
Delegated report Officer: James Norton

Application ref. DMPA/2021/1078

The Demolition Of An Existing Agricultural Building And Erection Of A Detached Building To Form A Holiday Let At Brookfields Farm, Schoolpiece Lane, Church Broughton, Derby, DE65 5DH

Valid date: 26/07/2021

Consults expired: 03/09/2021

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

9/2016/0837 - Conversion of existing farm building into one dwelling - Approved 4 October 2018

DMOT/2019/0998 - Non-material amendment to permission ref. 9/2016/0837 for the realignment and alterations to windows and doors and alterations to parking and the driveway - Approved 17 October 2019

DMOT/2019/1421 - Non-material amendment to permission ref. 9/2016/0837 seeking the addition of a fourth bedroom, re-design of windows on side B elevation, and to windows on the front elevation, and the addition of velux windows to the new bedroom (relating to the conversion of an existing farm building into one dwelling) - Approved 25 March 2020

DMOT/2020/0008 - Approval of details required by conditions 4, 8 & 9 of permission ref. 9/2016/0837 relating to the conversion of an existing farm building into one dwelling - Approved 30 March 2020

Responses to consultations and publicity

Environmental Health - No comments.

County Highways - No objection subject to conditions relating to parking and turning space being provided prior to occupation.

Peak and Northern Footpaths Officer - No objection provided that the full legal width of Footpath 4 Church Broughton remains unobstructed at all times

The Council's Business advisor through Economic Development states that the applicants already have one holiday let on site and therefore have experience in operations. I see no obvious reasons why this should not prove profitable.

Parish Council - No response at the time of writing this report.

No neighbour responses received at the time of writing this report.

Relevant policy, guidance and/or legislation

The relevant policies are:

- 2016 Local Plan Part 1 (LP1): S1 (Sustainable Growth Strategy), S2 (Presumption in Favour of Sustainable Development), S6 (Sustainable Access), E7 (Rural Development), SD1 (Amenity and Environmental Quality), SD3 (Sustainable Water Supply, Drainage and Sewerage Infrastructure), BNE1 (Design Excellence), BNE3 (Biodiversity), BNE4 (Landscape Character and Local Distinctiveness), INF2 (Sustainable Transport), INF10 (Tourism Development);
- 2017 Local Plan Part 2 (LP2): SDT1 (Settlement Boundaries and Development), BNE5 (Development in the Countryside)

National Guidance

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

Local Guidance

- Design Guide Supplementary Planning Document (SPD)

Planning considerations

In taking account of the application documents submitted (and supplemented and/or amended where relevant) and the site and its environs; the main issue(s) central to the determination of this application is/are:

- Principle of development;
- Design and landscape character;
- Highway safety; and
- Public footpath

Planning assessment

Principle of Development

Whilst the site lies outside of any existing settlement confine being part of a former farmstead, to the east of Church Broughton, the closest settlement, the usual strategic approach to new residential development is more relaxed for tourism development. There are no landscape or heritage designations associated with the site and the proposal involves the demolition of an existing open sided barn and replacement with a building of similar 'agricultural' appearance. The principal policies are E7 and INF10 of the Local Plan Part 1. E7 sets out that "*development proposals which diversify and expand the range of sustainable employment activities on land outside of settlement boundaries will be supported by the Council provided they support the social and economic needs of the rural communities in the District*". The proposal is supported by a business case in line with policy E7 and meets the criteria set out in INF10. Whilst not in the National Forest, the proposal is an expansion of an existing holiday let business on site. The National Forest Growth Plan continues to recognise the need to expand tourist accommodation provision, particularly in regard to the self-catering sector, in (and close to) the National Forest. The location is also close to the Peak District National Park and other visitor attractions. Because holiday lets fall into use class C3, a condition has been proposed to restrict the building to holiday let use only, dwellings not generally being appropriate outside the settlement boundaries. The proposal therefore complies with INF10 and BNE5.

Design and Landscape Character

The new building will be on largely the same footprint as the existing agricultural building to be demolished and the design, although slightly taller being 1.5m taller to eaves, reflects the modern agricultural nature of buildings in the countryside. This approach is supported by BNE1 and is considered to be suitable across the District for this type of accommodation in rural areas. The building has been designed to face away from the existing residential buildings and primary windows face south affording views of the open countryside. The use of the agricultural building site means the proposed new building will, like the building to be demolished, be part of the former agricultural farmstead and will therefore be viewed in that context and therefore it is considered there will be no adverse impact on the landscape character. To ensure that the building has no adverse effect on the character of the area a condition withdrawing PD rights on extensions and alterations has been added. Materials have also not been specified therefore a condition has been attached to clarify, as has a condition for boundary treatments and water consumption. In addition, whilst only a small plot, details of landscaping have also been added. Subject to these conditions, the proposal is therefore considered to comply with BNE1, SD1 and BNE4.

Highway Safety

The proposal is accessed from the existing access and parking is to be provided adjacent to the building, off the driveway within the wider farmstead. The Highway Authority has no objections to the proposal seeking only a condition requiring the creation of the parking spaces prior to occupation and their retention for the life of the development. A condition has also been added for an electric charging point. The proposal therefore complies with INF2.

Public Footpath

Whilst part of the site is crossed by PROW Church Broughton Footpath No 4, this is only partially across the existing access and development should not affect the use of this footpath. Peak and Northern Footpaths Officer commented that at no time should the legal width of the footpath be obstructed. An informative has been added to this effect.

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:	13/12/2021
Report agreed:	17/12/2021
Authorised officer:	Steffan Saunders
