

APPLICATION NUMBER		23/00209/FUL	
SITE ADDRESS:		Meynell Hunt Kennels, Ashbourne Road, Sudbury, Ashbourne, Derbyshire DE6 5HN	
DESCRIPTION OF DEVELOPMENT		Proposed conversion, extensions and internal and external alterations in connection with conversion of buildings to 9no. dwellinghouses, associated erection of garages, provision of a new access, stopping up of the existing access, demolition, landscaping and associated works	
CASE OFFICER	Adam Maxwell	APPLICANT	Trustees of the Meynell and South Staffordshire Hunt
PARISH/TOWN	Sudbury	AGENT	Mr Scott O'Dell
WARD MEMBER(S)		DETERMINATION TARGET	17.11.2023
REASON FOR DETERMINATION BY COMMITTEE	The number of dwellings proposed	REASON FOR SITE VISIT (IF APPLICABLE)	For Members to appreciate the site and context.

MATERIAL PLANNING ISSUES
<ul style="list-style-type: none"> • Whether development is acceptable in principle • Impact on cultural heritage • Landscape impact and impact upon the character and appearance of the area • Transport and Impact on highway safety • Impact upon the amenity of neighbouring properties • Sustainable building and climate change • Flood risk and drainage • Impact on trees and biodiversity • Affordable housing and developer contributions

RECOMMENDATION
That planning permission be granted subject to planning conditions set out in section 8.0 of the report.

1.0 THE SITE AND SURROUNDINGS

- 1.1 The application site is located in open countryside north of Sudbury and west of the A515. The site comprises the Meynell Hunt Kennels a pair of cottages, associated land and a whelping lodge. The stables and cottages are all Grade II listed buildings.
- 1.2 The entire complex was part of a new build project by the Vernon family of Sudbury Hall who engaged the services of George Davey to design the complex which was built circa. 1874-77. There have been some later alterations during the 20th century, but the overall ensemble of buildings and the level of survival of original plan form / layout and fabric is comparatively intact.
- 1.3 Access to the site is from the A515 which is shared with the cottages to the south and east of the site which are the nearest neighbouring properties. Parkside Farm South is located towards the north of the whelping lodge.

2.0 DETAILS OF THE APPLICATION

- 2.1 Full permission is sought for the conversion of the stables, kennels and whelping lodge to 9 dwellinghouses along with the erection of garages, provision of a new access and associated demolition and landscaping. The three existing dwellings within the stables would be incorporated into the development resulting in a net additional 6 dwellinghouses on the site.
- 2.2 The plans show that the stable block and existing cottages would be converted to 6 dwellinghouses with communal internal storage space and external amenity areas within the internal courtyard and outside areas. Parking would be provided for these dwellings around the building as shown on the submitted plans and within two detached new build garages to the north west of the site.
- 2.3 The kennels would be converted to 2 dwellinghouses with private amenity spaces provided within the enclosed courtyards. Parking would be provided for these dwellings within two detached new build garages to the north west of the site.
- 2.4 The whelping lodge would be converted to a dwellinghouse with private amenity space within the curtilage of the building. A single storey lean-to extension to the whelping lodge is proposed. Parking would be provided to the east of the building on a hardstanding enclosed by post and rail fencing.
- 2.5 The existing vehicular access would be closed off with a timber post and rail fence and grass verge re-instated. A new vehicular access is proposed to the north with limestone surfaced tracks to the main building group and whelping lodge.





3.0 PLANNING POLICY AND LEGISLATIVE FRAMEWORK

3.1 Adopted Derbyshire Dales Local Plan 2017

- S1 Sustainable Development Principles
- S4 Development within the Countryside
- S5 Strategic Housing Development
- S9 Rural Parishes Development Strategy
- S10 Local Infrastructure Provision and Developer Contributions
- 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
- PD8 Flood Risk Management and Water Quality
- PD9 Pollution Control and Unstable Land
- HC1 Location of Housing Development
- HC4 Affordable Housing Provision
- HC19 Accessibility and Transport
- HC20 Managing Travel Demand
- HC21 Car Parking Standards

3.2 Other:

- The National Planning Policy Framework (NPPF) (2021)
- National Planning Practice Guidance
- Climate Change Supplementary Planning Document (SPD) (2021)
- Developer Contributions SPD (2020)
- Landscape Character and Design SPD (2018)
- Conversion of Farm Buildings SPD (2019)
- Historic England Advice Note 2 - Making Changes to Heritage Assets (2016)

4.0 RELEVANT PLANNING HISTORY:

05/00129/FUL	Change of use and conversion of stables and kennels to 6 no. residential/office units and associated access	WDN	18/11/2010
05/00130/LBALT	Alterations to listed building - Conversion of buildings to form 6 no. residential/office units	PERC	14/11/2005

13/00060/FUL	Conversion of committee room and kitchen to form residential apartment	PERC	28/05/2013
13/00061/LBALT	Alterations to listed building - Conversion of committee room and kitchen to form residential apartment	PERC	28/05/2013
22/00399/FUL	Conversion of and extensions to stable building, kennel buildings and whelping lodge to form 10no. dwellinghouses and associated erection of garages	WDN	27/09/2022
22/00400/LBALT	Proposed extensions and internal and external alterations in connection with conversion of buildings to 10no. dwellinghouses	WDN	27/09/2022

5.0 CONSULTATION RESPONSES

5.1 Sudbury Parish Council: No response to date.

5.2 Derbyshire Wildlife Trust: No objection subject to conditions.

5.3 Education Authority:

Analysis indicates that there would be no need to mitigate the impact of the proposed development on school places in order to make the development acceptable in planning terms. The County Council therefore requests no financial contributions.

The above is based on current demographics which can change over time and therefore the County Council would wish to be consulted on any amendments to a planning application or further applications for this site.

5.4 Environment Agency: No comment

5.5 Highway Authority: No objection subject to conditions.

5.6 Lead Local Flood Authority: No response to date.

5.7 DDDC Conservation Officer:

"The Meynell Hunt Stables, Kennels and pair of cottages are all (separately) grade II listed (listed 1985). The complex is located on the western side of main road and is outside the Sudbury Conservation Area.

The entire complex was a new build project by the Vernon family of Sudbury Hall who engaged the services of George Davey (1820-1886) to prepare designs for the complex and they were built circa.1874-77. At the same time Devey was designing a new east wing for the Hall and this was built between 1876 & 1883. George Devey is an important Victorian architect whose life and works have been extensively researched & published. The original drawings for the complex are kept at the RIBA Library in London.

As a complex and large scale design of a particular building type & function(s), coupled with their design and detailing by an important 19th century architect their significance is considered to be high. Whilst there have been some 20th century alterations and changes these are relatively minimal and the overall ensemble of buildings and the level of survival of original plan-form/layout and fabric/elements is comparatively intact.

Applications from 2022 (22/00399/FUL & 22/00400/LBALT) were withdrawn. The proposed scheme of conversion has been reviewed and the current application has been made.

The current proposal is to undertake internal & external alterations (including extensions) to form 9No. dwelling houses from the stables, kennels and Whelping Lodge (6 No. to the stables complex, 2No. to the kennel complex and 1No. to the Whelping Lodge).

A Heritage Impact Assessment (HIA) has been undertaken relating to the proposals under the application. The HIA acknowledges the significance and distinctiveness of the building ensemble and describes the survival of the large amount of original fabric, fittings, features and details to the stables complex and their contribution to the character and appearance of the building interiors. With regard to the kennels complex it acknowledges the significance & distinctiveness of the ventilation windows, lattice windows and metal work. In part of the kennels is an original raised sleeping area. In both the stables complex and kennels complex the HIA notes the survival of the original staircases.

The submitted HIA states, in connection with the external envelope of the buildings complex, that “the residential conversion has been carefully designed to minimize the external visual impact on the existing historic building” and that “the existing door openings that are proposed to be infilled externally, have been retained in an open position, with a glazed screen set within the existing reveals behind the existing historic door to retain the external aesthetics of the building, whilst providing necessary natural light into the rooms”.

Furthermore it is stated that “to the east elevation a simple lightweight glazed link extension is proposed to allow circulation around the existing stable range and a link to the external elevation. The glazed link allows views through the structure to the simple historic brickwork behind, reducing the impact of the extension and maintaining the visual architecture to that elevation” and that “no rooflights are proposed to the main complexes, in order to maintain the agricultural styling of the buildings”.

With regard to internal alterations/changes the HIA states that “internally the residential units have been designed to accommodate the existing and largely historic rooms and partitions, this has resulted in some rather unorthodox room sizes and shapes, which add to the unique nature of these buildings” and that “the majority of the historic stall partitions and doors have been retained forming part of the room perimeter walling and where the partitions and/or doors have been removed, the aim is to reuse, where possible, within the building or the external amenity space in order to maintain the continuity of the site”.

Furthermore the HIA states that “the new partitions are of lightweight construction, complete with the retention and re-use of the historic timber boarding and stall partitions wherever possible” and that “the existing staircases within the kennel and stable complexes have been carefully considered and retained where possible, in their original location, with new staircases being of sensitive design and location”.

Comments on the proposals –

Externally, to the building envelope and roofs there is to be little alteration. All chimneystacks are to be retained and there are to be no new openings formed and no rooflights. Windows and doors are to be retained and repaired and in some instances, openings with boarded doors are to be fitted with glazed windows. The diamond lattice metal windows to the kennels are to be formed into shutters with double-glazed new window frames behind.

It is considered, therefore, that the minimal changes to the exterior envelope of the buildings complex (stables and kennels) are generally considered to be acceptable and will not constitute adverse harm to the overall character and appearance of the building complex, subject to approval of details etc. via conditions.

Internally, five doorways are to be locked up (in order to separate the various units) – details of the proposed blocking to each doorway/opening should be approved via a condition. All of the existing staircases are to be retained as part of the conversion proposals – this is considered a positive proposals and will retain these historic elements/structures in-situ. A new internal staircase is to be installed into the ground floor of Unit 03. The proposed alterations on a unit by unit basis are set out in the submitted Design & Access Statement.

As set out above the HIA states that the majority of the historic stall partitions & doors have been retained. Whilst the proposed plans indicate the retention of the majority of the stalls etc. some (modern ones) are to be removed and those that are to be retained are to serve as, for example, kitchens, bedrooms, en-suites, offices etc. Proposed works to ceilings, walls and floors are set out in the submitted Design & Access Statement.

It is considered that the proposed retention of many of the key features of the interiors of the stable/kennel buildings is a positive proposal and will retain significance & heritage value to the conversion scheme. That said, the conversion to residential units will bring about a significant change in character and appearance to the interiors of the building complex in the form of kitchen, bathrooms, en-suites, bedrooms and other domestic spaces and uses. Those changes will inevitably alter existing character.

Sections 16(2) and 66(1) of the 1990 Act require that when considering whether to grant Listed Building Consent/Planning Permission for any works/development affecting a listed building, or its setting, special regard must be had to the desirability of preserving or enhancing the building, or its setting, or any features of architectural or historic interest it possesses. Furthermore, Paragraph 199 of the NPPF (2021) 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.

It is considered that externally the proposed alterations to the buildings complex are minimal and will not constitute adverse harm to the significance, character and appearance of the listed buildings. The internal alterations have attempted to retain existing spatial volumes and the existing layout and plan-form of the building as much as possible. In this regard, the significance of the original plan-form & layout will be retained and will be readable and understandable. Inevitably, the domestic paraphernalia of a residential conversion will have an impact on the interiors and this may constitute a degree of harm to the buildings interiors. It is considered that the level of harm identified would not be 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(s), that harm should be weighed against the public benefits of the proposal.

Other Works –

At the western end of the site the HIA states that “there is a single 19th Century facing brick agricultural building to the north west boundary of the site, in a poor dilapidated condition, which is to be retained, whilst the modern 20th Century timber storage buildings are to be demolished and replaced in similar locations with simple rectangular garaging, of brickwork construction set under dual pitched roofs, all located to the north west of the kennel complex”. The retention of the 19th century building is a positive proposal, however, its repair and proposed use etc. will need to be identified and approved under a condition.

The removal of the 20th century structures is considered acceptable. The proposed garaging may be acceptable subject to conditions on materials, design and detailing etc.

To the north of the main complex is an isolated building ('Whelping Lodge'). This appears to be of early 20th century date. It is a relatively plain and diminutive building in its landscape setting. It is proposed to erect a single-storey extension to the side elevation, in matching brickwork and roof covering etc. A mezzanine floor is to be inserted to provide two bedrooms. The following comments are made –

- The proposed extension will extend beyond the walled and railed enclosure to the southern side of the building and in this regard will appear odd and encroaching to the land surrounding the building,
- The proposed rooflights should be on the north roof slope of the building,
- The proposed new window to Bedroom 02 should be omitted and light/ventilation provided by the rooflight,
- The proposed three new windows to the rear elevation should be reduced to two,
- The end gable to the new extension should only have one (centralised) window.

Subject to the above it is considered that the proposed alterations to the building would not constitute adverse harm to the host building or on the setting of the listed buildings to the south.”

5.8 DDDC Director of Housing:

1. provision of affordable housing in Sudbury is very challenging.
2. it is my understanding that the district has now been designated a rural area within the definition of the Housing Acts. As such the Council should seek an affordable contribution from schemes of 5 or more homes.
3. such contribution should be in the form of an offsite contribution to support the provision of affordable homes in the nearby locality.

5.9 DDDC Environmental Health: No objection.

5.10 DDDC Trees and Landscape Officer:

1. “Potential impact to existing trees

The site is not within a conservation area though the land on the opposite side of the main road is. The trees on-site and nearby are not currently subject to DDDC Tree Preservation Order. No ancient woodland is close enough to be affected by the proposed works.

The proposed demolition and development works are close to existing trees, some of which are large mature specimens which are prominent from the road. It is important that as many of the existing trees as possible are retained, appropriately protected during development works and successfully incorporated into the development for the long-term.

It is foreseeable that trees rooting systems may be negatively affected by proposed development close to them which could potentially lead to death of the trees and/or their stability being compromised. This could result from demolition works, removal or installation of surfacing, ground level change, services installations, construction, development site activity, etc.

The proposed development may also necessitate or lead to pruning or removal of tree branches and/or pressure for tree removals due to real or perceived risk of failure onto the development and/or excessive shading.

I recommend that an Arboricultural Impact Assessment (AIA) prepared according to the guidelines of BS 5837 (2012) be submitted for approval pre-determination. This should include:

1. a tree schedule,
2. a scale tree constraints plan on a plan of the site as existing and include canopy spread, root protection area, BS5837 tree quality category and species for each tree,
3. a scale tree retentions and removals plan on a plan on the site as proposed and include canopy spread, root protection area, BS5837 tree quality category and species for each tree,
4. a scale plan to show the positioning and specification of any temporary tree protection fencing / temporary ground protection in the vicinity of retained trees on a plan of the site as proposed – this should include offset distances between tree stems and fencing to facilitate correct positioning on-site, and
5. a tree shading plan.

I recommend that if the AIA indicates that the development would encroach the canopy spread or root protection area of retained trees than a detailed site- specific Arboricultural Method Statement (AMS) should be required to be submitted for approval as a condition to any grant of planning consent. This should demonstrate how the proposals could be implemented without harm to retained trees.

2. Potential visual impact in the landscape

Given that the proposed development would be clearly associated with an existing built complex, and that the new buildings would be relatively small and located a significant distance from the road, I consider that the proposals would not have a significant negative visual impact in the local landscape. This assumes that:

1. any necessary tree removals are considered reasonable and not detrimental to the character and appearance of the local landscape or the setting of the existing buildings on and around the site (to be informed by the AIA),
2. appropriate replanting proposals are approved to replace any trees that would be removed (to be informed by landscaping proposals),
3. there would be no impact to retained trees in terms of their health and stability (to be informed by the AIA and AMS), and
4. the Planning Officer for the application is satisfied with the design, size, positioning, etc of the proposed.”

I am satisfied that the amended information provides sufficient detail to allow assessment of the impact of the proposals on the existing trees on and around the site. They also provide appropriate guidance to the developer on methods to be used to prevent significant harm to the trees during development.

The documents and drawings indicate that no significant trees would be removed to facilitate the proposals.

I suggest that if planning consent were to be granted then a condition should require that all guidance contained within the submitted Tree Survey and Arboricultural Method Statement, and the Tree Protection Plan (Rev A), should be followed.

I also suggest that the oak trees on and close to the site are suitable to be made subject to a new Tree Preservation Order. If this were confirmed than it would encourage the developer to take care not to damage the trees.”

5.11 DCC Archaeology:

No objection subject to condition to secure archaeological monitoring and recording.

6.0 REPRESENTATIONS RECEIVED

6.1 Three letters of representation have been received to date. The material planning issues raised are summarised below:

- a) The proposed conversion of the Whelping Lodge will harm the amenity of neighbouring properties. The windows and rooflights would look down the garden of the neighbouring property to the north and occupants of Parkside Farm South would be able to see lights from the windows.
- b) Query if new mains system will be installed for the development.
- c) The proposed closure of the existing access will affect the ability of the neighbouring property to maintain their land and hedge.
- d) Question accuracy of submitted Transport Statement.
- e) Request that consideration is given to reducing the speed limit of the A515 at the site to 40mph.
- f) There is an existing issue with surface water drainage from the current driveway. Request that the new driveway is correctly drained and that drainage is put in to the paddock.

7.1 OFFICER APPRAISAL

7.1 Section 38(5A and 5B) of the Planning and Compulsory Purchase Act 2004, as amended by the Levelling Up and Regeneration Act 2023, requires that where in making any determination under the planning Acts regard is to be had to the development plan, the determination must be made in accordance with the development plan and any national development management policies taken together, unless material considerations strongly indicate otherwise. Section 5C states that if, to any extent, the development plan conflicts with a national development management policy, the conflict must be resolved in favour of the national development management policy.

7.2 Having regard to the above, consultation responses and representations received and the relevant provisions of the development plan and the National Planning Policy Framework (NPPF), the main issues to assess are listed below. These are matters that go to the principle of the development and therefore must be considered at the outline stage.

- Whether development is acceptable in principle
- Impact on cultural heritage
- Landscape impact and impact upon the character and appearance of the area
- Transport and Impact on highway safety
- Impact upon the amenity of neighbouring properties
- Sustainable building and climate change
- Flood risk and drainage
- Impact on trees and biodiversity
- Affordable housing

Principle

7.3 The application site is located in open countryside. Policy S4 seeks to ensure that that new development protects and, where possible, enhances the character and distinctiveness of the landscape, the historic and cultural environment and the setting of the Peak District National Park whilst also facilitating sustainable rural community needs, tourism and economic development. New housing is only appropriate here in exceptional circumstances such as where justified for conversion of existing buildings in accordance with policy HC8.

- 7.4 The application buildings are clearly of substantial construction and make a very significant positive contribution to the landscape. Therefore, in principle, conversion to housing would be in accordance with policies S4 and HC8.
- 7.5 The Council is unable to demonstrate a 5 year housing land supply at this time. The National Planning Policy Framework (NPPF) is a material consideration and paragraph 11 says that in these circumstances the Local Planning Authority should grant planning permission for sustainable development unless:
- i. the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.
- 7.6 Paragraph 80 of the NPPF does make provision for the development of isolated homes in the countryside where development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets. There is also provision for where development would re-use redundant or disused buildings and enhance its immediate setting.
- 7.7 The application buildings are Grade II listed and therefore are heritage assets of national significance. The key issues in the assessment of this application therefore is whether the proposed development would be in accordance with local and national policies in regard to housing and conservation of heritage assets, having had regard to relevant development plan policies, guidance and material considerations and whether the development is acceptable in all other respects.

Impact on cultural heritage

- 7.8 The Meynell Hunt Stables, Kennels and pair of cottages are all (separately) grade II listed (listed 1985). The complex is located on the western side of main road and is outside the Sudbury Conservation Area.
- 7.9 The entire complex was a new build project by the Vernon family of Sudbury Hall who engaged the services of George Davey (1820-1886) to prepare designs for the complex and they were built circa.1874-77. At the same time Devey was designing a new east wing for the Hall and this was built between 1876 & 1883. George Devey is an important Victorian architect whose life and works have been extensively researched and published. The original drawings for the complex are kept at the Royal Institute of British Architects (RIBA) Library in London.
- 7.10 As a complex and large-scale design of a particular building type & function(s), coupled with their design and detailing by an important 19th century architect their significance is considered to be high. Whilst there have been some 20th century alterations and changes these are relatively minimal and the overall ensemble of buildings and the level of survival of original plan-form/layout and fabric/elements is comparatively intact.
- 7.11 Policies PD2 is relevant and 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 heritage assets including (amongst other things) conservation areas, listed buildings, archaeological sites or heritage features and non-designated heritage assets.

- 7.12 The buildings are located outside but adjacent to the Sudbury conservation area and Grade II listed gardens associated with Sudbury Hall to the west. The Local Planning Authority is obliged to have special regard to the desirability of preserving listed buildings their setting or any features of special architectural or historic interest which they possess. The Local Planning Authority is also obliged to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area.
- 7.13 A Heritage Impact Assessment (HIA) has been submitted with the application which meets the requirements of policy PD2 and the NPPF. The HIA concludes that the majority of the impact of the conversion is limited to the internal spaces without compromising the historic character of the buildings, their setting or architectural details.
- 7.14 The applicant has provided information in support of the application. The kennels as originally designed employed nearly 30 people and housed many of them. There are now 2 people employed and two of the cottages are let out and the flat is leased. The District Council resolved to grant planning permission in 2006 for the conversion of the buildings into 6no. dwellings however the sale process was halted following the financial crash of 2008 and the application withdrawn.
- 7.15 The applicant considers that the building complex is no longer fit for purpose in terms of size and the unaffordable costs of significant maintenance requirements. Therefore, the applicant agreed to vacate the kennels earlier this year with a view to seeking alternative accommodation arrangements for the hunt.
- 7.16 The Conservation and Design Officer has been consulted on the application and has provided detailed comments on the scheme.
- 7.17 The HIA states that “the residential conversion has been carefully designed to minimize the external visual impact on the existing historic building” and that “the existing door openings that are proposed to be infilled externally, have been retained in an open position, with a glazed screen set within the existing reveals behind the existing historic door to retain the external aesthetics of the building, whilst providing necessary natural light into the rooms”. Furthermore, that that “to the east elevation a simple lightweight glazed link extension is proposed to allow circulation around the existing stable range and a link to the external elevation. The glazed link allows views through the structure to the simple historic brickwork behind, reducing the impact of the extension and maintaining the visual architecture to that elevation” and that “no rooflights are proposed to the main complexes, in order to maintain the agricultural styling of the buildings”.
- 7.18 With regard to internal alterations the HIA states that “internally the residential units have been designed to accommodate the existing and largely historic rooms and partitions, this has resulted in some rather unorthodox room sizes and shapes, which add to the unique nature of these buildings” and that “the majority of the historic stall partitions and doors have been retained forming part of the room perimeter walling and where the partitions and/or doors have been removed , the aim is to reuse, where possible, within the building or the external amenity space in order to maintain the continuity of the site”. Furthermore, that “the new partitions are of lightweight construction, complete with the retention and re-use of the historic timber boarding and stall partitions wherever possible” and that “the existing staircases within the kennel and stable complexes have been carefully considered and retained where possible, in their original location, with new staircases being of sensitive design and location”.
- 7.19 Externally, to the building envelope and roofs there is to be little alteration. All chimneystacks are to be retained and there are to be no new openings formed and no rooflights. Windows and doors are generally to be retained and repaired. In some instances, existing openings

with boarded doors are to be glazed. The diamond lattice metal windows to the kennels are to be formed into shutters with double-glazed new window frames behind.

- 7.20 The alterations to the exterior of the buildings are considered to be minimal and generally acceptable. The alterations will not result in harm to the overall character and appearance of the building complex, subject to approval of details by planning condition.
- 7.21 Internally, five doorways are to be blocked (to separate the proposed units). All of the existing staircases are to be retained as part of the conversion proposals. This is a positive proposal and will retain these historic elements in-situ. A new internal staircase is to be installed into the ground floor of Unit 3 with the proposed alterations set out on a unit-by-unit basis in the submitted Design and Access Statement.
- 7.22 The application proposes to retain the majority of the historic stall partitions and doors. Some modern stalls are proposed to be removed and those that are to be retained are to serve as habitable rooms for the proposed dwellings (for example, kitchens, bedrooms). Proposed works to ceilings, walls and floors are set out in the submitted Design & Access Statement.
- 7.23 The conversion of stables and kennels to domestic spaces will inevitably result in change to the character of the buildings (as is the case with many conversions from non-domestic uses). However, the proposed retention of many of the key features of the interiors of the stable/kennel buildings is a positive proposal and will retain significance & heritage value to the conversion scheme.
- 7.24 Sections 16(2) and 66(1) of the 1990 Act require that when considering whether to grant Listed Building Consent/Planning Permission for any works/development affecting a listed building, or its setting, special regard must be had to the desirability of preserving or enhancing the building, or its setting, or any features of architectural or historic interest it possesses. Furthermore, Paragraph 199 of the NPPF (2021) 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.
- 7.25 Overall, the proposed alterations to the building complex are the minimal and will not result in harm to the significance, character and appearance of the listed buildings. Internally the proposed use will result in a change in character, however the internal alterations have retained existing spatial volumes and the existing plan form and layout as far as possible. Therefore, the significance of the original plan form and layout will be retained and read. The proposed conversion taken as a whole would conserve the significance of the buildings.
- 7.26 The development also proposes works within the site which affect the setting of the buildings. The development generally retains existing features such as the open courtyard and kennels. If permission is granted planning conditions would be necessary to agree domestic curtilages, landscaping and to remove permitted development rights to ensure that the development does not lead to unacceptable domestication of the setting of the buildings.
- 7.27 At the western end of the site modern timber storage buildings are to be demolished and replaced with simple garage buildings of brick construction with pitched roofs. There is no objection to the proposed garages subject to appropriate details and materials being agreed by planning condition. The retention of the 19th century brick agricultural building is welcomed subject to details in regard to its repair and re-use.
- 7.28 To the north of the main complex is an isolated building known as the Whelping Lodge. This appears to be of early 20th century date. It is a relatively plain and diminutive building in its landscape setting. It is proposed to erect a single-storey extension to the side elevation and convert the building to a two-bedroom dwelling. Initially there were concerns about the proposed extension and conversion details. However, amended plans have been received

showing a simple lean-to extension, appropriate openings and the roof lights moved to the rear elevation. Furthermore, the parking area and access track has been amended to minimise visual impact. The amended plans are acceptable and would not harm the character of the building or the setting of the listed buildings.

- 7.29 Finally, it is proposed to close the existing access and create a new access to the north in the interests of highway safety. The existing access has very poor visibility onto the A515 with the proposed access providing improved visibility splays for occupants of the development. This is a public benefit. There is no objection to the proposed limestone track as shown on the amended plans which would reflect the character of the area nor the proposed closure of the existing access which would appear as verge and still readable as a former access.
- 7.30 It is therefore concluded that the development will conserve the significance of the affected listed buildings and the setting of the Sudbury Conservation Area. The development would not harm the significance of any other heritage asset and is therefore in accordance with policies PD2, HC8 and the NPPF.

Landscape impact and impact upon the character and appearance of the area

- 7.31 Policy S1 states that development should conserve and where possible enhance the natural and historic environment, including settlements within the plan area. Policy PD1 requires all development to be of high quality design that respects the character, identity and context of the Derbyshire Dale's townscapes and landscapes.
- 7.32 Policy S4 s) states that permission will be granted for development where it does not undermine, either individually or cumulatively with existing or proposed development, the physical separation and open undeveloped character between nearby settlements either through contiguous extension to existing settlements or through development on isolated sites and land divorced from the settlement edge.
- 7.33 Policy PD5 deals specifically with landscape character and states that the Council will seek to protect, enhance and restore the landscape character of the area. This will be achieved by requiring that development has particular regard to maintaining landscape features, landscape character and the setting of the Peak District National Park. Development that would harm or be detrimental to the character of the local and wider landscape or the setting of a settlement will be resisted.
- 7.34 Policy PD1 goes on to say that development will only be permitted where the location, materials, scale and use are sympathetic and complement the landscape character, natural features (including trees, hedgerows and water features that contribute positively to landscape character) are retained and managed and opportunities for appropriate landscaping are sought such that landscape characteristics are strengthened.
- 7.35 The site is located within the Needlewood and South Derbyshire Claylands Landscape Character Area (LCA) and within the Settled Farmlands (LCT).
- 7.36 This is a gently undulating to rolling lowland dissected by minor stream valleys with localised steep slopes. Land is largely permanent pasture with dairy farming and localised arable cropping with small woodland blocks and copses and scattered oak and ash trees along hedgerows. There is a network of winding lanes often sunken on steeper slopes and small clusters of red brock and blue clay tile farms and cottages.
- 7.37 The landscape around the site reflects this character and the range of buildings at the site make a significant positive contribution to landscape character. The proposed development

would secure the buildings without any significant alterations or additions and therefore would conserve landscape character in accordance with policies S1, S4, PD1 and PD5.

Transport and Impact on Highway Safety

- 7.38 Policies S1, S4 r) and HC19 require development proposals to demonstrate that they can be safely accessed in a sustainable manner. Proposals should minimise the need to travel, particularly by unsustainable modes of transport and help deliver the priorities of the Derbyshire Local Transport Plan.
- 7.39 The proposal is for new residential development in a relatively unsustainable location within the countryside. However, policies support development in principle in circumstances such as this where development would conserve buildings which make a positive contribution to the landscape. The application is supported by a Transport Statement (TS) which assesses impacts upon highway safety and sustainable transport. There are limited options for this site for connections to public transport, particularly on foot, however, there are opportunities for cycling to nearby settlements, bus services at Doveridge and Sudbury and rail at Uttoxeter.
- 7.40 Therefore while there are limited public transport options in the locality there is the opportunity for the development to provide facilities for cycling. Secure storage for cycles would be available for residents in the shared storage space and garages. If permission were granted conditions would be recommended to agree a travel plan. This can be secured by an appropriate planning condition.
- 7.41 The TS demonstrates that the new access would have sufficient visibility and offers an improvement over the existing access which would be closed. Sufficient off-street parking would be provided in accordance with local requirements. The application therefore demonstrates that the development would be served with safe access and would not harm highway safety or the local highway network. No objection from the Highway Authority has been received subject to conditions. The application is therefore in accordance with policies S1, S4, HC19, HC20 and HC21.

Impact on amenity of neighbouring properties

- 7.42 The proposed dwellings would be located away from neighbouring properties. Concern has been raised by occupants of the property to the north, particularly in regard to loss of privacy. However, the proposed conversion of the Whelping Lodge would be some distance from that property and set alongside the established planting on the boundary. Therefore, the development would not result in any significant impacts upon privacy or light to neighbours nor would the development be overbearing. The development would result in vehicle movements during occupation, but these would not result in any significant noise or other disturbance which could harm the amenity of neighbouring properties.
- 7.43 The development would result in some impact in terms of noise and disturbance during construction. However, this is the case with any development and there would be no material difference between the proposal and the 2006 permission in this regard. This could be satisfactorily controlled subject to planning conditions to control hours of construction works and construction compound.
- 7.44 Therefore, subject to conditions the development could be accommodated on site without significant harm to the amenity of neighbouring properties or occupants of the development in accordance with policies S1 and PD1.

Sustainable building and climate change

- 7.45 Policies S1 and PD7 state that the Council will promote a development strategy that seeks to mitigate the impacts of climate change and respects our environmental limits by: requiring new development to be designed to contribute to achieving national targets to reduce greenhouse emissions by using land-form, layout, building orientation, planting, massing and landscaping to reduce energy consumption; supporting generation of energy from renewable or low-carbon sources; promoting sustainable design and construction techniques, securing energy efficiency through building design; supporting a sustainable pattern of development; water efficiency and sustainable waste management.
- 7.46 The submitted application does not propose any specific mitigation measures. The conversion of heritage buildings to a use which secures their conservation is an inherently sustainable form of development. The buildings and wider site are sensitive to alterations associated with enhanced insulation, glazing and microgeneration. There may however be opportunities within conservation constraints to minimise the energy and water consumption of the development thereby mitigating the impacts of climate change.
- 7.47 Therefore, having regard to the requirements of policies S1 and PD7 if permission is granted it is considered reasonable and necessary to impose a planning condition to require appropriate sustainable building and climate change mitigation measures to be incorporated. The development therefore can be delivered in a manner that would reduce carbon emissions and energy consumption therefore mitigating the impacts of climate change in accordance with policies S1 and PD7.

Flood risk and drainage

- 7.48 The whole site is located within Flood Zone 1 which is described as land having a less than 1 in 1,000 annual probability of river or sea flooding. The site is therefore at low risk from flooding. A Flood Risk Assessment (FRA) has been submitted with the application.
- 7.49 Policies S1 and PD8 are relevant and state that the Council will support development proposals that avoid areas of current or future flood risk and which do not increase the risk of flooding elsewhere. Development will be supported where it is demonstrated that there is no deterioration in ecological status either through pollution of surface or groundwater or indirectly through pollution of surface or groundwater or indirectly through overloading of the sewerage system and wastewater treatment works. New development shall incorporate Sustainable Drainage Measures (SuDS) in accordance with national standards.
- 7.50 The FRA includes a drainage strategy. This strategy concludes that post-development surface water is attenuated within the site to provide a betterment and allowed to infiltrate to soakaways.
- 7.51 Foul water would be to an on-site package treatment plant. Discharge to the main sewer is not practicable or viable given the distance and therefore a package treatment plant is acceptable in principle and in accordance with Planning Practice Guidance. This would mitigate risk of pollution of the water environment in accordance with policy PD9.
- 7.52 The Environment Agency (EA) and Lead Local Flood Authority (LLFA) have been consulted. The EA raise no objection to the development. The LLFA have not responded to date.
- 7.53 The submitted FRA demonstrates that the development would be located within Flood Zone 1 an area of lowest flood risk. The development would be appropriately flood resistant and resilient. Any residual flood risk could be safely managed and safe access and escape routes would be available at all times. Foul water would be a package treatment plant. The drainage strategy demonstrates that surface water would be dealt with appropriately and in accordance with national planning guidance.

7.54 Therefore, subject to conditions the application does demonstrate that the development can be accommodated on site in accordance with policies S1 and PD8.

Impact on trees and biodiversity

7.55 There are a number of trees and hedges on and adjacent to the site that could be affected by the development. Policies S1 and PD3 state that the Council will seek to protect, manage and where possible enhance the biodiversity and geological resources of the area by ensuring that development will not result in harm to biodiversity or geodiversity interests and by taking account of a hierarchy of protected sites. This will be achieved by conserving designated sites and protected species and encouraging development to include measures to contribute positively to overall biodiversity and ensure that there is a net overall gain to biodiversity.

7.56 The application is supported by an Ecological Impact Assessment (EclA), Preliminary Ecological Appraisal (PEA) and an update bat survey.

7.57 The application site is not close to any statutory conservation sites. All sites are well removed and isolated from the development and therefore there would be no significant adverse impacts upon designated sites either directly or indirectly.

7.58 The submitted surveys identify 12-day roosts for bats comprising whiskered/brant's, common pipistrelle, soprano pipistrelle, brown long-eared bats and natterer's. The application proposes appropriate mitigation within the buildings including retaining and recreating roost locations and using appropriate lining in all roof works. A full European Protected Species (EPS) licence from Natural England will be required for the proposed works.

7.59 Having had regard to the submitted survey report and advice from DWT it is concluded that there are overriding public interest reasons for the works which would secure the conservation of the listed buildings. As the proposal is for conversion there are no satisfactory alternatives available. From the evidence submitted it is considered likely that a licence would be granted by Natural England and that the favourable conservation status of the species would be maintained.

7.60 The development therefore could be carried out in a manner that would conserve EPS on and around the site. Impacts upon other species could also be satisfactorily mitigated and measures could be installed to secure biodiversity net gain. Therefore, subject to conditions recommended by DWT the proposed development is in accordance with policies S1 and PD3.

7.61 The proposed development is close to existing trees, some of which are large mature specimens which are prominent from the road and make a positive contribution to the setting of the buildings and wider landscape. The application is supported by a tree survey and Arboricultural Method Statement (AMS). The submitted information demonstrates that existing trees would be retained and protected during construction and through the lifetime of the development in accordance with the requirements of policy PD6. If permission is granted conditions would be recommended to require the development to be carried out in accordance with the submitted AMS and mitigation measures.

Affordable housing and contributions

7.62 Policy S10 states that suitable arrangements will be put in place to improve infrastructure, services and community facilities, where necessary when considering new development, including providing for health and social care facilities, in particular supporting the proposals that help to deliver the Derbyshire Health and Wellbeing Strategy and other improvements

to support local Clinical Commissioning Groups (CCG) and facilitating enhancements to the capacity of education, training and learning establishments throughout the Plan Area.

- 7.63 No health contribution has been sought by the CCG. The Education Authority state that there is no need to mitigate the impact of the proposed development on school places in order to make the development acceptable in planning terms. No financial contribution is therefore requested.
- 7.64 In order to address the significant need for affordable housing across the Local Plan area, policy HC4 requires that all residential developments of 11 dwellings or more or with a combined floor space of more than 1000 square metres provide 30% of the net dwellings as affordable housing. This application is for 9 dwellings (6 net additional dwellings) and therefore the requirement for affordable housing under policy HC4 does not apply.
- 7.65 The Director of Housing has requested a financial contribution for affordable housing off-site, citing the fact that the district has been designated as a Rural Area for the purposes of S.157 of the Housing Act 1985. This designation is relevant because paragraph 64 of the NPPF states that in designated Rural Areas policies may set out a lower threshold for affordable housing of 5 units or fewer.
- 7.66 Following the designation the District Council resolved to revise policy HC4 by reducing the threshold for affordable housing to all residential developments of 5 dwelling or more. The application of the revised policy would mean that this development would need to make provision for affordable housing. In this case an off-site financial contribution.
- 7.67 The application does not propose any affordable housing and the applicant has indicated that they will not agree to make any financial contribution to affordable housing off site. The applicant has instructed Counsel opinion on the lawfulness of the District Council's policy approach and submitted the opinion to Officers. The Counsel opinion states that the District Council's approach to amending policy HC4 is unlawful because it involved the amendment or introduction of a development plan document without compliance with the statutory requirements of the Planning and Compulsory Purchase Act 2024.
- 7.68 Officers have consulted the Policy Manager on the Counsel opinion and concluded that the opinion is correct. It would therefore be unlawful to apply the lower threshold. The relevant planning policy is HC4 as adopted which sets a requirement for affordable housing on all developments of 11 dwellings or more. The NPPF provides scope for areas with a Rural Area designation to apply a lower threshold but through the adoption of a policy. No such policy has been lawfully adopted and therefore the lower threshold does not apply.
- 7.69 Furthermore, the supporting text to paragraph 64 of the NPPF states that in all cases to support the re-use of brownfield land, where vacant buildings are being reused or redeveloped, any affordable housing contribution should be reduced by a proportionate amount. In this case the whole of the development comprises re-use of vacant buildings on brownfield land. Therefore, provision of affordable housing would be contrary to paragraph 64 of the NPPF in any event.
- 7.70 In general terms the need for affordable housing within the District and the Rural Area designation is acknowledged. However, current local plan policies do not require affordable housing within a development of this scale. Furthermore, the Council is currently unable to demonstrate a 5-year housing land supply and therefore there is a presumption in favour of sustainable development. Housing policies in the NPPF would not support the provision of affordable housing in this development.
- 7.71 It is therefore concluded that the proposal is in accordance with the requirements of policy HC4 and that it is not necessary for the development to provide affordable housing or a

contribution for affordable housing to meet the requirements of the development plan. Other material considerations do not indicate otherwise.

The Planning Balance

- 7.76 The principle of residential development on this site is in accordance with policies S4 and HC8 of the Adopted Derbyshire Dales Local Plan (2017).
- 7.77 The application proposes the conversion of buildings on site to dwellings. The proposals have been carefully considered by the Conservation and Design Officer and it is concluded that the development would conserve the significance of the affected listed buildings and would not result in any harm to the setting of heritage assets associated with Sudbury Hall including the parkland in accordance with policies PD1 and PD2.
- 7.78 The development would not harm the landscape or landscape character in accordance with policies S1, S4 and PD5. The development would not harm biodiversity or trees in accordance with policies PD3 and PD7. The development would not be at risk of flooding and would be provided with sustainable drainage in accordance with policies PD8 and PD9. The development would not harm highway safety or result in any significant impact upon the highway network and would not result in harm to the amenity of neighbouring properties in accordance with policies PD1, HC10, HC20 and HC21.
- 7.79 The Council is unable to demonstrate a 5 year housing land supply at this time. The National Planning Policy Framework (NPPF) is a material consideration and paragraph 11 says that in these circumstances the Local Planning Authority should grant planning permission for sustainable development unless:
- i. the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.
- 7.80 The development is in accordance with the relevant provisions of the development plan, national and local planning guidance and is considered to be a sustainable development in that it would re-use historic buildings in a manner which conserves significance thereby securing their conservation for future generations. The NPPF is clear that in these circumstances the Local Planning Authority should grant planning permission.
- 7.81 The application is therefore recommended for approval subject to the imposition of planning conditions.

8.0 RECOMMENDATION

That planning permission be granted subject to the following conditions:

1. The development hereby permitted shall 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 & Country Planning Act 1990.

2. The development hereby permitted shall not be carried out other than in accordance with the following approved plans, documents and subject to the following conditions:

Location Plan – LP01 Rev B
Proposed Site Plan – PSP01 Rev C
Proposed Block Plan – PBP01

Proposed Unit 01 + 02 – PP01 Rev B
Proposed Unit 03 – PP03 Rev B
Proposed Unit 04 + Communal – PP04 Rev A
Proposed Unit 05 – PP05 – Rev B
Proposed Unit 06 – PP06
Proposed Details 02 – PD02
Stables Proposed Plans and Elevations – PPSA
Room Schedule Stables Unit 01 – 06 – Issue 02

Proposed Unit 07 + 08 - PPK01 – Rev A
Proposed Details – PD01 Rev A
Room Schedule Kennels and Whelping Lodge Unit 07 – 09 – Issue 02

Proposed Unit 09 (Whelping Lodge) – PPW01 Rev C

Drainage Strategy & Flood Risk Assessment – PR-01 Rev A
Drainage Strategy – 15578-ABA-22-XX-ZZ-D-500 Rev P03
Ecological Impact Assessment – BG21.229 Rev2
Preliminary Ecological Appraisal – BG21.229
Emergence Survey Results – BG21.229 letter dated 21.09.2023
Transport Statement – 039 V8
Tree Survey and Arboricultural Method Statement – 25.04.2023
Tree Protection Plan – Rev A

Reason:

For clarity and the avoidance of doubt and in the interests of the proper planning of the area.

3. A. No development shall take place until a Written Scheme of Investigation for historic building recording has been submitted to and approved in writing by the Local Planning Authority, until all on-site elements of the approved scheme have been completed, 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.

B. No development shall take place other than in accordance with the Written Scheme of Investigation for historic building recording approved under part A.

Reason:

To ensure that any archaeological significance associated with the buildings is

appropriately recorded in accordance with policy PD2 of the Adopted Derbyshire Dales Local Plan and the National Planning Policy Framework.

4. No works shall take place to Buildings 1, 2 and 3 until an appropriate licence has been obtained from Natural England, plus any additional survey work considered necessary to inform the licence application has been undertaken. Upon receipt of a licence from Natural England, works shall proceed strictly in accordance with the approved mitigation, which should be based on the proposed measures outlined in Section 6.2.5.3 of the Ecological Impact Assessment (Brindle and Green, January 2022) and amended as necessary based on the results of any additional surveys or correspondence from Natural England. Such approved mitigation will be implemented in full in accordance with a timetable of works included within the licence and followed thereafter. A copy of the licence will be submitted to the Local Planning Authority within one month of being granted.

Reason:

To ensure that the development conserves protected species in accordance with policy PD3 of the Adopted Derbyshire Dales Local Plan and the National Planning Policy Framework.

5. Prior to the installation of any external lighting fixtures, a detailed lighting strategy shall be submitted to and approved in writing by the Local Planning Authority to safeguard bat roosting features on site. This should provide details of the chosen luminaires, their locations and any mitigating features such as dimmers, sensors and timers. Dependent on the scale of proposed lighting, a lux contour plan may be required to demonstrate acceptable levels of lightspill to any sensitive ecological zones/features. The development shall not be carried out other than in accordance with the approved details and shall be so maintained throughout the lifetime of the development.

Reason:

To ensure that lighting associated with the development conserves protected species in accordance with policy PD3 of the Adopted Derbyshire Dales Local Plan and the National Planning Policy Framework.

6. Notwithstanding the approved plans, prior to the commencement of any conversion or demolition works, a bat and bird box plan shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved details and the bat and bird boxes shall be maintained throughout the lifetime of the development. The bat and bird box plan shall include:
 - Licensed bat mitigation features, as well as enhancement features such as those detailed in Section 7.2.2 of the Ecological Impact Assessment (Brindle and Green, January 2022).
 - Swallow mitigation to compensate for the loss of existing nest sites. This shall comprise either swallow nest cups installed in a suitable open fronted structure(s) or a bespoke covered swallow box(es).
 - Additional bird boxes such as those detailed in Section 6.2.3.2 of the Ecological Impact Assessment (Brindle and Green, January 2022).

Reason:

To ensure mitigation and enhancement is delivered in accordance with policy PD3 of the Adopted Derbyshire Dales Local Plan and the National Planning Policy Framework.

7. No stripping, demolition works or vegetation clearance shall take place between 1st March and 31st August inclusive, unless preceded by a nesting bird survey undertaken by a

competent ecologist no more than 48 hours prior to clearance. If nesting birds are present, an appropriate exclusion zone will be implemented and monitored until the chicks have fledged. No works shall be undertaken within exclusion zones whilst nesting birds are present.

Reason:

To ensure that the development does not result in harm to nesting birds in accordance with policy PD3 of the Adopted Derbyshire Dales Local Plan and the National Planning Policy Framework.

8. The development hereby permitted shall not be carried out other than in accordance with the precautionary measures detailed in Section 6.2.7.2 of the Ecological Impact Assessment (Brindle and Green, January 2022) which shall implemented in full.

Reason:

To ensure that the development conserves protected species in accordance with policy PD3 of the Adopted Derbyshire Dales Local Plan and the National Planning Policy Framework.

9. Prior to any site clearance, groundworks, excavations, demolition or construction works and before any materials or plant are brought onto the site for the purpose of the development, temporary tree protection fencing shall be erected in accordance with the approved plans and according to the approved specification (or as specified by British Standard 5837:2012).

The fencing shall remain in place and intact until all development works at the site have been completed and all equipment, plant, machinery, surplus materials and waste have been removed from the site; and:

1. no ground level change,
2. excavation,
3. underground services installations/removals,
4. surfacing, or
5. construction

shall take place within the fenced areas.

Furthermore, unless agreed in writing in advance by the Local Planning Authority there shall be:

1. no access to the fenced areas for pedestrians/plant/vehicles;
2. no waste/equipment/materials/consumables/spoil storage in the fenced areas;
3. no fires in the fenced areas or within 10m of them;
4. no fuel, oil, cement, concrete, mortar or washings shall be allowed to flow into the fenced areas.

Reason:

To protect retained trees during the development phase in accordance with policies PD3 and PD7 of the Adopted Derbyshire Dales Local Plan.

10. Notwithstanding the approved plans, a scheme of hard and soft landscaping shall be submitted to and approved in writing by the Local Planning Authority within 56 days of the commencement of development, the details of which shall include:

- a) soil preparation, cultivation and improvement;
- b) all plant species, planting sizes, planting densities, the number of each species to be planted and plant protection;
- c) grass seed mixes and sowing rates;
- d) finished site levels and contours;
- e) gates, walls, fences and other means of enclosure;
- f) hard surfacing materials;
- g) minor artefacts and structures (e.g. furniture, play equipment, refuse and other storage units and signs);
- h) proposed and existing functional services above and below ground (e.g. drainage, power, communications, cables, pipelines etc indicating lines, manholes, supports etc);
- i) retained landscape features and proposed restoration, where relevant; and
- j) timescale for implementation.

The development shall not be carried out other than in accordance with the approved details.

Reason:

To secure a high-quality landscaping scheme which conserves the setting and character of the buildings and implementation as soon as reasonably practicable in accordance with policies PD1 and PD2 of the Adopted Derbyshire Dales Local Plan and the National Planning Policy Framework.

11. All hard and soft landscaping comprised in the approved details of landscaping shall be carried out in accordance with the approved timescale. All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority.

Reason:

To secure a high-quality landscaping scheme which conserves the setting and character of the buildings and implementation as soon as reasonably practicable in accordance with policies PD1 and PD2 of the Adopted Derbyshire Dales Local Plan and the National Planning Policy Framework.

12. Notwithstanding the approved plans, prior to the first occupancy of any part of the development hereby approved a plan showing the layout of proposed domestic curtilages relative to each dwelling and any other land to be used for domestic purposes shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter not be carried out or occupied other than in accordance with the approved details.

Reason:

To ensure that the development conserves the character of the buildings and their setting within the landscape in accordance with policies PD1 and PD2 of the Adopted Derbyshire Dales Local Plan and the National Planning Policy Framework.

13. Prior to the commencement of conversion works, a detailed scheme of measures to mitigate the effects of and adapt to climate change at the site along with a timetable for

implementation shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and the approved measures shall be maintained throughout the lifetime of the development hereby approved.

Reason:

To ensure the implementation of the proposed measures to mitigate the effects of and adapt to climate change in accordance with policy PD7 of the Adopted Derbyshire Dales Local Plan (2017).

14. Before any other operations are commenced a new vehicular and pedestrian access shall be created to Ashbourne Road in accordance with the application drawings, laid out, constructed and provided with visibility splays of 2.4m x 105m to the north and 2.4m x 116m to the south, the area in advance of the sightlines being maintained throughout the life of the development clear of any object greater than 1m in height (0.6m in the case of vegetation) relative to adjoining nearside carriageway channel level.

Reason:

To ensure that the development is provided with safe access in accordance with policy S1 of the Adopted Derbyshire Dales Local Plan and the National Planning Policy Framework.

15. Before any other operations are commenced (excluding creation of the new access), the existing vehicular (and pedestrian) access to Ashbourne Road shall be permanently closed with a physical barrier and the existing vehicle crossover reinstated as verge in accordance with a detailed scheme which shall have first been submitted to and approved in writing by the Local Planning Authority.

Reason:

To ensure that the existing access is permanently closed in a suitable manner to ensure that the development is provided with safe access in accordance with policy S1 of the Adopted Derbyshire Dales Local Plan and the National Planning Policy Framework.

16. No part of the development hereby permitted shall be occupied until space has been provided within the application site in accordance with the application drawings for the parking and manoeuvring of residents and service and delivery vehicles, laid out, surfaced and maintained throughout the life of the development free from any impediment to its designated use.

Reason:

To ensure that satisfactory parking and manoeuvring space is provided and maintained in accordance with policy HC21 of the Adopted Derbyshire Dales Local Plan and the National Planning Policy Framework.

17. No part of the development hereby permitted shall be occupied until a Travel Plan (that promotes sustainable forms of access to the development site) has been submitted to and approved in writing by the Local Planning Authority. The approved Travel Plan shall thereafter be implemented and updated throughout the lifetime of the development hereby approved.

Reason:

To reduce vehicle movements and promote sustainable access in accordance with policy HC19 of the Adopted Derbyshire Dales Local Plan (2017).

18. The conversion shall be carried out within the shell of the existing buildings only, with any rebuilding or demolition limited to that specifically shown on the approved plans.

Reason:

To ensure that the development conserves the character of the buildings and their setting in accordance with policies PD1 and PD2 of the Adopted Derbyshire Dales Local Plan (2017).

19. The demolition works shall be carried out in accordance with the approved plans and the buildings shall be demolished and removed from the site before the first occupation of any part of the development hereby permitted.

Reason:

To ensure that the buildings are demolished in the interests of the character and setting of the buildings in accordance with policies PD1 and PD2 of the Adopted Derbyshire Dales Local Plan (2017).

20. Notwithstanding the approved plans, prior to installation / construction the following details shall be submitted to and approved in writing by the Local Planning Authority:

- a) new and replacement windows, doors, rooflights, shutters and secondary glazing including construction details, recess, finish and furniture;
- b) roof materials including sample;
- c) new or replacement brickwork or stonework including sample and mortar specification;
- d) timber cladding including construction details and finish;
- e) new and replacement rainwater goods including construction details, materials and finish;
- f) vents, soil vent pipes, grilles or meter boxes.

The development shall not be carried out other than in accordance with the approved details.

Reason:

To ensure that the development conserves the character of the buildings and their setting within the landscape in accordance with policies PD1 and PD2 of the Adopted Derbyshire Dales Local Plan and the National Planning Policy Framework.

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

Reason:

In the interests of the character and setting of the buildings in accordance with policies PD1 and PD2 of the Adopted Derbyshire Dales Local Plan (2017).

9.0 NOTES TO APPLICANT:

The Local Planning Authority has provided pre-application advice and discussed the merits of the application with the applicant during the course of the application and requested amended plans and further supporting information.

The Town and Country Planning (Fees for Applications, Deemed Applications and Site Visits) (England) Regulations 2012 as amended stipulate that a fee will henceforth be payable where a written request is received in accordance with Article 27 of the Development Management Procedure Order 2015 for the discharge of conditions attached to any planning permission. Where written confirmation is required that one or more conditions imposed on the same permission have been complied with, the fee chargeable by the Authority is £34 per householder request and £116 per request in any other case. The fee must be paid when the request is made and cannot be required retrospectively.

1. Pursuant to Section 184 of the Highways Act 1980 and Section 86(4) of the New Roads and Streetworks Act 1991 prior notification shall be given to the Department - Place at County Hall, Matlock regarding access works within the highway. Information, and relevant application forms, regarding the undertaking of access works within highway limits is available via the County Council's website:
<https://www.derbyshire.gov.uk/transport-roads/roads-traffic/licences/enforcements/vehicular-access/vehicle-accesses-crossovers-and-dropped-kerbs.aspx>

E-mail highways.hub@derbyshire.gov.uk or Telephone Call Derbyshire on 01629 533190.

2. Pursuant to Section 278 of the Highways Act 1980 and the provisions of the Traffic Management Act 2004, no works may commence within the limits of the public highway without the formal written Agreement of the County Council as Highway Authority. It must be ensured that public transport services in the vicinity of the site are not adversely affected by the development works. Advice regarding the technical, legal, administrative and financial processes involved in Section 278 Agreements may be obtained from in Development Control at County Hall, Matlock (tel: 01629 538658). The applicant is advised to allow approximately 12 weeks in any programme of works to obtain a Section 278 Agreement.
3. Pursuant to Section 127 of the Highways Act 1980, no work may commence within the limits of the public highway to close any redundant accesses and to reinstate the footway without the formal written Agreement of the County Council as Highway Authority. It must be ensured that public transport services in the vicinity of the site are not adversely affected by the development works. Advice regarding the technical, legal, administrative and financial processes involved in Section 127 Agreements may be obtained by contacting this Authority via email – highways.hub@derbyshire.gov.uk. The applicant is advised to allow approximately 12 weeks in any programme of works to obtain a Section 127 Agreement.
4. The Highway Authority recommends that the first 5m of the proposed 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 householder.

5. Pursuant to Section 163 of the Highways Act 1980, where the site curtilage slopes down towards the public highway, measures shall be taken to ensure that surface water run-off from within the site is not permitted to discharge across the footway margin. 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.
6. Pursuant to Sections 149 and 151 of the Highways Act 1980, steps shall be taken to ensure that mud or other extraneous material is not carried out of the site and deposited on the public highway. Should such deposits occur, it is the applicant's responsibility to ensure that all reasonable steps (e.g. street sweeping) are taken to maintain the roads in the vicinity of the site to a satisfactory level of cleanliness.