

APPLICATION NUMBER		22/00769/FUL	
SITE ADDRESS:		1 High Street, Bonsall	
DESCRIPTION OF DEVELOPMENT		Conversion and change of use of barn to 1no. dwellinghouse and erection of outbuilding comprising of stables and carport	
CASE OFFICER	Mr. G. A. Griffiths	APPLICANT	Mr Mark Whitfield
PARISH	Bonsall	AGENT	James Boon Architects
WARD MEMBER	Cllr. M. Buckler	DETERMINATION TARGET	26 th August 2022
REASON FOR DETERMINATION BY COMMITTEE	Requested by former Ward Member	REASON FOR SITE VISIT (IF APPLICABLE)	Requested by former Ward Member and to assess the impact of the proposals on the character and appearance of the listed building and Bonsall Conservation Area, the impact on the amenity of neighbouring residents and matters of drainage and highway safety.

MATERIAL PLANNING ISSUES
<ul style="list-style-type: none"> • Introduction • Principle of development • Impact on heritage assets • Archaeology • Highway matters • Ecology • Impact on amenity

RECOMMENDATION
That planning permission be granted subject to conditions

INTRODUCTION

This application is being re-presented to the Planning Committee further to the deferral of the decision at the Committee meeting of 8th November 2022 with respect to this application being considered in association with planning application 22/00769/FUL. The reason for deferral was as follows:

During debate Councillor Garry Purdy moved to defer the application until a flood risk assessment had been carried out and clarification on parking at the top of the shared access un-adopted lane at the rear of the property and the surface material to be used for the track had been given. This was seconded by Councillor Sue Burfoot.

The applicant has now presented further information with regard to the site drainage matters. Confirmation has also been sought that the Local Highway Authority visited the site and clarification on their comments which are set out in the Consultation responses below. These have been appraised in the issues section of this report. In addition, further matters, with regard to such details where they impact on the heritage asset and further comments from local residents, are also considered below.

1. THE SITE AND SURROUNDINGS

- 1.1 The existing barn is a long range of farm buildings that are Grade II listed. The building is on the listed buildings at risk register and appears to have not been used for some time. The property dates from the late C17, or early C18, and is constructed of coursed stone rubble. The building is sited gable onto the road, with a narrow track to the south leading to the rear of the building along its frontage.
- 1.2 The site is within the built-up area of Bonsall, surrounded by residential properties and open fields to the west. The site is also within the Bonsall Conservation Area.







2. DETAILS OF THE APPLICATION

- 2.1 Planning permission is sought to change the use and convert the existing vacant barn to a dwelling. The proposed conversion will provide two bedrooms, two en-suites and a shower room on the ground floor. To the first floor a large living / dining space will be created with a further bedroom and a snug / office. The works will involve the internal subdivision of the building and works to restore the building and repair / reopen windows, restore chimneys and internal floors.
- 2.2 The ground floor is proposed to contain three bedrooms (one with en-suite, a bathroom, utility, snug and gymnasium). It is proposed to provide a reception hall, bedroom and open plan kitchen, dining area, living area and snug on the first floor with the second floor, within the roofspace, being used as a double height space for some 50%, a mezzanine and two loft spaces. The double height space, mezzanine and one of the loft spaces are proposed to each have a rooflight. During the consideration of the application, and having gone through the Conservation Officers comments, the applicant has made minor adjustments to the scheme to accommodate the changes required (reduce to 1 no log burner flu in the chimney and revised repair to eastern first floor entrance door surround).
- 2.3 An ecological survey has been submitted. It was noted within the Peak Ecology (2015) report that swallows *Hirundo rustica* were nesting within Building 1. As there is potential for nesting by swallow and other species such as pigeon, swifts and house martins within the building, it is recommended that work should be carried out outside of the main nesting bird season (March to September). Proposed vegetation clearance work should also be carried out outside of the nesting bird season.
- 2.4 It is also proposed to demolish the dilapidated timber building at the rear of the site and to replace this with a stable and car port building. The applicant advises that the previous approval had the former garage, at the ground floor eastern end, shown as a garage but this would have been very difficult to use in a practical sense for cars and, as such, the new proposals show vehicle parking to the rear. Therefore, to protect the street from further

parking congestion, the intention is to utilise the land to the rear of the property currently owned by the applicant.

- 2.5 The applicant has submitted an updated Preliminary Ecological Appraisal by Peak Ecology. It advises that a bat roost was confirmed in the main building after the results of the Peak Ecology (2015) surveys. Further survey work was undertaken in 2022 which identified three-day roosts for a small number of common pipistrelle bats in Building 1. Whilst there was limited suitable habitat on site to support commuting and foraging bats, there was good commuting habitat within the wider area. The applicant has also submitted a Biodiversity Net Gain Statement by Peak Ecology.
- 2.6 Further to deferral of the decision on this planning application at the Planning Committee on 8th November 2022, the applicant has submitted further information with regards to drainage. These documents include the following:
- a revised proposed site plan;
 - flood risk assessment and drainage strategy;
 - construction details;
 - longitudinal sections;
 - technical specifications;
 - drainage strategy; and
 - installation guide for Suregreen PP40 porous paver (grass finish).
- 2.7 The applicant has advised that they had previously mentioned that there was some anecdotal evidence of the driveway being cobbled, or having a similar surface, and that, if so, this would be reinstated. They have now carried out a series of trial holes along the driveway and not been able to find evidence of this so have omitted this and now propose that the driveway remains grassed, with limestone gravel tracks for wheels.
- 2.8 It is advised that they have discussed, and to some extent developed, these proposals with neighbours. As part of these discussions, the applicants have proposed a slightly realigned approach from the driveway into the parking area at the top of the driveway, to minimise impact on their immediate neighbour's property (Penny Cottage). The applicant also proposes rebuilding and extending a wall to act as visual screening between their property and the parking area.
- 2.9 The parking area at the top is now proposed to be a grass finish, reinforced with a geo-grid, which is similar to car parks you often find at National Trust type properties, etc, thus giving reinforcement for vehicle manoeuvring, while keeping a green aesthetic. Planting in this area is proposed to be native trees and meadow grassland planting and flowers, to tie in with the surroundings and other "rewilding" type projects within the village.
- 2.10 It is advised that the neighbours at Penny Cottage asked if a gate could be placed directly outside the stables into the field to the west, again to increase their privacy, but the applicant advises that the levels don't really allow this. The applicant also advises that they have suggested that, along the application side of the wall along the driveway, if the neighbours would prefer visual screening, that they could erect a narrow post and trellis, with native climbers up this, to help their privacy. This has been indicatively detailed on the additional plan and the applicant has advised that this would be subject to discussions with individual neighbours.
- 2.11 The applicant understands that some of the neighbours had a concern that the application was in essence "taking ownership" of the driveway. To this end, a note has been added to the additional drawing to reiterate that the ownership is not known, as per Certificate D, but that its development is shown here as part of the access rights that the applicant has along it, and which the applicant hopes will be beneficial for all that have access along it.

3. PLANNING POLICY AND LEGISLATIVE FRAMEWORK

3.1 Adopted Derbyshire Dales Local Plan (2017)

S1	Sustainable Development Principles
S2	Settlement Hierarchy
S4	Development in the Open Countryside
PD1	Design and Place Making
PD2	Protecting the Historic Environment
PD3	Biodiversity and the Natural Environment
PD5	Landscape Character
PD6	Trees, Hedgerows and Woodlands
PD7	Climate Change
PD9	Pollution Control and Unstable Land
HC8	Conversion and Re-use of Buildings for Residential Accommodation
HC21	Car Parking Standards

3.2 Derbyshire Dales District Council Climate Change Supplementary Planning Document (2021)

3.3 Bonsall Conservation Area Appraisal

3.4 National Planning Policy Framework

3.5 National Planning Practice Guidance

4. RELEVANT PLANNING HISTORY

- | | | |
|-----|----------------|---|
| 4.1 | 22/00770/LBALT | Internal and external alterations in association with conversion of barn to dwellinghouse - to be determined |
| 4.2 | 15/00329/LBALT | Alterations to listed building – Conversion of barn to dwelling, including internal and external alterations – Permitted with conditions. |
| 4.3 | 15/00311/FUL | Change of use and conversion of barn to dwelling – Permitted with conditions |

5. CONSULTATION RESPONSES

5.1 Parish Council

- there are significant threats to neighbours' privacy from overlooking window
- application seeks to turn the un-adopted track into access for several vehicles to a newly constructed garage and stable - there has never been a garage on the site
- the track is currently not used for vehicles and emerges onto a dangerous bend in the road which would be a hazard to vehicles entering or leaving the property
- no mention of the stream which runs under the track which is liable to frequent flooding
- application seeks to lower the track and there has been no consultation with residents who would be substantially affected by such work
- the integrity of retaining walls on 2 properties which adjoin the track would be compromised

- proposed alteration of the common access road is fundamental to this application and is integral to it.
- additional information added 04.10.22 makes no difference to the objection
- still no attempt to address the issue of flooding, which is already a problem, nor how this will be exacerbated by the proposal to lower the track
- no reference to the negative impact on residents living nearby who have not been consulted and who will be hugely affected
- proposed stable is oversized as is the car port and the wooden building material is obtrusive
- this is a grand design which is not in keeping with the surrounding area and which does not respect or understand the heritage of Bonsall.

5.2 Local Highway Authority (Derbyshire County Council)

- no objections to the proposed development from a traffic and highway point of view
- request informatives be attached with respect to the first 5m of the access not being loose surfaced and measures to ensure that any surface water does not run-off onto the highway.

Comments further to deferral of the determination of the application:

- a site visit has been carried out and confirm that in terms of visibility at the access this of course is not ideal as there are height restrictions with the adjacent boundary walls next to the access
- however, given the highway configuration, together with the built-up area close to the access, vehicle speeds are low on the highway and drivers would be careful of approaching the bend this would also apply to driver's using the access
- there is nothing to stop drivers/vehicles using the access/driveway at present, which is even worse with no turning facility, possibly leading to reversing manoeuvres onto the highway
- as you have mentioned the previous planning permission (15/00311/FUL) showed parking in a garage within part of the main building, close to the highway (now proposed for a home gym) - this current application provides an adequate turning facility
- would anticipate some regrading of the driveway to tie into the approach of the access
- reiterate there are no objections to the proposal from a traffic and highway point of view.

5.3 Design and Conservation Officer (Derbyshire Dales District Council)

- comments on matters of detail with respect to the listed building proposed to be converted and with regards to the design and appearance of the stable/car port building.

Comments further to deferral of the determination of the application:

- comments on access and parking/manoeuvring area treatment, the extending the wall and the concept of introducing sections or lengths of timber post and trellis (with native climbers) on the application side of the walls.

5.4 Environmental Health (Derbyshire Dales District Council)

- no objection.

5.5 Development Control Archaeologist (Derbyshire County Council)

- No 1, High Street, Bonsall (aka The Range) is recorded in the Derbyshire HER as a Grade II listed building (MDR3116) and it sits within the Bonsall Conservation Area

- the Heritage Statement that accompanies the application is correct in stating that the building as it stands has a late medieval origin in the 16th century and is clearly a building with a partial history legible in its walls
- building itself lies gable end on to Bonsall High Street fronting onto a path/track like access at the south and in many ways this spatial arrangement may point to an earlier medieval antecedent
- clearly rehabilitation of this building will involve work to its historic fabric and the proposed ground floor treatment to mitigate radon will impact any intact archaeological deposits at floor and sub floor level within the building
- proposed re-grading of external land adjacent to the west for the proposed new stable and the provision of services in the roadway and any regrading of the roadway will impact on any buried archaeological deposits associated with the building
- regarding the roadway, revisiting the correspondence of 2015 its ownership and the responsibilities for maintenance seem to be obscure though it may have formed a common lane to common grazing land and enclosures (possibly a pinfold) to the west
- although the Heritage Statement does not deal with below ground archaeology, other than to say a cobbled surface was found when excavating a trail pit next to The Range, or specifically what the likely impacts of the work will be, believe have enough information to recommend that a tiered and integrated approach to this site is required, its aim to produce an integrated understanding of the building's origins and development
- the required archaeological works could be obtained by attaching a condition to any planning consent
- any prospective or appointed archaeological contractor should contact this office prior to producing any WSI and the WSI should be developed in full consultation with this office.

5.6 Arboriculture and Landscape Officer

- site appears to contain no significant trees and all buildings are proposed to occupy the same footprints as existing buildings
- no objections to the proposals from landscape or arboriculture points of view
- recommend that the design of the new building (stable/car port) should incorporate recessive finishes and its height should be not significantly more than the existing stable.

5.7 Lead Local Flood Authority (Derbyshire County Council)

- comments received further to the publishing of the November 2022 Agenda and prior to deferral of the determination of the application:
- additional information is needed before can have confidence that the surface water management scheme proposed for the site will function as intended
- additional information requested is as follows.
 - a copy of the hydraulic model that supports the site surface water drainage design,
 - details of the permeable pavement, manhole structures, flow control, attenuation tank, filter drains, and connection to the existing culvert
 - long sections of the proposed drainage system
 - has any testing of the site been done to determine the depth to solid rock? - some testing is recommended to show that proposed infrastructure can be installed at the design depths.

Comments further to deferral of the determination of the application and receipt of additional information:

- have reviewed the information submitted for this application, which was received on 14/2/23 and subsequent additional information

- as this is a minor application have no formal comment to make and would refer the applicant to informative notes.

5.8 Councillor G. Purdy

- note objections of Bonsall Parish Council but, if building is not brought back into use, then a significant heritage asset will be lost to the village
- suggest application warrants a site visit in view of the significance of the site and the objections raised.

Comments further to deferral of the determination of the application and receipt of additional information:

- application has raised a certain amount of objection
- note that the applicant's agent has made statements to the effect that a number of concerns have been addressed such as parking, etc
- such is the interest in this application that it deserves to go before Committee.

6. REPRESENTATIONS RECEIVED

6.1 Representations have been received from the owners/occupiers of six neighbouring properties. A summary of the representations is outlined below:

Impact on the character, appearance and setting of the Listed Building and Conservation Area

- plans for the barn and its grounds involve development which isn't faithful to its original appearance
- isn't a sympathetic restoration of a listed structure but a wholesale gutting of it
- concerns that the building's conversion is a static change to the appearance and structure of what is a listed building
- design of the stables, store and car port isn't in keeping with the surrounding buildings, including the listed barn itself
- size and design of stables not in keeping with surrounding buildings
- accept that the current pigeon shed needs to be replaced but the planned stables are 300% bigger in volume than the pigeon shed.
- allowing occupants of the barn to drive and park numerous vehicles amongst neighbours' gardens and turning a grassy lane into a stone chip track to provide access will negatively affect the character of this small, beautiful nook in Bonsall which sits within the wider Bonsall Conservation Area.
- understand applicant also owns the adjacent 3 acre field and suggest that would be a better place for stabling as it is removed from houses and has access at the top end of it
- unclear why so much parking provision is required believe that permitting unlimited parking on the section of land immediately next to an open field - which will be visible to all when walking along The Limestone Way (a nationally recognised heritage trail) – will have a detrimental effect on the character of this part of Bonsall and ask DDC not to allow this to happen.
- support the Conservation Officer's comments that:

It is considered that a replacement building, of timber clad construction and character etc. may be acceptable in this location, however, there is a concern over its proposed size/mass in comparison with the current shed and its height etc. There is also a concern over the extent of visual/physical change to the area with extensive gravelled surfacing and alterations to the adjacent limestone boundary wall. In this regard, it is considered that the proposed new building and outworks may have an adverse

impact on the setting of the listed building and on this part of the Bonsall Conservation Area.

- the above states the application for the stables should be weighed against the public benefits of the proposal, but there is no public benefit, only to the applicant, thereby making it hard to see how a stable building of this size should be permitted
- if the owner is determined to have stables, they could be positioned away from houses in the adjacent field which he owns, as a neighbour has done on the other side of Stepping Lane
- the loss of garden/green space in favour of car parking would compromise the open aspect onto fields that the barn and its neighbours currently enjoy

Impact on Amenity

- no protection from noise or dust created by vehicles coming and going daily on a stone chip lane
- stables with horses needing to be mucked out and use of horseboxes, large vehicles to transport them, etc;
- large scale, unsympathetic development of the site requiring prolonged construction thereby creating long-term noise and inconvenience to neighbours of the barn and holiday guests
- kitchen windows are only 130cm from the side of the lane and sit only slightly above the level of it because the level of the lane rises uphill, above the ground floor - would have vehicles and horses turning into the new car park at our head height bringing unwanted noise and loss of privacy
- plans show multiple windows on the side of the building which will overlook a number of surrounding properties (85, 86, 89, 91, 95 and 97) - believe this will have an impact on privacy
- depth of retaining boundary wall on the lane side is less than 40cm and would provide very little protection against rogue stones, dust and noise from the proposed gravel drive
- neighbours retaining boundary wall would also likely be damaged if vehicles pass frequently alongside it
- detrimental impact upon holiday let business and future enjoyment of dwellinghouse - hope to make it a permanent residence in the future
- change of use would compromise that quiet enjoyment of property by frequent vehicles using the lane, a view onto car parking instead of grass and the presence of new stables, all of which will bring an increase in noise and a significant loss of privacy
- would no longer be secluded but overlooked
- to undertake a building project of this scale will require many months of construction in a relatively small space, bringing noise and disruption to all of the properties in the vicinity but particularly those that back onto it, i.e., numbers 85, 87, 89, 91, 93 and 95.

Physical Impact on Neighbours' Property

- daily use of the shared access lane by vehicles is very likely to cause damage to retaining boundary wall which is ostensibly a dry limestone wall
- cost of repairs to such walls is sizeable and it is not reasonable to expect neighbours to meet this or to bear the cost of reinforcing the wall to withstand traffic

Highway Matters

- visibility onto the road at that point is extremely poor and in addition, it is situated just after the bend as Yeoman St becomes High St.
- blind exit to the right and have had several near misses when loading/unloading due to cars coming around from The Cross

- oncoming traffic (which can travel quite fast) would not be able to see vehicles emerging from the lane as well as the vehicle emerging not being able to see them
- as the proposal is in relation to potentially 3 vehicles, as well as horses/horse boxes using the lane, suggest that number significantly increases the likelihood of an accident
- isn't a safe exit for one car occasionally - the risk is much increased if a number of vehicles/horses are using it daily
- wall on the right isn't the property of the barn and so cannot be removed or lowered and it is that which causes the greatest hazard.
- change of use from a grassed area to stable and carport would inevitably mean very frequent use of the lane by vehicles and horses
- have no guarantee that the designated area wouldn't be used to park numerous cars, as it is a large enough area in which to do so
- frequent exit from the shared access lane onto High Street by a number of vehicles/horses is a road safety hazard
- car parking and associated access could easily be overcome by reverting to the 2015 plans for the site
- although it is stated that the double doors at the front of the barn would be very difficult to use in a practical sense for cars, believe that at 3 metres wide it is sufficient for one medium sized family car
- unattractive steps at the front of the barn could be repositioned allowing parking for a car or, as in an iteration of earlier plans made by a previous owner of the barn, a parking space could be created immediately behind the barn, avoiding the need to use the whole of the shared access lane and keeping the appearance of the rear of the development as green and rural as possible and in keeping with the properties surrounding it.
- applicant is seeking parking space for multiple vehicles but many homes in Bonsall only have one parking space/none at all

Ecology

- bat survey not carried out before repairs made to the roof earlier in the year
- note reference to meeting the needs of the bats to justify the size of the stables - other options could be considered such as re-designing the barn by keeping a loft void to accommodate the bats (as submitted by a previous owner and per a report in 2015) or the use of bat boxes.

Flooding and Drainage

- brook regularly floods the lane during heavy rain – would seem this has not been addressed by the Highways team or on the plans which may open litigation if not addressed and if a full survey is not completed

Other Matters

- dispute over the ownership of the access which is an unadopted lane giving access to the properties on its boundaries
- object very strongly to the fact that the applicant is trying to lay claim to the lane which he does not have sole rights for
- once the lane is made suitable for vehicles, there is nothing to prevent any of the six householders, with right of access to the lane, to use it for their vehicles now or in the future, in addition to the occupants of the barn - this creates a completely unworkable situation, given the lane is extremely narrow, without a turning space and has very poor visibility onto High Street.

Two further letters of representation have been received further the deferral of the planning application at the 8th November 2022 Planning Committee Meeting, which are summarised as follows:

Impact on the character, appearance and setting of the Listed Building and Conservation Area

- the size of the stables is a significant increase on the size of the structure currently in situ which will alter the feel of the property and the pleasing aspect we currently enjoy
- application appears to be selective about which features of the barn and the land are to be preserved and which are not - some of the existing windows in the barn are not to be retained as they currently appear, and extra windows are added instead
- if these adjustments are tolerated, why can't the existing steps at the front of the barn (clearly not an original feature) be removed and that area be used for car parking instead? - would involve changes to the wall at the front of the property but this seems no more intrusive to the integrity of the project than the current proposals to change the external appearance of the side of the building and the addition of stables and car parking
- would solve the problem of parking and mean that that the rear of the property could be used as garden.

Impact on Amenity

- large scale development of the site requiring prolonged construction blocking access to the track and creating long-term noise and inconvenience to neighbours of the barn
- to undertake a building project of this scale will require many years of construction in a relatively small space, bringing noise and disruption to all of the properties in the vicinity, but particularly those that back onto it, i.e., numbers 85, 87, 89, 91, 93 and 95
- object to use of the communal track - there will be an increase in noise and loss of privacy
- our secluded cottage is surrounded by peaceful, beautiful countryside which we enjoy immensely - use of the shared access track to provide access to car parking and stabling would compromise the quiet enjoyment of our property due to vehicles regularly using the lane, a view onto car parking instead of grass and the presence of new stables, all of which will bring an increase in noise and a significant loss of privacy
- garden would no longer be secluded but overlooked as people and horses pass on the track above it
- the change of use from a grassed area to stable and carport would inevitably mean very frequent use of the track by vehicles and horses which would vastly increase the current use of the track
- have no guarantee that the stabling wouldn't be used to park more vehicles than designated and when the applicant sells the property, any assurances he may give now about numbers of vehicles and horses would count for nothing
- such an increased level of use by vehicles and/or horses is highly inappropriate given the setting - kitchen windows are only 130cm from the side of the track and sit only slightly above the level of it
- the depth of retaining boundary wall on the lane side is less than 40cm - the fact that it is so shallow means it would provide very little protection from horses going up and down to access the field behind and our retaining boundary wall would also likely be damaged if horses pass frequently alongside it
- stables will generate more noise and traffic on the common access lane (and could be re-sited away from houses); size and design not in keeping with surrounding buildings.
- do not support the stabling of horses in such close proximity to residential dwellings, particularly when the applicant owns the field behind the site where stables could be easily accommodated

- horses require daily care and mucking out - this, and the storage and disposal of the waste will inevitably create further noise and vehicular use of the lane.
- request that the stables are not built and instead the area is used as a garden which is far more in keeping with the setting
- development would impede use of the shared track by all those households relying on it
- there is still an intention to change the nature of the lane, by laying two strips that will enable a car to drive up the lane
- the motorport for 3 cars may have been reduced on paper to 1 car, but the fact that a stable for four horses is proposed for the same space suggests that usage of this space may inevitably change and that cars will regularly drive up the lane. The
- completely dependent on the track remaining unblocked to allow for bins to be taken to the road for emptying and for transporting large items into our property because the only other access to our property is via 18 narrow stone steps
- monopoly of the track by one dwelling at the expense of other households is unfair and unnecessary
- would again hope that the Council would consider not permitting the car parking or stabling at the rear of the property - this would alleviate many of the neighbours' concerns and also be more fitting for the setting in which the barn exists
- considerable impact will be created by the 2 large number of windows that will overlook the neighbouring houses
- proposes that a trellis should be built by the applicant to stand against the walls of the houses - the walls are the neighbours' walls, not the applicants
- drawings for the trellis suggest that it would rise up above the present walls by approximately 3 feet or more
- shade that would result in neighbours' gardens as a consequence of the trellis would be considerable and the present views that are available from the gardens would disappear.
- applicant proposes to dramatically alter the shared lane and its vista
- new proposal does not deal with the impact upon one of the cottages higher up the lane where the resident's bedroom will be directly overlooked by the new build
- before any work is undertaken, should be a structural survey that will indicate whether the barn wall will actually withstand this level of development
- applicant suggests that a valued heritage building will be lost unless this work is undertaken - in fact it is one wall, with the remainder of the building have undergone considerable alteration, either through re-building or through ruination
- think it is extremely pertinent to know whether this wall would be able to withstand the kind of building work that is proposed.

Highway Matters

- despite reports by the traffic department, there will be a higher risk of accidents due to lack of visibility on entering and exiting the track because of the proximity to an S bend in the road, due to other vehicles passing at speed, which as a resident I witness on a daily basis
- the materials planned for the track (limestone slabs) are very slippery in bad weather, causing risk of skidding into my garden which lies below and to the side of the track.
- vehicle lights pointing into my bedroom increasing visibility into my bedroom and garden
- intended stable will not have a sign readable by the bat's that live in the barn, the barn should continue to be accessible to the bat's not expecting them to know they have to move house to the stable
- remain very concerned about the proposals for rear vehicular access to it and the erection of stables
- understand that LHA have now visited the site but can't find any reports about the visit

- with regards to the cars entering and leaving the property, it is rumoured that only one car will be used to park, with a turnaround point at the rear of the Barn - how do you make sure that only one car will be used?
- what difference does it make if the vehicle is reversing or going forward onto a main road?
- is a blind entrance with all sorts of vehicle using it, i.e., milk lorry, tractors, bikes, cars etc - what recommendation other than the vehicle traveling forward have been suggested
- frequent exit from the shared access lane onto High Street by a number of vehicles/horses is a road safety hazard
- note that Highways officials have said they have no concerns in relation to entering and exiting the track by vehicles because there has been an existing use of vehicles associated with the barn - this may be the case use hasn't been exercised for many years and, when it was, it was on an occasional basis by a farm vehicle which is completely different to vehicles using it on a daily basis
- visibility onto High St at that point is extremely poor as it is situated just after the bend as Yeoman St becomes High St
- oncoming traffic (which in our experience often travels at more than 20mph) would not be able to see vehicles emerging from the lane as well as the vehicle emerging not being able to see them
- isn't a safe exit for one car occasionally - the risk is much increased if a number of vehicles/horses are using it daily.

A representation has been received, further to the previous Planning Committee Meeting, in support for the application:

- property directly overlooks this building and was for some time very concerned about its condition
- heartened to see that the applicant had made some essential repair works to the roof to prevent it from further collapsing, which would have caused disaster had it been left unattended
- understand that there are a few who are perturbed by plans to renovate the property, becoming habituated to and preferring its longstanding state of disuse - feel not enough consideration has been given to the risks of delaying these essential repairs any further, as plenty of dog walkers and small animals frequently pass by the property and it frankly isn't at all safe in its current state
- believe Mr Whitfield to be a reasonable man who is both open to listen to reasonable comment and keen to move quickly to save this historic building with the restorative care it urgently requires
- looking forward to a speedy resolution of whatever objections remain

A representation has been received from Bonsall Field Barn Project, further to the previous Planning Committee Meeting, which is summarised as follows:

- Bonsall Field Barn Project is an architectural heritage trust - writing to support and add context and history to the planning application for the Listed Building
- take no position on objections, positive or negative, but wanted to add some historical context that the Council, applicants, and others might find useful or informative.
- with great relief that the Range, 1 High Street, Bonsall is finally finding a solution from the decay it has been suffering from, and that has left it in a dangerous "at risk" state for many years. I'd like to elaborate a bit of the local history of The Range, to put the building in context for this application
- Bonsall History Group were concerned for its deterioration and the new owner was contacted and we all managed to make the building watertight and safe

- was serious concern that the roof could partially collapse perhaps taking with it some front wall and rebuilding it could have been extremely costly - thank the applicant for seeing to this promptly
- not many would take on this huge project and are in full support of it finally returning to it being a home
- has been incorrectly described as a barn - the Derbyshire Historic Buildings Trust is currently rectifying this
- the building was once two Lead Merchants houses that overlooked Bonsall Cross (the Dower House opposite is an almost identical building, but it has kept its dormer windows, stone slate and chimneys intact)
- a local resident remembers taking down the old stone slate roof and throwing the slates to the ground in the 1950's/60's and also took out the original oak floors and burnt them and created a barn for cattle inside the building that facilitated the slaughterhouse that served the village butcher's shop next door
- the building was once a workhouse for the poor, and the end room was for a time a doctor's surgery - many features remain from that time
- the building then was passed into the Council's ownership, before being sold to the village butcher after World War 2
- can remember cattle being housed for winter in the building thirty years ago - there was a permanent muck cart and spreader parked outside, and the cattle were mucked out each day and manure piled high adjacent to the houses by the cross and Stepping Lane/Yeoman Street
- chicken sheds and a racing pigeon shed were built on the land where the proposed stables are sited
- a farm gate closed the lane off near the street at the front of the lane - there didn't appear to be any public access or use of the lane, either because it was thought it was private, or that it was too dangerous with beef cattle, tractor, slurry and mud - the butcher would shout at people to "clear off!"
- the Bonsall Field Barn Project has been actively involved in helping to save this building now for approximately ten years
- working with the last owners, about 1000 tons of earth was dug out behind the rear of the building to stop the damp seeping into the back walls
- tie bars were added to strengthen the main front walls and some remedial pointing was done in around the outer stone walls
- in recent times, the Barn Project worked alongside the Derbyshire Historic Buildings Trust to locate the new owner to notify him that he needed to fix broken timber in the roof - there was a worrying partial roof collapse, with water getting into the floors and fabric in the building and, to remedy this, broken guttering was temporarily fixed
- to stabilise the building, and stop the destructive ingress of rainwater, three areas in the roof were repaired, making building watertight
- the gutters were repaired, the ball finial was reset, and a substantial amount of destructive ivy was taken down from the gable end - the tree at the front was felled alongside this work, as it was undermining the building's foundations
- thank the applicant that he put his trust in us and who funded the work
- DHBT recommended James Boon Architects, who have been excellent.

7. OFFICER APPRAISAL

Introduction

- 7.1 The issues for consideration are the principle of the proposed development, the impact upon the listed building and its setting and matters of archaeology, amenity, highway safety and ecology.

Principle of Development

- 7.2 Planning permission and listed building consent were granted in 2015 (refs: 15/00311/FUL and 15/00329/LBALT) for the change of use and conversion of the building to a dwelling. The current application is essentially a resubmission of that granted planning permission, as the time for implementation of that permission has expired, but it also includes further works to form a stables/car port and parking and manoeuvring space to the rear of the principal building.
- 7.3 Since the previous planning application was determined, the Adopted Derbyshire Dales Local Plan (2017) has replaced the Adopted Derbyshire Dales Local Plan (2005). The principal changes in policy since the previous planning permission was granted is that Bonsall is now recognised as a Fourth Tier Settlement. To this end, policy S2 (Settlement Hierarchy) advises that this is an accessible settlement but with a very limited range of employment, services and facilities. Development is therefore limited to that which helps to maintain existing services and facilities and to meet the housing needs of the settlement. To this end, development also needs to be commensurate with the scale and function of the settlement, through infill and consolidation of the existing built framework.
- 7.4 As the village is a Tier 4 settlement, it does not have a defined settlement boundary and the site is therefore deemed to be within the open countryside. Policy S4 (Development in the Countryside) advises that dwellings will be allowed where the housing is within Fourth Tier villages, subject to other material considerations, and will allow for the conversion and re-use of buildings in accordance with policy HC8 (Conversion and Re-use of Buildings for Residential Accommodation). This policy advises that the conversion and/or reuse of existing buildings to residential use will be permitted provided the building is of permanent and substantial construction, makes a positive contribution to the character and appearance of the surroundings, can be converted without extensive alteration, rebuilding or extension and does not have a detrimental impact upon the character and appearance of the building and its surroundings.
- 7.5 Given the above, it is considered that the principle of converting the building to residential accommodation is acceptable, as it was when previously approved in 2015.

Impact on Heritage Assets

- 7.6 The proposed works will seek to sympathetically restore a vacant listed building and bring it back into use. Due to its un-used nature and condition, the building has been on the District Council's Buildings at Risk Register for over 25 years. In 2015, planning permission and listed building consent (15/00311/FUL and 15/00329/LBALT) were granted for the conversion and alteration of the building to form a single residential dwelling. No lawful commencement of the approved works has been made and, therefore, the 2015 approvals lapsed in 2018. This proposal will, therefore, lead to the beneficial reuse and restoration of a Grade II listed building in a sustainable location, bringing not only benefits to designated heritage assets but also to reduce the shortfall in housing supply, albeit in a very minor way.
- 7.7 The current application (and listed building consent application) is for a similar proposal for the conversion and alteration of the building to form a single residential dwelling. The majority of the proposals for the external elevations/roof etc. also reflect those which were approved in 2015. In that regard, these proposed works were considered and assessed in 2015 and deemed to be acceptable alterations/changes. The key amendments from the 2015 approvals are commented upon as follows.
- 7.8 In 2015, approval was given to re-instate two chimneystacks to the building which were to be of stone construction. In the current application, they are to be of 'handmade red brick' construction. In an historic photo the stacks appear to be dark, most probably representing a dark red brick construction. Their re-instatement, in a handmade red brick, is therefore

considered to be acceptable but a condition will be required on any approval relating to approval of the brick, stack heights and plan-form/shape and pots.

- 7.9 The roof has been covered with corrugated concrete tiles. The proposal is to remove these and cover the roof in Staffordshire Blue clay tiles (as approved in 2015). This is considered to be acceptable. The submitted statement identifies that the applicant is attempting to source Derbyshire stone slates to cover the roof and, if they can be sourced, would use these. The use of Derbyshire stone slates (graduated) would be deemed acceptable and a condition would need to be attached to any grant of planning permission relating to the choice of roof covering material.
- 7.10 The property was proposed to have wood-burning stoves, with two metal flue pipes projecting through the roof. The inclusion of two adjacent pipes was considered to be unfortunate and to appear slightly industrial in their nature. To this end, the proposals have been amended to 1 no. log burner flu in the chimney.
- 7.11 On the main, south elevation the proposals are very similar to those approved in 2015. The exceptions are that a second-floor window is not to have mullions re-instated, a plain boarded door to a ground floor doorway is now proposed to have a glazed/framed door, a ground floor window is proposed to be re-instated to its former three-light pattern and the large ground floor opening (garage) is proposed to have set back glazing with a bi-fold timber boarded doors to the frontage. The proposed alterations are considered to be acceptable. In addition, the new window frames are proposed to be slim framed, timber double-glazed. A condition would need to be imposed requiring proposed constructional details for each window.
- 7.12 It is proposed to install 3 no. conservation rooflights on the north facing roofslope; no rooflights were approved in 2015. Nevertheless, it is considered, on this particular roof slope and it being partially concealed by the adjacent property, that the area of the roof slope could accommodate some rooflights. Subject to the rooflights being recessed/flush fitting, it is considered that their introduction to this particular roof plane would be acceptable. All current plastic guttering/downpipes are to be replaced with cast-iron (black) rainwater goods. This is considered to be acceptable subject to the guttering being affixed using traditional rise and fall brackets.
- 7.13 On the east gable end, it was proposed to remove the current 'concrete faced frame' to the doorway and replace it with 'gritstone frame'. It is considered that the concrete framing, whilst being an anomalous material, is perhaps contemporary with the formation of the gable end door. In this regard, it was advised that this should be retained and repaired, as it is considered that to replace this with a stone surround to the door would be a confusing architectural inclusion, as the doorway is undoubtedly a much later addition/insertion and a stone surround would convey an unwarranted and inappropriate architectural change/treatment. To this end, the applicant has revised the proposals to repair the eastern first floor entrance door surround.
- 7.14 New 'black wrought iron handrails' are proposed to be installed to the steps to the gable end doorway. These are considered acceptable subject to a condition on the constructional detailing and fixing. Subject to the above comments, and compliance, etc. with any conditions imposed, it is considered that the proposed external works to the listed building are acceptable alterations.
- 7.15 It was considered that a replacement building, of timber clad construction and character, etc, may be acceptable to the rear of the site. However, there was initial concern raised over its proposed size/mass in comparison with the current shed/pigeon loft and its height, etc. There was also a concern over the extent of visual/physical change to the area, with extensive stone gravelled surfacing and alterations to the adjacent limestone boundary

walls. In this regard, it was considered that the proposed new building and outworks may have an adverse impact on the setting of the listed building and on this part of the Bonsall Conservation Area.

- 7.16 To this end, the applicant has sought to justify the scale of the building. It is advised that the British Horse Society guidelines are for a 3.65m x 4.25m stable and that the proposal is a very similar size to this at 3.65m x 4.5m, with further space to the side as an external store so further sheds, or the like, are not required. The applicant appreciates that, with the car port then incorporated, the size of the building does increase, but this has also been required in order that it can be used as an external bat loft, providing mitigation for the bat roost that will be lost when the roof of the existing building is repaired.
- 7.17 The timber cladding of the stable/car port building, in a utilitarian and ephemeral nature, is considered to be an appropriate cladding of the building, rather than a more prominent and permanent stone building. On this basis, it is considered that the proposed stable/car port building is of a design and scale that is justified and will not harm the setting of the listed building.
- 7.18 Trial holes along the driveway have been undertaken and there is no evidence of any former or historic cobbled/setted surfacing. Therefore, the applicant proposes a grassed driveway (as it is now) with two limestone gravelled wheel tracks. Such a treatment is considered to be acceptable in terms of the setting of the listed building and will retain the 'rural' appearance of the driveway without recourse to over-formalising it. A detailed specification/methodology for this proposed treatment could be required via a condition.
- 7.19 The elevational details of the proposed extent of 'extending the wall', and its height/form etc., can also be imposed as a condition. The current boundary separation between the gardens to the adjacent properties and the application site (driveway) is low drystone limestone walls. The concept of introducing sections or lengths of timber post and trellis (with native climbers) on the application side of the walls is considered inappropriate as such a fencing/screening type/method is highly domestic and would be harmful to the setting of the listed building. A more appropriate proposal that would maintain and reinforce the existing character and appearance of the site and setting of the listed building would be the raising of the existing drystone limestone walls (to an agreed height).
- 7.20 Maintaining a grassed area to this area is considered important as it will reinforce the 'rural' character and appearance and setting of the listed building. In this regard, the proposed use of a reinforcing geo-grid is likely to be acceptable. Specification and installation details of the geo-grid (its extent on plan, its type, colour, and method of installation and any land levelling/alteration etc.) should be required via a condition.
- 7.21 The current boundary separation between the gardens to the adjacent properties and the application site (driveway) is low drystone limestone walls. The concept of introducing sections or lengths of timber post and trellis (with native climbers) on the application side of the walls is considered inappropriate, as such a fencing/screening type/method is highly domestic and would be harmful to the setting of the listed building. A more appropriate proposal that would maintain and reinforce the existing character and appearance of the site.
- 7.22 There is concern raised over the extent of visual/physical change to the area, with extensive gravelled surfacing and alterations to the adjacent limestone boundary wall. To this end, it is considered reasonable to attach a condition that details of hardsurfacing is submitted for approval, with stone slabs being a potentially more appropriate material. As such, the proposals are considered to accord with the aims of policies S1, S4, PD1 and PD2 of the Adopted Local Plan (2017) subject to appropriate conditions.

Archaeology

7.23 The proposed development was previously considered in 2015 by the Development Control Archaeologist (Derbyshire County Council). It was advised that, whilst the works that may take place to the track to the south of the building were likely to be minor, these works would take place within one of the oldest parts of the village and therefore an archaeological watching brief was required for any such works. Subject to this condition, the proposal is considered to be acceptable in accordance with policy PD2 of the Adopted Local Plan (2017).

Highway Matters

7.24 The submitted block plan shows that 2 no. parking spaces would be provided to the rear of the building accessed from the High Street via the existing track. It appears from the application details that no works are proposed to the access track. As it is likely that some works/surfacing may be required of the track and/or the parking area, details of these works will need to be provided as a condition of any planning permission. In accordance with the recommendation of the Local Highway Authority, the access and parking are acceptable subject to conditions. As such, it is considered that the proposal complies with policies S4 and HC21 of the Adopted Local Plan (2017).

7.25 The applicant advises that there is no intention to restrict the neighbours' access points and that the proposal is intended to help improve the lane for all. The applicant states that they do not take ownership of shared access, as its ownership is unknown and, therefore, under the planning process, they have notified through the Peak Advertiser that they intend to make alterations to improve access and investigate the existing historic surface below. The applicant states that they currently have a right of access to the rear of the property, for vehicles to access the field they own and to land immediately behind the property. The applicant advises that they could continue to access the site without adjustments but realigning the rear boundary wall will alleviate the proximity of vehicles that the access currently presents.

7.26 Further to the deferral of the decision at the Planning Committee meeting on 8th November 2022, the Local Highway Authority has confirmed that they carried out a site visit and confirm that, in terms of visibility at the access, this of course is not ideal as there are height restrictions with the adjacent boundary walls next to the access. Nevertheless, it is advised that given the highway configuration, together with the built-up area close to the access, vehicle speeds are low on the highway and drivers would be careful of approaching the bend and this would also apply to driver's using the access.

7.27 It is also advised that there is currently nothing to stop drivers/vehicles using the access/driveway at present, which is even worse with no turning facility, possibly leading to reversing manoeuvres onto the highway. It is noted that the previous planning permission (15/00311/FUL) showed parking in a garage within part of the main building, close to the highway (now proposed for a home gym) whereas this current application provides an adequate turning facility. The Local highway Authority anticipate some regrading of the driveway to tie into the approach of the access but reiterate there are no objections to the proposal from a traffic and highway safety point of view.

Impact on Amenity

7.28 With the previous grant of planning permission, a garage was proposed within the listed building towards the front of the site (where a gymnasium is now proposed), albeit access into the garage would have been difficult given the site constraints for manoeuvring. As detailed above, the applicant now seeks to provide parking and manoeuvring space to the rear of the site. Concern has been raised with regard to a loss of amenity associated with

the comings and goings of vehicles along the access track. There will also be a degree of impact of car headlights at night.

- 7.29 Whilst the garage was proposed at the front of the site, within the listed building, with the previous grant of planning permission, there was no restriction imposed on how far vehicles could travel along the access track and it appears that there are no legal restrictions to this. Planning permission may not have been required to form a turning area to the rear of the site as this could have been potentially undertaken as minor works.
- 7.30 Notwithstanding this, vehicles would be able to use the proposed parking area to turn at the rear of the site and to drive down the access and exit in a forward gear. This is considered preferable to the possibility of parking being restricted to the front of the building, where turning would not have been possible given the constrained width of the access and particularly if a car was in the garage (if possible) and one was outside. To this end, it is considered that the use of the constrained access, in terms of exit visibility, will be benefitted by vehicles exiting in a forward gear. In addition, such parking at the front/side of the premises would restrict access to the lane which appears to be shared with neighbouring residents.
- 7.31 Whilst it is appreciated that the neighbours and their holiday guests at Penny Cottage, 85 Yeoman Street, would have had little disturbance previously, with the building being vacant for so long, it is nevertheless considered that the modest amount of comings and goings likely to be undertaken along the access by cars associated with a dwellinghouse would not create such a significant loss of amenity that could justify a recommendation of refusal of planning permission.
- 7.32 Concern has been raised by neighbouring residents regarding the ownership of the track. This is a matter that would need to be resolved between the landowners, but it appears that vehicle access can at least be obtained to the field beyond, given the field gate in situ, and the applicant has advised that they have a right of way at least. As the proposal does not require fundamental alterations to the track, nor will it remove any routes of access via this track, the issue of ownership is a civil matter and is not considered to carry any weight to warrant refusal of planning permission. As such, the proposals are considered to comply with the aims of policies S1 and PD1 of the Adopted Local Plan (2017).
- 7.33 Concern has also been raised with regard to the impact that the stable/car port building will have on the amenity of the occupiers of the neighbouring residents to the north of the site. Whilst the building would be higher than the existing structure, given the angle of the roof pitch it is considered that the additional height and mass of the building would not substantially harm light or outlook of the neighbouring property to an extent that would justify a recommendation of refusal of the planning application. The design of the stables/car port is considered to be justified and acceptable contextually with the listed building and the field beyond.
- 7.34 The stable building would be located near to neighbouring properties. However, the size of the stable space is such that only a single horse could be reasonably accommodated. No objections have been raised by the District Council's Environmental Health Section with respect to the proximity of the stable to the neighbouring properties.
- 7.35 The applicant has advised that they intend to work with the neighbours so that construction works can be implemented with minimal impact on them albeit a condition can be attached to any grant of planning permission that restricts the hours of construction/conversion works. This will allow for the development to be undertaken in a reasonable time scale whilst seeking to limit the impact on neighbouring residents.

Ecology

- 7.36 It is noted that there are bat roosts within the building and, in view of this, a Natural England European Protected Species Licence is required before works can commence on the building works. To this end, a condition can be attached to any grant of planning permission to ensure this licence is obtained prior to works commencing on site. The applicant has detailed that the proposed stables/car port building would provide compensatory habitat and that this can be subject to a condition on any grant of planning permission. Conditions are also required, in accordance with the guidance from Derbyshire Wildlife Trust, to ensure that works take place to avoid the nesting bird period and that the recommendations of the two ecology reports are followed.
- 7.37 In terms of biodiversity, it is advised by Peak Ecology that the survey results indicate that the proposals, with the addition of new trees and the enhancement of the modified grassland on site, will result in a net gain in biodiversity on the development site subject to conditions. It is advised that methods of habitat maintenance should be secured prior to commencement of the development and the habitats should be created on site as soon as is reasonably practicable during the development process.
- 7.38 It is advised that the brook, which is culverted on site, will not be impacted by the works, and due to the risk of flooding within the village of Bonsall, it is not appropriate to de-culvert the brook, either on site or further downstream.
- 7.39 It is advised that holes, approximately 13cm x 13cm, should be cut in the boundary fencing at ground level to allow hedgehogs to freely forage and commute across the site. Subject to these matters being addressed by conditions on any grant of planning permission, it is considered that the proposal meets the requirements of policy PD3 of the Adopted Local Plan (2017).

Flooding

- 7.40 It is advised that the brook regularly floods the lane during heavy rain and that this does not seem to have been addressed, which a neighbour has advised may be open to litigation if not addressed and if a full survey is not completed. However, this is an existing access and it is not considered that the proposals, largely to convert an existing building, would contribute to increased likelihood of flooding. Nevertheless, more hardstanding would be created and it is considered reasonable to attach a condition that details be submitted to detail how surface water would be dispersed in accordance with Policy PD8 of the Adopted Local Plan (2017).
- 7.41 In directing the applicant to informatives, the Lead Local Flood Authority have reviewed the proposed water drainage design for the site (received 4/4/23) and have advised that this is acceptable from a land drainage perspective and if the site is development in accordance with the submitted plans then it should function as proposed and not increase the risk of flooding. The Local Planning Authority is therefore satisfied that the development can be suitably drained.

Climate Change

- 7.42 Since the previous planning permission has been granted, the Adopted Derbyshire Dales Local Plan (2017) has replaced the 2005 Local Plan. To this end, there is now a greater emphasis on the need to mitigate against climate change which is recognised in Policy PD7 and in the District Council Supplementary Planning Document. It is noted that the applicant seeks to clad the interior of the building with breathable insulation. Whilst renewable energy installation on the listed building would be harmful to its character and appearance, it is considered that there could be scope for solar panels to be installed on the roof of the stable/car port building on the south facing roofslope, for example, which would not

significantly harm its character and appearance. As such, it is considered reasonable to attach a condition to any grant of planning permission that measures to mitigate against the carbon footprint of the development are provided in accordance with Policy PD7 of the Adopted Local Plan (2017).

Conclusion

- 7.43 Whilst it is appreciated that the proposals will introduce a level of disturbance and loss of amenity, this has to be weighed in the balance. The building is a prominent, listed building within the Bonsall Conservation Area and, without a use coming forward, it is likely to deteriorate further. Planning permission has been granted relatively recently for the use as a dwelling and, therefore, the principle matters for assessment are the differences between the previously approved and current development proposals.
- 7.44 To this end, the main alterations from the 2015 planning permission is considered to be the provision of the stable/car port and the car parking and manoeuvring facilities to the rear of the site. Whilst there would be some loss of amenity associated with the proposed stables/carport, with comings and goings by vehicles along the access track, it is not considered that the associated disturbance / residential amenity effects would be of such significant magnitude to warrant refusal of the application on such grounds and the less than substantial harm caused to the heritage assets engaged (as a whole) would be outweighed by the public benefits associated with bringing this at risk listed building back into viable use. The proposal is therefore considered to be acceptable and in accordance with the requirements of policies contained in the Adopted Derbyshire Dales Local Plan (2017) and is recommended for approval subject to conditions.

8. 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 be carried out in accordance with the original drawings and specification, except as amended by the drawings and additional information received on 6th October 2022, 4th April 2023 and 17th April 2023 and except as may otherwise be required by other conditions to which this permission is subject.

Reason:

To define the permission for the avoidance of doubt and to safeguard the special historic and architectural character and appearance of the listed building and the Bonsall Conservation Area, and to address matters of drainage and highway safety to comply with Policies S1, S3, PD1, PD2, PD8 and HC21 of the Adopted Derbyshire Dales Local Plan (2017).

3. No works to the building or structures that may be used by breeding birds shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check for active birds' nests immediately before the work is commenced and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such

written confirmation should be submitted to the local planning authority and agreed in writing. Works shall be completed in accordance with the agreed details.

Reason:

In the interest of safeguarding protected species in accordance with Policy PD3 of the Adopted Derbyshire Dales local Plan (2017).

4. Prior to the commencement of development, confirmation shall be submitted to demonstrate that a Natural England European Protected Species Licence has been obtained for the development. Works shall be completed in accordance with the details of the licence.

Reason:

In the interest of safeguarding protected species in accordance with Policy PD3 of the Adopted Derbyshire Dales local Plan (2017).

5. The development shall be completed in full accordance with the recommendations of the submitted Preliminary Ecological Report and Biodiversity Net Gain Statement prepared by Peak Ecology, received on 1st July 2022, the Nocturnal Bat Activity Surveys prepared by Peak Ecology received on 6th October 2022 and the dwelling hereby approved shall not be occupied until such time as the bat and biodiversity mitigation measures have been completed to the satisfaction of the Local Planning Authority.

Reason:

In the interest of safeguarding protected species in accordance with Policy PD3 of the Adopted Derbyshire Dales local Plan (2017).

6. Prior to any works commencing a scheme for written approval showing how the site compound, site operatives' vehicles, delivery vehicles and construction works are likely to affect the adjacent classified road and other premises in the vicinity. The details shall include locations and traffic management as may be required and the approved scheme shall be implemented in full.

Reason:

In the interests of highway safety

7. Notwithstanding the submitted drawings and specifications, prior to the occupation of the dwelling hereby approved, a detailed scheme of surfacing materials, and details of any works to the track to the south of the proposed dwelling, shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full prior to occupation of the dwelling and the parking spaces thus provided shall be maintained thereafter free from any impediment to designated use.

Reason:

To ensure the satisfactory appearance of the development to comply with Policies S1, S3, PD1 and PD2 of the Adopted Derbyshire Dales Local Plan (2017).

8. Prior to the occupation of the dwelling hereby approved, details of adequate bin storage and a bin dwell area for use on refuse collection days shall be submitted to and approved in writing by the Local Planning Authority. Works shall be completed in accordance with the agreed details.

Reason:

In the interests of highway safety.

9. The proposed stable and office shall be ancillary to the occupiers of the dwelling, with no third party, business or commercial use.

Reason:

To limit comings and goings from the property in the interests of highway safety to comply with Policies S4 and HC19 of the Adopted Derbyshire Dales Local Plan (2017).

10. Before the car parking and manoeuvring area are provided, full details of how surface water will be dispersed shall be submitted to and approved in writing by the Local Planning Authority and the approved measures shall be provided prior to the dwelling hereby approved being brought into use.

Reason:

To ensure adequate surface water drainage to comply with Policy PD8 of the Adopted Derbyshire Dales Local Plan (2017).

11. Prior to any works being undertaken to the roof, samples of the roofing materials for the dwelling shall be submitted to the Local Planning Authority for written approval. The works shall be completed in accordance with the approved samples.

Reason:

To safeguard the special historic and architectural character and appearance of the listed building and the Bonsall Conservation Area to comply with Policies S1, S3, PD1 and PD2 of the Adopted Derbyshire Dales Local Plan (2017).

12. Prior to the commencement of works to the window/door surrounds, a sample of the proposed new stone, including surface tooling, shall be submitted to the Local Planning Authority for written approval. The new stone shall match the existing in geological type/origin/source, colour and grain. The works shall be completed in accordance with the agreed details.

Reason:

To safeguard the special historic and architectural character and appearance of the listed building and the Bonsall Conservation Area to comply with Policies S1, S3, PD1 and PD2 of the Adopted Derbyshire Dales Local Plan (2017).

13. Prior to the works to repair the building being undertaken, the exact extent of stonework replacement on an individual window-by-window/door-by-door basis shall be submitted in drawn form (1:10 elevations) to the Local Planning Authority for written approval. This shall also indicate the proposed stone profile/shape (1:2) of each different stone element. The works shall be completed in accordance with the approved details.

Reason:

To safeguard the special historic and architectural character and appearance of the listed building and the Bonsall Conservation Area to comply with Policies S1, S3, PD1 and PD2 of the Adopted Derbyshire Dales Local Plan (2017).

14. All new window frames and doors shall be constructed in strict accordance with details to be submitted to and approved in writing by the Local Planning Authority. The proposed finish paint colour (manufacturer/ref. no.) for all external joinery work (doors/windows, etc.) shall also be submitted to the Local Planning Authority for written approval prior to decoration. The works shall be carried out in accordance with the approved details and the paint colour retained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To safeguard the special historic and architectural character and appearance of the listed building and the Bonsall Conservation Area to comply with Policies S1, S3, PD1 and PD2 of the Adopted Derbyshire Dales Local Plan (2017).

15. Prior to the any works being undertaken to the 2 no. new chimneystacks, full constructional details, including dimensions for their proposed width, depth and height, shall be submitted to the Local Planning Authority for written approval. Details of the bricks, capping and pots (along with samples if required) shall also be submitted for approval. The works shall be completed in accordance with the approved details.

Reason:

To safeguard the special historic and architectural character and appearance of the listed building and the Bonsall Conservation Area to comply with Policies S1, S3, PD1 and PD2 of the Adopted Derbyshire Dales Local Plan (2017).

16. Prior to the occupation of the dwelling, details of the following shall be submitted to and approved in writing by the Local Planning Authority:

- the rooflight details;
- the profile, material, fixings etc. of the proposed metal rainwater goods; and
- the black, wrought iron handrails'

The works shall be carried out in accordance with the agreed details prior to the occupation of the dwelling.

Reason:

To safeguard the special historic and architectural character and appearance of the listed building and the Bonsall Conservation Area to comply with Policies S1, S3, PD1 and PD2 of the Adopted Derbyshire Dales Local Plan (2017).

17. Prior to the stable/carport building being faced, details of the timberwork, to include its stain colour, and details of the roofing materials and rainwater goods, shall be submitted to and approved in writing by the Local Planning Authority. The stable/carport building shall only be erected with the approved materials and the timberwork shall be retained and maintained in the approved stain colour unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To ensure the satisfactory character and appearance of the building within the setting of the listed building and the Bonsall Conservation Area to comply with Policies S1, S3, PD1 and PD2 of the Adopted Derbyshire Dales Local Plan (2017).

18. No external lighting shall be affixed to any part of the dwelling or stable/car port building hereby approved.

Reason:

In the interests of the amenity of neighbouring residents, to safeguard the habitat of bats and to safeguard the character and appearance of the development to comply with S1, S3, PD1, PD2 and PD3 of the Adopted Derbyshire Dales Local Plan (2017).

19. Prior to their erection, details of the hard landscaping and boundary treatment, along with details of construction and materials of the boundaries to the west of the building, shall be submitted to and agreed in writing by the Local Planning Authority. The works shall then be only undertaken in accordance with the agreed details.

Reason:

To safeguard the special historic and architectural character and appearance of the listed building and the Bonsall Conservation Area to comply with Policies S1, S3, PD1 and PD2 of the Adopted Derbyshire Dales Local Plan (2017).

20. No development shall take place, until a Written Scheme of Investigation for historic building recording and archaeological monitoring has been submitted to and approved by the Local Planning Authority in writing, until all on-site elements of the approved scheme have been completed to the written satisfaction of the local planning authority, and until the provision to be made for analysis, reporting, publication and dissemination of the results and archive deposition has been secured. The Written Scheme of Investigation shall include an assessment of significance and research questions; and

1. the programme and methodology of site investigation and recording;
2. the programme and provision for post-investigation analysis and reporting;
3. provision to be made for publication and dissemination of the analysis and records of the site investigation;
4. provision to be made for archive deposition of the analysis and records of the site investigation; and
5. nomination of a competent person or persons/organization to undertake the works set out within the Written Scheme of Investigation

No development shall take place other than in accordance with the archaeological Written Scheme of Investigation and the development shall not be occupied until the site investigation, and post investigation assessment, has been completed in accordance with the programme set out in the archaeological Written Scheme of Investigation approved and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured.

Reason:

To ensure the proper recording of the listed building and its curtilage to comply with Policies S1, S3, PD1 and PD2 of the Adopted Derbyshire Dales Local Plan (2017).

21. No disturbance, excavation or other alterations shall be undertaken to the existing ground floor slab without prior written approval from the Local Planning Authority.

Reason:

To safeguard the special historic and architectural character and appearance of the listed building to comply with Policies S1, S3, PD1 and PD2 of the Adopted Derbyshire Dales Local Plan (2017).

22. Prior to works being undertaken on the conversion of the listed building, details of measures to mitigate against the carbon footprint of the development shall be submitted to and approved in writing by the Local Planning Authority and such measures shall be provided prior to the occupation of the dwelling hereby approved.

Reason:

To mitigate against the carbon footprint of the development to comply with Policies S1, PD1 and PD7 of the Adopted Derbyshire Dales Local Plan (2017) and in accordance with guidance contained in the District Council's Climate Change Supplementary Planning Document (2021).

23. During the process of conversion and development on the site, no internal or external works/construction works shall be undertaken to the building, or within its curtilage, outside of the following hours:

08.00 – 18.00 Monday to Friday

09.00 – 13.00 Saturday

No works shall be undertaken on Sundays or Bank Holidays.

Reason:

In the interest of the amenity of local residents.

NOTES TO APPLICANT:

1. The Local Planning Authority have during the consideration of this application engaged in a positive and proactive dialogue with the applicant which has resulted in a reasoned justification for the scale of the stable/car port building
2. The Highway Authority recommends that the first 5m of the access driveway should not be surfaced with a loose material (i.e. unbound chippings or gravel etc). In the event that loose material is transferred to the highway and is regarded as a hazard or nuisance to highway users, the Authority reserves the right to take any necessary action against the owner.
3. Pursuant to Section 163 of the Highways Act 1980, measures shall be taken to ensure that surface water run-off from within the site is not permitted to discharge across the highway. This usually takes the form of a dish channel or gulley laid across the access immediately behind the back edge of the highway, discharging to a drain or soakaway within the site.
4. 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 £116 per request. The fee must be paid when the request is made and cannot be required retrospectively.
5. The Local Lead Flood Authority advises the following:

- 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.
- C. No part of the proposed development shall be constructed within 5-8m of an ordinary watercourse and a minimum 3 m for a culverted watercourse (increases with size of culvert). It should be noted that DCC have an anti-culverting policy.
- D. The applicant should be mindful to obtain all the relevant information pertaining to proposed discharge in land that is not within their control, which is fundamental to allow the drainage of the proposed development site.
- E. The applicant should demonstrate, to the satisfaction of the Local Planning Authority, the appropriate level of treatment stages from the resultant surface water discharge, in line with Table 4.3 of the CIRIA SuDS Manual C753.
- F. The County Council would prefer the applicant to utilise existing landform to manage surface water in mini/sub-catchments. The applicant is advised to contact the County Council's Flood Risk Management team should any guidance on the drainage strategy for the proposed development be required.
- G. The applicant should provide a flood evacuation plan which outlines:
- The flood warning procedure
 - A safe point of extraction
 - How users can safely evacuate the site upon receipt of a flood warning
 - The areas of responsibility for those participating in the plan
 - The procedures for implementing the plan
 - How users will be made aware of flood risk
 - How users will be made aware of flood resilience
 - Who will be responsible for the update of the flood evacuation plan
- H. Flood resilience should be duly considered in the design of the new building(s) or renovation. Guidance may be found in BRE Digest 532 Parts 1 and 2, 2012 and BRE Good Building Guide 84.
- I. Surface water drainage plans should include the following:
- Rainwater pipes, gullies and drainage channels including cover levels.
 - Inspection chambers, manholes and silt traps including cover and invert levels.
 - Pipe sizes, pipe materials, gradients, flow directions and pipe numbers.
 - Soakaways, including size and material.
 - Typical inspection chamber / soakaway / silt trap and SW attenuation details.
 - Site ground levels and finished floor levels.
- J. On Site Surface Water Management;

- The site is required to accommodate rainfall volumes up to the 1% probability annual rainfall event (plus climate change) whilst ensuring no flooding to buildings or adjacent land.
- The applicant will need to provide details and calculations including any below ground storage, overflow paths (flood routes), surface detention and infiltration areas, etc, to demonstrate how the 100 year + 40% Climate Change rainfall volumes will be controlled and accommodated. In addition, an appropriate allowance should be made for urban creep throughout the lifetime of the development as per 'BS 8582:2013 Code of Practice for Surface Water Management for Developed Sites' (to be agreed with the LLFA).
- Production of a plan showing above ground flood pathways (where relevant) for events in excess of the 1% probability annual rainfall event, to ensure exceedance routes can be safely managed.
- A plan detailing the impermeable area attributed to each drainage asset (pipes, swales, etc), attenuation basins/balancing ponds are to be treated as an impermeable area.

Peak Flow Control

- For greenfield developments, the peak run-off rate from the development to any highway drain, sewer or surface water body for the 1 in 1 year rainfall event and the 1 in 100-year rainfall event, should never exceed the peak greenfield run-off rate for the same event.
- For developments which were previously developed, the peak run-off rate from the development to any drain, sewer or surface water body for the 100% probability annual rainfall event and the 1% probability annual rainfall event must be as close as reasonably practicable to the greenfield run-off rate from the development for the same rainfall event but should never exceed the rate of discharge from the development, prior to redevelopment for that event.

Volume Control

- For greenfield developments, the runoff volume from the development to any highway drain, sewer or surface water body in the 6-hour 1% probability annual rainfall event must not exceed the greenfield runoff volume for the same event.
- For developments which have been previously developed, the runoff volume from the development to any highway drain, sewer or surface water body in the 6-hour 1% probability annual rainfall event must be constrained to a value as close as is reasonably practicable to the greenfield runoff volume for the same event but must not exceed the runoff volume for the development site prior to redevelopment for that event.

Note:- If the greenfield run-off for a site is calculated at less than 2 l/s, then a minimum of 2 l/s could be used (subject to approval from the LLFA).

- Details of how the on-site surface water drainage systems shall be maintained and managed after completion and for the lifetime of the development to ensure the features remain functional.
- Where cellular storage is proposed and is within areas where it may be susceptible to damage by excavation by other utility contractors, warning signage should be

provided to inform of its presence. Cellular storage and infiltration systems should not be positioned within the highway.

- Guidance on flood pathways can be found in BS EN 752.
 - 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 146891:2003.
 - 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.
- N. The applicant should manage construction activities in line with the CIRIA Guidance on the Construction of SuDS Manual C768, to ensure that the effectiveness of proposed SuDS features is not compromised.
6. This decision notice relates to the following documents:

Site location Plan received on 1st July 2022

Drawing Nos. SK002A, SK003A and SK004, 1919 - (08)06, 07, 15, 16, 17 and 18 Figure 1. UK Habitat Plan received on 1st July 2022
Amended Drawing Nos. 1919-(08) 11 Rev. B, (08) 12 Rev. B, (08) 13 Rev. A and (08) 14 Rev. A received on 6th October 2022
Amended Drawing No. 1919-(08) 23 Rev. D received on 17th April 2023
Design and Access Statement received on 1st July 2022
Preliminary Ecological Appraisal received on 1st July 2022
Nocturnal Bat Activity Surveys received on 6th October 2022
Biodiversity Net Gain Statement received on 1st July 2022
Additional Information received on 3rd October 2022
Drainage Construction Details received on 4th April 2023
Longitudinal Sections received on 4th April 2023
Technical Specifications received on 4th April 2023
Installation Guide for Suregreen PP40 Porous Paver (Grass Finish) received on 4th April 2023
Flood Risk Assessment and Drainage Strategy (Tom Keating and Associates Limited) received on 17th April 2023
Drainage Strategy Plan received on 17th April 2023
Vehicle Tracking Drawing received on 17th April 2023.

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