

<b>APPLICATION NUMBER</b>		22/00952/FUL	
<b>SITE ADDRESS:</b>		Cotonwood Lodge, Muse Lane, Boylestone, Ashbourne, DE6 5AB	
<b>DESCRIPTION OF DEVELOPMENT</b>		Change of use from garage block to dwellinghouse (retrospective)	
<b>CASE OFFICER</b>	Adam Maxwell	<b>APPLICANT</b>	Dr Hannah Street
<b>PARISH/TOWN</b>	Boylestone	<b>AGENT</b>	N/A
<b>WARD MEMBER(S)</b>	Cllr Tony Morley	<b>DETERMINATION TARGET</b>	01/11/2022
<b>REASON FOR DETERMINATION BY COMMITTEE</b>	Called in by Ward Member	<b>REASON FOR SITE VISIT (IF APPLICABLE)</b>	N/A

## MATERIAL PLANNING ISSUES

- The principle of proposed development
- Impact upon the local area
- Impact upon the residential amenity of the occupants of neighbouring properties
- Impact upon parking and highway safety.

## RECOMMENDATION

That the application be refused.

## 1 THE SITE AND SURROUNDINGS

- 1.1 The site is located in open countryside north of Muse Lane, west of Boylestone and just east of the A515.
- 1.2 The building is a former garage/storage building for Coton Wood Grange. The building has been converted and now occupied as an independent dwellinghouse.



## 1 DETAILS OF THE APPLICATION

- 2.1 The change of use of the garage/storage building to an independent dwellinghouse. The development has been carried out and the dwellinghouse occupied, therefore the application seeks planning permission for the retention of the development.
- 2.2 The plans show that the building would be altered to create a two bedroom market house set within a domestic garden to the west and rear with parking to the front. Access would be shared with the neighbouring property Hill View Barn.
- 2.3 This application follows the refusal of an earlier application for a certificate of lawful existing use (CLEUD). This was refused because the application did not demonstrate that the use of the building as an independent dwellinghouse was lawful.

## 3.0 PLANNING POLICY AND LEGISLATIVE FRAMEWORK

Adopted Derbyshire Dales Local Plan 2017  
S1 Sustainable Development Principles  
S4 Development in the Countryside

PD1 Design and Place Making  
PD5 Landscape Character  
PD7 Climate Change  
HC8 Conversion and re-Use of Buildings for Residential Accommodation  
HC9 Residential Sub-Division of Dwellings  
HC19 Accessibility and Transport  
HC21 Car Parking Standards

Other:

National Planning Policy Framework (2021)  
National Planning Practice Guide

#### **4.0 RELEVANT PLANNING HISTORY:**

21/01382/CLEUD: The use of the building as a dwellinghouse for a period in excess of four years (13 years). Refused 12.07.2022.

0699/0361: New access & erection of garage and storage building with exercise room above. Granted 20.08.1999.

#### **5.0 CONSULTATION RESPONSES**

5.1 Boylestone Parish Council: No response to date.

5.2 Cllr Tony Morley: No response to date.

5.3 Highway Authority: No objection.

5.4 Environmental Health: No objection.

5.5 Environment Agency: No comment.

#### **6.0 REPRESENTATIONS RECEIVED**

6.1 None received to date.

#### **7.0 OFFICER APPRAISAL**

The following material planning issues are relevant to this application:

- The principle of proposed development
- Impact upon the local area
- Impact upon the residential amenity of the occupants of neighbouring properties.
- Impact upon parking and highway safety.

##### Principle of development

7.1 The site is located in a remote location away from any settlement where local and national policies make a presumption against new housing development. Policy S4 states that planning permission will be granted for new residential development through conversion and re-use of buildings in accordance with policy HC8.

7.2 Policy HC8 supports the conversion and re-use of buildings for residential use where the building is of permanent and substantial construction and make a positive contribution to the character and appearance of its surroundings. The conversion must also not require extensive alteration, re-building or extension nor harm the character and appearance of

the building or its surroundings. The policy recognises that while not all buildings are appropriate for conversion, some redundant buildings are of architectural or historic interest and can make an important contribution to the quality of the landscape. Therefore the preference is for such buildings to be retained and put back into beneficial use.

- 7.3 The proposal is for the conversion of a garage / store building originally built for Coton Wood Grange (located to the west of the site). The outbuilding is relatively substantial in scale but reads as a sub-ordinate outbuilding alongside Coton Wood Grange. The building is of substantial brick and tile construction and does possess some architectural interest due to the fenestration and use of materials. Nevertheless, in all other respects the building is a modern domestic outbuilding built following the grant of planning permission in 1999 and does not make a positive contribution in terms of landscape character.
- 7.4 Policy HC9 is relevant for proposals to sub-divide existing dwellings into two or more self-contained residential units. The proposed development would effectively sub-divide the existing garage / store building from the original host dwelling (Coton Wood Grange) creating a separate planning unit. However, the supporting text to policy HC9 makes clear that outside of settlements sub-divisions will be discouraged owing to their relative isolation from services. Paragraph 80 of the National Planning Policy Framework (NPPF) does allow for sub-division in the countryside, but this relates to the sub-division of an existing residential building.
- 7.5 The proposed development would retain a dwellinghouse created through the conversion and separation of a modern domestic outbuilding from its host dwelling. The site is in an unsustainable location in the countryside, remote from basic services and facilities. The conversion of such a building, which does not make a positive contribution to the character and appearance of its surroundings and would result in an incongruous form of residential development would be contrary to the aims and objectives of policies S4 and HC8 of the Adopted Derbyshire Dales Local Plan (2017) and would significantly and demonstrably outweigh the benefits associated with the delivery of one dwelling contrary to the NPPF.

#### Highway safety and amenity

- 7.6 The dwelling is located adjacent to neighbouring properties. Given the position of the building and openings there are no concerns that the development would result in any significant loss of light, privacy or be overbearing to neighbouring properties.
- 7.7 The proposed development would have a shared access with the existing dwelling to the north and separate off-street parking area. There is no objection to the access in terms of visibility splays and there is ample space on site for off-street parking to meet adopted local standards. The development therefore would not harm highway safety.

#### Sustainable building and climate change

- 7.8 No details of the construction of the dwelling or measures to mitigate the impacts of climate change have been submitted with the application. The dwelling is heated by an air source heat pump (ASHP) located beside the western gable. An electric vehicle charge point has also been installed. The provision of these measures is welcomed, however, the creation of an independent market dwelling in a remote location would fundamentally be an unsustainable form of development contrary to local and national policies. The dwelling is served by the existing septic tank which is shared with Coton Wood Grange.

#### Other issues

- 7.9 Officers noted at the time of the site visit that the conversion has not been carried out in accordance with the submitted plans. There are a number of different and new openings

to the building 'as built'. The applicant has clarified that the intention to retain the building 'as built'. Officers have requested amended plans on that basis.

## Conclusion

7.10 Having regard to the unsustainable location of the existing building outside of a defined settlement boundary and the lack of a positive contribution to the character and appearance of the area made by the existing building the conversion of such a building to a dwellinghouse would fail to comply with policy S4 and HC8 of the Adopted Derbyshire Dales Local Plan (2017).

7.11 The proposal is contrary to the development plan and in the absence of any further material considerations indicating that permission should be approved, the application is recommended for refusal.

## **8.0 RECOMMENDATION**

8.1 That the application be refused for the following reasons.

### **REASONS:**

1 The proposed development involves the conversion of a simple domestic outbuilding in the countryside, remote from basic services and facilities. The conversion of such a building, which does not make a positive contribution to the character and appearance of its surroundings and would result in an incongruous form of residential development contrary to the aims and objectives of Policy S4 and HC8 of the Adopted Derbyshire Dales Local Plan (2017) and would significantly and demonstrably outweigh the benefits associated with the delivery of one dwelling contrary to the National Planning Policy Framework (2021).

### **9.0 NOTES TO APPLICANT:**

1. The Local Planning Authority considered the merits of the submitted application and judged that there was no prospect of resolving the fundamental planning problems with it through negotiation. On this basis the requirement to engage in a positive and proactive manner was considered to be best served by the Local Planning Authority issuing a decision on the application at the first opportunity.

2. This decision notice relates to the following documents received by the Local Planning Authority:

Planning Application Forms and drawings received on the 15/08/2022 and 06/09/2022.