planning permission or listed building consent then an application to formally discharge those conditions can take up to 8 weeks from submission (this time period should also be included as part of your overall project timetable).

#### **Further guidance & advice:**

The District Council operates a pre-application advice service, more information can be seen here:

<http://www.derbyshiredales.gov.uk/planning-a-building-control/submit-a-planning-application/pre-application-advice>

Derbyshire Dales District Council  
Town Hall  
Bank Road  
Matlock  
Derbyshire  
DE4 3NN

Tel: 01629 761366

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## APPENDIX A

### PLANNING POLICIES RELATING TO SHOPFRONTS & COMMERCIAL PROPERTIES

#### National Planning Policy Framework 2018

In addition to the range of shops and services, the quality and appearance of town centres across the Local Plan Area is essential for their continuing vitality and viability. When considering proposals for the alteration to shopfronts, or other fixtures it is important that they do not have an adverse impact upon the character and appearance of the surrounding area.

The National Planning Policy Framework (NPPF) puts considerable emphasis on achieving well designed places with good design seen as a key aspect of sustainable development. Paragraph 124 states that “Being clear about design expectations, and how these will be tested, is essential for achieving this.” Supplementary Planning Documents are seen as having a role in setting out design guidelines. See <https://www.gov.uk/government/publications/national-planning-policy-framework--2> for more information.

#### Derbyshire Dales Local Plan 2017

The Derbyshire Dales Local Plan (Adopted 2017) **Policy PD1: Design and Placemaking** sets out the importance of design quality and the contribution design makes to sustainable living. **Policy PD2: Protecting the Historic Environment** sets out how the District Council seeks to conserve heritage assets in a manner appropriate to their significance. The policy includes the requirement that shop-fronts of architectural or historic value are retained wherever possible. **Policy PD2** also states “*Proposals for replacement shop-fronts, signage and colour, or alterations to shop-fronts affecting heritage assets should respect the character, appearance, scale, proportion and special interest of the host building and its setting.*” **Policy EC6: Town and Local Centres** refers specifically to enhancing the vitality and viability of town, district and local centres.

This SPD seeks to add guidance and detailed advice to help owners, occupiers, managers, agents and developers of commercial properties to understand how the policies in the Local Plan should be applied.

The Derbyshire Dales Local Plan can be seen here:

[http://www.derbyshiredales.gov.uk/images/L/DDDC\\_Planning\\_Doc\\_2018\\_vweb2.pdf](http://www.derbyshiredales.gov.uk/images/L/DDDC_Planning_Doc_2018_vweb2.pdf)

and for more information about the Local Plan see:

[www.derbyshiredales.gov.uk/LocalPlan](http://www.derbyshiredales.gov.uk/LocalPlan)

## APPENDIX B SUSTAINABILITY CHECKLIST

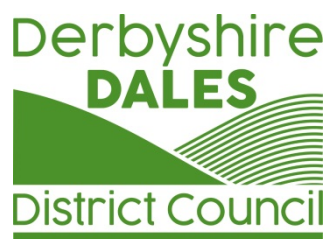
You are advised to consider and address the following sustainability issues *before* submitting your application. **The checklist aims to assist applicants give full consideration to these issues before discussing their proposals with the Council.** Failure to take account of this may result in your application being delayed.

No	Topic	Objective	Issues for Consideration	Action
1	Design	<p><i>To provide high quality design that respects the local and historic context</i></p> <p><i>To improve the visual quality of the shopping area</i></p>	<p>An attractive town centre helps to maintain its vitality and viability, as well as contribute significantly to the achievement of sustainable development.</p> <p>It is important that when considering proposals for alterations to shopfronts, or other commercial businesses that they do not have an adverse impact upon the character and appearance of the surrounding area.</p>	<p><b><i>You should ensure that the design principles as set out in the design guidance are fully understood and how they affect you particular building/shopfront/commercial business.</i></b></p>
2	Heritage Assets	<p><i>To protect and enhance finite historical assets</i></p>	<p>A number of shops (and commercial businesses) are within Conservation Areas and/or are listed in recognition of their special architectural and historic interest.</p> <p>Many buildings on which a shopfront is located may be a listed building. By virtue of the listing the shopfront is protected by change or alteration. Listed Building Consent, controlled under the Planning (Listed Buildings &amp; Conservation Areas) Act 1990 would be required from the Local Planning Authority to carry out alterations to a listed shopfront.</p> <p>Any works of alteration, however subtle, which would be considered to affect the special character or appearance of a listed building, would require an application for Listed Buildings Consent.</p> <p>Where a proposed <i>new</i> shopfront is situated within a conservation area or the property is a listed building, the Council will seek the retention and restoration of existing shopfronts in preference to their replacement.</p>	<p><b><i>Where appropriate proposals should include schemes to record and protect any architectural interest informed by an independent assessment of the listed building.</i></b></p> <p><b><i>Does your proposal:</i></b></p> <ul style="list-style-type: none"> <li>• <b><i>reflect the character of the building;</i></b></li> <li>• <b><i>well related to adjacent properties</i></b></li> <li>• <b><i>respect the architectural elements of the building</i></b></li> </ul>

No	Topic	Objective	Issues for Consideration	Action
3	Historic Shopfronts	<i>To protect and enhance finite historical assets</i>	<p>The Derbyshire Dales District contains the medieval market towns of Ashbourne and Wirksworth together with the later spa towns of Matlock and Matlock Bath. The qualities of the buildings that form the streetscapes of these towns are such that there is a need to be particularly sensitive when alterations are proposed to shopfronts and commercial properties.</p>	<p><b>You should find:</b></p> <p><b>1) Something about the shopfronts history including:</b></p> <ul style="list-style-type: none"> <li>• <b><i>if the shopfront is original or a modern replacement</i></b></li> <li>• <b><i>Do any original features survive under later fascia's, boxing out our cladding?</i></b></li> <li>• <b><i>Do any historic photographs survive showing the building and its shopfront as it was?</i></b></li> </ul> <p><b>2) A professional architect/designer who fully understands the special demands of historic areas and buildings. Such skills and advice will be required if alterations to an existing building and shopfront are proposed or a new shopfront is to be designed.</b></p>
4	Townscape	<i>To protect and enhance the character and appearance of town centres.</i>	<p>The character of the local street scene is being threatened by the replacement with inappropriate designs and materials.</p> <p>The loss of traditional shopfronts will impact on the character and appearance of the physical environment where people live and work. An attractive and well-designed shopping area will attract shoppers and tourists, creating an atmosphere beneficial for business</p> <p>The District has an important and varied townscape which is reflected in the buildings that occupy the town centres.</p>	<p><b><i>It is important when considering alterations to a shopfront or other fixtures that they do not have an adverse impact upon the character and appearance of the surrounding area.</i></b></p>

No	Topic	Objective	Issues for Consideration	Action
5	Advertisement / illumination	<i>To reduce the visual impact of over advertisement/illumination on the highway and street scene.</i>	<p>The visual impact of over-illumination and over-advertisement on the highway and street scene.</p> <p>Any shopfront can be completely ruined by ill-considered colour schemes, excessive advertisements and badly and un-inspired lettering and illumination.</p>	<b><i>You should ensure that the design principles as set out in the design guidance are fully understood and how they affect you particular building/shopfront/commercial property.</i></b>
6	Energy Efficiency	<i>To reduce consumption and waste production and facilitate renewable energy.</i>	<p>The installation of energy efficient systems is important to help reduce and conserve energy consumption.</p> <p>It is important that the use of energy efficiency materials / systems does not have an adverse impact upon other issues such as the character and appearance of the building and its surrounding</p>	<p><b>You should consider whether there are appropriate opportunities to install an energy efficient system or use materials that would help reduce energy consumption.</b></p> <p><b><i>Where appropriate, proposals should provide details of energy efficient measures and their potential impact(s).</i></b></p>
7	Source of local materials	<i>To ensure that the design of the shopfront is not detrimental to the fabric and character of the street scene.</i>	<p>The majority of the elements that make up a shopfront are constructed from timber. The choice of timber is considered to be an important and a fundamental consideration in terms long term durability and integrity.</p> <p>The use of, appropriate, sustainable materials in the fabrication of a new shopfront helps to achieve efficient use of resources and reduce energy consumption and waste production.</p>	<p><b>You should consider using:</b></p> <ul style="list-style-type: none"> <li>• <b><i>Sustainable materials only if they are in character with the existing buildings and street scene / townscape.</i></b></li> <li>• <b><i>You should consider using local building materials whether possible.</i></b></li> </ul>
8	Local employment labour	<i>To encourage and support local employment</i>	<p>It is important to encourage and support a high and stable level of employment to help contribute to safeguarding and strengthening the District's economy.</p> <p>High quality skills and craftsmanship and the attention to detail, will be required for both repairs to existing shopfronts and the fabrication of new shopfronts.</p>	<b><i>You should consider, where appropriate, employing appropriately experienced local builders to undertake the work.</i></b>

No	Topic	Objective	Issues for Consideration	Action
9	Crime	<i>To reduce the level of crime</i>	The role of good design can help create safer places, reduce crime rates and reduce the fear of crime. In recent years there has been an increase in the number of shops wishing to install permanent security shutters. Unless sensitively & appropriately designed these can have a detrimental impact upon the appearance of both the individual property and the town centre street scene.	<b><i>Security measures should always be gauged and considered in relation to the building and the shopfront/commercial property. In Conservation Areas and on listed buildings this should be carried out in a sensitive and respectful way, which does not detract from the character and appearance of the area or building.</i></b>
10	Accessibility	<i>To provide access to commercial properties, where possible, for people with a disability</i>	Part three of the Disability Discrimination Act (DDA) places specific duties on shops and business that provide services available to the public to alter, adapt or remove physical barriers that make it unreasonably difficult for disabled people to receive fair treatment	<p><b><i>A useful starting point in assessing the current state of accessibility of buildings and services is to arrange for an access audit of the premises to be conducted.</i></b></p> <p><b><i>This involves a survey of the building and facilities to identify its accessibility and ease of use by disabled people. It focuses on a number of different issues around physical access, such as physical barriers, signage etc. Conducting an access audit can identify barriers and hazards to people with disabilities.</i></b></p>



## Consultation Statement

### Draft Supplementary Planning Document: Shop Fronts and Commercial Properties January 2019

#### REGULATION 12 OF THE TOWN AND COUNTRY PLANNING (LOCAL PLANNING) (ENGLAND) REGULATIONS 2012

1. This statement sets out who was consulted in the preparation of the draft Supplementary Planning Document: Shop Fronts and Commercial Properties, how they were consulted, what issues were raised and how those issues influenced the preparation of the document.

2. Supplementary Planning Documents seek to expand on existing planning policy, to provide detail and depth that may not be possible in a Local Plan. In 2005 the District Council formally adopted the Supplementary Planning Document on Shop Fronts and Commercial Properties Design Guidance, it was updated in November 2012. This has, since that time, sought to provide complementary guidance and advice for owners, occupiers, managers, agents and developers about how Local Plan policies should be applied when considering a planning application for changes to their property. The SPD has operated well since that time, however following the adoption of the Derbyshire Dales Local Plan in December 2017 it can no longer be used as a “material consideration” in the determination of planning applications.

3. To ensure that the Supplementary Planning Document on Shop Fronts and Commercial Properties can continue to be given statutory weight in the determination of planning applications it has been necessary to refresh its contents to reflect changes to the Local Plan policies and legislation. Once adopted it can be used in the determination of planning applications as a “material consideration”.

#### Consultation: Stage One

4. The revised draft Shop Fronts and Commercial Properties SPD was subject to an internal consultation, in October 2018, with officers from the following teams:

- Development Management team
- Planning Policy team
- Economic Development team

This took the form of email and meetings. No substantive issues were raised.



## Consultation Process

5. A six week consultation period will run from 18<sup>th</sup> January to 1<sup>st</sup> March 2019. A direct email or letter will be sent to targeted contacts contained on the Council Local Plan consultation database. This includes the statutory consultees, Parish and Town Councils, neighbouring authorities, agents and developers and landowners.

6. In addition, the consultation documents will be available online and in the following locations:

- Derbyshire Dales District Council, Town Hall, Bank Road, Matlock DE4 3NN
- The Arc Leisure Centre, 1 Bakewell Road, Matlock DE4 3AZ
- Matlock Library, Steep Turnpike, Matlock DE4 3DP
- Ashbourne Leisure Centre, Clifton Road, Ashbourne DE6 1DR
- Ashbourne Library, Compton, Ashbourne DE6 1DA
- Wirksworth Leisure Centre, Hannage Way, Wirksworth DE4 4JG
- Wirksworth Library, Town Hall, Wirksworth DE4 4EU

7. People will be invited to submit comments online or in writing to ensure that representations can be registered and considered by the Council.

See [www.derbyshiredales.gov.uk/ShropfrontsSPD](http://www.derbyshiredales.gov.uk/ShropfrontsSPD)

8. In accordance with the Derbyshire Dales District Council Statement of Community Involvement a press release will be issued regarding the consultation.

9. The main issues raised, response and action required will be included in an updated consultation statement, published at the end of the consultation period. All responses will also be considered under delegated authority, or reported to Members where substantive issues are raised, prior to adoption.

10<sup>th</sup> January 2018