

PLANNING COMMITTEE 24TH JANUARY 2023
CORRESPONDENCE RECEIVED AFTER PREPARATION OF THE AGENDA

ITEM 5.1 – APPLICATION NO. 22/00731/LBALT – INTERNAL AND EXTERNAL ALTERATIONS ASSOCIATED WITH THE CONVERSION OF ATTIC TO HABITABLE ROOMS AT BRADLEY HALL, YEW TREE LANE, BRADLEY, ASHBOURNE, DE6 1PG

1. A further letter of representation has been received in objection to the proposed development, this has been summarised below:
 - Concerns regarding not being notified of the application.
 - Previous cases raised in the village where a rooflight was not permitted or a modest rear extension was refused.
 - Concerns raised regarding the potential future use of the premises potentially being commercial or holiday lets.
 - Parts of the building have not been surveyed.
 - Bradley Hall as a commercial premises would not contribute positively to the surrounding area or improve the economic vitality of Bradley. The application is therefore contrary to the NPPF.
 - Bradley Hall is not suitable for a large scale development over what is there.
 - The building looks onto a 600 year old church with historical, architectural and archaeological interest.
 - Bradley is a remote, quiet village with no amenities. Surrounded by farmland and farmers which need protecting.
 - There have already been anti-social behavior issues at the two holiday lets at Bradley Hall.

Officer Response

The District Council notifies all neighbouring residents within a 20m buffer of the application site area in respect of development affecting the character of a listed building. A site notice is also erected nearby the site and applications for listed building consent are advertised within the Ashbourne News Telegraph. This is standard for all application for listed building consent within the District and consistent with the statement on Publicity and Consultation on the District Council's website.

With regard to other applications, these are determined on their own merits. The appropriateness of roof lights may be different depending on the particular listed building and its context / significance.

The District Council are satisfied that the relevant parts of the building have been surveyed and sufficient information has been provided in order to make a recommendation on the application.

This application relates solely to the internal and external alterations to the building. There is no change of use of the building proposed. The issues relating to antisocial behavior are not a material consideration in the consideration of this application for listed building consent. The only material issues are the impact of the proposed works on the character, appearance and significance of the listed building.

ITEM 5.2 – APPLICATION NO. 22/01082/OUT – OUTLINE PLANNING APPLICATION FOR THE ERECTION OF UP TO 3NO. DWELLINGHOUSES WITH APPROVAL BEING SOUGHT FOR ACCESS AT LAND TO THE EAST OF WHEATLEY ROAD, TWO DALES, DERBYSHIRE

1. A further letter of representation has been received in objection to the proposed development, this has been summarized below:
 - This is a greenfield and needs to be preserved.
 - Increased use will be detrimental to the walled and narrow lane

Officer Response:

The principle of development and highways impact have been assessed within the Officer's report.

ITEM 5.6 – APPLICATION NO. 22/00799/FUL – ERECTION OF BUNGALOW AT 4 THE CHANNEL, ASHBOURNE, DERBYSHIRE, DE6 1FB

A further representation has been received which raises the following significant health and safety concern on the delivery of the project if planning permission is approved.

- Any delivery along the channel of such building materials is a potentially life threatening event.
- In view of the highways noting the renovation of the previous property was completed with material "hand bailed" to the site, this cannot be an acceptable method to remove waste and deliver building materials for an entire bungalow due to the restrictions of The Channel.
- Distance down the channel from North Avenue to the proposed site, with limited parking availability on North Avenue, and they object to any imposed parking restrictions enforced if applicable to a planning application.
- The width of the channel in places is only 1m of the channel and turning twisting upper part and at mid point restricts sight line of any oncoming deliveries and insufficient width to pass each other.
- The channel is continuously going down hill with an approximate 25% gradient if not greater in places, with considerable camber and undulating surface including cobbled sections which is totally unsuitable for delivering building materials of this quantity.
- The gradient of the channel from either end is considerable and it is suggested a visit must be made to comprehend the danger of any wheeled delivery being made down the hill.
- Please provide the risk assessment details to cover how materials of this quantity can be delivered safely. Clarifying in the event of a wheeled delivery breaking loose or simply falling over what measures will be in place to avoid a potentially fatal accident on the channel or catastrophic damage to properties.
- The channel is a residential passage without traffic will there be a delivery time restriction imposed to avoid weekend deliveries or before and after certain times.

Officer response:

These issues are discussed at paragraph 5.2 and 7.6 of the committee report.

ITEM 5.7 – APPLICATION NO. 22/00529/FUL – ERECTION OF 1NO. DWELLINGHOUSE AT NORTH PARK FARM, WHITWORTH ROAD, DARLEY DALE, MATLOCK, DERBYSHIRE, DE4 2HK

A resident has expressed concerns regarding the ground levels supplied in the above application. They believe the ground levels shown in the plans have been created by a drone using average height measurements. If they are correct then the hundreds of tons of tipped material on the plot will have an impact on the results, depending when they were created. It would be helpful if it was known what the levels represent; ground levels before tipping began, pre 1990, or existing ground levels. The levels supplied do not seem to correlate with pre 1990 contours. The levels supplied also show the ground level of the adjacent garden of Mole End [below the stable] higher than the plot when it is actually a lot lower which is one of the reasons why they believe average height technology was used.

Officer response:

The proposal has been assessed using the level survey and site sections submitted and any development would have to accord with these parameters set as Condition 8 controls the finished floor level to accord with these plans. Only three stop levels have been provided over the northern boundary within the garden area of Mole End and the one adjacent to the north western corner is 1.8m lower than the finished floor level proposed. Levels are discussed in paragraph 7.5 of the committee report.

ITEM 5.8 – APPLICATION NO. 22/01293/FUL - ERECTION OF CATTLE HOUSING BUILDING WITH ASSOCIATED UNDERGROUND SLURRY STORE AT APPLE TREE FARM, LONGFORD LANE, LONGFORD, ASHBOURNE, DERBYSHIRE, DE6 3DT.

Correction to the Officer's Report:

Longford Parish Council object to this planning application.

In doing so they make the following comments:

There will be an increase in HGV traffic on our narrow country lanes transporting feed, slurry and animals to and from Apple Tree Farm, contrary to Policy EC10 Para (d) of the Local Plan. Access to the site can only be made from the south due to the acute angle of the entrance to the road. Traffic from the north has to drive past the site and then reverse into the site to facilitate unloading as there is no turning area on the farm. Traffic leaving the site and heading north cannot turn left but has to go south on Longford Lane and reverse into Thurvaston Lane (always done blind due to high hedges) before heading north, which in our opinion is an accident waiting-to happen. Likewise, lorries from the south will need to use Thurvaston Lane to turn around before reversing up the road and into the farm entrance. These are 60mph roads, frequented by walkers and cyclists (Sustrans 68 route) and this junction is also a drop off and pick up site for the school bus. These traffic movements by HGVs are churning up the verges in the area.

The site is low lying called 'The Marsh' and frequently floods. We are therefore concerned that the underground slurry store is prone to the flood water with the consequence of run off and contamination of the adjacent water course.

We have animal welfare concerns as the building is not big enough to allow for the animals to eat, drink and lie down as recommended by DEFRA

The slurry pit is estimated to have insufficient capacity to hold six months' worth of effluent and when emptying will have to be stirred/agitated before transferring to a slurry tank, creating a dreadful smell. There is also insufficient grazing land on site to spread the slurry-locally resulting in further transport activities.

The applicant's core centre of land of around 270 acres is in Hatton. Clarity is required around this tenure. Applications for new buildings should be prioritised in Hatton in compliance with the Local Plan EC10 Para (e). The applicant appears to be moving his business focus away from this area to a 13 acre field in Longford that floods, and so we are concerned about his longer-term plans for this site. Establishment of this business in Longford would only serve to increase movement of animal feed and slurry which is inefficient, environmentally damaging and a nuisance to neighbouring properties.

There is currently significant movement of HGVs and noise from animals at Apple Tree Farm. Raising the stock by 150% will only increase this which, with the associated smells and flies, will be to the detriment and quality of life of the small community of Lower Thurvaston.

In view of our concerns, we request that the Planning Officer asks the Environment Agency and Highways to re visit this application, and we suggest that it is reviewed by the full Planning Committee.

Video Footage has also been sent by an objector, to show the inadequacy of the location for farm vehicles.

Officer Response:

The above matters are covered in the officer's report.