

<b>APPLICATION NUMBER</b>		21/01280/FUL	
<b>SITE ADDRESS:</b>		Barns at Ednaston Lodge Farm, Ednaston Park, Painters Lane, Ednaston	
<b>DESCRIPTION OF DEVELOPMENT</b>		Change of use and conversion of barns into 3no. dwellings with associated parking / landscaping and formation of new vehicular access.	
<b>CASE OFFICER</b>	Sarah Arbon	<b>APPLICANT</b>	Mr James Richards –Clowes Developments
<b>PARISH/TOWN</b>	Brailsford	<b>AGENT</b>	Mr Jack Mellor – IMA Architects
<b>WARD MEMBER(S)</b>	Cllr M Morley	<b>DETERMINATION TARGET</b>	7 <sup>th</sup> January 2022
<b>REASON FOR DETERMINATION BY COMMITTEE</b>	3 or more dwellings outside of the settlements of Matlock, Wirksworth and Darley Dale.	<b>REASON FOR SITE VISIT (IF APPLICABLE)</b>	For Members to appreciate the site and context.

## MATERIAL PLANNING ISSUES

- Principle of development
- Character and appearance
- Impact on residential amenity

## RECOMMENDATION

That planning permission be granted subject to conditions.

## 1.0 THE SITE AND SURROUNDINGS

- 1.1 The site is located to the north east of the A52, 1.2 miles north west of Ednaston and south west of Yeldersley and just north west of Ednaston Manor. The site shares the access to Ednaston Park Business Centre which is located immediately to the east and Ednaston Lodge Farm to the north west. The two existing brick and tiled barns are attached together by a wall to the south east adjacent to the car park for the business centre.



## 2.0 DETAILS OF THE APPLICATION

- 2.1 Planning permission is sought for the conversion of the existing barns to three dwellings. Units 1 and 2 are proposed within the two storey barn in the northern part of the site and would be two bedroom dwellings. Both these units propose kitchen extensions to the rear with Unit 2 replacing an existing dilapidated extension. Unit 1 proposes a rear extension measuring 3.5m x 5.6m of an eaves height of 2.4m and a ridge height of 4m. The rear extension to Unit 2 would measure 1.9m x 5.2m with a eaves and ridge height as the extension proposed for Unit 1. The extension nearest the car park would be behind the existing retaining wall and the larger extension would be set 1m from the north western boundary with Ednaston Lodge Farm House.
- 2.2 Unit 3 is a single storey barn to the south west of Units 1 and 2. On the south western elevation of Unit 3 an extension measuring 3.4m x 6.3 m is proposed with a cat slide roof to accommodate a kitchen / diner. This extension would replace an existing dilapidated extension on this elevation.

## 3.0 PLANNING POLICY AND LEGISLATIVE FRAMEWORK

- 3.1. Adopted Derbyshire Dales Local Plan 2017  
S4 Development in the Countryside

HC8 Conversion and Reuse of Buildings for Residential Accommodation  
PD1 Design and Place Making  
PD3 Biodiversity and the Natural Environment  
PD6 Trees, Hedgerows and Woodlands  
PD7 Climate Change  
HC19 Accessibility and Transport

- 3.2. Other:  
The National Planning Policy Framework (2021)  
National Planning Practice Guide

#### 4.0 RELEVANT PLANNING HISTORY:

21/00735/FUL	Demolition of barns and erection of 2no. dwellinghouses and conversion of barn to dwellinghouse	WDN	24/08/2021
12//00720/FUL	Change of use and conversion of barns into 3 no. dwellings with associated parking/landscaping and formation of new vehicular access	Granted	19/05/14

#### 5.0 CONSULTATION RESPONSES

- 5.1 The Highways Authority states that the application plans indicate that the existing access on to the A52 Painters Lane, which serves Ednaston Business Park, will be utilised to serve the proposed dwellings. The existing access is considered suitable in terms of width and emerging visibility splays to accommodate the expected increase in vehicular traffic generated by the proposed dwellings and on that basis there are no objections to the dwellings being served by the existing access. It is considered that the proposal provides suitable on-site parking and manoeuvring space for residents' and service vehicles associated with the dwellings.
- 5.2 The Tree and Landscape Officer states that a significant group of mature broadleaved trees extends NW - SE within and beyond the site. This group is visible from the nearby main road (A52) and as a whole this group is important in the landscape and should be retained and protected from harm during development.

The submitted report titled, 'Tree Survey: Arboricultural Impact Assessment, Method Statement and Tree Protection Plan' (Report Reference: RSE\_5132\_R3\_V2\_ARB, Issue Date: October 2021) recorded a total of 40 individual trees, 1 tree group and 3 hedgerows. There is a moderate amount of tree cover on the site mainly confined to the west end away from the proposals, with some scattered trees adjacent the existing access road and buildings. There is a general mix of low quality (BS5837:2012 Category C) and moderate quality (BS5837:2012 Category B) trees, with a single high quality (BS5837:2012 Category A) specimen. The identified tree removals necessary to facilitate the proposals are not significant and their removal should not be considered a constraint on the proposed development.

The Tree Survey report is acceptable and all guidance and recommendations within it, and the plans within it, should be fully adhered to. This would ensure that appropriate tree protection measures are utilised and that the maximum number of trees could be retained

and should be controlled by condition. The Landscape Proposals Plan (Dated 28/05/2021, Drawing Reference 21.1578.001, Rev. B) is acceptable. All specifications, guidance and recommendations in this document should be controlled by condition

- 5.3 The Lead Local Flood Authority has no comment.
- 5.4 Derbyshire Wildlife Trust have reviewed the updated Protected Species Report and Ecological Enhancement Plan (Ramm Sanderson, August 2021). Currently it appears that both Buildings 1 and 2 are used by at least small numbers of common pipistrelle bats and therefore a licence will be required to proceed with the proposals. There is also evidence of a Barn Owl and active Swallow nest. The updated report has added the results of the third bat survey, which did not significantly alter the conclusions previously set out. It is noted that analysis of the droppings has still not been undertaken and whilst this would be unlikely to alter the mitigation in this case, we would strongly encourage this in future work by the consultants. The mitigation in Section 5 should be implemented in full.

Regarding the metric calculations, whilst a very small loss is predicted (-0.022 units / -1.59%), this could be improved in real terms if the lawns were created using a flowering lawn mix. This comprises a species mix tolerant of regular mowing and able to still flower and provide benefits to pollinators. Providing additional planting in the central paved area would also help reduce/neutralise the loss e.g. raised beds or planters. Given the low value of the habitats to be lost, the retention of the habitats of higher value and the possibilities for enhancements not easily incorporated within the metric at this small scale, it is advised that the proposals are acceptable.

## **6.0 REPRESENTATIONS RECEIVED**

- 6.1 No representations have been received.

## **7.0 OFFICER APPRAISAL**

The following material planning issues are relevant to this application:

- Principle of development
- Character and appearance
- Impact on residential amenity

### Principle of development

- 7.1 The site is located within the countryside, to the west of Ednaston Manor Grade II Listed Registered Park and Garden with intervening fields and Ednaston Business Park building in between. Local Plan Policy S4 is relevant and seeks to ensure that new development protects and enhances the landscape's intrinsic character and distinctiveness and comprises of conversion and re-use of buildings in accordance with Policy HC8. Policy HC8 permits conversions of existing buildings to residential use provided that the building is of permanent and substantial construction, the form, bulk and general design of the building makes a positive contribution to the character and appearance of its surroundings, it can be converted without extensive alteration, rebuilding or extension and conversion does not have a detrimental impact upon the character and appearance of the building and its surroundings.
- 7.2 The structural report submitted identified that the barns are primarily a load bearing masonry construction with timber floors and roofs. Structural defects were noted to both barns, but with Barn A (Units 1 and 2) it was noted to be in a significantly more advanced state of

disrepair than Barn B. Barn A would require extensive underpinning and new purlins and rafters. The structural fabric of Barn A was found to be compromised in a number of areas including the floors, walls, roof and footings, with extensive works in particular required to the north and west walls and footings. A detailed method statement and temporary works scheme will be required to ensure the building is supported during any demolition and refurbishment works.

- 7.3 Barn B was noted to be in reasonable condition, requiring a relatively modest scheme of remedial works to reinstate the structural fabric of the building, and is considered suitable for conversion to residential usage.
- 7.4 Considering the extensive repairs required for the conversion for Units 1 and 2, historic maps were consulted and it was found that Barn A, that requires significant works of repair for conversion, was detailed on a 1901 map. The barns are associated with the existing Ednaston Park building and are considered to make a positive contribution to the character and surroundings as they are part of a group of ancillary barn buildings. Particularly Barn A has not been maintained and vegetation has damaged the structure significantly, however, all the works required would still amount to a conversion as the walls and majority of the roof structure would remain. Furthermore, whilst further deterioration may have occurred in the intervening period, the principle of conversion to three dwellings was established in the granting of consent in 2014. On this basis, the conversion with the level of repair works proposed is considered to comply HC8.
- 7.5 In the countryside, Policy S4 allows for conversions in accordance with Policy HC8, therefore, a conversion to three dwellings is considered acceptable in this location in accordance with Policies S4 and HC8.

#### Character and appearance

- 7.6 Policy PD1 requires development to be high quality that respects the character, identity and context and contributes positively to an area's character, history and identity in terms of scale, height, density, layout, appearance, materials and the relationship to adjacent buildings and landscape features.
- 7.7 In the application granted permission in 2012, single storey kitchen extensions in similar positions were proposed for units 1 and 3. Therefore, the principle of extensions of the scale proposed has been accepted previously.
- 7.7 The size, location and design of the proposed rear extensions for units 1 and 2 are considered to respect the character of the building with mono-pitched roofs that would be obscured by the existing blockwork wall and piers. The position, scale and design of the extensions minimise their impact and ensuring the principle building remains dominant. The extension for unit 3 proposes a cat slide roof extension in a similar position to an existing dilapidated extension with a scale and design considered in keeping with the existing building. The area would be enclosed by 2m high blockwork rendered walling to match the existing.
- 7.8 In comparing the previously approved permission and that now proposed, the level of new openings and roof lights on the buildings are similar and as such the conversions are considered acceptable and would retain the character of the existing buildings. It is noted, however, that annotated on the elevations are 'Spanish slate roof tiles' and UPVC R9 windows to be installed. The existing tiles appear to be plain clay tiles and the structural report notes they are salvageable for re-use. It is expected therefore that the existing tiles are re-used and any new tiles should match the existing and this shall be a condition of the permission. The SPD guidance states that for conversion of farm buildings "*alternative*

*materials, such as UPVC and powder-coated metal, as a replacement for existing, historic, timber window frames, will not be considered appropriate or acceptable*". Therefore, the proposed UPVC windows are not considered appropriate and condition 8 controls this aspect of the development. Subject to conditions controlling details the proposed alterations and extensions are therefore considered in accordance with guidance within the SPD on conversion of farm buildings and Policies S4, PD1 and HC8.

### Residential Amenity

- 7.8 Policy PD1 requires development achieves a satisfactory relationship to adjacent development in relation to visual intrusion, overlooking, shadowing and overbearing impacts. The nearest property is Ednaston Lodge Farm and the blank gable wall of Unit 1 would be 11 metres from the rear of this property and Unit 3's north western elevation would be 21 metres away with an existing barn and wall providing screening in between. On this basis the proposed conversions are not considered to significantly impact the residential amenity of this adjacent property in accordance with Policy PD1.

### Other Matters

- 7.9 The Wildlife Trust has confirmed that sufficient survey work has been undertaken in relation to bats and enhancement measures should be secured through a condition in accordance with Policy PD3.
- 7.10 The Highways Authority consider utilising the existing access and the parking and turning provision to be acceptable and the proposal therefore complies with Policies S4 and HC19.
- 7.11 In respect of Policy PD7 in relation to climate change the Design and Access Statement states that the dwellings shall be designed to include measures to reduce energy consumption and constructed in excess of current thermal standards to reduce carbon emissions. Low power density lighting and a high standard of air permeability to provide thermal comfort for the occupants is also proposed. On this basis, these details comply with Policy PD7.
- 7.12 To conclude the proposal to convert existing agricultural buildings within the countryside to residential use is acceptable and the conversion is considered to fall within the remit of Policy HC8 in terms of the extensions and works required together with complying with the guidance with the Council's SPG on conversion of farm buildings. No significant issues arise in terms of ecology, residential amenity or highways safety.

## **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. This permission relates solely to the application plans received by the Local Planning Authority on the 18th October 2021 numbered 219010-PL01, PL04, PL05, PL06, landscape plan 21.1578.001 Rev B and drainage plans 4010 Rev C04, 4020 Rev P01 and 4022 Rev P01.  
Reason:  
For the avoidance of doubt.
3. Details of the render colour shall be submitted to and approved in writing by the Local Planning Authority before being applied to the external surfaces of the approved development. The development shall thereafter be undertaken in accordance with the approved details.  
Reason:  
To ensure a satisfactory external appearance of the development in accordance with policy PD1 of the Adopted Derbyshire Dales Local Plan (2017).
4. A detailed method statement and temporary works scheme for the conversion of the buildings shall be submitted to and approved in writing by the Local Planning Authority. The statement shall provide details of the programme of works and the sequence in which these works are to be undertaken. The works thus approved shall only be undertaken in that order unless a variation is agreed in writing by the Local Planning Authority.  
Reason:  
To ensure that the stability of the building is maintained at all times in accordance with Adopted Derbyshire Dales Local Plan Policy HC8.
5. The development hereby approved shall be carried out in accordance with the all guidance and recommendations within the Arboricultural Impact Assessment, Method Statement and Tree Protection Plan by RammSanderson ref RSE-5132R3\_V2\_ARB dated Oct 2021.  
Reason:  
To ensure that appropriate tree protection measures are utilised and that the maximum number of trees are retained in accordance with Policy PD6 of the Adopted Derbyshire Dales Local Plan (2017).
6. Notwithstanding the submitted details, samples of materials to be used in the repair / replacement of the external surfaces of the proposed development shall be submitted to and approved in writing by the Local Planning Authority before any work to any external surface is carried out. The development shall thereafter be constructed in accordance with the approved details.  
Reason:  
To ensure a satisfactory external appearance of the development in accordance with policy PD1 of the Adopted Derbyshire Dales Local Plan (2017).
7. All gutters, downpipes and other external plumbing shall be a black painted finish and so retained thereafter unless otherwise agreed in writing by the Local Planning Authority.  
Reason:  
To protect the external character and appearance of the building and to preserve the character of the area in accordance with policy PD1 of the Adopted Derbyshire Dales Local Plan (2017).
8. Notwithstanding the submitted details, all new external windows and doors specifications shall be submitted to and approved in writing by the Local Planning Authority prior to installation. The submitted details shall include depth of reveal, details of heads, cills and lintels, elevations at a scale of not less than 1:10 and horizontal/vertical frame sections (including sections through glazing bars) at not less than 1:2. The works shall be carried out in accordance with the approved details.

Reason:

In the interests of preserving the character and appearance of the buildings and its setting in accordance with policy PD1 of the Adopted Derbyshire Dales Local Plan (2017).

9. Details of the proposed roof lights (including size, manufacturer and model number) have been submitted to and approved in writing by the Local Planning Authority prior to installation. The new roof lights shall be of a design which, when installed, do not project forward of the roof plane. The works shall be carried out in accordance with the approved details.

Reason:

In the interests of preserving the character and appearance of the listed building and its setting in accordance with policy PD1 of the Adopted Derbyshire Dales Local Plan (2017).

10. Details of all new external flues, extract ducts, vents, grilles and meter housing shall be submitted to and approved in writing by the Local Planning Authority prior to installation. The works shall be carried out in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason:

In the interests of preserving the character and appearance of the listed building and its setting in accordance with policy PD1 of the Adopted Derbyshire Dales Local Plan (2017).

11. Details of the overall height, coping and materials of construction of the proposed boundary walls together with details of the fencing shall be submitted to and approved in writing by the Local Planning Authority prior to works commencing on any boundary wall. The development shall be constructed in accordance with the approved details.

Reason:

To ensure a satisfactory external appearance of the development in the interests of visual amenity in accordance with policy PD1 of the Adopted Derbyshire Dales Local Plan (2017).

12. Before the first occupation of the dwellings, space shall be provided within the application site in accordance with the application drawings for the parking and maneuvering of residents', service and delivery vehicles, laid out, surfaced and maintained throughout the life of the development free from any impediment to its designated use.

Reason:

In the interests of Highway safety in accordance with Policy HC19 of the Adopted Derbyshire Dales Local Plan (2017).

13. Works to Buildings 1 and 2 shall not take place until either a European Protected Species licence has been obtained from Natural England or the site has been registered under a bat mitigation class licence (low impact). Upon receipt of a licence from Natural England/site registration, works shall proceed strictly in accordance with the approved mitigation, which should be based on the proposed measures outlined in Section 5 of the Protected Species Report and Ecological Enhancement Plan (Ramm Sanderson, August 2021) and amended as necessary based on any correspondence with Natural England. Such approved mitigation will be implemented in full in accordance with a timetable of works included within the licence and followed thereafter. A copy of the licence/confirmation of registration will be submitted to the Local Planning Authority once granted.

Reason: In order to safeguard protected and/or priority species from undue disturbance and impacts, noting that initial preparatory works could have unacceptable impacts in accordance with policy PD3 of the Adopted Derbyshire Dales Local Plan (2017).

14. Prior to the installation of lighting fixtures, a detailed lighting strategy shall be submitted to and approved in writing by the Local Planning Authority, which fully takes into account the



licensed bat mitigation on site. This should provide details of the chosen luminaires, their locations and any mitigating features such as dimmers, PIR sensors and timers. Dependent on the scale of proposed lighting, a lux contour plan may be required to demonstrate acceptable levels of lightspill to any sensitive ecological zones/features. Such approved measures will be implemented in full.

Reason: In order to safeguard protected and/or priority species from undue disturbance and impacts in accordance with policy PD3 of the Adopted Derbyshire Dales Local Plan (2017).

15. Mitigation for nesting birds (including barn owl) recommended in Section 4.3 of the Protected Species Report and Ecological Enhancement Plan (Ramm Sanderson, August 2021) shall be implemented in full prior to the occupation of any dwellings.

Reason: In order to safeguard and enhance habitat in order to secure an overall biodiversity gain in accordance with policy PD3 of the Adopted Derbyshire Dales Local Plan (2017).

16. Alternative provision shall be made for swallows on site with a scheme submitted to and approved by the Local Planning Authority prior to occupation of any dwellings and implemented in accordance with the approved details.

Reason: In order to safeguard protected and/or priority species and in order to secure an overall biodiversity gain in accordance with policy PD3 of the Adopted Derbyshire Dales Local Plan (2017).

17. A Biodiversity Enhancement Plan shall be submitted for approval prior to occupation of any of the dwellings which shall detail the measures set out in Section 6 of the Protected Species Report and Ecological Enhancement Plan (Ramm Sanderson, August 2021). It shall also include landscaping enhancements such as flowering lawn and planting within the courtyard area to further improve onsite biodiversity. These measures shall be implemented in full and maintained thereafter.

Reason:

In order to achieve a net biodiversity gain in accordance with Policy PD3 of the Adopted Derbyshire Dales Local Plan (2017).

18. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification) no external alterations or additions shall be made to any dwelling hereby approved and no buildings, extensions, gates, fences or walls (other than those expressly authorised by this permission) shall be carried out within the curtilage of any dwelling without the prior written approval of the Local Planning Authority upon an application submitted to it.

Reason:

To preserve the character and appearance of the original building and its surroundings in accordance with PD1 of the Adopted Derbyshire Dales Local Plan (2017).

## **INFORMATIVES:**

1. The Local Planning Authority prior to the submission 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 ecology.
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 £34 per householder request and £116 per request in any other case. The fee must be paid when the request is made and cannot be required retrospectively.

3. This decision relates to the following plans and documents:-

219010-PL01, PL02, PL03, PL04, PL05, PL06, landscape plan 21.1578.001 Rev B and drainage plans 4010 Rev C04, 4020 Rev P01 and 4022 Rev P01.

Protected Species Report and Ecological Enhancement Plan (Ramm Sanderson, August 2021).

Small Sites Metric Test

Structural Appraisal by Jackson Purdue Lever ref CWC01335/C

Arboricultural Impact Assessment, Method Statement and Tree Protection Plan by RammSanderson ref RSE-5132R3\_V2\_ARB dated Oct 2021

4. A. The County Council does not adopt any SuDS schemes at present (although may consider ones which are served by highway drainage only). As such, it should be confirmed prior to commencement of works who will be responsible for SuDS maintenance/management once the development is completed.

B. Any works in or nearby an ordinary watercourse may require consent under the Land Drainage Act (1991) from the County Council. For further advice, or to make an application please contact [Flood.Team@derbyshire.gov.uk](mailto:Flood.Team@derbyshire.gov.uk).

The Greenfield runoff rate which is to be used for assessing the requirements for limiting discharge flow rates and attenuation storage for a site should be calculated for the whole development area (paved and pervious surfaces - houses, gardens, roads, and other open space) that is within the area served by the drainage network, whatever the size of the site and type of drainage system. Significant green areas such as recreation parks, general public open space, etc., which are not served by the drainage system and do not play a part in the runoff management for the site, and which can be assumed to have a runoff response which is similar to that prior to the development taking place, may be excluded from the greenfield analysis.

K. If infiltration systems are to be used for surface water disposal, the following information must be provided:

- Ground percolation tests to BRE 365.
- Ground water levels records. Minimum 1m clearance from maximum seasonal groundwater level to base of infiltration compound. This should include assessment of relevant groundwater borehole records, maps and on-site monitoring in wells.
- Soil / rock descriptions in accordance with BS EN ISO 14688-1:2002 or BS EN ISO 14689-1:2003.
- Volume design calculations to 1% probability annual rainfall event + 30% climate change standard. An appropriate factor of safety should be applied to the design in accordance with CIRIA C753 - Table 25.2.
- Location plans indicating position (soakaways serving more than one property must be located in an accessible position for maintenance). Soakaways should not be used within 5m of buildings or the highway or any other structure.
- Drawing details including sizes and material.
- Details of a sedimentation chamber (silt trap) upstream of the inlet should be included.

- Soakaway detailed design guidance is given in CIRIA Report 753, CIRIA Report 156 and BRE Digest 365.
- L. All Micro Drainage calculations and results must be submitted in .MDX format, to the LPA. (Other methods of drainage calculations are acceptable.)

M. The applicant should submit a comprehensive management plan detailing how surface water shall be managed on site during the construction phase of the development ensuring there is no increase in flood risk off site or to occupied buildings within the development.