

## Planning Committee 14<sup>th</sup> November 2023

<b>APPLICATION NUMBER</b>		23/00765/FUL	
<b>SITE ADDRESS:</b>		18 Little Bolehill, Bolehill, Derbyshire, DE4 4GR	
<b>DESCRIPTION OF DEVELOPMENT</b>		Rebuilding and extension of outbuilding (retrospective).	
<b>CASE OFFICER</b>	Mr. Ecclestone	<b>APPLICANT</b>	Ms. Cook
<b>PARISH / TOWN</b>	Wirksworth	<b>AGENT</b>	None.
<b>WARD MEMBER(S)</b>	Cllr. Slack Cllr. Greatorex Cllr. Peacock	<b>DETERMINATION TARGET</b>	18 <sup>th</sup> September 2023
<b>REASON FOR DETERMINATION BY COMMITTEE</b>	Called in by Ward Member.	<b>REASON FOR SITE VISIT (IF APPLICABLE)</b>	To assess the impact that the building has on the surrounding area.

### MATERIAL PLANNING ISSUES

The impact of the rebuilding works and extensions on the character and appearance of the original building and the character, appearance and significance of this part of Bolehill Conservation Area.

### RECOMMENDATION

That the application be refused.

## 1. THE SITE AND SURROUNDINGS

- 1.1 18 Little Bolehill, is the end house, in a small terraced row. It is situated in a rural area, to the north-east of Wirksworth and towards the southern end of Bolehill Road. It lies within Bolehill Conservation Area.



## 2. DETAILS OF THE APPLICATION

- 2.1 This is a retrospective planning application, for the re-building, refurbishment and extension of stone-built outbuilding / pigsty, which had fallen into disrepair and lies approximately 10m to the south of the house.

## 3. PLANNING POLICY AND LEGISLATIVE FRAMEWORK

- 3.1 Adopted Derbyshire Dales Local Plan (2017):

S4: Development in the Countryside  
PD1: Design and Place Making  
PD2: Protecting the Historic Environment

- 3.2 Other:

National Planning Policy Framework (2023)  
National Planning Practice Guidance  
Derbyshire Dales District Council Supplementary Planning Document: The Conversion of Farm Buildings January (2019)

## 4. RELEVANT PLANNING HISTORY

12/00127/FUL	Erection of lean to store and installation of 10 photovoltaic panels to roof.	Approved
11/00812/FUL	Installation of 16 ground mounted photovoltaic solar panels.	Approved
10/00371/FUL	Erection of timber shed.	Approved
1093/0751	Incorporation of land within residential curtilage and extension to dwelling.	Approved
0293/0114	Erection of garage.	Approved

## 5. CONSULTATION RESPONSES

- 5.1 Derbyshire Wildlife Trust:  
No objection.
- 5.2 Town Council:  
No comment.

- 5.3 Design and Conservation Officer (DDDC):  
Considers the development to result in harm. Comments incorporated in the officer appraisal section of this report.

## **6. REPRESENTATIONS RECEIVED**

- 6.1 Four representations of support have been received.

## **7. OFFICER APPRAISAL**

- 7.1 The main issues to assess is the impact that the rebuilding, extension and alteration works have had on the character and appearance of the former pigsty and the character and appearance of this part of the Conservation Area.
- 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 Policy PD2 of the Adopted Derbyshire Dales Local Plan states that the Council will conserve heritage assets in a manner appropriate to their significance. This will take into account the desirability of sustaining and enhancing their significance and will ensure that development proposals contribute positively to the character of the built and historic environment. Particular protection will be given to designated and non-designated heritage assets and their setting. This will be achieved by requiring proposed developments that affect a heritage asset and / or its setting, including alterations and extensions to demonstrate how the proposal has taken account of design, form, scale, mass, use of materials and detailing.
- 7.5 Historic outbuildings are an important and significant part of the fabric, grain, character and appearance of an area and particularly a Conservation Area. They relate to the agricultural and horticultural narrative of a settlement and its historic development. In this regard, they are an intrinsic part of the fabric and built environment of a village.
- 7.6 It is considered that the proposed alterations and enlargement of this diminutive, former, agricultural building, are excessive and relate little to the original architectural form and narrative of the building and its small-scale and form, within the landscape.
- 7.7 Pages 4 and 5 of the Council's Supplementary Planning Document (SPD), on the conversion of farm buildings states that roofs of farm buildings are generally of the simplest form and shape (double-pitched or mono-pitched) and covered with traditional roofing materials such as stone slate, slate and clay tile (appropriate to the part of the Dales area they occupy). Some farm buildings retain their original stone ridge tiles. A common and characteristic form or shape of the buildings usually includes long uninterrupted roofs with no chimneystacks, dormers or roof-lights. The often simple configuration and juxtaposition of roofs is also an important and characteristic element of farm buildings.

- 7.8 The proposed inclusion of a small-scale 'Dutch' barn curved roof (also referred to in the application form as emulating a 'shepherds hut / railway carriage'), is considered an anomalous and inappropriate roofing type and form, for this particular building.
- 7.9 The proposed works, both individually and cumulatively, present a significant change to original form, shape, character and appearance, that is contrary to the Council's Supplementary Planning Document on the conversion of farm buildings. In this regard, the proposed alterations and enlargements etc. would be considered to be harmful to the building's vernacular and diminutive origins and therefore, would be harmful to the character and appearance of the Conservation Area.
- 7.10 Section 72(1) of the 1990 Act, imposes a general duty on Local Planning Authorities, in respect of Conservation Areas, to pay special attention to the desirability of preserving or enhancing the character or appearance of that area. Furthermore, Paragraph 199 of the NPPF (2023) states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to its conservation.
- 7.11 It is considered that the proposed alterations and enlargement etc. of the former, diminutive, pigsty, would fail to preserve the character, appearance and significance of the original building and consequentially the character, appearance and significance of the Conservation Area. In this regard, there is a finding of harm. It is considered that the level of harm would be less than substantial and in that regard, paragraph 202 of the NPPF states that where a development will lead to less than substantial harm to the significance of a designated heritage asset (Conservation Area), that harm should be weighed against the public benefits of the proposal.
- 7.12 In this case, it is considered that there is no public benefit of the building and so a recommendation of refusal is put forward on this basis.

## **8. RECOMMENDATION**

- 8.1 Planning Permission be refused for the following reason:

The scale, form and appearance of the rebuilding works, extensions and alterations harm the character, appearance and significance of the original building and consequentially the character, appearance and significance of this part of Bolehill Conservation Area. This harm is not outweighed by any public benefits to be derived and the development is contrary to policies PD1 and PD2 of the Adopted Derbyshire Dales Local Plan (2017), Derbyshire Dales District Council Supplementary Planning Document: The Conversion of Farm Buildings January (2019) and policy contained within the National Planning Policy Framework (2023).

## **9. NOTES TO APPLICANT:**

- 9.1 This Decision Notice relates to the following documents:  
Planning application form and drawings, received by the Council on 24<sup>th</sup> July 2023.
- 9.2 The Local Planning Authority considered the merits of the submitted application and judged that there was no prospect of resolving the fundamental planning problems with it through negotiation. On this basis the requirement to engage in a positive and proactive manner was considered to be best served by the Local Planning Authority issuing a decision on the application at the earliest opportunity and thereby allowing the applicant to exercise their right to appeal.