

# Planning Committee 10<sup>th</sup> May 2022

<b>APPLICATION NUMBER</b>		22/00335/FUL	
<b>SITE ADDRESS:</b>		Springfield House, Ashbourne Road, Sudbury, Ashbourne, Derbyshire, DE6 5HL	
<b>DESCRIPTION OF DEVELOPMENT</b>		Conversion of garage to dwellinghouse with associated alterations including the formation of a first floor and creation of new access (Resubmission)	
<b>CASE OFFICER</b>	Mr Joe Baldwin	<b>APPLICANT</b>	Mr I Mainwairing
<b>PARISH/TOWN</b>	Sudbury	<b>AGENT</b>	Mr Haydn Watkins
<b>WARD MEMBER(S)</b>	Cllr Jacqueline Alison	<b>DETERMINATION TARGET</b>	18/05/2022
<b>REASON FOR DETERMINATION BY COMMITTEE</b>	Called to committee by Cllr Jacqueline Alison	<b>REASON FOR SITE VISIT (IF APPLICABLE)</b>	For members to appreciate the site in its context

<b>MATERIAL PLANNING ISSUES</b>
<ul style="list-style-type: none"> <li>- Principle of development</li> <li>- Highway safety</li> </ul>

<b>RECOMMENDATION</b>
- Refusal

## 1.0 THE SITE AND SURROUNDINGS

1.1 Springfield House is a large detached dwellinghouse located at the Oak Lane and A515 junction. The property is located in an outlying hamlet of dwellings to the west of Cubley in the countryside. To the north of the dwellinghouse is the former Hallmark Tractors premises. The application relates specifically to a large single storey detached garage, utility and WC building located to the west of the main dwellinghouse on the opposite side of the access drive off Oak Lane



## 2.0 DETAILS OF THE APPLICATION

2.1 Planning permission is sought to convert the garage, utility and WC building to a three bedroomed dwelling, with two bedrooms contained in the roof space. The application includes the addition of windows and rooflights to all elevations. The dwelling would be served by a new access to the west and surrounded by a modest area of curtilage as set out on the submitted block plan. No extensions or alterations to the building other than the insertion of new openings are proposed.

2.2 This application follows the refusal of an earlier application for the conversion of this building in 2021 under application ref code 21/01171/FUL. This application has amended the access/parking areas set out for the new dwelling, the conversion of the buildings remains as previously considered under 21/01171/FUL. The reasons for refusal for 21/01171/FUL are set out below:

1. The proposed development involves the conversion of a simple outbuilding that sits within the curtilage of a large dwelling 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 along this section of Oak Lane would be 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 guidance contained within the National Planning Policy Framework (2021).

2. The proposed development, if permitted, involving the creation of a new vehicular access to Oak Lane, would introduce traffic movements to and from the public highway at a point where emerging visibility is severely restricted due to the proximity of the neighbouring land and the narrow fronting verge width, thereby leading to potential danger and inconvenience to other highway users and interference with the safe and efficient movement of traffic on the adjoining highway both of which are contrary to the best interests of highway safety contrary to Policies S4 and HC19 of the Adopted Derbyshire Dales Local Plan (2017).
3. No adequate provision is included in the application proposals for the parking and manoeuvring of vehicles clear of the public highway, which would be likely to result in vehicles reversing onto or off of the public highway, thereby leading to potential danger and inconvenience to other highway users and interference with the safe and efficient movement of traffic on the adjoining highway both of which are contrary to the best interests of highway safety contrary to Policies S4 and HC19 of the Adopted Derbyshire Dales Local Plan (2017).

### 3.0 PLANNING POLICY AND LEGISLATIVE FRAMEWORK

1. Adopted Derbyshire Dales Local Plan (2017)
  - S1 Sustainable Development Principles
  - S4 Development in the Countryside
  - HC8 Conversion and Reuse of Buildings for Residential Accommodation
  - PD1 Design and Place Making
  - PD5 Landscape Character
  - PD6 Trees, Hedgerows and Woodlands
  - HC19 Accessibility and Transport
  - HC21 Car Parking Standards
2. National Planning Policy Framework (2021)  
National Planning Practice Guidance

### 4.0 RELEVANT PLANNING HISTORY:

21/01171/FUL	Conversion of garage to dwellinghouse with associated alterations including the formation of a first floor and creation of new access	REF	17/11/2021
1291/0971	Erection of garage/utility and w.c	A	02/01/1992
0499/0236	Erection of domestic garage and workshop for hobbies and resiting of lpg tank	A	18/06/1999

### 5.0 CONSULTATION RESPONSES

#### Environment Agency

- 5.1 The site lies fully within flood zone 1 and therefore we have no fluvial flood risk concerns associated with the site.

There are no other environmental constraints associated with the site and therefore we have no further comment to make

#### Derbyshire County Council (Highways)

- 5.2 The application is a resubmission of a previous application (21/01171) which was refused partly on highway grounds.

It is considered that the latest application resolves the issues raised by the previous application, namely improvements to the proposed site access and the provision of suitable onsite parking and turning space.

Based on the above comments, there are no objections to the application subject to conditions

#### Cllr Jacqueline Alison

- 5.3 Requested that the item be considered at committee.

### **6.0 REPRESENTATIONS RECEIVED**

- 6.1 No representations have been received in relation to this application.

### **7.0 OFFICER APPRAISAL**

The following material planning issues are relevant to this application:

- Principle of development
- Highway safety

#### Principle of development

- 7.1 During the consideration of the previously refused application 21/01171/FUL, the Local Planning Authority did not consider the principle of development to be acceptable. The application seeks to convert an existing building in the countryside to a dwellinghouse. Criterion (n) of Policy S4 of the Adopted Derbyshire Dales Local Plan (2017) advises that planning permission will be granted for development where in the case of proposals to re-use an existing building or buildings, that are capable and worthy of conversion and any such conversion will involve a building that positively contributes to an established local character and sense of place. Criterion (i) of Policy S4 is the most pertinent to this application as it supports the conversion and re-use of buildings for new residential development in accordance with Policy HC8 of the Adopted Derbyshire Dales Local Plan (2017).
- 7.2 The application site is located in a remote location away from any settlement that features in the settlement hierarchy set out in Policy S2 of the Adopted Derbyshire Dales Local Plan (2017). Notwithstanding that the District Council cannot demonstrate a five year housing land supply at this time and the presumption in favour of sustainable development is engaged, the unsustainable location of the site away from basic services and facilities is such that this would significantly and demonstrably outweigh the modest benefits associated with delivery of one dwelling.
- 7.3 Policy HC8 supports the conversion and re-use of buildings for residential accommodation, that are worthy of conversion and make a positive contribution to the local landscape. The policy recognises that in the countryside not all buildings are appropriate for conversion to a permanent open market residential use. Many, including this building, are in isolated locations in the open countryside and only suitable for conversion to permanent residential accommodation for use in connection with farming or other rural activity. The building is a simple outbuilding, which sits within the curtilage of a large dwelling in a large plot which is a characteristic of development along this section of Oak Lane. It is not a building that is of

architectural or historic interest and that makes an important contribution to the character of the settlement or to the quality of the landscape.

- 7.4 The proposed development involves the conversion of a simple outbuilding that sits within the curtilage of a large dwelling 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 along this section of Oak Lane would be 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 guidance contained within the National Planning Policy Framework (2021). A recommendation of refusal is put forward on this basis.

#### Highways safety

- 7.5 The previous application 21/01171/FUL was refused for three separate reasons which are highlighted within the details of the application set out above. In order to address these issues, the applicants have amended the site layout to provide more space within the site for manoeuvring vehicles and parking and removed a section of hedgerow to increase the emerging visibility.
- 7.6 Having regard to the consultation response received from the Local Highway Authority, subject to conditions, the previous reasons for refusal based on highway safety issues are considered to have been overcome and the development would comply with policies S4, HC19 and HC21 of the Adopted Derbyshire Dales Local Plan (2017) with regard to the impact of the development on highway safety.

#### Conclusion

- 7.7 Whilst two of the reasons for refusal of the previous application on site 21/01771/FUL have been addressed, 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). A recommendation of refusal is made on this basis.

## **8.0 RECOMMENDATION**

That planning permission be refused for the following reason(s).

The proposed development involves the conversion of a simple outbuilding that sits within the curtilage of a large dwelling 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 along this section of Oak Lane would be 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 guidance contained within the National Planning Policy Framework (2021).

## **9.0 NOTES TO APPLICANT:**

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 earliest opportunity and thereby allowing the applicant to exercise their right to appeal.

This decision notice relates to the following documents:

Design and Access Statement

Site Location Plan

Plans as Existing

Plans as Proposed

Site Layout Plan