

APPLICATION NUMBER		23/00787/FUL	
SITE ADDRESS:		2 Birchwood Moor Court, Roston, Ashbourne, Derbyshire, DE6 2EJ	
DESCRIPTION OF DEVELOPMENT		Alterations to windows and doors (re-submission).	
CASE OFFICER	Mr. Ecclestone	APPLICANT	Mrs. Critchlow
PARISH / TOWN	Roston	AGENT	Mr. Malkin
WARD MEMBER(S)	Vacant	DETERMINATION TARGET	15 th September 2023
REASON FOR DETERMINATION BY COMMITTEE	Deferred at last meeting for site visit.	REASON FOR SITE VISIT (IF APPLICABLE)	For Members to appreciate the site and context.

MATERIAL PLANNING ISSUES

The impact of the alterations of the character and appearance of the building.

RECOMMENDATION

That the application be refused for the reason set out in section 8.0 of the report.

1. THE SITE AND SURROUNDINGS

- 1.1 2 Birchwood Moor Court, also known as 'Anromada', is a semi-detached barn conversion dwelling, situated in a rural area to the south-east of Roston. It is set down and back from the main road and has a long, shared drive.



2. DETAILS OF THE APPLICATION

- 2.1 This application was deferred at the September meeting for Members to undertake a site visit.
- 2.2 This is a re-submission of a previously refused planning application, for replacement windows, doors and alterations (23/00412/FUL). The only difference between this and the previous application, is that the height of the first-floor window in the gable (west elevation) has been reduced.

3. PLANNING POLICY AND LEGISLATIVE FRAMEWORK

- 3.1 Adopted Derbyshire Dales Local Plan (2017):
S4: Development in the Countryside
PD1: Design and Place Making
- 3.2 Other:
National Planning Policy Framework (2021)
National Planning Practice Guidance
Derbyshire Dales District Council Supplementary Planning Document: The Conversion of Farm Buildings January 2019

4. RELEVANT PLANNING HISTORY

23/00412/FUL	Alterations to windows and doors.	Refused
22/01310/FUL	Provisions of ancillary living accommodation.	Approved
1292/0978	Retention of agricultural land in residential curtilage and retention of garage and boundary fence.	Approved
1193/0788	Erection of garden shed and insertion of window in bathroom.	Approved
0789/0628	Conversion of barns to two dwellings.	Approved
0694/0428	Incorporation of agricultural land within residential curtilage.	

5. CONSULTATION RESPONSES

Derbyshire County Council Rights of Way section:
No objection, subject to footnotes.

Footpath organisations:

No objection, provided that the footpath remains unaffected.

Parish Council:
No comments received.

6. REPRESENTATIONS RECEIVED

6.1 Two representations of support have been received.

7. OFFICER APPRAISAL

- 7.1 Having regard to the relevant provisions of the development plan and the consultation comments and representations received, the main issue to assess is the impact of the development on the character and appearance of the existing dwellinghouse. The alterations to the windows and doors of the property would not result in any unacceptable residential amenity impacts given their size and position relative to number 1 Birchwood Moor Court.
- 7.2 Policy S4 of the Adopted Derbyshire Dales Local Plan seeks to ensure that new development protects the landscape's intrinsic character and distinctiveness. It also requires development to be appropriate to its location and not to have an adverse impact on the character and appearance of the rural environment.
- 7.3 Policy PD1 of the Adopted Derbyshire Dales Local Plan requires development to be of a high quality design that respects the character, identity and context of townscapes and landscapes; and requires development that contributes positively to an area's character, history and identity in terms of scale, height, density, layout, appearance, materials, the relationship to adjacent buildings and incorporating well integrated car parking. Policy PD1 also requires development to achieve a satisfactory relationship to adjacent development and to not cause unacceptable effects by reason of visual intrusion, overlooking, overshadowing, overbearing effect, noise, light pollution, or other adverse impacts on local character and amenity.
- 7.4 The previous decision in respect of planning application code ref. 23/00412/FUL is a material planning consideration as is the Council's Supplementary Planning Document: The Conversion of Farm Buildings January 2019 which forms part of the development plan.
- 7.5 The previous reasons for refusal were:
The proposed windows and doors, particularly on the west elevation, will appear out of character and scale with the original building, a former barn, contrary to the requirements of Policies S4 and PD1 of the Adopted Derbyshire Dales Local Plan (2017) and the Council's Supplementary Planning Document: The Conversion of Farm Buildings January 2019.
- 7.6 Reducing the dimensions of the first-floor window in the west elevation, is not considered to overcome the previous reasons for refusal.
- 7.7 The the Council's Supplementary Planning Document (SPD) on The Conversion of Farm Buildings January 2019, provides design guidance for dealing with Barn Conversions. Page 8 provides guidance on windows and doors:
- 7.8 *A fundamental and important characteristic of farm buildings are the existing type, form, size, shape and detailing of door and window openings and the minimal number of door and window openings (i.e. the ratio of solid to openings) to the elevations. Door and window openings generally only exist to perform a specific function. The form, rhythm and location of existing door and window openings can often identify the original use of a farm building and are, therefore, important distinctive elements and characteristics that should be retained and respected as part of any conversion scheme.*

- 7.9 *Existing window and door openings generally come under significant pressure to be altered as part of a proposal(s) to convert a farm building. Such alterations can significantly affect the existing character and appearance of a farm building. Other pressures / considerations include the methods and types of glazing, to both historically glazed and unglazed openings, and the formation of new door and window openings.*
- 7.10 *The distinctive character and appearance of the original building should be retained in any conversion scheme / proposal and therefore, sound justification (which does not constitute harm to character and appearance) for the inclusion / insertion of any new door and window openings, would need to be provided.*
- 7.11 *Proposals for the enlargement or reduction in the width / height of any existing window / door opening, will be resisted as being harmful to the building's existing character and appearance.*
- 7.12 *Where original openings within the fabric are to be copied (based on sound justification and no harm to character & appearance), their detailing shall match the existing exactly, in all respects and they must be appropriate to their new location or position.*
- 7.13 *Proposals for the introduction of 'stormproof' type window frames, would be resisted as being inappropriate to historic farm buildings.*
- 7.14 *The type, pattern and form of existing, traditional, window frames to a farm building, are considered important attributes of its character and appearance and should, therefore, be retained.*
- 7.15 *Alternative materials, such as UPVC and powder-coated metal, as a replacement for existing, historic, timber window frames, will not be considered appropriate or acceptable.*
- 7.16 *The District Council considers that window frames should be constructed of timber (being the traditional material for their construction) and that the timber should be given a painted finish, in accordance with historic tradition and precedent.*
- 7.17 The proposed replacement first-floor window on the north elevation, would appear to reinstate a window of a similar size to what would have been there originally, before it was partially bricked up. This is considered to be in accordance with The Conversion of Farm Buildings January 2019 SPD.
- 7.18 The other replacement windows and doors are considered to appear too large and out of character with the original building. It is proposed to replace a single door with bifold / patio doors in the west elevation of the building at ground level. This would not reflect the historic use and function of the building and would be out of character in this respect. The same applies to the patio doors in the south elevation, which results in the enlargement of the width of the opening.
- 7.19 There has been no justification for the windows and doors in terms of their appropriateness to satisfy The Conversion of Farm Buildings January 2019 SPD. In summary, the proposed replacement windows, are considered to appear over-sized and out of character with the buildings existing agricultural character and its surroundings and a recommendation of refusal is put forward on this basis.

8. RECOMMENDATION

- 8.1 Planning Permission be refused for the following reason:

The patio doors in the west and south elevations will appear out of character and scale with the original building, a former barn, contrary to the requirements of Policies S4 and PD1 of the Adopted Derbyshire Dales Local Plan (2017) and the Council's Supplementary Planning Document: The Conversion of Farm Buildings January 2019.

9. NOTES TO APPLICANT:

- 9.1 This Decision Notice relates to the following documents:
Planning application form and drawings, received by the Council on 21st July 2023.
- 9.2 The applicant entered into pre-application discussions with the Local Planning Authority. Unfortunately, however, the advice provided was not heeded in this case. The application was therefore considered as submitted and it was 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.