



# Planning Committee 8<sup>th</sup> October 2024

<b>APPLICATION NUMBER</b>		23/00934/FUL	
<b>SITE ADDRESS:</b>		Red House Stables, Old Road, Darley Dale, Derbyshire. DE4 2ER	
<b>DESCRIPTION OF DEVELOPMENT</b>		Installation of concrete foundation pad and siting of railway goods wagon and decking	
<b>CASE OFFICER</b>	G Huffen	<b>APPLICANT</b>	Mr Nicholas Russell
<b>WARD/PARISH</b>	Darley Dale	<b>AGENT</b>	Mr Peter Burns
<b>WARD MEMBERS</b>	Cllr D Burton Cllr M Franks Cllr R Shelley	<b>DETERMINATION TARGET</b>	11.10.2024 (Agreed Extension of Time Date)
<b>REASON FOR DETERMINATION BY COMMITTEE</b>	Requested by Ward Member	<b>REASON FOR SITE VISIT (IF APPLICABLE)</b>	To allow for the development to be considered in its wider context.

## MATERIAL PLANNING ISSUES

- Principle of the development.
- Amenity Impact.
- Highway Impact.
- Landscape Impact.

## RECOMMENDATION

Planning permission to be permitted subject to conditions – See section 8.

## 1. THE SITE AND SURROUNDINGS

- 1.1 The application site is located off the southern side of Old Road, Darley Dale and is accessed via an unadopted access road owned by the District Council. The site (wholly) was last used for equestrian purposes in association with the former carriage museum to the front (northern) part of the site. Planning permission has been granted to use the northern part of the site for retail and storage of antique, salvage, recycled and vintage collectables. A resolution to grant outline planning permission (subject to a legal agreement) was made at September's Planning Committee for the erection of 1no. dwellinghouse with a garage and the erection of a building comprising of a builder's workshop and storage.
- 1.2 The railway goods wagon to which the application relates was erected on site in July 2023 and planning permission subsequently applied for to retain it, for the use of the site owner for hobby/ recreational use.
- 1.3 The application site is located rurally and is an approximate 10/15-minute walk from Darley Dale. The wagon is located to the (southwest) rear of the site, adjacent to the boundary with the railway line.



## 2. DETAILS OF THE APPLICATION

- 2.1 Full planning permission is sought to retain and complete the installation of the goods wagon sited to the rear of the site on a concrete base pad. It is to be used by the site owner for recreational purposes as part of their occupation of this mixed-use site.
- 2.2 The development is to be completed with the addition of a decking area surround and the installation of glass sliding doors to the rear facing the heritage railway line.

### 3. PLANNING POLICY AND LEGISLATIVE FRAMEWORK

#### 3.1 Adopted Derbyshire Dales Local Plan (2017)

S1	Sustainable Development Principles
S4	Development in the Countryside
PD1	Design and Place Making
PD2	Protecting the Historic Environment
PD5	Landscape Character

#### 3.2 National Planning Policy Framework (2023)

#### 3.3 National Planning Practice Guidance

### 4. RELEVANT PLANNING HISTORY

17/00848/FUL	Detached dwelling and double garage, demolition of existing stables and outbuildings associated with Red House Stables and Museum (and change of use)	APPRET	
23/00916/FUL	Change of use from museum and exhibition space to (class E) antique, salvage, recycled and vintage collectables shop	PERC	21/02/2024
23/00934/FUL	Installation of concrete foundation pad and siting of railway goods wagon and decking	PCO	
23/01101/OUT	Outline application for erection of 1no. dwellinghouse with associated garage and erection of stores and builders workshop with associated demolition	PDE	
1194/0700	RENEWAL OF PLANNING PERMISSION FOR RANCH HOUSE (WED/0984/0632)	A	12/12/1994
1190/1019	RENEWAL OF PERMISSION FOR CARRIAGE MUSEUM AND USE OF VAN BODY FOR FODDER STORAGE (WED0985/0714)	A	06/02/1991
1184/0737	IMPLEMENT SHED	A	29/11/1984
0985/0714	CHANGE OF USE FROM STORAGE TO CARRIAGE MUSEUM AND ERECTION OF VAN BODY FOR FODDER STORAGE	A	06/11/1985
0984/0632	RANCH HOUSE	A	08/11/1984
0395/0190	RENEWAL OF TEMPORARY PERMISSION FOR MOBILE HOME (WED/0293/0092)	A	07/06/1995
0293/0092	RENEWAL OF PLANNING PERMISSION FOR MOBILE HOME (WED/0191/0072)	A	06/04/1993

0198/0033	RETENTION OF MOBILE HOME (RENEWAL OF PLANNING PERMISSION WED/0395/0190)	A	15/04/1998
0191/0072	TEMPORARY SITING OF MOBILE HOME	A	17/04/1991
01/05/0339	Demolition of stables and erection of house and garage	R	05/07/2001
00/06/0426	Demolition of outbuildings and construction of dwelling and garage	W	31/07/2000
02/05/0397	Erection of bungalow (outline)	R	07/08/2002
24/00017/WR	Appeal against		INPROG

## 5. CONSULTATION RESPONSES

### Darley Dale Town Council

#### 5.1 Comments:

- Councillors felt unable to submit a recommendation due to insufficient detail/ clarity in the application. Requested a site visit be undertaken to fully understand the application.

### Local Highway Authority (Derbyshire County Council)

#### 5.2 Comments:

- There are no objections to the proposed development from a traffic and highway point of view.

### County Archaeologist (Derbyshire County Council)

#### 5.3 Comments:

- The proposed development area lies adjacent to the Ambergate to Rowsley stretch of the former Midland Railway Manchester Branch recorded on the Derbyshire HER (MDR11472) to the south. The line of the Wirksworth Moor to Longstone Turnpike, road also recorded on the Derbyshire HER, lies to the north (MDR11633).

The footprint of ground disturbance, not extending below the topsoil, is small and there will be no archaeological impacts.

## 6. REPRESENTATIONS RECEIVED

6.1 No representations received.

## 7. OFFICER APPRAISAL

### Principle of Development

7.1 The site is located off the southern side of Old Road, Darley Dale. Darley Dale is identified by Policy S2 of the Adopted Derbyshire Dales Local Plan as a Tier 2 settlement; however,

the application lies outside of the boundary of Darley Dale and is deemed by Policy S2 to be open countryside. The principle of the development should therefore be assessed against Policy S4.

- 7.2 Policy S4 outlines that outside defined settlement boundaries and allocated sites the District Council will seek to ensure that new development protects and, where possible, enhances the landscape's intrinsic character and distinctiveness, whilst also facilitating sustainable rural community needs, tourism and economic development.
- 7.3 Policy S4 allows for a variety of development compatible with a rural setting subject to accordance with other relevant policies. This development is small scale in nature and although indicated as being for recreational purposes, is to be utilised by the applicant/ landowner who also operates their business activities from the site.
- 7.4 The Red House Stables site is (wholly) in a mixed use with existing commercial and equestrian uses. A resolution to grant outline planning consent was made at September's Planning Committee for the erection of 1no. dwellinghouse with a garage and the erection of a building comprising of a builder's workshop and storage to the southern section of the site. This remains pending however until a Legal Agreement is in place.
- 7.5 Due to the small scale of the development, it is considered that its retention for the personal recreational use of the applicant/ landowner, to allow them to sit and view the adjacent railway line would be commensurate with the 'mixed use' nature of the Red House Stables site.

#### Design and Appearance

- 7.6 The wagon, due to its original use, is functional in appearance with steel sides and a barrelled roof. The wagon is to be adapted to facilitate its re-use as a recreational building. These adaptations include the installation of a decking surround with steps up to the wagon, the installation of glass sliding doors to the rear facing south-west towards the heritage railway line.
- 7.7 It is noted that the existing buildings on site vary in their appearance due to its mixed use and the development of the site over time. Due to this diversity of built form on site, the location of the wagon and its scale, it is not considered that the development would be harmful within the rural landscape or harmful to the character and appearance of the wider site.

#### Amenity

- 7.8 Policy PD1 requires development to achieve a satisfactory relationship to adjacent development in relation to visual intrusion, overlooking, shadowing and overbearing impacts. The wagon is within the same ownership as the wider site and the neighbouring land to the south-east. Due to its location on a mixed-use site, its proximity to other existing buildings and lack of dedicated parking/ amenity provision it is considered that the wagon should only be used in connection with, and ancillary to the wider use of the site and shall at no time be separated from the ownership of Red House Stables.

#### Highway Safety

- 7.9 The application site is to be accessed off the southern side of Old Road, Darley Dale via an unadopted road owned by the District Council. The site is 'open' to front with existing access points. No access alterations or alterations to parking arrangements are proposed as part of the application. Given the scale of the development and its connection to the wider use

of the site it is not considered that the retention the wagon will result in any increase in use that would have a detrimental impact on existing highway conditions.

### Conclusion

- 7.10 Policy S4 allows for a variety of development compatible with a rural setting subject to accordance with other relevant policies and that such development protects and, where possible, enhances the landscape's intrinsic character and distinctiveness.
- 7.11 The development to be retained is small scale in nature and is located to rear of the site away from neighbouring occupiers. It is to be utilised by the applicant/ landowner of the site for recreational purposes only. Subject that it remains only for the personal use of the owner, the development is unlikely to have a harmful impact on amenity or highway safety. Given this it is recommended that planning permission be granted subject to conditions.

## **8. RECOMMENDATION**

That planning permission be granted subject to the following conditions:

1. The development hereby permitted shall not be carried out other than in accordance with the following approved plans and documents, except insofar as may otherwise be required by other conditions to which this planning permission is subject:

01 -Amended Site Location Plan, 1:1250 Scale (received 04.01.2024).

02 - Amended Block Plan, 1:500 Scale (received 04.01.2024).

03 - NE Elevation and End Elevations, Plan A (15.09.2023).

04 - NE Elevation, SW Elevation, Floor Plan and Roof Plan, Plan B (15.09.2023).

Reason: For the avoidance of doubt and to ensure the satisfactory external appearance of the development.

2. Within 6 months of the date of this permission the development shall be completed as shown on the approved plans and in accordance with the finish details (details of the staining colour to the decking and re-painting/ finishing to the wagon) which shall have first been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure a satisfactory external appearance of the development in accordance with Policy PD1 of the Adopted Derbyshire Dales Local Plan 2017.

3. The development hereby permitted shall only be used for recreational purposes by the landowner and shall be at no time be separated from the ownership of Red House Stables or used by persons unconnected to the landowner.

Reason: In the interests of amenity and highway safety in accordance with Policies PD1 and S4 of the Adopted Derbyshire Dales Local Plan (2017).

### **NOTES TO APPLICANT:**

1. The Local Planning Authority have during the consideration of this application engaged in a positive and proactive dialogue with the applicant and agent which has resulted in the submission of further plans.
2. The Town and Country Planning (Fees for Applications, Deemed Applications and Site Visits) (England) Regulations 2012 as amended stipulate that a fee will henceforth be payable where a written request is received in accordance with Article 27 of the Development Management Procedure Order 2015 for the discharge of conditions attached

to any planning permission. Where written confirmation is required that one or more conditions imposed on the same permission have been complied with, the fee chargeable by the Authority is £43.00 per householder request and £145.00 per request in any other case. The fee must be paid when the request is made and cannot be required retrospectively.