

Planning Committee 11th April 2023

APPLICATION NUMBER		22/01381/FUL	
SITE ADDRESS:		Land Opposite Ley Hill Farm, Brocksford, Doveridge, Ashbourne, DE6 5PA	
DESCRIPTION OF DEVELOPMENT		Proposed extension to existing agricultural storage building	
CASE OFFICER	Mr Joe Baldwin	APPLICANT	Mr David Bennett
PARISH/TOWN	Doveridge	AGENT	Mr Nigel Deville
WARD MEMBER(S)	Cllr Jacqueline Alison	DETERMINATION TARGET	15.03.2023
REASON FOR DETERMINATION BY COMMITTEE	Called to committee by Local Ward Member	REASON FOR SITE VISIT (IF APPLICABLE)	For Members to appreciate the site in context

MATERIAL PLANNING ISSUES

- Principle of development
- Impact character and appearance of the area
- Highway safety

RECOMMENDATION

That the application be granted subject to planning conditions

1.0 THE SITE AND SURROUNDINGS

- 1.1 The site is located on the southern side of Derby Road to the east of Doveridge. The site is currently open agricultural land with an existing agricultural storage building adjacent to the existing vehicular access off Derby Road. The boundaries to the site comprise existing tree and hedge planting.



2.0 DETAILS OF THE APPLICATION

- 2.1 Planning permission is sought for the construction of an extension to an existing agricultural building as set out on the submitted plans received by the Local Planning Authority on 19.12/2022. The proposed extension would be 30.5m (length) x 13.7m (depth) x 8m (height) and would be constructed using juniper green box profile sheeting and concrete panels. The southern elevation of the building would remain open.

3.0 PLANNING POLICY AND LEGISLATIVE FRAMEWORK

- 3.1 Adopted Derbyshire Dales Local Plan (2017)
S4: Development in the Countryside
PD1: Design and Place Making
PD2: Protecting the Historic Environment
PD5: Landscape Character
HC19: Accessibility and Transport
- 3.2 Doveridge Neighbourhood Plan (2018)
D1: Design of New Development
- 3.3 National Planning Policy Framework (2021)

4.0 RELEVANT PLANNING HISTORY:

20/01037/FUL	Erection of agricultural building for the storage of straw and hay	Granted	08/12/2020
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5.0 CONSULTATION RESPONSES

Doveridge Parish Council

5.1 Doveridge Parish Council notes that an application for 'erection of agricultural building for storage of straw and hay' was approved on 8th December 2020 under reference 20/01037/FUL, however we are aware that the barn does not appear to be used for these purposes. The main use seems to be for storage of large quantities of concrete for breaking up into hardcore. We are concerned that this is not the use stated on the original application and indeed it does not appear to be agricultural in nature. We have concerns that the existing use is of a commercial nature and we would not wish any extension to the barn to allow this 'non-agricultural use' to escalate. We feel that we must object to the current application on this basis.

Local Highway Authority (Derbyshire County Council)

5.2 There are no objections to the proposal from a traffic and highway point of view.

6.0 REPRESENTATIONS RECEIVED

6.1 A total of 5 representations have been received, 4 in objection (3 non-attributable) to the proposed development and 1 in support (non-attributable), a summary of the representations is as follows:

In objection:

- The applicant is not currently using this site for its intended purpose, it is being used for a commercial crushing business.
- The site is within a conservation area, near 3 listed buildings.
- The site is creating dust, noise pollution, potential for hazardous dumping of waste and encouraging increased traffic of HGVs and dumper trucks.

In objection (Non-attributable):

- The site is within close proximity to 3 grade II listed buildings.
- The site not being used for agricultural purposes
- Concerns regarding highway safety.
- Fly tipping has occurred on site.
- The use of the site is causing noise and air pollution in the area.

In support (Non-attributable):

- The applicant (a farmer) should be able to extend and improve his facilities as required.
- Farmers are becoming few and far between, we should support the ones we have left.
- The objections do not hold water, the applicant uses his property for – hay, silage, sheep grazing, sheep handling, sheep handling, storage of hay and storage of machinery.
- The applicant only occasionally uses a machine to break down hardcore which produces minimal dust and noise
- The existing shed can be barely seen due to tree coverage.

7.0 OFFICER APPRAISAL

The following material planning issues are relevant to this application:

- Principle of development
- Impact character and appearance of the area
- Highway safety

Principle of development

- 7.1 Policy S4 (f) of the Adopted Derbyshire Dales Local Plan 2017 states that planning permission will be granted for development in the countryside where: "It comprises proposals for agriculture and related development which helps sustain existing agricultural and other rural based enterprises".
- 7.2 The information submitted alongside this application stated that the proposed extension is required because there has been a significant growth in the applicants farming business which had resulted in a requirement for additional storage of straw and machinery. Initially, having regard to the representations received and historical use of the site Officers had concerns that the site and existing building were not currently utilised for agricultural purposes and the existing building was sufficient to sustain the agricultural enterprise. Following these concerns the applicant has clarified that due to the drought of the previous year that the fields were grazed and not harvested and this was the reason as to why the existing building has not been fully utilised. The existing enterprise comprises 180 sheep and the applicant plans to increase the flock introduce a herd of cattle.
- 7.3 On the basis of the basis of the additional information provided by the applicants it is considered that a rational explanation has been given as to the use of the existing building. Furthermore the applicant has provided justification that demonstrates that the proposed extension would be reasonably necessary for the purposes of agriculture on the site. The principle of development is therefore in accordance with policy S4 of the Adopted Derbyshire Dales Local Plan (2017)/

Impact on character and appearance of the area

- 7.4 A key consideration in respect of this application is the impact of the development on the local landscape and character of this part of the countryside. Policy S1 (Sustainable Development Principles) of the Adopted Derbyshire Dales Local Plan (2017) states that development will conserve and where possible enhance the natural and historic environment, including settlements within the plan area. Policy PD1 (Design and Place Making) requires all development to be of high quality design that respects the character, identity and context of the Derbyshire Dale's townscapes and landscapes. Policy PD5 (Landscape Character) deals specifically with landscape character and advises that development that would harm or be detrimental to the character of the local and wider landscape or the setting of a settlement will be resisted.
- 7.5 In this case, the site is located adjacent to Derby Road however the existing building and the wider site benefit from existing mature planting along the highway boundary which significantly reduces the visual impact of the existing building upon the local area. The development proposed comprises an extension to the existing building and would therefore remain well grouped with the existing building and area of hardstanding which has been created and would not appear isolated or intrusive within the countryside. The proposed juniper green profile sheeting proposed to be used in the construction of the extension would match the materials used in the construction of the existing building and are not uncommon

for agricultural buildings of this scale and in this area. Some concerns have been raised regarding the impact of the development on heritage assets. There are 3 listed buildings within approximately 400m of the site – Ley Hill Farmhouse (Grade II), Brocksford Hall (Grade II), and Lodge to Brocksford Hall (Grade II). Given the Distance to Brocksford Hall and the separation between the site and Ley Hill Farm by the existing planting and Derby Road, the site is not read in association with any of these heritage assets. The proposed extension to the agricultural building is not considered to result in any harm to the significance of these listed buildings or their setting.

- 7.6 The development is considered to respect the character and appearance of the countryside landscape and would be in accordance with policies S4, PD1, PD2 and PD5 of the Adopted Derbyshire Dales Local Plan (2017) and policy D1 of the Doveridge Neighbourhood Plan (2018) in this regard.

Highway Safety

- 7.7 Policy S4 of the Adopted Derbyshire Dales Local Plan (2017) states that planning permission will be granted in the countryside where “it will have a safe access and will not generate traffic of a type or amount which cumulatively would cause severe impacts on the transport network, or require improvements or alterations to rural roads which could be detrimental to their character”. Policy HC19 states that the District Council will “seek to ensure that development can be safely accessed in a sustainable manner”.
- 7.8 The proposed extension to the building would be accessed via the existing vehicular access off Derby Road. Whilst some concerns have been raised by Local Residents with regard to the safety of highway users as a result of the development, the Local Highway Authority have raised no concerns in this regard. It is acknowledged that the extension would likely result in an intensification of the use of the existing access however this is not considered to result in any significant harm to the safety of highway users and would not warrant the refusal of planning permission in this case.

Conclusion

- 7.9 Based on the above assessment, the proposed development, subject to conditions would be in accordance with the relevant policies of the Adopted Derbyshire Dales Local Plan (2017) outlined above. A recommendation of approval is made on this basis.

8.0 RECOMMENDATION

That planning permission be granted subject to the following conditions.

1. The development hereby permitted must be begun before the expiration of three years from the date of this permission.

Reason:

This is a statutory period which is specified in Section 91 of the Town and Country Planning Act 1990.

2. The development hereby approved shall not be carried out other than in accordance with the following approved plans received by the Local Planning Authority 19.12.2022:

Site Location Plan

Block Plan

Proposed Plans and Elevations

Reason:

For the avoidance of doubt and in the interests of the proper planning of the area.

9.0 NOTES TO APPLICANT:

The Local Planning Authority during the consideration of the application engaged in a positive and proactive dialogue with the applicant which resulted in the submission of a scheme that overcame initial concerns relating to whether there was a functional need for the additional storage space.

The Town and Country Planning (Fees for Applications and Deemed Applications, Requests and Site Visits) (England) Regulations 2012 (SI 2012/2920) stipulate that a fee will henceforth be payable where a written request is received in accordance with Article 30 of the Town and Country Planning (Development Management Procedure) Order 2010. 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 £97 per request. The fee must be paid when the request is made and cannot be required retrospectively. Further advice in regard to these provisions is contained in DCLG Circular 04/2008.