
Delegated report Officer: James Norton

Application ref. DMPA/2020/0534

Conversion of barn to create two 2-bedroom holiday lets and a home office along with conversion of further barn to create two home offices at Lawn House, Hay Lane, Foston, Derby, DE65 5PJ

Valid date: 02/11/2020

Consults expired: 19/02/2021

EIA development? No

Section 106 agreement? Not required

This decision is delegated to officers under the terms of the current Scheme of Delegation.

Relevant planning history

9/1986/0160 - The conversion into a dwelling of part of the barn to the north of the farmhouse - Refused

Responses to consultations and publicity

County Highways - No objection subject to conditions relating to visibility sightlines, parking provision and office space only to be used by the residents of Lawn House and their clients.

Derbyshire Wildlife Trust - Reviewed the preliminary bat assessment report and subsequent bat activity surveys and raise no objection subject to conditions relating to bat and bird mitigation measures being agreed prior to commencement, compliance with the bat emergence and re-entry surveys.

Environmental Health - raise no objection to the proposal subject to conditions relating to noise, specifying the glazing requirements of windows and a condition relating to the need for vehicle charging points for each holiday let.

No neighbour representations were received at the time of writing this report.

Relevant policy, guidance and/or legislation

The relevant policies are:

- 2016 Local Plan Part 1: S1 (Sustainable Growth Strategy), S2 (Presumption in Favour of Sustainable Development), S3 (Environmental Performance), S6 (Sustainable Access), SD1 (Amenity and Environmental Quality), SD3 (Sustainable Water Supply, Drainage and Sewerage Infrastructure), SD4 (Contaminated Land and Mining Legacy Issues), H1 (Settlement Hierarchy); E7 (Rural Development); BNE1 (Design Excellence), BNE3 (Biodiversity), BNE4 (Landscape Character and Local Distinctiveness), INF2 (Sustainable Transport); INF10 Tourism Development;
- 2017 Local Plan Part 2: SDT1 (Settlement Boundaries and Development), H28 (Residential conversions), BNE5 (Development in Rural Areas).

The relevant national policy and guidance is:

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)

The relevant local guidance is:

- South Derbyshire Design Guide Supplementary Planning Document (SPD)

Planning considerations

Taking into account the application made, the documents submitted (and supplemented and/or amended where relevant) and the site and its environs; the main issues central to the determination of this application are:

- Principle of the development;
- Design, appearance and amenity;
- Highway issues; and
- Ecology

Planning assessment

Principle of the development

Policy H1 of the local plan is relevant in terms of new residential dwellings in the countryside though this proposal is for holiday let accommodation, these are still C3 use. Whilst the distribution for new dwellings is set out as being within the urban area, key service villages and villages with or without settlement boundaries are also expected to provide some development at an appropriate scale. Policy H1 also allows for the conversion of existing buildings in the countryside to residential use. Policy BNE5 reiterates that conversions are acceptable outside settlement confines and sets out other situations where development is acceptable. Policy INF10 also supports the conversion of existing buildings to tourist accommodation.

In terms of the conversion to home office space, the applicants wish to provide office space for themselves but also to be able to create a therapy room each to enable them to see clients at their home. This proposal, whilst generating some trips, is considered acceptable under E7. Indeed, the re-use of the former agricultural building for a use which in some respects, at a low level, could be considered to be ancillary to the main use as a dwellinghouse is considered acceptable. However, a condition limiting the office use to that only of the occupiers of Lawn House would ensure no intensification of use.

Design, Appearance and Amenity

The traditional buildings, originally agricultural buildings forming part of the former farmstead, are part of a courtyard of buildings facing the main farmhouse and appear not to have been used much in recent years. Conversion would be sympathetic with existing openings being largely retained and re-used with the addition of roof lights on the internally facing pitched roofs. Whilst the addition of 13 rooflights seems excessive, the barns are long and narrow and the view from the public highway would be minimal as all the rooflights would face into the courtyard. However, these should still be of a conservation rooflight style to minimise impact. The use of timber windows and doors as stated on the application form would also retain the character of the building. A condition requiring precise details is proposed along with details of eaves, headers and lintels. There are no issues with overlooking, the holiday accommodation is proposed to overlook the courtyard and not directly facing the farmhouse, apart from one of the bedrooms which is more than 20 metres away from the side elevation of the main farmhouse which faces south.

Environmental Health have no objections to the proposal but request a condition requiring the minimum standard of glazing to be fitted to any room used for resting/dining or sleeping. In addition, EH request a condition for vehicle charging points, in line with INF2, for each dwelling, to encourage the use of low emission vehicles. Conditions have been attached. Subject to these conditions, the proposal is considered to comply with Policies BNE1 and SD1.

Highway Issues

Hay Lane is a rural lane on the edge of Foston village. Whilst the lane is used for access to some commercial activity, it is relatively quiet. The proposal seeks to use the existing access and parking would be provided within the courtyard. The County Highway Authority has no objections based on the offices being only for the owners of Lawn House and for their clients and the holiday let accommodation. Conditions relating to the visibility splays, the use and parking and manoeuvring have been added.

Ecology

Given the age and condition of the buildings and the likelihood of bats/birds using the buildings, the necessary survey work was provided and DWT were consulted. DWT has no objection subject to a condition relating to the development being carried out in accordance with the Method statement set out in Appendix 4 of the Bat Emergence and Re-entry surveys dated May 2020. In addition, pre-commencement conditions relating to the preparation of a bat and bird enhancement and mitigation scheme should be provided. Subject to these conditions, the proposal is considered to accord with Policy BNE3.

Recommendation

Approve with Conditions

None of the other matters raised through the publicity and consultation process amount to material considerations outweighing the assessment of the main issues set out above, noting that conditions or obligations have been attached where meeting the tests for their imposition. Where relevant, regard has been had to the public sector equality duty, as required by section 149 of the Equality Act 2010 and to local finance considerations (as far as it is material), as required by section 70(2) of the Town and Country Planning Act 1990 (as amended), as well as climate change, human rights and other international legislation.

Recommendation made:	01/12/2021
Report agreed:	02/12/2021
Authorised officer:	Emma Palmer-Barnes
