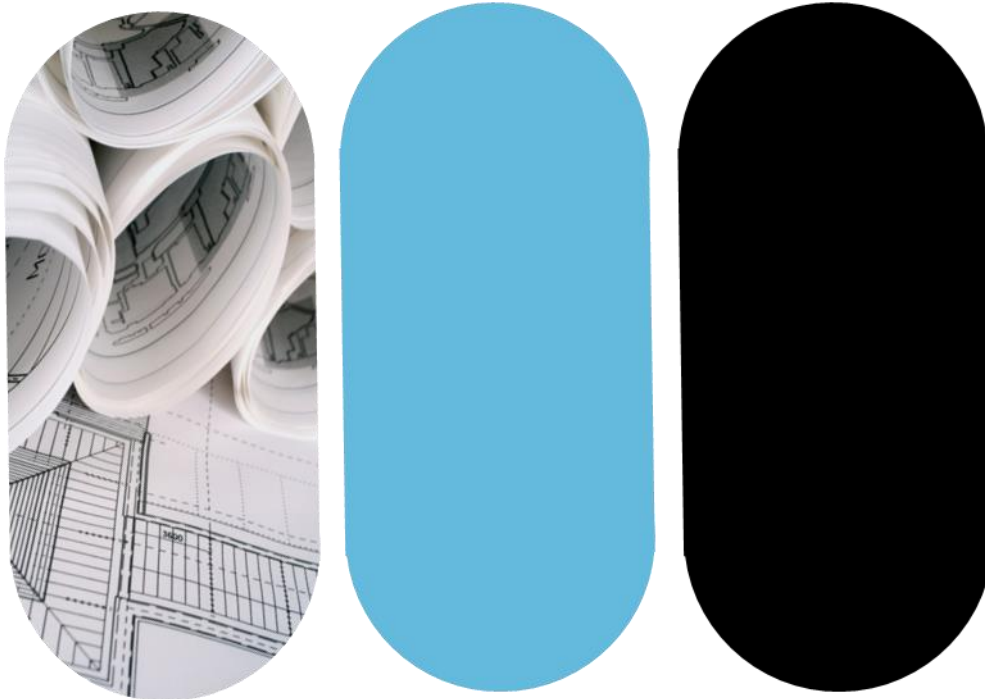


## **Mr Dean Willshee**

**Outline planning application for replacement dwelling  
(all matters reserved save for access)**

**At Shades Farm, Bretby, Burton on Trent, DE15 0RD**

**PLANNING DESIGN AND ACCESS STATEMENT**





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## 1. INTRODUCTION

- 1.1 This Planning, Design and Access Statement is submitted on behalf of Mr Dean Willshee (“the applicant”) and accompanies an outline planning application for a replacement dwelling (to include demolition of existing dwelling) at Shades Farm, Bretby, Burton on Trent, DE15 0RD (“the proposed development”).
- 2.1 The application has been submitted electronically via the Planning Portal to South Derbyshire District Council (“the Council”) and is accompanied by the following reports and drawings:
- A completed APP1 with the correct ownership certificate;
  - Location Plan
  - The following drawings, prepared by Justin Smith Architects:
    - Proposed Site Plan, drawing no. SK01 Rev. A
    - Proposed Floor Plans, drawing no. SK02 Rev. A
    - Proposed Elevations, drawing no. SK03 Rev. A
    - Existing and Proposed Comparison, drawing no. SK04
- 1.2 In accordance with the objectives outlined at paragraph 39 of the Framework, the applicant has entered pre-application discussions with South Derbyshire District Council (“the Council”) regarding the proposed development. Marrons Planning have held discussions with the Council regarding the proposed development and these discussions are summarised at section 3 of this statement.
- 1.3 It will be demonstrated throughout this report and the relevant submissions that the proposed development raises no inherent conflict with the objectives of the relevant Local and National planning policies of relevance to the application, and that there are no material considerations bearing upon the proposal that prevents the Council from granting planning permission.
- 1.4 This Statement is structured as follows:
- In Section 2 we describe the site and surrounding area;



- In Section 3 we provide the relevant background to the planning application and describe the proposed development;
- In Section 4 we provide the planning policy context against which the development is to be assessed and assess the proposals against these policies; and
- In Section 5 we set out our conclusions and demonstrate that planning permissions should be granted for the proposed development.



## 2. SITE AND SURROUNDING AREA

### The Site

- 2.1 The site is situated to the north of the settlement of Bretby, identified as a rural village under Policy H1 Settlement Hierarchy of the Local Plan Part 1. The site area extends to approximately 200sq.m and includes a residential dwelling implemented under planning permission ref: 9/2017/1403.
- 2.2 The footprint of the existing building is 106.6sq.m. It is constructed of red brick for the walls and grey slates for roofing material. Windows are white Upvc. The building is architecturally unremarkable.
- 2.3 Within the red line location plan for this application is an area of hardstanding that has been used by farm vehicles accessing the wider Shades Farm enterprise. This area of hardstanding is ecologically unremarkable and does not contribute to the wider visual appeal of the application site.
- 2.4 Access into the application site will be taken from the main point of access into Shades Farm, regularly used by the applicant to the east. This access has sufficient visibility splays to allow for farm vehicles to enter and access. The track leading to the application site is an area of hardstanding.

### The Surrounding Area

- 2.5 The immediate area surrounding the application site is the wider Shades Farm site. To the north of the application site lies an agricultural barn, granted prior approval under prior approval permission ref: 9/2018/0340. Beyond this lies agricultural fields in the ownership of the applicant.
- 2.6 To the east of the application site lies the farmhouse of Shades Farm, which is currently occupied by the applicant's mother.
- 2.7 To the south and west of the application site lies neighbouring properties within the settlement of Bretby; beyond these properties lies open countryside.



- 2.8 The application site is not subject to any formal designations, nor does it lie within the Conservation Area for Bretby nor within the SAM of Bretby Castle Fortified Manor.



### 3 THE PROPOSED DEVELOPMENT

#### Background

- 3.1 Planning permission was granted for the conversion of a garage to no.1 residential dwelling, ref: 9/2017/1403 on 22<sup>nd</sup> February 2018. This planning permission has been implemented, but not completed and is currently used by a farm worker.
- 3.2 A vacant agricultural building on-site was granted planning permission under prior approval Class Q for conversion to a dwelling on 21<sup>st</sup> May 2018 (planning permission ref: 9/2018/0340). This planning permission has not yet been implemented; the applicant has submitted an application to discharge condition 2 of this permission, pursuant to the identification of the agricultural holding of the applicant, to South Derbyshire Council on 17<sup>th</sup> October 2019. Since the granting of planning permission refs: 9/2017/1403 and 9/2018/0340, agricultural operations at Shades Farm have continued and the applicant has recently submitted x2 prior approval applications for agricultural buildings (PP ref: PP-08172412 and PP-08172484).
- 3.3 The applicant had previously approached the Council for two replacement dwellings at the application site (pre-application reference PRE1158). This pre-application advice request was pursuant to the demolition of no. 2 existing structures and erection of two replacement dwellings. The pre-application advice request was made due to the sites related to planning permissions ref: 9/2017/1403 and 9/2018/0340 being regularly crossed by heavy farm machinery. This would lead to an unsafe environment for the applicant's young children and for other pedestrian users of the site.
- 3.4 As part of this pre-application advice request, it was suggested that the two unimplemented planning permissions could be superseded by a new planning permission for two replacement dwellings would then be erected and a new access to the farm holding could be routed around the residential envelope of



these buildings. The Council wrote back on 9th November 2018, confirming that there was no policy support for this approach.

- 3.5 Accordingly, it is the applicant's intention to implement planning permission ref: 9/2018/0340. Planning permission ref: 9/2017/1403 was then implemented and the building has been occupied for several months (since approximately April 2019).
- 3.6 The applicant submitted a revised pre-application advice request to the Council on 18<sup>th</sup> June 2019. This pre-application enquiry sought to address the concerns of the Council by retaining the Class Q permission, a replacement dwelling and alterations to the farm access.

#### The Proposed Development

- 3.7 The proposed development is for the demolition of an existing dwelling and the erection of a replacement dwelling, with all matters reserved save for access.
- 3.8 The proposed dwelling will be a three bedroom, two storey dwelling that, it is anticipated, would have a more typical residential dwelling appearance than the dwelling. An indicative elevations drawing is provided for the convenience of the Council, drawing no. SK03 Rev. A. The proposed dwelling would occupy approximately 35% of the footprint of the existing dwelling, being located approximately 5m further north to allow for farm vehicles to travel south of the dwellings and into the wider farmstead. This will limit conflict between pedestrians and farm traffic.
- 3.9 It is proposed that the replacement dwelling would have an overall height of 6.9 metres, (lower than the existing dwelling which has a height of 7.00 metres). This is demonstrated on attached drawing no. SK04, Existing and Proposed Comparison.
- 3.10 The total footprint of the proposed dwelling will also be reduced from that existing, with the footprint of the proposed dwelling being 104.6sq.m. instead of the 106.6sq.m. (existing).



- 3.11 The site access to the highway will remain as existing, utilising the main access for Shades Farm from the unmarked lane to the south of the application site.



## 4 PLANNING POLICY CONTEXT

- 4.1 This section sets out the relevant national and local planning policy considerations that are relevant to the site and the proposed development.

### South Derbyshire Local Plan Part 1 (June 2016)

- 4.2 The following policies from Part 1 of the South Derbyshire Local Plan are relevant to the determination of this planning application:

- Policy S2: Presumption in Favour of Sustainable Development:

*When considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. It will work proactively with applicants to seek solutions, which mean that proposals secure development that improves the economic, social and environmental conditions in the area.*

- Policy S3: Environmental Performance:

*The Council will support developers in bringing forward more sustainable homes and commercial properties by supporting the Governments drive towards improved housing standards including in respect of access, space standards, security, water and external waste storage where specific justification exists for seeking higher standards locally than set out in Building Regulations.*

- Policy H1: Settlement Hierarchy:

*The Settlement Hierarchy is based on the range of services and facilities that are offered by each settlement. The level of development for each settlement will be of a scale appropriate to the size and role of that settlement. As planning applications are received the merits of each individual site will be assessed through the Development Management process. Bretby is categorised as a 'Rural Village', whereby development of a limited nature will be allowed:*

- i. Of a limited infill and conversions of existing buildings where no settlement boundary*

- Policy SD1: Amenity and Environmental Quality

*A. The Council will support development that does not lead to adverse impacts on the environment or amenity of existing and future occupiers within or around proposed developments.*

*B. The Council will take into consideration the following:*



- i) *The potential for development to affect surface and ground water quality and its potential to affect the long term delivery of water quality standards set out in the Water Framework Directive or Habitats Directive.*
  - ii) *The potential for development to affect designated Air Quality Management Areas (AQMAs).*
  - iii) *The need for a strategic buffer between conflicting land uses such that they do not disadvantage each other in respect of amenity issues, such as odours, fumes, or dust and other disturbance such as noise, vibration, light or shadow flicker.*
- Policy BNE1: Design Excellence:  
  
*All new development will be expected to be well designed, embrace the principles of sustainable development, encourage healthy lifestyles and enhance people's quality of life. All proposals for new development will be assessed against the Council's Design SPD. New development should also create places with a locally inspired character that responds to their context and have regard to valued landscape, townscape and heritage characteristics. New development should not have an undue adverse affect on the privacy and amenity of existing nearby occupiers. Similarly, the occupiers of new development should not be unduly affected by neighbouring land uses.*
- Policy BNE2: Heritage Assets:  
  
*Development that affects South Derbyshire's heritage assets will be expected to protect, conserve and enhance the assets and their settings in accordance with national guidance and supplementary planning documents which the authority may produce from time to time.*
- Policy BNE4: Landscape Character and Local Distinctiveness:  
  
*The character, local distinctiveness, and quality of South Derbyshire's landscape and soilscape will be protected and enhanced through the careful design and sensitive implementation of new development.*

### South Derbyshire Local Plan Part 1 Assessment

- 4.3 The proposed development is in accordance with the policies set out above. The character and use of the site will not change as part of the proposed development and there is an opportunity to significantly enhance the appearance and legibility of the site by replacing the existing building with a purpose built high quality family home with associated gardens and landscaping.



- 4.4 There is policy support for the proposed development under Policy H1 of the Local Plan Part 1. Bretby does not have a settlement boundary; the proposed development is located upon an extensive tract of hardstanding and is surrounded on three sides by existing or approved planning permissions for residential development. The proposed development is therefore considered to be “infill” development that respects the existing building line for the settlement of Bretby, whilst mirroring the existing pattern of built development at Shades Farm.
- 4.5 Policy BNE2 identifies that development within close proximity to heritage assets should protect, conserve and enhance the assets and their surroundings. The proposal is for a replacement dwelling of a design that will complement surrounding heritage assets and not over-bear upon them. The unsightly area of hardstanding will be reduced in size and therefore improve the appearance of the site. The overall scale and mass of the proposed development is similar to the previously permitted planning application (ref: 9/2017/1403), with both buildings being two storey in height and of a similar footplate size. The proposed development is also considered to be of a sufficient distance from nearby heritage assets to ensure that there is no identified harm to the setting of these assets. The proposed dwelling is therefore considered to accord with the objectives of Policy BNE2.
- 4.6 Policy BNE4 seeks to ensure the character, local distinctiveness, and quality of South Derbyshire’s landscape and soilscape is protected and enhanced through the careful design and sensitive implementation of new development. This proposal will remove areas of hardstanding and will improve the landscape of the area via planting and a partially retained garden area. The final mix of species and planting schedule can be secured by an appropriately worded condition and agreed with the Council as part of a related application for approval of details reserved by condition. It is considered that South Derbyshire’s character, local distinctiveness and quality will be enhanced by the proposed development in accordance with Policy BNE4.
- 4.7 When granting previous planning permission ref: 9/2017/1403 the Council considered the siting of the proposed dwelling to be wholly acceptable with



regard to amenity of occupiers of the development and existing residents. The proposed development occupies some of the area of the previous application, and retains the overall character of the site, being a mix of a working farmstead and residential, whilst directing farm traffic more appropriately around the envelope of residential properties and reducing the risks of conflicts with traffic and accidents.

- 4.8 The proposed development is therefore considered to wholly accord with policies S2, S3, H1, BNE1, BNE2 and BNE4 of part 1 of the New Local Plan and is therefore deemed acceptable in principle.

#### South Derbyshire Local Plan Part 2 (November 2017)

- 4.9 The following policies from Part 2 of the South Derbyshire Local Plan are relevant to the determination of this planning application:

- SDT1 Settlement Boundaries and Development

*Outside of settlement boundaries and allocated sites, within the Rural Areas as defined in Policy H1, development will be limited to that considered acceptable inter alia by Policy BNE5. Bretby is identified as a Rural Area; Policy BNE5 is therefore referred to.*

- H24 Replacement Dwellings in Rural Areas

*The replacement of a dwelling within the rural areas will be permitted provided that:*

- The form and bulk of the new dwelling does not substantially exceed that of the original dwelling or that which could be achieved by permitted development;*
- Is not more intrusive in the landscape than that it replaces;*
- The new dwelling has substantially the same siting as the existing; and*
- The existing dwelling to be demolished is not of historic merit.*

- H26 Residential Gardens within Rural Areas



*Change of use of land to residential garden will be permitted where it would not result in detrimental domestication of the countryside within the Rural Areas.*

- BNE5 Development in Rural Areas

*Outside of settlement boundaries (as defined in policy SDT1) within the Rural Areas of the district planning permission will be granted where the development is:*

- i) allowed for by policies H1, H22, E7, INF10, H24, H25, H26, H27 or H28;*  
*or*
- ii) otherwise essential to a rural based activity; or*
- iii) unavoidable outside settlement boundaries; or*
- iv) considered to be infill that is in keeping with the character of the locality and represents the infilling of a small gap for not normally more than two dwellings, within small groups of housing; and*
- v) will not unduly impact on: landscape character and quality, biodiversity, best and most versatile agricultural land, and heritage assets.*

## Local Plan Part 2 Assessment

4.10 The principle of a residential dwelling in this location is acceptable having regard to Policy H1 of the Local Plan Part 1 and associated Policy BNE5 of the Local Plan Part 2, which states that development that accordance with Policy H1 will be acceptable in principle.

4.11 The proposed development would raise no fundamental conflict with policy H24 as the proposed development is for a replacement dwelling in the countryside. Under permitted development, the applicant would be able to expand the existing footprint of the dwelling by 50%. The footprint of the proposed development is smaller than the approved planning permission, being only 104.6sq.m opposed to 106.6sq.m, significantly below the threshold identified within Policy H24.

4.12 The proposed building occupies circa. 35% of the existing footplate of planning permission 9/2017/1403 and is a dwelling with a smaller footprint and is of a



smaller height, being 6.9 metres high as opposed to 7m in height. in accordance with sub-point ii of Policy H24. The dwelling to be demolished is not of any historical importance and the replacement dwelling would be of a similar scale and mass to the existing dwelling, having a smaller footplate area whilst remaining two storeys in height.

- 4.13 The proposed development will have minimal impact on its surroundings as it is previously developed land. The proposed building would also not adversely affect views out of the farmstead, is not located within a principle view within the context of the Bretby Conservation Area, nor does it impact upon the nearby landscape of Bretby. Sub-points iii and iv of Policy H24 are considered to be met by the proposed development.
- 4.14 By improving the setting of the nearby heritage assets, partially reducing the large area of hardstanding and not having an impact upon biodiversity, the proposed development is considered to accord with the requirements of Policy BNE5. As confirmed by reviewing the Bretby Conservation Area Appraisal (page 16) the application site is not located within a principal view into, or out of, the Bretby Conservation Area. The visual impact of the development, with regards to the open countryside and the nearby Conservation Area is not materially increased from the existing dwelling.
- 4.15 By proposing a small area of soft landscaping and residential curtilage, the proposed development is improving the setting of Shades Farm and the Conservation Area. The area of residential curtilage is wholly commensurate to the proposed development and is not considered to be excessive, in accordance with Policy H26 of the Local Plan Part 2.
- 4.16 The proposed development is therefore considered to accord with policies SDT1, H24 and BNE5 of part 2 of the Local Plan and is deemed acceptable in planning policy terms.

#### The National Planning Policy Framework



4.17 Paragraph 11 of the Framework promotes a presumption in favour of sustainable development, advocating that when development proposals that accord with the development plan, they should be approved without delay.

4.18 In addition to this, paragraph 8 of the Framework identifies three dimensions to sustainable development: economic, social and environmental, which each give rise to the need for the planning system to perform a number of roles:

- An economic role – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;
- A social role – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being; and
- An environmental role – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.

4.19 Paragraph 79 of the Framework aims to promote sustainable development in rural areas, advocating that housing should be located where it will enhance or maintain the vitality of rural communities. Further to this, Paragraph 79 outlines that local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances such as:

- the essential need for a rural worker to live permanently at or near their place of work in the countryside; or
- where such development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets; or



- where the development would re-use redundant or disused buildings and lead to an enhancement to the immediate setting; or
- the exceptional quality or innovative nature of the design of the dwelling.

4.20 It is identified at paragraph 117 that planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield' land.

4.21 On a similar note, paragraph 118 states that planning policies and decisions should encourage multiple benefits from both urban and rural land, including through mixed use schemes and take opportunities to achieve net environmental gains.

4.22 Quality design is reinforced by paragraph 127. Planning decisions should ensure that developments will function well over time and add to the overall quality of the area, not just for the short term and they should be visually attractive, as a result of good architecture, layout and landscaping. They should also be sympathetic to local character and history, and establish and maintain a strong sense of place.

4.23 Paragraph 180 identifies that planning policies and decisions should ensure that development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider surrounding area to impacts that could arise from the development. The impacts from noise should be mitigated and reduced to a minimum.

#### **The National Planning Policy Framework Assessment**

4.24 The location of the site is within an existing farm complex on previously developed land. The proposed development will be partially reusing the building footprint of approved planning application ref: 9/2017/1403 and the replacement



dwelling will be of a very similar size and scale, slightly smaller in terms of footprint and ridge height.

- 4.25 By utilising a brownfield site, greenfield land in close proximity to the site will be preserved, in accordance with the environmental objectives of paragraph 11 of the Framework.
- 4.26 The siting and location of the development will resemble infill development, as it will be located suitably between existing built development, forming a visual cluster.
- 4.27 The site will not be isolated, being in proximity to the surrounding built development and by being surrounded on three sides by existing and proposed built development, in accordance with paragraph 79 of the Framework.
- 4.28 By being located upon concrete hardstanding, the visual impact of the proposed development upon the surrounding landscape will be minimal. This is in accordance with the objectives of paragraph 117 and 127 of the Framework.



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## 5 CONCLUSIONS

- 5.1 In this Planning Statement the application proposals have been assessed against the key objectives of the Development Plan policies and relevant material considerations bearing upon the application, and it has been demonstrated that the development proposed is policy compliant.
- 5.2 In overall terms it is considered that the proposed development constitute sustainable development and comprise a form of development consistent with the objectives of extant development policy and with national policy, as set out in the Framework.
- 5.3 With regard to the three overarching objectives of the planning system, in economic terms the proposed development will provide short term employment for local tradesmen during the duration of the build, and allow for improved operational effectiveness of Shades Farm by directing agricultural traffic away from the curtilage of existing and proposed residential properties on-site and reducing the long term risks of a conflict with farm generated traffic.
- 5.4 In terms of planning's social objectives, the proposed development will introduce a new market dwelling into the Bretby housing market, whilst ensuring that existing residential amenity is improved through the re-positioned Shades Farm layout. It has been demonstrated that there will be no undue impact upon existing residential amenity, and that the proposed development is acceptable in all other social terms.
- 5.5 In terms of environmental benefits to be delivered, it is proposed that a small area of hardstanding is removed and replaced with an area of residential curtilage, which not only softens any visual impact arising from the proposed development, it will also help to reduce the visual impact of a large tract of hardstanding on-site. This will improve the setting of the Bretby Conservation Area and help to deliver a small ecological benefit for the area included within the red line of the application site.



- 5.6 There are no technical considerations, in terms of highways, ground conditions or any other matter which would prevent the proposed development from coming forward, and it is therefore concluded that the proposed development accords with national and local policy and constitutes sustainable development. In accordance with the provisions of S.38(6) of the Act, it is requested planning permission be granted for the proposed development.