



Planning Committee 20th February 2024

APPLICATION NUMBER		23/00916/FUL	
SITE ADDRESS:		Red House Stables, Old Road, Darley Dale, Derbyshire, DE4 2ER	
DESCRIPTION OF DEVELOPMENT		Change of use from museum and exhibition space to (class E) antique, salvage, recycled and vintage collectables shop	
CASE OFFICER	G Huffen	APPLICANT	Mr N Russell
PARISH/TOWN	Darley Dale	AGENT	N/A
WARD MEMBER(S)	Cllr D Burton Cllr M Franks Cllr R Shelley	DETERMINATION TARGET	19.01.2024 (Extension of Time)
REASON FOR DETERMINATION BY COMMITTEE	Called in by Ward Member.	REASON FOR SITE VISIT (IF APPLICABLE)	To enable Members to appreciate the site and context.

MATERIAL PLANNING ISSUES
<ul style="list-style-type: none">• Principle of development• Impact on amenity of neighbouring residents• Impact on the character and appearance of the surrounding landscape• Impact on highway safety

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

1.0 THE SITE AND SURROUNDINGS

1.1 The application site is located off the southern side of Old Road, Darley Dale and accessed via a unadopted access road owned by the District Council. The last lawful use of the site was a carriage museum associated with the equestrian use of the site as a whole. There are a number of more contemporary buildings to the front (northern) part of the site (to which this application relates) with stable/ agricultural style buildings forming part of the rear (southern) part of the overall site.



2.0 DETAILS OF THE APPLICATION

2.1 Retrospective planning permission is sought for the change of use of land and buildings (in part) for the retail and storage of antique, salvage, recycled and vintage collectables. The site is open for sales five days a week, 3 days over the working week (Monday to Friday) and at the weekend. The opening hours are indicated as 11:30am to 4:30pm. The business is also open on bank holidays.

3.0 PLANNING POLICY AND LEGISLATIVE FRAMEWORK

1. Adopted Derbyshire Dales Local Plan (2017)

- S1: Sustainable Development Principles
- S2: Settlement Hierarchy
- S4: Development in the Countryside
- PD1: Design and Place Making
- PD5: Landscape Character
- PD6: Trees, Hedgerows and Woodlands
- PD9: Pollution Control and Unstable Land
- HC19: Accessibility and Transport
- EC1: New and Existing Employment Development
- EC8: Promoting Peak District Tourism and Culture

2. National Planning Policy Framework (2023) National Planning Practice Guidance

4.0 RELEVANT PLANNING HISTORY:

1194/0700	RENEWAL OF PLANNING PERMISSION FOR RANCH HOUSE (WED/0984/0632)	A	12/12/1994
1190/1019	RENEWAL OF PERMISSION FOR CARRIAGE MUSEUM AND USE OF VAN BODY FOR FODDER STORAGE (WED0985/0714)	A	06/02/1991
0985/0714	CHANGE OF USE FROM STORAGE TO CARRIAGE MUSEUM AND ERECTION OF VAN BODY FOR FODDER STORAGE	A	06/11/1985
0984/0632	RANCH HOUSE	A	08/11/1984
01/05/0339	Demolition of stables and erection of house and garage	R	05/07/2001
00/06/0426	Demolition of outbuildings and construction of dwelling and garage	W	31/07/2000

5.0 CONSULTATION RESPONSES

Local Highways Authority (Derbyshire County Council)

5.1 There are no objections to the proposed development from a traffic and highway point of view.

Darley Dale Town Council

5.2 Councillors felt that there is insufficient information for the Town Council Planning Committee to make an informed recommendation. After discussing the applications with the applicant and neighbours to the development site the Town Council Planning Committee would again request that District Planning Officers conduct a site visit to examine all three

applications in conjunction with each other to better understand the overall development and impact on neighbouring homes/streetscape.

Peak & Northern Footpaths Society

5.3 No objection.

Ramblers Derbyshire Dales Group

5.4 Ramblers Derbyshire Dales Group has no objection providing that:
i) Darley Dale FP 25 remains unaffected at all times, including the path surface, both during and after any development.

DDDC Environmental Health

5.5 No objections to this application.

6.0 REPRESENTATIONS RECEIVED

6.1 None received.

7.0 OFFICER APPRAISAL

The following material planning issues are relevant to this application:

- Principle of development
- Impact on amenity of neighbouring residents
- Impact on the character and appearance of the surrounding landscape
- Impact on highway safety

Principle of Development

- 7.1 The application site is located outside of the defined settlement boundary of Darley Dale as identified by policy S2 of the Adopted Derbyshire Dales Local Plan (2017). The principle of the development should therefore be assessed against policy S4 which relates to development proposals in countryside locations.
- 7.2 Policy S4 states that development will be permitted in such a location where it comprises “the sustainable growth of tourism or other rural based enterprises in sustainable locations where identified needs are not met by existing facilities” and “it comprises rural employment development including home working, commercial enterprises and live-work units”.
- 7.3 Policy EC1 of the Adopted Derbyshire Dales Local Plan (2017) states that the District Council will support proposals for new or expansion of existing business or industrial development in sustainable locations that contribute towards the creation and retention of a wide range of jobs. This will be achieved by encouraging the redevelopment, intensification and more efficient use of existing sites where they are either not fully utilised or unsuited to modern employment requirements, particularly those sites located within or serving the Market Towns and those with good access by a variety of transport modes and supporting employment development outside of allocated employment sites but within the built up area when it would not create harm to the character, appearance or amenity of the area amongst other considerations.
- 7.4 The re-use of the site for the sale of collectables represents a continued use of the site for commercial purposes, albeit falling within the D1, now F.1 Use Class. As the operation is located to the northern part of the site and utilises existing buildings, it also does not lead to excessive encroachment or expansion of development away from existing buildings. The nature of the business selling antique, salvage, recycled and vintage collectables also offers further tourism opportunities within the area.

- 7.5 The enterprise is also sustainably located, as although the site is not necessarily "edge of settlement" as there is intervening agricultural land, the services and facilities of Darley Dale are within an approximate 10-minute walk of the site.

Impact on amenity of neighbouring residents

- 7.6 Policy PD1 of the Adopted Derbyshire Dales Local Plan (2017) requires development proposals to achieve a satisfactory relationship with adjacent development and not cause unacceptable effects by reason of visual intrusion, overlooking, shadowing, overbearing effect, noise, light pollution or other adverse impacts on local character and amenity. Policy PD9 seeks to protect people and the environment from polluted environments, including noise.
- 7.7 Although the Red House Stables site has been predominantly used for commercial purposes, it is located in an area predominantly used for residential purposes, with two dwellings located to the west of the site and two to the east.
- 7.8 Although no concerns have been raised by neighbouring occupiers in respect of the application, it is considered that conditions be attached securing the operating hours, delivery hours and type of Class E (Commercial, business and service) use that can be operated from the site, in order to safeguard the amenity of the neighbouring occupiers.
- 7.9 Subject to the above conditions the development is not considered to result in any significant impact on the amenity of any nearby residents and the development would be in accordance with policies PD1 and PD9 of the Adopted Derbyshire Dales Local Plan (2017) in this regard.

Impact on the character and appearance of the surrounding area and landscape

- 7.10 A key consideration in respect of this application is the impact of the development on the local landscape and character. Policy S1 of the Adopted Derbyshire Dales Local Plan (2017) advises that development will conserve and where possible enhance the natural and historic environment.
- 7.11 Policy PD1 requires all development to be of high-quality design that respects the character, identity and context of the Derbyshire Dales' townscapes and landscapes.
- 7.12 Policy PD5 deals specifically with landscape character and advises that 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.
- 7.13 It is noted that there is a Lime tree to the north-east of the site that is subject to a Tree Preservation Order (TPO 013/T4), however due to the nature of the development and location of tree it is not considered that the proposed use of the site will have an impact on the tree. The development is therefore considered to be in accordance with the criteria of Policy PD6 of the adopted Local Plan.
- 7.14 The external storage on site is largely concealed by the buildings to the front of site and the boundary wall with the neighbouring property. The application does not seek any further buildings on site and would instead utilise existing buildings.
- 7.15 Based on the above, and subject to a condition securing that the items on site are not stored above a height of 2 metres, preventing adverse impact on visual amenity, the development is not considered to result in any harm to the character and appearance of the countryside location and would be in accordance with policies S1, PD1 and PD5 of the Adopted Derbyshire Dales Local Plan (2017) in this regard.

Impact on highway safety

- 7.16 The site is accessed via an unadopted road (owned by the District Council). Based on the previous use of the site it is not considered that the new use would result in an intensification in traffic to the site resulting in a traffic or highway safety issue. As noted previously the site is also reasonably accessible from Dale Darley via foot/ public transport so could be accessed by means other than by car.
- 7.17 The Local Highway Authority have raised no concerns with the proposed development in terms of traffic or highway safety. The development is considered to be in accordance with policies S4 and HC19 of the Adopted Derbyshire Dales Local Plan (2017) in this regard.

Impact on tourism opportunities

- 7.18 Policy EC8 advises that tourism and provision for visitors which is appropriate to the settlement, will be supported as it strengthens the tourism role of the plan area and supplements the tourism offer of the Peak District National Park. This is subject to criteria which includes the scale and nature of the activity being appropriate, that the proposal supports sustainable tourism and that it does not impact on the character and appearance of the Local Landscape.
- 7.19 The site was previously utilised as a carriage museum and coaching business, with the museum having a collection of historic carriages and related accessories. Following the closure of this operation, the change of use for the sale of collectables was started. Although no longer operating as a museum or for carriage rides, the nature of the business may remain an attractive offering for tourists to the area. Although outside of settlement, the site is accessible via short walk from Darley Dale.
- 7.20 A number of conditions have been recommended to prevent the use having an adverse impact on the character and appearance of the landscape surrounding the site.

Conclusion

- 7.21 Based on the above assessment, the proposed development is considered to be in accordance with the aims of policies within the Adopted Derbyshire Dales Local Plan (2017) and a recommendation of approval, subject to conditions is made accordingly.

8.0 RECOMMENDATION

That planning permission be granted subject to the following conditions.

1. The development hereby approved shall not be carried out other than in accordance with the following approved plans

- 01 - Amended Site Location Plan, 1:1250 scale (received 04/01/2024)
- 02 - Amended Block Plan, 1:500 scale (received 04/01/2024)
- 03 - Block Plan of Access (received 12/10/2023)
- 04 - Proposed Block Plan (with Buildings Annotated) (received 12/10/2023)

Reason:

For the avoidance of doubt.

2. The use of the site hereby permitted shall only operate between the hours of 11:30 to 16:30 Mondays to Sundays.

Reason:

To protect the residential amenity of the occupants of nearby dwellings in accordance with policies PD1 and PD9 of the Adopted Derbyshire Dales Local Plan (2017).

3. The delivery of goods to and from the site shall be limited to the hours of 8am-6pm Monday to Friday and 8am-1pm Saturday with no deliveries on Sundays and Bank Holidays.

Reason:

To protect the residential amenity of the occupants of nearby dwellings in accordance with policies PD1 and PD9 of the Adopted Derbyshire Dales Local Plan (2017).

4. No goods shall be placed, stacked or stored above a height of 2 metres above the existing ground level without the prior approval in writing of the Local Planning Authority.

Reason:

In the interests of visual amenity in accordance with Policy PD1 of the Adopted Derbyshire Dales Local Plan 2017.

5. Notwithstanding the provisions of the Town and Country Planning (Uses Classes) Order 1987, (or any Order revoking or re-enacting that Order with or without modifications), the site shall only be used for storage and sale of antique, salvage, recycled and vintage collectables and for no other purpose, including any other activity within the same E class of the schedule to that Order.

Reason:

In the interests of visual amenity and to protect the residential amenity of the occupants of nearby dwellings in accordance with Policies PD1 and PD9 of the Adopted Derbyshire Dales Local Plan (2017).

9.0 NOTES TO APPLICANT:

1. The Local Planning Authority have during the consideration of this application engaged in a positive and proactive dialogue with the applicant which has resulted in revised plans demonstrating the extent of the development.