

Planning Committee 10th May 2022

APPLICATION NUMBER		21/01346/LBALT	
SITE ADDRESS:		Bradley Hall, Yew Tree Lane, Bradley, Derbyshire, DE6 1PG	
DESCRIPTION OF DEVELOPMENT		Erection of rear extension accommodating a swimming pool, conversion of orangery/shed into kitchen and incorporation into main dwelling and associated internal alterations	
CASE OFFICER	M J Baldwin	APPLICANT	Mr P Staley
PARISH/TOWN	Bradley	AGENT	Mr M Hewitt
WARD MEMBER(S)	Cllr Shirley	DETERMINATION TARGET	13.04.2022
REASON FOR DETERMINATION BY COMMITTEE	Due to local objection	REASON FOR SITE VISIT (IF APPLICABLE)	N/A

MATERIAL PLANNING ISSUES
- Impact upon heritage assets

RECOMMENDATION
Approval subject to conditions

1.0 INTRODUCTION

1.1 Both this application and the associated planning application have been considered at a previous committee meeting on 12th April 2022 where both items were deferred for a number of reasons. The only reason for deferral which is relevant to the consideration of this listed building consent application was to allow for comments to be received from Historic England. These comments are have since been received and are outlined within section 6.0 of this report.

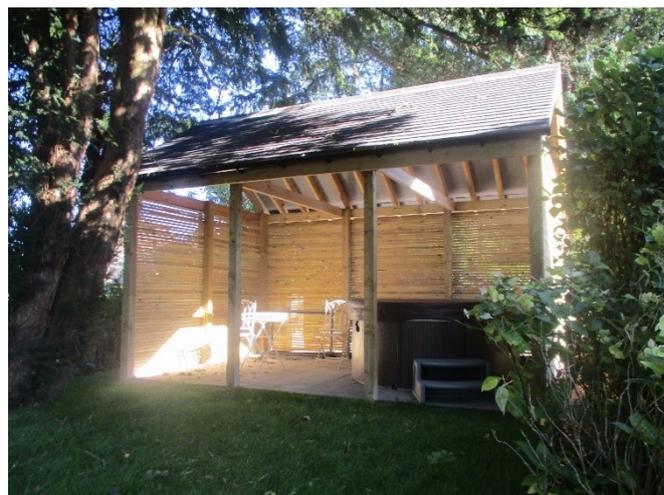
2.0 THE SITE AND SURROUNDINGS

2.1 Bradley Hall is a grade II listed building (listed 1952) located off the eastern side of Yew Tree Lane, toward the northern edge of Bradley. The property dates from the mid-18th century and has been subject to incremental alterations and additions which have been carried out in the 19th, 20th & 21st centuries. The property is of red brickwork construction with stone dressings/details with dual and hipped clay tiled roofs and brick chimneystacks. To the north-west of the Hall was a formerly detached, 'L' shaped stable/service building (this is listed separately, grade II – 1984). This building was subsumed, altered and extended (and con-joined) into the main Hall in the 20th century. A further, large, garaging block was added to the north-west in the early 2000s. The Hall is raised above the main road with an impressive brick retaining wall (grade II listed - 1984). Opposite the Hall is the grade II* listed parish church and its associated churchyard. Bradley public footpath 17 runs to the south of the property.

3.0 DETAILS OF THE APPLICATION

- 3.1 Listed building consent is sought for the erection of a single storey rear extension accommodating a swimming pool, the conversion of orangery/shed into kitchen and incorporation into main dwelling and associated internal/external alterations including the formation of a new staircase to the northern elevation and the formation of new openings within the historic fabric.
- 3.2 During consideration of this application the proposed plans have been amended to remove the conversion of the attic space to habitable accommodation and the various internal and external alterations proposed to accommodate this change.
- 3.3 Listed building consent is not required for the siting of hot tubs or the hot tub structure within the curtilage of the property, or for the installation of the gates to the northern driveway of the property.





4.0 PLANNING POLICY AND LEGISLATIVE FRAMEWORK

1. National Planning Policy Framework (2021)
National Planning Practice Guidance
Historic England Advice Note 2 - Making Changes to Heritage Assets (2016)

5.0 RELEVANT PLANNING HISTORY:

12/00486/LBALT	Alterations to listed building - Replacement floorboards to drawing room with side room	PERC	02/11/2012
12/00431/LBALT	Alterations to listed building - Insertion of 3 flue pipes in roof to outbuilding to serve biomass boiler	PERC	04/09/2012
09/00563/FUL 03/11/0923	Erection of single storey implement shed Change of use of part of garage block into offices and two self-contained flats with associated car parking	PERC R	03/12/2009 22/01/2004
02/03/0166	Alterations to listed building - Erection of garage block (amendments to consent WED/0393/0194)	A	12/12/2002

02/03/0165	Extension to dwelling - erection of garage block (amendments to planning permission WED/0393/0193)	A	12/12/2002
1196/0777	Retention of gazebo	A	07/01/1997
1196/0776	Retention of summer house	R	16/01/1997

6.0 CONSULTATION RESPONSES

Bradley Parish Council

- 6.1 Bradley Parish Council wish to submit an objection to both of the above applications on the grounds of a large scale holiday let being unsuitable for a quiet rural area with limited sewerage and particular reference to outdoor noise being an issue, along with potential drainage issues for the swimming pool.

Derbyshire Wildlife Trust

- 6.2 I have reviewed the Bat Survey Report (Middleton Bell Ecology, March 2022) and acknowledge the changes to the application, which comprise removing the loft conversion element. Works now only include the removal of the orangery and extension works to affect several existing walls. I do note that the title of the application still includes the following "Proposed loft conversion to create habitable rooms with addition of rooflights..." and advise that this is amended for the avoidance of doubt.

The conclusions reached within the report are considered reasonable and whilst it is evident that a brown longeared maternity bat roost is present in the roof space of B1, no impacts to this area of the building will result from the new proposals. In addition, no impacts to other recorded features with low-moderate bat roost potential are anticipated. As such, no further nocturnal survey is necessary and no licence will be required for works to proceed.

The council must ensure that any permission granted does not allow works to Building 1 and only includes the removal of the orangery and the specified extensions. No new lighting should be permitted that would spill onto B1. Should any future works be required at the hall, an update building inspection will be required and subsequent nocturnal surveys dependent on the nature of the proposed works.

We advise that a condition is attached to secure the nesting bird brick detailed in Section 6.3.3 to provide an enhancement. More than one brick could be provided.

We also advise that an informative is added to any permission, as follows: A bat roost has been identified in the main Grade II listed Bradley Hall building, with full details provided in the Bat Survey Report (Middleton Bell Ecology, March 2022). Whilst the roost will not be impacted by the consented works, its presence should be understood by the site owner and contractors. Due to the presence of bats on site, all building works should proceed with caution and vigilance for unexpected bat presence. If bats are subsequently discovered, work should cease, and further advice be sought from a suitably qualified ecologist or organisation without delay.

Development Control Archaeologist (Derbyshire County Council)

- 6.3 Having reviewed the available information I am satisfied that the proposed works do not threaten any known or suspected archaeological interest. On this basis I recommend that no archaeological requirements are placed upon the applicant.

Design and Conservation Officer (Derbyshire Dales)

- 6.4 The proposals are as follows –

- I. Formation of new double doors to recess in lobby corridor to ground floor to access the 'reception' room;
- II. Alterations to 2No. existing arched window openings to the existing 'Living Room' (to be a Games Room) by removal of window frames & brick bases and installation of new bi-fold doors;
- III. Alterations to the existing lean-to 'greenhouse' to form a new kitchen (with new parapetted flat roof & lantern and bi-fold doors to the north-east elevation) including removal of part of existing (external) wall, at ground level to form doorway;
- IV. Alterations to existing store, w/c and yard area (adjacent to existing 'greenhouse') to form a pool lobby, jacuzzi and changing room (with new flat roof over and four roof lights) and including formation of an existing sash window into an access doorway;
- V. Construction of new, rectangular, single-storey, swimming pool building onto the north-east elevation with parapetted flat roof and 2No. roof lanterns;

The following comments are made on the above list of proposed works –

- i. Internally, opposite the projecting 'Lobby' and lobby corridor is a recess to the wall. It is proposed to form a new structural opening within this wall to create a pair of double doors. No structural engineering details or joinery details have been submitted. The proposal is considered to be an acceptable alteration to this part of the listed building, however, structural engineering details for the new opening and full constructional joinery details of the doors, door linings and architraves etc. should be required, for approval, via a condition.
- ii. These architectural features form a significant part of the listed (former) stable block to the Hall. If these were, originally, intended to be open archways to the building and the current window frames and brick bases are later infills, then there would be a justification to re-open them and fully glaze them. If, however, the current window frame and/or brick bases are part of the original design concept for these openings then they should remain as they currently are. Further analysis is required and details via condition.
- iii. The existing flank walls to this structure are to be retained as they are (with the exception of the doorway in the south-east elevation being blocked). This is currently a multi-paned glazed & panelled timber door with a fanlight over and a stone lintel. The door appears relatively modern. It is considered that the structural doorway opening could be blocked but the stone lintel should remain in-situ and the (matching) brickwork infill should be recessed (approx. 50mm) in order to retain the 'archaeological' presence of this doorway on the elevation. The current shallow, lean-to, glazed roof is to be replaced with a solid flat roof with a pitched central lantern. The proposed roof replacement is considered to be an acceptable alteration (however, no flat roof constructional details, or details of the abutments or lantern, have been submitted and these should be required via a condition on any approval). The north-east elevation of the current structure has a series of window frames above a brick plinth which has, externally, a row of cloches. The cloches and window frames are to be removed and the brickwork plinth and replaced with (5-light) bi-folding doors with a new lintel over. This is considered to be acceptable, however, full constructional details of the new bi-fold doors and the (stone?) lintel over (its type, material, finish etc.) should be required via a condition on any approval.

The former (external) wall of this part of the building is to be breached with the insertion of a standard sized pedestrian doorway (to give access between the new kitchen and games room. Subject to its proposed detailing (via condition) this alteration is considered to be acceptable.

- iv. The general alterations to this part of the listed building are considered to be acceptable. However, the following comments are made –
 - It appears that an existing 8 over 8 sash window (with brick lintel & keystone and stone cill) is to be removed and the brickwork & cill below it removed to form a new access doorway. This element is part of the original 'stable' block to the Hall and is

a separately listed building. The proposed alterations may be acceptable, however, this would be strictly subject to approval of details via a condition.

- No details (sections etc.) have been submitted indicating how the proposed new flat roofs will be accommodated into this area (i.e. in relation to existing pitched roof eaves and rainwater goods etc.). In this regard, full constructional and abutment details, sections & elevations should be required via a condition on any approval.
- v. The proposed new swimming pool building is to be attached to the northeastern side of the 'plant room' and 'store'. It is to be single-storey with a plain parapetted flat roof with two pitched roof lanterns. The south-east elevation is to have 6-light bi-folding doors, the north-east elevation is to have 2x large sets of sliding glass doors and the north-west elevation is to be blank. It is to be built in matching brickwork with stonework details. In terms of its general form, scale and location it is considered that the building complex forming Bradley Hall could subsume such a new extension without compromising the overall significance, character and appearance of the designated heritage assets. However, the following comments are made relating to the proposals –
- The drawings depict a projecting & chamfered plinth course to the new swimming pool building. This architectural element does not appear to feature on other existing buildings within the vicinity of the new pool building and it is considered that, in this regard, it introduces an architectural detail/element that is un-warranted and inappropriate in this location & context. This detail should, therefore, be omitted.
 - The drawings indicate that the large glazed openings (south & east elevations) have no lintels over. Due to the size of the structural openings this is likely to appear visually & physically odd. In this regard, it is considered that stone lintels should be included and in order to be convincing in size and form it is considered that the large opening on the south elevation should be split with a central brickwork pier/column and that both the large openings on the east elevation should also be split/divided into two with a brickwork pier/column. Such a proposal will allow convincing stone lintels to be installed and the proportion/scale of the large glazed openings appropriately altered.
 - Full constructional details of the new swimming pool building, its flat roof, parapet, lanterns, detailing, abutment details and its glazing etc. should be required via a condition on any approval.

Subject to the above (and via conditions) it is considered that the proposed alteration works and extensions etc. to the property would be acceptable and would not adversely harm the overall significance of the listed building

Historic England

- 6.5 Historic England provides advice when our engagement can add most value. In this case we are not offering advice. This should not be interpreted as comment on the merits of the application.

We suggest that you seek the views of your specialist conservation and archaeological advisers. You may also find it helpful to refer to our published advice at <https://historicengland.org.uk/advice/find/>

Cllr Andrew Shirley

- 6.6 Bradley Hall occupies a very prominent position in the village of Bradley, and sitting in an elevated position as it does, means that any activity or development at the property can have significant impact on the surrounding properties in the village. Whilst Bradley Hall is listed in its own right it is also directly opposite the historic 14th century Parish Church and the surrounding tranquil parkland.

There has been for some time concern over the use of Bradley Hall as a large holiday venue. This appears to have gone beyond the use of a property for self-catering accommodation to a full blown holiday business on quite a different scale. The impacts on the village have already been considerable with increased traffic, noise and litter all of detriment to the wider village.

The current applications for extensions for a kitchen, games room, swimming pool and pool lobby together with hot-tubs will all lead to an unacceptable intensification of the use of the site far beyond what a small, quiet village such as Bradley should have to accommodate.

These applications should not be viewed as regularising the use of the property, or the provision of much needed facilities - they are not. These applications represent a significant increase in the facilities at Bradley Hall so that more people can be accommodated, for more of the years and the impact on local residents will be made worse as a result. Granting this consent will not be a brave step to support tourism, but a decision that will exacerbate the impact on the residents of Bradley forever, and over which DDDC will have no control.

It should be noted that the Parish Council has objected together with 31 others as detailed in the officers report. Objections from 31 households in a small village such as Bradley should be significant, as will the impact of the proposed intensification of the use of the site and the impact that will inflict on the village.

7.0 REPRESENTATIONS RECEIVED

7.1 A total of 33 representations have been received. A summary of the representations is outlined below:

- Bradley Village has no amenities for holiday makers and a condition to restrict use of the building to private use is requested.
- If there was any degree of certainty the development was for personal use there would be fewer concerns.
- It is becoming evident that the plan for the property is for large scale events / wedding venue.
- There has been increased crimes and anti-social behaviour as a result of the existing holiday lets
- Concerns regarding the number of enforcement cases which are active both at this site and sites which the applicant has previously been involved in.
- Concerns that the listed building will be damaged due to the structural alterations.
- The District Council have notified two attached properties of the application however both properties are under the applicant's ownership.
- Concerns that large areas of Bradley Hall are un-surveyed.
- Questions why a private house would require two kitchens and a leisure complex.
- The hot tubs and structure can be seen from the highway and do not positively contribute to the setting of the building or the surroundings.
- An ecology/bat survey has not been undertaken.
- Concerns regarding additional drainage requirements.
- The main drain from the hot tub building flows onto neighbouring land.
- The introduction of hot tubs has increased the noise levels from the site.
- Concerns regarding overlooking from new staircase to northern elevation
- There are discrepancies within the proposed plans regarding a number of windows.
- The boundary of the site plan is incorrect.
- Request a condition that the swimming pool is solely for the use of the occupants of Bradley Hall.
- Police monitoring has been required with a number of occupants of the holiday lets.
- The increased traffic from the existing holiday lets has already impacted the village.

- The proposed development will result in harm to the character and significance of the Grade II listed building contrary to NPP Guidance
- The larger than average proposed swimming pool and its modern design is obtrusive and not in keeping with the design and character of Bradley Hall.
- Request more information of the drainage of water from the swimming pool as this could affect biodiversity.
- Two proposed windows which face the church do not enhance or maintain the look of the Grade II listed building.
- Concerns regarding drainage of swimming pool/hot tub effluent and its environmental impact.
- Historic England recommend with regards to changes to Grade II listed building is that they are capable of being reversed, so as to minimise the impact of the work on historic material and will ensure the original plan, form or appearance of the building isn't lost forever. The plans proposed contravene this recommendation.
- Concerns that the property due to its scale would be unsaleable as a private home and would only lend itself to use as a commercial property.
- The large swimming pool and entertainment complex which in my opinion would destroy the integrity and appearance of a building of such historical interest.
- Following the submission of amended plans the discrepancy regarding the boundary on the submitted plans has not been resolved.
- Following the submission of amended plans no additional detail has been provided to justify the additional staircase to the holiday lets.
- This amended application does not resolve the major problem associated with it, which is the likely impact on residents living near to Bradley Hall of a large "party house".
- Concerns regarding comments within a village WhatsApp group from the applicants partner stating "Anything's possible. Dream big I always say. Also helps if you have the right contacts"

7.2 In addition to the above, a petition has been received in objections to the application which has been signed by 85 residents.

8.0 OFFICER APPRAISAL

The following material planning issues are relevant to this application:

- Impact on heritage assets
- 8.1 A large number of representations have been received in relation to the application as outlined above. The only issues to consider as part of this application for listed building consent would be the impact of the proposed development on the character, appearance and significance of the Grade II listed Bradley Hall.
- 8.2 Concerns have been raised by neighbouring occupants with regard to the impact of the proposed development on the character and appearance of the existing Grade II listed building and the setting of adjacent heritage assets. The works to the Grade II listed building, with the exception of the new staircase to the northern elevation are contained to the rear elevation of the property and would therefore not be prominent in views from Yew Tree Lane.
- 8.3 The proposed formation of larger openings to the southern elevation of the existing "living room" appears to return the openings back to their original form. The brickwork to be removed is inset within the openings indicating that these may have originally been openings which extended to the floor. On this basis, subject to appropriate frame/door details to be secured by condition, the proposed alteration is considered to be acceptable. Similarly, the formation of bi-folding doors to the eastern elevation of the greenhouse/orangery, which is currently, largely glazed due to the nature of its existing use, would be acceptable. The footprint of the greenhouse/orangery would be retained and as a result, the existing external walls can be retained. The proposed new flat roof with roof lantern would replace an existing

lean to roof however, this would be screened by the parapet, with only a small portion of the lantern projecting above the coping of the parapet, and as a result would have minimal visual impact. As highlighted by the Design and Conservation Officer, details of the abutment of the new roof to the Grade II listed building and details of the lantern would be required by condition.

- 8.4 The proposed new external staircase would be installed to the northern elevation of a relatively modern extension to the property. Whilst there would be passing views of the new staircase it would not be a prominent feature of the property due to the scale of the staircase and existing boundary planting. Subject to full constructional details of the staircase there is not considered to be any adverse impacts on the character and appearance of the property following the construction of this new staircase.
- 8.5 The proposed extension to accommodate the new swimming pool is of significant scale however, given the scale of Bradley Hall and the surrounding land, this is not considered to appear out of scale and can be accommodated by the site and building without overwhelming the existing property. The contemporary design of the extension has been raised by neighbouring residents as appearing out of character with the historic building however it is considered in this case, particularly given the scale of the extension, a contemporary extension which has a simple design and form would be appropriate in this context. Subject to design details being secured by condition, the proposed extension would be acceptable.
- 8.6 Whilst the formation of a new internal opening opposite the existing lobby would form a new opening within the historic fabric of the building, this alteration, subject to detailing which would be secured by condition is considered to be an acceptable alteration which would not result in any harm to the character, appearance and consequently the significance of the Grade II listed building.
- 8.7 Paragraph 202 of the National Planning Policy Framework states “Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use”. It is considered that in this case however, subject to conditions, the proposed development would not result in any harm to the character, appearance and consequently the significance of the Grade II listed building and would instead have a neutral impact. There would therefore be no requirement to weigh impacts of the proposal against any public benefits to be derived and the development would therefore comply with guidance contained within the National Planning Policy Framework (2021) and a recommendation of approval is made on this basis.

Reasons for deferral of the application at previous committee meeting:

- 8.8 Historic England have commented on the proposed development, as set out within the consultations section of this report they have advised that District Council seek the views of their own conservation advisors. The District Council’s Design and Conservation Officer has commented in detail on the proposed development and this has formed part of the consideration of this application.

9.0 RECOMMENDATION

That planning permission be granted subject to the following conditions.

1. The works hereby permitted shall be begun before the expiration of three years from the date of this consent.

Reason:

This is a statutory period which is specified in Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2. This permission relates solely to the application as amended by the revised plan(s) received by the Local Planning Authority on the 25/02/2022 numbered 201 – Site Plan as Proposed, 202 – Ground Floor as Proposed, 206 – Elevations as Proposed, 207 - Roof Plan as Proposed, 208 – Elevations as Proposed, 302 – Ground Floor as Proposed, 303 - Roof Plan as Proposed

Reason:

For the avoidance of doubt.

3. Before works begin on the external brickwork a sample of the proposed brick and details of the brick bond to be used shall be submitted to and approved in writing by the Local Planning Authority. The works shall thereafter be carried out in accordance with the approved details.

Reason:

In the interests of preserving the character and appearance of the Listed Building in accordance with the National Planning Policy Framework (2021), the National Planning Practice Guide and the Historic England Advice Note 2 - Making Changes to Heritage Assets (2016).

4. Details of the construction design and pattern of all windows, doors and roof lanterns shall be submitted to, and approved in writing by the Local Planning Authority prior to installation. The window and doors shall then be installed in accordance with the approved details and so retained.

Reason:

In the interests of preserving the character and appearance of the Listed Building in accordance with the National Planning Policy Framework (2021), the National Planning Practice Guide and the Historic England Advice Note 2 - Making Changes to Heritage Assets (2016).

5. Details of the materials, treatment and/or colour of the window and door frames shall be submitted to and approved in writing by the Local Planning Authority prior to installation. The window and door frames shall then be installed in accordance with the approved details and so retained.

Reason:

In the interests of preserving the character and appearance of the Listed Building in accordance with the National Planning Policy Framework (2021), the National Planning Practice Guide and the Historic England Advice Note 2 - Making Changes to Heritage Assets (2016).

6. Full constructional and sections detailing the abutment of new roofs and the swimming pool extension to the existing building shall be submitted to and approved in writing by the Local Planning Authority. The works shall thereafter be carried out in accordance with the approved details and so retained.

Reason:

In the interests of preserving the character and appearance of the Listed Building in accordance with the National Planning Policy Framework (2021), the National Planning

Practice Guide and the Historic England Advice Note 2 - Making Changes to Heritage Assets (2016).

7. Prior to works commencing of the exterior walls of the extension hereby approved, amended plans which removed the chamfered plinth to the extension shall be submitted to and approved in writing by the Local Planning Authority, and the works shall then be carried out in accordance with the approved details.

Reason:

In the interests of preserving the character and appearance of the Listed Building in accordance with the National Planning Policy Framework (2021), the National Planning Practice Guide and the Historic England Advice Note 2 - Making Changes to Heritage Assets (2016).

8. Prior to the formation of the new internal opening opposite the existing lobby, structural details for the formation of the new opening and details of the proposed door to be installed shall be submitted to and approved in writing by the Local Planning Authority. The works shall then be carried out in accordance with the approved details.

Reason:

In the interests of preserving the character and appearance of the Listed Building in accordance with the National Planning Policy Framework (2021), the National Planning Practice Guide and the Historic England Advice Note 2 - Making Changes to Heritage Assets (2016).

9. Prior to works commencing on the external staircase hereby approved, full constructional details of the staircase and balustrade shall be submitted to and approved in writing by the Local Planning Authority. The works shall thereafter be carried out in accordance with the approved details and so retained.

Reason:

In the interests of preserving the character and appearance of the Listed Building in accordance with the National Planning Policy Framework (2021), the National Planning Practice Guide and the Historic England Advice Note 2 - Making Changes to Heritage Assets (2016).

10.0 NOTES TO APPLICANT:

The Local Planning Authority prior to and 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 the impact of the proposed development on the significance of the Grade II listed building.

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.

A bat roost has been identified in the main Grade II listed Bradley Hall building, with full details provided in the Bat Survey Report (Middleton Bell Ecology, March 2022). Whilst the roost will not be impacted by the consented works, its presence should be understood by the site owner and contractors. Due to the presence of bats on site, all building works should proceed with caution and vigilance for unexpected bat presence. If bats are subsequently discovered, work should cease, and further advice sought from a suitably qualified ecologist or organisation without delay.

This decision notice relates to the following documents:

Design and Access Statement

Bat Survey Report

100 – Site Location Plan

101 – Site Plan as Existing

102 – Ground Floor as Existing

104 – Roof Plan as Existing

105 – Elevations as Existing

201 – Site Plan as Proposed

202 – Ground Floor as Proposed

206 – Elevations as Proposed

207 - Roof Plan as Proposed

208 – Elevations as Proposed

302 – Ground Floor as Proposed

303 - Roof Plan as Proposed