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## PLANNING STATEMENT

### ADDRESS:

Derby Hills House  
Derby Hills  
Melbourne  
Derbyshire  
DE73 8DH

### PROJECT:

Conversion and extension of existing dutch barn

### CLIENT NAME:

Elaine Penhaul

### DATE OF ISSUE:

April 2026

### LOCAL AUTHORITY:

South Derbyshire District Council





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## APPENDICES

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## 1.0 INTRODUCTION AND SITE DESCRIPTION

1.1 This Planning Statement has been prepared on behalf of Mrs Penhaul in respect of a proposal for the conversion and extension of an existing dutch barn to a dwelling at Derby Hills House, Melbourne.

1.2 This statement should be read in conjunction with the accompanying documents which include:

- Plans and Drawings from David Granger Architectural Design Ltd;
- Application Form;
- Building Survey from David Granger Architectural Design Ltd;
- BNG Letter of Exception from Alca Ecology Ltd.

1.3 This statement describes the application site, the locality and comments on the relevant Development Plan and national policy framework.

1.4 Derby Hills House is a two storey detached dwelling set back substantially from The Common. A courtyard consisting of 11 residential properties is located to the north. The access to Derby Hills House is taken from The Common and through the residential courtyard. Derby Hills House Farm is located to the east and is a separate residential dwelling. Derby Hills House benefits from a dutch barn and stables located to the west with a manège beyond. It is the dutch barn and stables that are the subject of this application and they are identified by the red circle on Figure 1 below:



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Figure 1 - Aerial photograph (Source: Google Maps)

- 1.5 The application site is situated outside of the defined Limits to Development. The application site is not a listed building and is not located within a conservation area. The site lies within The National Forest and is located in Flood Zone 1 as defined by the Environment Agency flood risk maps.
- 1.6 Figure 2 below shows photographs of the application site and its wider context:



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Figure 2 - Site Photographs





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### 2.0 PLANNING HISTORY

- 2.1 The most relevant planning history relating to the proposed development is DMPA/2025/1515 which allowed for the conversion and extension of an existing Dutch barn to a dwellinghouse and the erection of a carport. This application was approved on 10<sup>th</sup> December 2025.
- 2.2 Planning application 9/2010/0128 allowed for replacement walls to the dutch barn and was granted planning permission on 09/04/2010.
- 2.3 Prior to the submission of application DMPA/2025/1515, pre-application advice was carried out with the Council under application reference DMPP/2025/0708. The pre-application advice was generally supportive of the conversion of the existing building.





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## 3.0 PROPOSED DEVELOPMENT

3.1 Planning permission DMPA/2025/1515 allowed for the conversion and extension of an existing dutch barn to a dwelling along with the erection of a detached carport as shown on Figure 2 below. The approved plans show the removal of the existing timber stables and a section of the existing manège to the rear would be used for the garden.

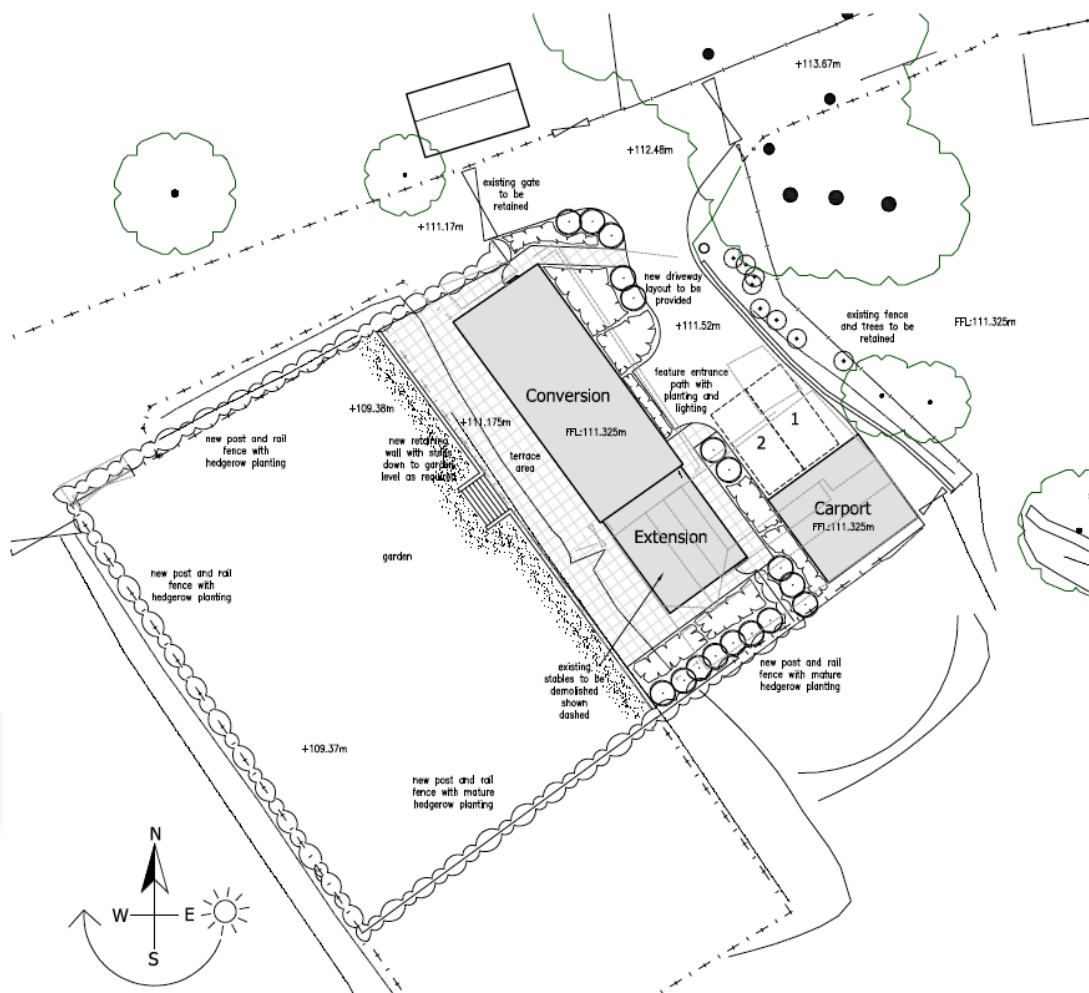


Figure 3 - Extract from approved site plan



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- 3.2 The current proposal represents a similar but revised proposal for the conversion of the building into a dwelling. As shown on Figure 4 below, it is now proposed to provide an 'L-shaped' extension to the existing barn rather than a separate detached carport.

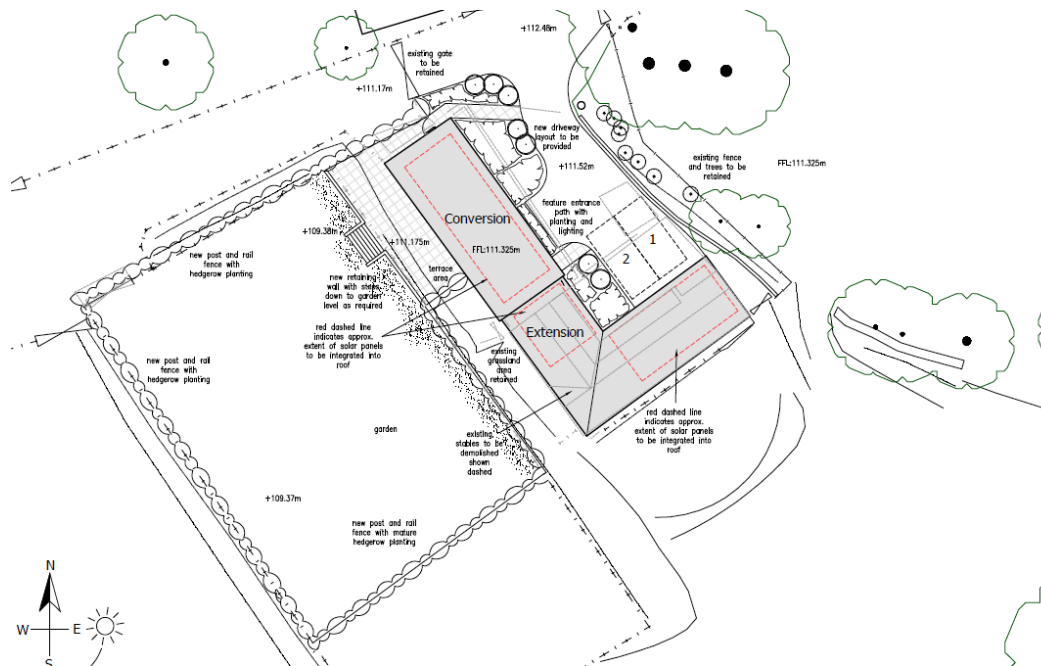


Figure 4 - Extract from proposed site plan

- 3.3 Parking for the proposed dwelling would be provided within the courtyard forward of the dwelling. New hedgerow planting is proposed to the boundaries to define the residential use from the remainder of the site.
- 3.4 Figure 5 below shows the proposed street scene from within the site which shows the existing main barn and the lower 'L-shaped' extension to the south-east.



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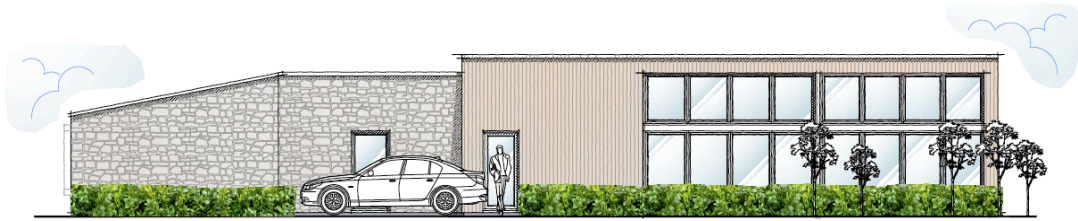


*Figure 5 – Proposed street scene within site*

- 3.5 The materials to be used on the proposed development would include steel cladding, Derbyshire stone cladding and aluminium windows and doors.
- 3.6 The ground floor accommodation would consist of three bedrooms, a bathroom, utility room, study and kitchen/dining/living space. The dwelling would have a floorspace of around 1625 square feet.
- 3.7 There would be some minor external alterations carried out including new boundary treatments and hard surfacing to form parking and patio areas.



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### 4.0 MAIN ISSUES

4.1 Section 70(2) of the Town and Country Planning Act 1990 requires that when dealing with an application for planning permission, Local Planning Authorities must have regard to the provisions of the development plan, so far as material to the application, and to any other material considerations. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that decisions on planning applications should be made in accordance with the policies of the development plan unless material considerations indicate otherwise.

4.2 Having regard to the above, it is considered that the main issues raised by the application are:

1. Principle of the development;
2. Design, visual amenity and impact on the countryside;
3. Highway safety and off-street parking;
4. Living conditions of neighbouring properties;
5. Ecology and BNG;
6. Other matters.

4.3 The main planning policies that are relevant to these main issues are included in Section 5.0 below.



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### 5.0 PLANNING POLICIES

- 5.1 The National Planning Policy Framework (NPPF) confirms that it does not change the statutory status of the development plan as the starting point for decision making. It also confirms its status as a material consideration in determining planning applications. The NPPF continues to advise that proposed development that accords with an up-to-date local plan should be approved, and proposed development that conflicts should be refused unless other material considerations indicate otherwise. The NPPF also advises that due weight should be given to development plan policies according to their degree of consistency with the NPPF (the closer the policies in the plan to the policies in the NPPF, the greater the weight that may be given).
- 5.2 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, an application for planning permission should be determined in accordance with the Development Plan unless other material considerations indicate otherwise.
- 5.3 The policy context for this application is provided by the development plan and national planning policy in the NPPF as well as Planning Practice Guidance issued in April 2014 (as subsequently amended) (PPG). The development plan includes the South Derbyshire Local Plan (adopted June 2016) (LP) and the Melbourne Neighbourhood Plan (adopted June 2022) (NP).
- 5.4 Those policies which are the most important for determining this planning application are set out below:



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### **South Derbyshire Local Plan (2011-2028) (SDLP)**

- 5.5 LP Policy S1 (Sustainable Growth Strategy) South Derbyshire will promote sustainable growth to meet its objectively assessed housing and commercial needs in the plan period 2011-2028. It indicates that over the plan period at least 12,618 dwellings will be built and will be met on a mixture of brownfield and greenfield sites with encouragement given to the re-use of previously developed land.
- 5.6 LP Policy S2 (Presumption of Sustainable Development) states that 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.
- 5.7 LP Policy S3 (Environmental Performance) indicates that 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.
- 5.8 LP Policy H1 (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. LP Policy H1 identifies Melbourne as a Key Service Village where development of all sizes within



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the settlement boundaries will be considered appropriate and sites adjacent to the settlement boundaries as an exception site as long as not greater than 25 dwellings. Outside settlement boundaries residential conversions of existing buildings and limited infill development is permitted.

- 5.9 LP Policy S6 (Sustainable Access) seeks to minimise the need to travel, make the most efficient use of transport infrastructure and services, encourage modal shift away from the private car and road based freight toward walking, cycling, public transport and rail freight; and support transport measures that address accessibility, safety, amenity, health, social, environmental and economic needs, both current and forecast.
- 5.10 LP Policy SD1 (Amenity and Environmental Quality) provides that 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.
- 5.11 LP Policy SD2 (Flood Risk) states that when considering development proposals in South Derbyshire, the Council will follow a sequential approach to flood risk management, giving priority to the development of sites with the lowest risk of flooding.
- 5.12 LP Policy SD3 (Sustainable Water Supply, Drainage and Sewerage Infrastructure) states that the Council will work with Derbyshire County Council, Water Companies, Developers, and other Authorities and relevant stakeholders to ensure that South Derbyshire's future water resource needs, wastewater



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treatment and drainage infrastructure are managed effectively in a coordinated manner.

- 5.13 LP Policy BNE1 (Design Excellence) requires all new development to be well designed, embrace the principles of sustainable development, encourage healthy lifestyles and enhance people's quality of life by adhering to a number of design principles.
- 5.14 LP Policy BNE3 (Biodiversity) supports development which contributes to the protection, enhancement, management and restoration of biodiversity or geodiversity and delivers net gains in biodiversity wherever possible.
- 5.15 LP Policy BNE4 (Landscape Character and Local Distinctiveness) is concerned with the character, local distinctiveness, and quality of South Derbyshire's landscape and soilscape which will be protected and enhanced through the careful design and sensitive implementation of new development
- 5.16 LP Policy INF2 (Sustainable Transport) states that planning permission will be granted for development where travel generated by development does not have an undue detrimental impact upon local amenity, the environment, highway safety, the efficiency of transport infrastructure and the efficiency and availability of public transport services. It requires appropriate provision is made for safe and convenient access to and within the development for pedestrians, cyclists, public transport users and the private car and that car travel generated by the development is minimised relative to the needs of the development.



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- 5.17 LP Policy INF8 (The National Forest) requires the Council to work with The National Forest Company in order to create an attractive, sustainable environment and to achieve 33% woodland cover in the National Forest.
- 5.18 LP Policy SDT1 (Settlement Boundaries and Development) sets out that settlement boundaries define the built limits of a settlement. Within settlement boundaries development will be permitted where it accords with the development plan.
- 5.19 LP Policy H28 (Residential Conversions) permits conversions of buildings outside settlement boundaries to residential accommodation provided that the building is of a permanent and substantial construction and is suitable for conversion without extensive alteration, rebuilding and/or extension. All conversions should result in the enhancement of the buildings immediate setting.
- 5.20 LP Policy BNE5 (Development in Rural Areas) sets the circumstances where development will be allowed outside of settlement boundaries.
- 5.21 LP Policy BNE7 (Trees, Woodland and Hedgerows) states that where development is proposed that could affect trees, woodland and/or hedgerows which are important in terms of their amenity, ecological, landscape or historic value, developers will be expected to demonstrate that the layout and form of development have been informed by an appropriate arboricultural survey. It also required that development would not suffer from undue shading either now or in the future and that appropriate measures are secured to ensure adequate root protection and buffers around trees, woodland and hedgerows.



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### **Melbourne Neighbourhood Plan 2016-2028 (NP)**

- 5.22 NP Policy DP1 supports proposals within the defined settlement boundary. Proposals for new development beyond the settlement boundary will only be supported where they comply in full with the relevant policies of the Neighbourhood Plan and the Local Plan
- 5.23 NP Policy DP2 indicates that outside of the settlement boundary, all development proposals will also be assessed in terms of their impact upon the existing character and setting of Melbourne including any heritage assets.
- 5.24 NP Policy OS3 states that proposals for new development in the plan area which seek to protect and enhance biodiversity will be supported.

### **The National Planning Policy Framework 2024 (NPPF)**

- 5.25 At the heart of the NPPF is a presumption in favour of sustainable development. There are three overarching objectives which are interdependent and need to be pursued in mutually supportive ways so that opportunities can be taken to secure net gains across each of the different objectives. These are an economic objective, a social objective, and an environmental objective. The economic objective seeks to ensure sufficient land of the right types is available in the right places at the right time to support growth. The social objective seeks to support strong, vibrant, and healthy communities by ensuring a sufficient number and range of homes can be provided to meet the needs of the present and future generations and by fostering a well-designed and safe built environment. The environmental objective



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seeks to contribute to protecting and enhancing our natural, built, and historic environment, including making effective use of land.

- 5.26 Amongst other things, paragraph 11 of the NPPF states that decisions should apply a presumption in favour of sustainable development and that for decision-taking, this means approving development proposals that accord with an up-to-date development plan without delay.
- 5.27 Paragraph 48 of the NPPF indicates that planning law requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise. Decisions on applications should be made as quickly as possible, and within statutory timescales unless a longer period has been agreed by the applicant in writing.
- 5.28 Paragraphs 56-58 set out that Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects. Planning obligations must only be sought where they are a) necessary to make the development acceptable in planning terms; b) directly related to the development; and c) fairly and reasonably related in scale and kind to the development.
- 5.29 Paragraphs 61 and 63 of the NPPF are concerned with delivering a sufficient supply of homes to support the Government's objective of significantly boosting



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the supply of homes. The size, type and tenure of housing needed for different groups should be reflected in planning policies.

- 5.30 Paragraph 73 of the NPPF states that small and medium sized sites can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly. It also seeks to support small sites to come forward for self-build and custom-build housing.
- 5.31 Paragraph 110 states that the planning system should actively manage patterns of growth in support of these objectives. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions and improve air quality and public health. However, opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making.
- 5.32 Paragraph 116 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 5.33 Paragraphs 124 and 125 of the NPPF seek to make the effective use of land. It states 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. It goes on to say



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that planning decisions should give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs.

- 5.34 Paragraphs 131-135 of the NPPF seeks to achieve well-designed places. It states the creation of high-quality buildings is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development and creates better places in which to live. Planning decisions should ensure that developments will function well and add to the overall quality of the area, are visually attractive as a result of good architecture, layout and appropriate and effective landscaping, are sympathetic to local character and history, including the surrounding built environment and landscape setting and establish or maintain a strong sense of place using streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit. It also states permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.
- 5.35 Paragraph 170 of the NPPF states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere. Paragraph 181 states that local planning authorities should ensure that flood risk is not increased elsewhere when determining planning applications.
- 5.36 Paragraph 187 of the NPPF states that decisions should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes,



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sites of biodiversity or geological value and soils. It also requires a contribution towards remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.

- 5.37 Paragraph 193 is concerned with habitats and biodiversity and seeks to protect and enhance. It advises that development which results in significant harm to biodiversity should be refused unless it can be adequately mitigated, or, as a last resort, compensated for.
- 5.38 Paragraphs 196-198 state that planning decisions should ensure that a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. Planning policies and decisions should also ensure that new 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 area to impacts that could arise from the development.

### Other Policy and Guidance

- 5.39 Although not having the formal status and weight of adopted planning policy there are a number of other pieces of guidance relevant to decision-making within South Derbyshire including:
- National Planning Practice Guidance - March 2014 (as amended)
  - South Derbyshire Design Guide – November 2017
  - The Conservation of Habitats and Species Regulations 2017



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- Circular 06/05 (Biodiversity and Geological Conservation – Statutory Obligations and their Impact within the Planning System)
- National Forest Strategy 2014-2024
- National Design Guide – October 2019





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### 6.0 PLANNING ASSESSMENT

#### ***The Principle of Development***

- 6.1 In accordance with the provisions of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the starting point for the determination of the application is the Development Plan which, in this instance, comprises the South Derbyshire Local Plan (adopted June 2016) (LP) and the Melbourne Neighbourhood Plan (adopted June 2022) (NP).
- 6.2 The application site is located outside of the limits to development and in the countryside where development is more strictly controlled. NP Policy DP1 is effectively worded to allow for development outside of the settlement boundary where it complies with the detailed policies in the LP. LP Policy BNE5 allows for residential development where it complies with LP Policy H28.
- 6.3 LP Policy H28 supports the conversion of existing buildings to residential accommodation subject to a number of criteria which are listed below (in italic) and assessed beneath:

*i) is of a permanent and substantial construction; and*

The application is accompanied by a Building Condition Survey carried out by David Granger Architectural Design Ltd. The report concludes that the building is structurally sound and capable of being utilised for residential accommodation. No issues were raised in this respect in the determination of application DMPA/2025/1515.



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*ii) is suitable for conversion without extensive alteration, rebuilding and/or extension;  
or*

This was considered in detail by the Council as part of application DMPA/2025/1515, where the officer report stated the following:

*With respect to criteria ii), the Building Condition Survey acknowledges that the roof would benefit from the introduction of lateral bracing. The proposed elevations indicate that the corrugated sheets would be replaced with a metal roof covering. Insulation and internal works would be required to make the building habitable. These works would not be substantial. Aluminium windows and doors would be inserted making use of existing openings where possible. Although the blockwork walls are non-load bearing, the dwelling would not include any additional floors, such that this would be acceptable. The proposed 6m extension to the building is sizeable, however it is not considered to be 'extensive' in this case. The extension would be subservient to the host building in both scale and footprint. There would also be limited impact on landscape character due to the extension occupying the space previously occupied by the stable block. It is considered that criteria ii) would also be complied with.*

The conclusions reached regarding the capability of the main barn being converted remain unaffected by the proposed scheme. It is therefore necessary to consider whether the amended proposal would result in the proposed extension being 'extensive' compared to that which was previously approved.

In this regard, Figure 6 below, shows the previously approved extensions in pink and additional extensions now proposed in blue.



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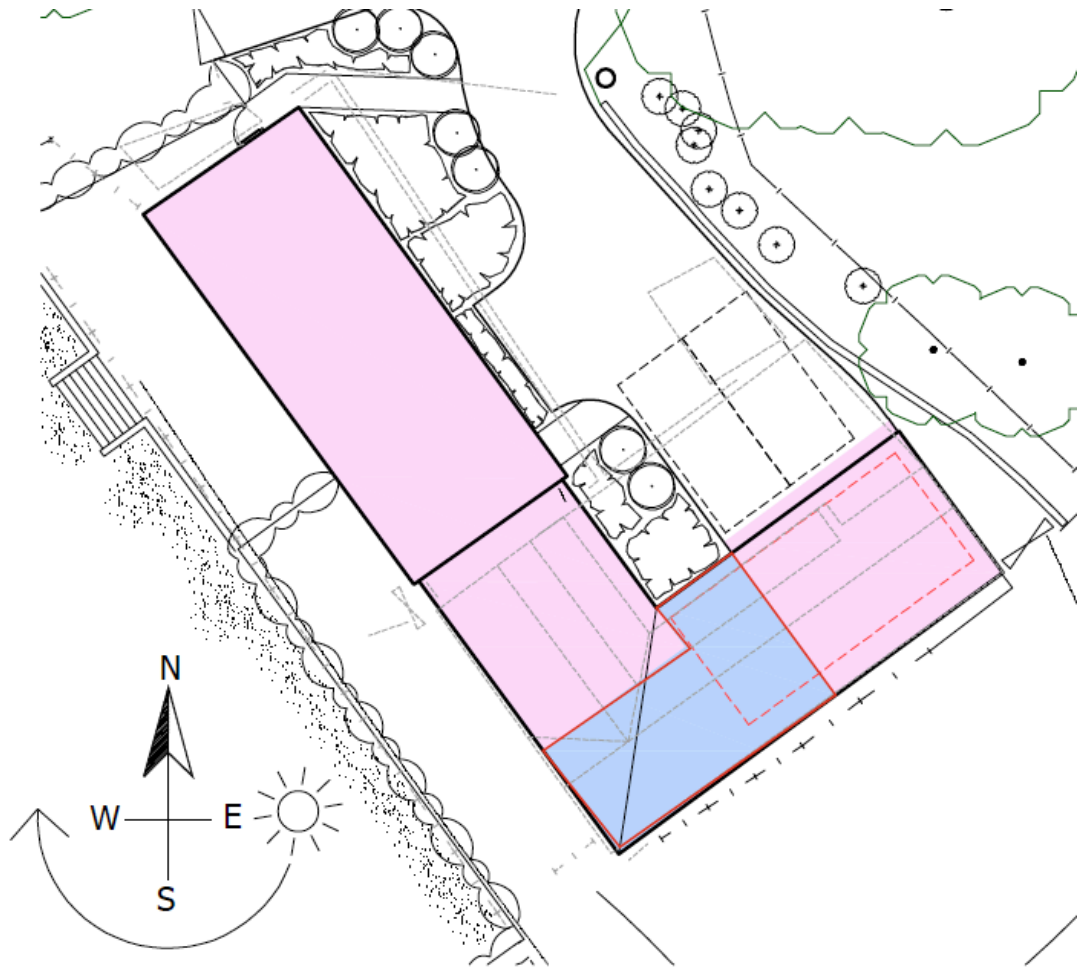


Figure 6 – Approved/proposed site plan overlay

The new extensions proposed would form a link between the previously approved extension and the detached carport. The additional footprint would only be 34 square metres and the height of the extension would remain subservient to the host building. There would also be limited impact on landscape character due to the extension occupying the space previously occupied by the stable block.

Overall, the proposed link extension remains a sensitively designed and small-scale development that would remain subservient to the main barn. The proposal is considered to be compliant with LP Policy H28 criteria (ii).



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*iii) constitutes the re-use of a suitable redundant or disused building or would secure the future use of a heritage asset.*

The proposal complies with H28 (ii) so this element of the policy is not relevant to the proposal.

*All conversions should result in the enhancement of the building's immediate setting.*

The proposal would include for the removal of the existing manège, new native hedgerow planting to define the boundary of the proposed residential property and an upgrading of cladding to the existing structures. In addition, the proposal would include for the general tidying up of the site to remove general clutter which is being stored externally. The overall result would be that the proposal would result in the enhancement of the buildings immediate setting as confirmed in the determination of application DMPA/2025/1515.

- 6.4 It is also noted that the Local Planning Authority have accepted the conversion of existing buildings to residential uses in close proximity to the application site. These include DMPA/2022/01470 at Cockshut Lane, Melbourne and DMPA/2025/0355 and DMPA/2024/1108 at Melbourne Animal Farm, The Common. The Council's officer report for DMPA/2022/01470 concluded that:

*Overall, it is considered that the scheme would comply with policies H1, BNE5 and H28 of the Local Plan and the Melbourne Neighbourhood Plan and would be acceptable in principle.*



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- 6.5 Based on the assessment above it is clear that the sensitive conversion and extension of the existing barn to form a single residential dwelling would accord with LP Policy H28 and NP Policy DP1.
- 6.6 The remainder of this statement assesses compliance with various technical matters, notes any other material planning considerations that are relevant to the proposal and then provides a conclusion as to whether the proposal represents sustainable development.

### ***Design and Visual Amenity***

- 6.7 The need for good design is reflected in LP Policy BNE1, NP Policy DP2, the Council's adopted Design SPD and Section 12 of the NPPF.
- 6.8 The existing building is located 200m away from the main road to the north and is surrounded on its northern, western and eastern boundaries by mature landscaping. Nevertheless, the application includes for the general tidying up of the site, the removal of an existing manège, planting of new native hedgerows and an upgrading of the external materials used on the existing barn. These elements would combine to ensure that the proposal results in an enhancement of the building's immediate setting.
- 6.9 As set out above, the overall level of built footprint on the site would not be extensively increased over and above what was previously allowed. The walls of the converted barn would be clad in Corten steel and the walls of the proposed extension would be clad in Derbyshire stone. Aluminium windows and doors would be used throughout. The materials will provide an attractive appearance



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whilst respecting the character and appearance of the existing building and the location of the building in this countryside location.

- 6.10 Although the existing barn and stables are in the grounds of Derby Hills House, they are visually distinct by virtue of them occupying a lower area of ground and with mature vegetation intervening. The private amenity space would have limited impact on the character of the area as it would occupy the area of the former manège.
- 6.11 Overall, it is considered that the proposed scheme would result in good design and would be consistent with the aims of LP Policy BNE1, NP Policy DP2, the Council's adopted Good Design SPD and Section 12 of the NPPF.

### ***Highway Safety and off-street car parking***

- 6.12 Paragraph 116 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 6.13 The site benefits from an existing access point off The Common and this would be unaffected by the proposal.
- 6.14 In terms of trip generation, given that the existing floorspace is already used for agricultural/equestrian purposes, the use of this floorspace for a single residential dwelling would not result in any material intensification of the use of the site access. The movements operating from the access would be smaller domestic



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vehicles rather than large slow moving agricultural/equestrian vehicles and, therefore, it is considered that there would be a degree of betterment in highway safety terms. On this basis, it is not considered that the proposal would result in a severe impact on the existing highway network.

- 6.15 Investigations into the accident record for The Common using CrashMap show that there has been no recorded personal injury road traffic accident at the site access or in close proximity within the last 5 years. This helps to demonstrate that the existing access point onto The Common is not resulting in highway safety issues.
- 6.16 In dealing with a similar conversion of these buildings on the application site under application reference DMPA/2025/1515, no issues were raised in respect of highway safety. There are no planning grounds for a different conclusion to be reached in respect of this proposal.
- 6.17 The submitted plans clearly show sufficient space within the site for suitable turning and parking arrangements to be provided for the dwelling. These arrangements would be in accordance with the guidance in the development plan and the Design guide SPD.
- 6.18 Having regard to these matters, it is concluded that the proposed development would not have an unacceptable impact on highway safety, nor would the residual cumulative impacts on the road network be severe. Overall, therefore, the highway safety aspects of the scheme are considered acceptable. The proposal is considered acceptable in relation to LP Policy INF2 and the advice in paragraph 116 of the NPPF.



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### ***Living conditions of neighbouring properties***

- 6.19 The closest residential property is Derby Hills House which is the host dwelling set around 30 metres to the east. At this distance and noting the single storey nature of the proposed development, it is clear that there would not be any significantly detrimental impact on the amenities of any nearby residents in terms of overlooking, overbearing or overshadowing.
- 6.20 In respect of noise and disturbance from vehicular movements, the fall-back position already allows for larger agricultural and equestrian vehicles to travel past residential properties in order to access the existing buildings. The proposal would remove these noisier vehicle movements and replace them with smaller domestic vehicles.
- 6.21 In dealing with a similar conversion of these buildings on the application site under application reference DMPA/2025/1515, no issues were raised in respect of the impact on the amenity of surrounding occupiers. There are no planning grounds for a different conclusion to be reached in respect of this proposal.
- 6.22 Having regard to the above, the proposal would not have a significant impact on the living conditions of occupiers of nearby dwellings. The impact on the living conditions of existing residents close to the proposal would be minimised and their amenity would be safeguarded in accordance with LP Policy SD1. The proposal also comply with the general thrust of the NPPF so far as it seeks to ensure acceptable living standards.



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### **Ecology and BNG**

- 6.23 As part of the pre-application advice the following advice was received from Derbyshire Wildlife Trust:

*I would agree that the agricultural building and stable block provide limited opportunities for roosting bats, due to the type of construction. Based on the photographs, I think requesting a PBRA would be disproportionate.*

*Regarding the swallows, I would advise that if the application was approved, that works should be undertaken outside of breeding season. If this is not possible, a check of the building should be undertaken by an ecologist no later than 48 hours prior to the works commencing. 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. The loss of the swallow cup(s) could be mitigated via the implementation of replacement nesting provision via condition.*

*I think the only thing they would need to submit would be a statement regarding BNG exemption - I noted that there is a proposed parking area, however if this is already hardstanding or some sort of artificial unsealed surface, the de minimis will still apply.*

- 6.24 Changes to the NPPF have introduced a requirement for Biodiversity Net Gain (BNG). Paragraph 180(d) of the NPPF sets out a requirement to minimise impacts on and provide net gains for biodiversity. The mandatory requirement for 10 percent BNG has now been enacted through the Environment Act.



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- 6.25 The proposal would be exempt from BNG requirements because it would be subject to the de minimis exemption. This is set out in Paragraph: 003 (Reference ID: 74-003-20240214) and Paragraph: 004 (Reference ID: 74-004-20240214) of the NPPG. A letter setting out that an exemption from BNG would apply is provided by Alca Ecology in support of the application.
- 6.26 In dealing with a similar conversion of these buildings on the same application site under application reference DMPA/2025/1515, no issues were raised in respect of the impact of the proposal on ecology subject to the inclusion of necessary planning conditions. There are no planning grounds for a different conclusion to be reached in respect of this proposal.
- 6.27 On this basis, the scheme is considered to have an acceptable impact upon protected species and wider ecological matters.

### ***Other matters***

- 6.28 The application site does not contain any trees which are protected by a Tree Preservation Order and the site is not located in a Conservation Area. There are no trees on the application site that would be affected by the proposed development. Landscaping on the site boundaries will be retained as part of the proposal and additional landscaping such as native hedgerows will be provided.
- 6.29 The site lies within Flood Zone 1 (which has the lowest risk of flooding) and is at a low risk of being impacted by surface water flooding as defined on the Environment Agency's surface water flood maps.



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- 6.30 Any other concerns that the Council might have regarding this proposal could be addressed through the imposition of conditions attached to a planning permission. These could control, for example, the external materials to be used in the conversion/construction process, the provision and retention of parking spaces, landscaping and boundary treatment details.





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### 7.0 CONCLUSION AND PLANNING BALANCE

- 7.1 At the heart of the NPPF is a presumption in favour of sustainable development such that development proposals that are in accordance with the development plan should be approved. The NPPF does not change the statutory status of the development plan as the starting point for decision making. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that any decision on a planning application should be made in accordance with the policies of the development plan unless material considerations indicate otherwise.
- 7.2 The planning statement has demonstrated that the amended scheme would still represent the sensitive conversion of an existing building with a subservient extension. Therefore, in terms of the principle of development on the site, the conversion of the existing building to a single dwelling would accord with LP Policy H28 and NP Policy DP1.
- 7.3 Subject to the imposition of conditions and/or mitigation measures where necessary, the proposed scheme would not result in any significant adverse impacts on the character and appearance of the area, the residential amenity of the occupiers of neighbouring properties, highway safety, biodiversity or flooding. There are no other material planning considerations that indicate that planning permission should not be granted.
- 7.4 In terms of other material considerations, the sustainable development objectives of the NPPF require economic, social and environmental objectives, which are interdependent and need to be pursued in mutually supportive ways.



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- 7.5 The economic objective in paragraph 8 of the NPPF is achieved by this proposal through support for local construction work and jobs and additional contributions towards Council Tax.
- 7.6 The social objective in paragraph 8 of the NPPF is achieved by this proposal through the provision of a new high quality dwelling through the conversion of an existing building. There would also be social benefits in terms of occupiers of the new dwelling supporting the existing services in Melbourne and the surrounding area.
- 7.7 The environmental objective in paragraph 8 of the NPPF is achieved by this proposal as development on the site would be sympathetic and would not result in any unacceptable impacts on the natural, built or historic environment. The proposal would re-purpose an existing building which is inherently sustainable. The planning statement has demonstrated that the application would have an acceptable impact on highway safety, visual amenity, residential amenity, drainage and flooding, ecology and trees.
- 7.8 In conclusion, the proposal is compliant with the relevant policies of the development plan and is also consistent with the aims and objectives of the NPPF when read as a whole. The development represents an appropriate and sensitively designed conversion and extension of an existing building, with no significant harm arising in respect of visual amenity, residential amenity, highway safety, ecology, flooding or any other material planning consideration. Any outstanding detailed matters can be satisfactorily addressed, where necessary, through the imposition of planning conditions. In accordance with paragraph 11 of the NPPF, the proposal should therefore be approved without delay.



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## 8.0 APPENDICES

### Appendix 1 Decision notice DMPA/2025/1515



South  
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District Council

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**Applicant:**  
Elaine Penhaul

**Ref. No.** DMPA/2025/1515  
**Made valid on:** 10 December 2025

#### DECISION NOTICE

**Description and location of proposal:** The conversion and extension of an existing Dutch barn to a dwellinghouse and the erection of a carport at Derby Hills House, Derby Hills, Melbourne, Derby, DE73 8DH

**Decision made:** In exercise of its powers as the Local Planning Authority under the Town and Country Planning Act 1990 and related subordinate legislation, South Derbyshire District Council hereby gives notice that permission/consent for the proposal as described above is hereby **Approved subject to the following Conditions:**

1. The development hereby approved shall be begun before the expiration of three years from the date of this permission.  
  
Reason: To conform with Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).
2. The development hereby permitted shall be carried out in accordance with plans/drawings/documents:
  - Location Plan (received by the Local Planning Authority on 09 December 2025)
  - Block Plan and Street Scene (25\_4590\_06 A, received by the Local Planning Authority on 17 November 2025)
  - Existing Elevations (25\_4590\_02, received by the Local Planning Authority on 26 November 2025)
  - Existing Floor Plans and Section (25\_4590\_02, received by the Local Planning Authority on 26 November 2025)
  - Proposed Elevations (25\_4590\_07, received by the Local Planning Authority on 17 November 2025)
  - Proposed Floor Plan (25\_4590\_08, received by the Local Planning Authority on 17 November 2025)
  - Building Condition Survey (David Granger Architectural Design, July 2025, received by the Local Planning Authority on 26 November 2025), unless otherwise required by condition attached to this permission or following approval of an application made pursuant to Section 96A of the Town and Country Planning Act 1990.

*Jenny Blair*

Authorised Officer of the Council

Date: 29 January 2026

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Reason: In accordance with Policies H28 and BNE1 of the Local Plan and for the avoidance of doubt and in the interests of achieving sustainable development.

3. Prior to their incorporation into the building hereby approved, specifications and/or samples of the facing materials to be used shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be constructed using the approved facing materials.

Reason: To protect the visual character of the area and setting of the nearby listed buildings in accordance with Policy BNE1 of the Local Plan.

4. Prior to incorporation within the development, a detailed scheme of hard and soft landscaping shall be submitted to and approved in writing by the Local Planning Authority. The scheme should include specifications of hard landscaping materials; and for soft landscaping evidence the proposed locations of each tree species, the size of each type of tree (standard, select standard, or heavy standard with girth dimensions), the mix of any proposed grass areas, and the proposed locations and sizes of any ornamental shrubs (in litre pots). All planting, seeding or turfing comprised in the approved scheme shall be carried out in the first planting and seeding seasons following first occupation of the dwelling or completion of the development (whichever is the sooner); and any plants which within a period of five years (ten years in the case of trees) from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species and thereafter retained for at least the same period, unless the Local Planning Authority gives written consent to any variation.

Reason: In accordance with Policy BNE1 of the Local Plan and in the visual interest of the development and nearby heritage assets.

5. Notwithstanding the plans hereby approved, prior to the incorporation of any boundary treatments, details of the position, appearance and materials of such boundary treatments shall be submitted to and approved in writing by the Local Planning Authority. The boundary treatments shall be completed in accordance with the approved details before the respective dwellings to which they serve is/are first occupied or in accordance with a timetable which shall first have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of the character and appearance of the area and in accordance with Policy BNE1.

6. Prior to occupation of the dwelling a Species Enhancement Plan shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented in full and maintained thereafter. The Plan shall clearly show positions, specifications and numbers of features, which will include (but are not limited to) the following: 1 x external nest box on the new dwelling or mature tree (at least 3m above ground level, avoiding southern elevations); 1 x external bat box on new dwelling or suitable mature tree, (at least 4m above ground level, favouring southern elevations); 1 x swallow nest cup in open fronted car port. A statement of good practice including photographs should be submitted to the local planning authority prior to the discharge of this condition, demonstrating that the enhancements have been selected and installed in accordance with the above.

Reason: In order to achieve a species enhancement in accordance with Policy BNE3 of the Local Plan and Policy OS3 of the Local Plan.

7. Any external lighting within the site shall be low level, low wattage down lights (on PIR sensors), positioned away from trees, hedgerows or any bat/bird boxes. No uplighting shall be provided during construction or for the lifetime of the development. The external lighting scheme shall comply with the requirements of Guidance Note 08/18 - Bats and Artificial Lighting in the UK (BCT and ILP, 2018).

Reason: In order to protect biodiversity and habitat on or adjacent to the site in accordance with Policy BNE3 of the Local Plan.

8. No building demolition or hedgerow or shrub 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

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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: In order to protect biodiversity and habitat on or adjacent to the site in accordance with Policy BNE3 of the Local Plan.

9. During the period of construction there should be no clearance of vegetation by burning, or disposal of other materials by burning.

Reason: To protect the amenity of the locality, especially for people living and/or working nearby in accordance with Policy SD1.

10. During the period of construction, no ground, construction or fitting out works shall take place and no deliveries shall be taken at or dispatched from the site other than between 0800 and 1800 hours Monday to Friday and 0800 and 1300 hours on Saturdays. There shall be no construction works (except for works to address an emergency) or deliveries on Sundays or Bank Holidays.

Reason: In the interests of protecting the amenity of the area and adjoining occupiers.

11. The dwelling shall be constructed and fitted out so that the estimated consumption of wholesome water by persons occupying each dwelling does not exceed 110 litres per person per day, consistent with the Optional Standard as set out in G2 of Part G of the Building Regulations (2015). The developer must inform the building control body that this optional requirement applies.

Reason: To ensure that future water resource needs, wastewater treatment and drainage infrastructure are managed effectively, so to satisfy the requirements of policy SD3 of the Local Plan.

12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, or any statutory instrument amending, revoking and/or replacing that Order, the dwelling hereby permitted shall not be enlarged, extended or altered and no buildings shall be erected on the site without the prior grant of planning permission pursuant to an application made to the local planning authority in that regard.

Reason: To maintain control in the interests of the visual amenity of the site and in accordance with Policy BNE1 of the Local Plan.

13. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, or any statutory instrument amending, revoking and/or replacing that Order, there shall be no external alterations, including the alteration or insertion of new windows to the buildings without the prior grant of planning permission pursuant to an application made to the Local Planning Authority in that regard.

Reason: To maintain control in the interests of the visual amenity of the site and in accordance with Policy BNE1 of the Local Plan,

**You are advised of the following matters:**

**a. Biodiversity Net Gain**

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for development of land in England is deemed to have been granted subject to the condition (biodiversity gain condition) that development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan, if one is required in respect of this permission would be South Derbyshire District Council.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. Based on the information available this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because one or more of the statutory exemptions or transitional arrangements is considered to apply. In this case the development is:

**Development below the de minimis threshold**, meaning development which:

- iii) does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and

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- iv) impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (as defined in the statutory metric).
- b. The applicant is reminded that, under the Wildlife and Countryside Act 1981, it is an offence to remove, damage or destroy the nest/roost of any wild bird or bat while that nest/roost is in use or being built. Planning consent for a development does not provide a defence against prosecution under this Act. Tree felling and other vegetation clearance works should proceed with caution and vigilance for any unexpected presence of bats or nesting birds. If any roosting bats or nesting birds are encountered, works should cease immediately, and a suitably qualified ecologist should be contacted for advice.
- c. The applicant's attention is drawn to the comments received from members of public which raise concerns about the impact of construction/delivery vehicles on the private shared access road. Full copies of the comments can be obtained from [planning.apps@southderbyshire.gov.uk](mailto:planning.apps@southderbyshire.gov.uk)

In dealing with the application, and further to pre-application advice where that has been given, the Local Planning Authority has positively sought to determine the application in a timely fashion and so promote the delivery of sustainable development in the District. Where practicable, feasible and necessary, and irrespective of the above decision, officers have made proactive attempts to find solutions to identified issues or to improve the quality of the development through negotiation with applicants and/or their nominated representatives, in order to foster the delivery of sustainable development and objectives of the Development Plan.

**Changes in intention:** any deviation from the approved plans/drawings and/or details should be discussed with the Local Planning Authority in advance. This includes circumstances where the applicant/developer subsequently identifies inaccuracies with the approved documents or conflict with other regulatory requirements. A formal application to amend the proposals or secure a revised permission may be necessary. Failure to secure necessary approval may result in the commencement of enforcement proceedings.

**Scope of this decision:** this is a planning decision notice which, unless expressly applied for and stated in the description of development above, conveys no decision of associated planning consent (such as listed building or advertisement consent); nor does it convey a decision under, or override, supersede or negate, any other legislation or the need to comply with restrictive covenants under Civil Law. In particular the necessary approval under the Building Regulations and the Public Health Acts must be obtained before the carrying out of building works. Where the adopted highway, including verges and pavements, is to be altered, the Local Highway Authority (Derbyshire County Council) should be contacted to establish its requirements.

**Right of appeal to the Secretary of State:** if you are aggrieved by the decision of the Local Planning Authority to refuse permission or consent for your proposal or to grant it subject to conditions, then you can appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990, subject to the following:

- if this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, any appeal must be made within 28 days of the date of this notice;
- if an enforcement notice is subsequently served relating to the same or substantially the same land and development as in your planning application, any appeal must be made within 28 days of the date of service of the enforcement notice, or within 6 months (12 weeks in the case of a householder or minor commercial appeal, the latter as defined by Part 1 Article 2 of the Town and Country Planning (Development Management Procedure) Order 2015) of the date of this notice, whichever period expires earlier;
- if this is a decision on an application for consent to cut down, top, lop, uproot or otherwise destroy a tree or trees protected by a tree preservation order, or for a decision on a lawful development certificate for proposed works to a listed building, any appeal must be made within 28 days of the date of this notice;
- if this is a decision on an application for advertisement consent, any appeal must be made within 8 weeks of the date of this notice;
- if this is a decision on an application for householder or minor commercial development (the latter as defined by Part 1 Article 2 of the Town and Country Planning (Development Management Procedure) Order 2015), any appeal must be made within 12 weeks of the date of this notice;
- in all other cases, except for a decision on a lawful development certificate for an existing or proposed use or development, any appeal must be made within 6 months of the date of this notice.

The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

Appeals must be made using a form which you can get online at [www.gov.uk/planning-inspectorate](http://www.gov.uk/planning-inspectorate) or from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN. The Secretary of State need not consider an appeal if it seems to them that the Local Planning Authority could not have granted planning permission or consent for the proposal or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order. In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based their decision on a direction given by the Secretary of State. If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate ([inquiryappeals@planninginspectorate.gov.uk](mailto:inquiryappeals@planninginspectorate.gov.uk)) at least 10 days before submitting the appeal. Further details can be found online at [www.gov.uk/planning-inspectorate](http://www.gov.uk/planning-inspectorate).

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**Street naming and numbering:** the applicant and/or developer is reminded of the Council's responsibility to issue official addresses for all residential and business premises within South Derbyshire. All new addresses are allocated in line with our street naming and numbering guidance available at [www.southderbyshire.gov.uk](http://www.southderbyshire.gov.uk) and you are advised to engage with the Council as soon as possible to enable the issuing of any street and property names/numbers to be created by this development. Any number and/or property name that is associated with identifying individual properties must be displayed in a clear, prominent position that can be read from the roadside. It is the developer's responsibility to erect the appropriate signage once the building(s) is/are ready for occupation. There are two types of the name plate the Council uses: Type A carries the Council's crest, whilst Type B does not. You are advised that the Types are usually expected in the following locations:

- Type A: on classified (A, B and C) roads, at junctions with classified roads, and at the commencement of local distributor roads (roads acting as through routes within developments);
- Type B: intermediate name plates along local distributor roads, on collector roads (roads which run within a development providing access and linking small access roads and access ways), on access roads (roads serving a small number of houses which may also have a surface shared by pedestrians and vehicles), and access ways which have a different name from their access road; all unless at a junction with a classified road (where Type A will be expected instead).

**High speed communications:** the applicant and/or developer is strongly encouraged, as part of the delivery of any premises on the site, to provide full fibre broadband connections (i.e. from streetside cabinet to the property). Further details of initiatives to support the provision of full fibre connections as part of broadband installation at the site can be obtained from Digital Derbyshire on [broadband@derbyshire.gov.uk](mailto:broadband@derbyshire.gov.uk).

**Fire safety in new buildings:** the applicant/developer is encouraged to install a sprinkler system in any new premises created on the site in order to reduce the risk of danger from fire to future occupants and property.

**Purchase Notices:** if permission is refused or granted subject to an unacceptable condition, and the owner of the property claims that the property has consequently become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development/work which has been or would be permitted, the owner may serve on the Council a purchase notice requiring that Council to purchase their interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

**Enquiries:** Any correspondence or enquiries concerning this decision should be sent to [planning@southderbyshire.gov.uk](mailto:planning@southderbyshire.gov.uk) quoting the above reference number.

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## Appendix 2 Officer report DMPA/2025/1515

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**Delegated report** Officer: Caroline Burn

**Application ref. DMPA/2025/1515**

The conversion and extension of an existing Dutch barn to a dwellinghouse and the erection of a carport at Derby Hills House, Derby Hills, Melbourne, Derby, DE73 8DH

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|                        |              |
|------------------------|--------------|
| Valid date:            | 10/12/2025   |
| Consults expired:      | 10/01/2026   |
| EIA development?       | No           |
| Section 106 agreement? | Not required |

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

**Relevant planning history**

9/2001/0829 The formation of a sand school for equestrian exercise - approved  
9/2010/0128 The erection of an extension and replacement walls to dutch barn – approved  
No planning history could be found for the stables, although this is present within Google Earth imagery from 1999.

**Responses to consultations and publicity**

Melbourne Parish Council  
No objection (31/12/2025)

County Highways

Based on the analysis of the information submitted it is evident that satisfactory access and parking arrangements are provided for the proposed dwelling. Therefore, the Local Highway Authority concludes that there would not be an unacceptable impact on highway safety and there are no justifiable grounds on which an objection could be maintained. (16/12/2025)

Environmental Health

No objections however conditions recommended to restrict working hours for construction works, and to prevent disposal of materials through burning. (11/12/2025)

Derbyshire Wildlife Trust

The development is exempt from mandatory biodiversity net gain (BNG) as the majority of the development footprint is hardstanding. Conditions recommended to restrict timing of construction works to outside the breeding bird season, sensitive lighting strategy and species enhancement plan (22/01/2026).

Public Comments

Two members of public commented on the application. One objected to the proposal and raised concerns related to the impact of heavy traffic using the private access road, with associated impact on pedestrian safety, vehicle hazards, structural damage to road and adjacent properties, amenity impact, emergency access risks, which were highlighted as exacerbated in poor weather conditions. The potential liability and legal exposure associated with use of the access was also highlighted. The other raised no objection however requested that the applicant ensure safe traffic management during the works, with notification to delivery drivers of constraints associated with the access, and for any damage to neighbouring properties to be 'made good'.

**Relevant policy, guidance and/or legislation**

The relevant Development Plan policies are:

- Local Plan Part 1 (2016): INF2, BNE1, BNE3
- Local Plan Part 2 (2017): BNE5, H28
- Melbourne Neighbourhood Development Plan: DP1, OS3

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Delegated officer's report  
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The relevant local guidance is:

- South Derbyshire Design Guide Supplementary Planning Document (SPD)

The relevant national policy and guidance is:

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

## Emerging Local Plan

On 10 March 2025 the South Derbyshire Local Plan Part 1 Review was published for its period of formal representations under Regulation 19 (of the Local Plan Regulations) prior to submission to the Secretary of State (The Publication Version). This is the version of the Local Plan that the Council intends to submit for examination, and it is a material consideration in the determination of planning applications.

The weight to be attached to emerging local plans is set out in paragraph 49 of the NPPF.

With regard to paragraph 49a) the plan is at an early stage of preparation having not reached examination. In terms of 49b) there remain unresolved objections to the plan from its Regulation 18 consultation and the comments made under Regulation 19 have been reviewed with unresolved objections which were reported to Environmental and Development Services committee on 6th November 2025. The Local Plan will be submitted in the New Year. Although the plan is in general conformity with the NPPF (paragraph 49c) it has been published to benefit from the transition arrangements set out in paragraph 234 of the NPPF, meaning the Local Plan will be examined under the 2023 version of the NPPF. For all these reasons the weight to be attached to policies in the publication version of the Local Plan is low.

Where there is any conflict between policies in the publication version of the Local Plan and existing adopted Local Plan policies the decision should be taken in line with the adopted Local Plan policies.

Paragraphs 50 and 51 of the NPPF are also relevant which clarify that refusals of permission in line with emerging policies will seldom be justified before a plan has been submitted for examination.

## **Planning considerations**

The key considerations are as follows:

- Principle of the development;
- Design and Impact on Character of the Area;
- Biodiversity;
- Access and Parking;
- Other Matters.

## **Planning assessment**

### Site and Proposal

Derby Hills House is located c. 180m to the south of The Common. The application site incorporates a barn and stable building that are located to the west of the main dwelling. The barn comprises a modern agricultural building that is a combination of steel portal frame and blockwork. The stable block is orientated perpendicularly at the end of the barn and is of timber construction. A ménage is located immediately adjacent to the west of the of the barn, and beyond this the land slopes downward to the open countryside.

The proposal is for the conversion and extension of an existing Dutch barn to a dwellinghouse and the erection of a carport. The existing L-shaped stable block would be demolished, and the extension and car port would be erected in its place. The barn conversion incorporates feature glazing on the front elevation in the place of the current roller doors, and more modest apertures would be inserted into the currently blank rear elevation (including a sliding patio door, single door, and 2no. windows). A single window would also be added on the side elevation. The extension would project c. 6.3m from the southern side elevation of the barn. The car port would be sited perpendicular to the dwelling, slightly

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overlapping with the footprint of the extension. It would be an open fronted building with monopitch roof. The proposed site plan shows that there would be car parking in front of the car port. The private amenity space would occupy roughly three quarters of the adjacent ménage.

## Principle of the Development

In rural areas, Policy H1 states that residential development of only limited infill and conversions would be considered acceptable. This point is reiterated in Policy BNE5, which allows for residential conversions provided that they would not unduly impact on landscape character, biodiversity, agricultural land or heritage assets. Policy H28 supports the conversion of buildings to residential accommodation provided the building is of i) permanent and substantial construction; and ii) is suitable for conversion without extensive alteration, rebuilding and/or extension; or iii) constitutes the re-use of a suitable redundant or disused building or would secure the future use of a heritage asset. Policy DP1 states that proposals for development beyond the settlement boundaries of Melbourne and Kings Newton will only be supported where they comply in full with relevant policies of the Neighbourhood Plan and Local Plan.

The application has been supported by a Building Condition Survey (David Granger, July 2025 ref. 25.4590) and the Planning Case Officer has visited the site and viewed the building proposed for conversion. The Building Condition Survey notes that the building is constructed from four steel portal frames with 140mm thick concrete blockwork walls. The blockwork is understood to be non load bearing and extends to the full height of the building. The report states that a damp proof course is present and the blockwork is clad with softwood boarding. The roof comprises fibre cement corrugated sheets supported by timber sheeting rails. The floor is a concrete slab with damp proof membrane and hardcore sub-base. The report states that it is assumed the foundations are located beneath each steel portal leg, and concrete foundations for the blockwork are visible in some areas. The report states that the walls, portal frames, roof and floor slab are in reasonable to good condition. It is advised that the roof would benefit from the introduction of lateral bracing. The report concludes that the building is structurally sound and capable of conversion for residential accommodation, with insulation etc. to comply with Building Regulations. Based on the submitted condition report, the building is considered to comprise a permanent and substantial construction and meets criteria i).

With respect to criteria ii), the Building Condition Survey acknowledges that the roof would benefit from the introduction of lateral bracing. The proposed elevations indicate that the corrugated sheets would be replaced with a metal roof covering. Insulation and internal works would be required to make the building habitable. These works would not be substantial. Aluminium windows and doors would be inserted making use of existing openings where possible. Although the blockwork walls are non-load bearing, the dwelling would not include any additional floors, such that this would be acceptable. The proposed 6m extension to the building is sizeable, however it is not considered to be 'extensive' in this case. The extension would be subservient to the host building in both scale and footprint. There would also be limited impact on landscape character due to the extension occupying the space previously occupied by the stable block. It is considered that criteria ii) would also be complied with.

The proposed barn conversion with extension would accord with Policy H28 of the Local Plan, and therefore Policy DP1 of the Neighbourhood Plan, and would be acceptable in principle. It would also then be acceptable for a new dwelling to be accompanied by a car port. With respect to Policy BNE5 there would be limited impact on landscape character or agricultural land as the proposal would have no further encroachment on the rural area than the existing stable block and ménage. The site is not located near to any listed buildings or within a Conservation Area and would not unduly impact heritage assets. Biodiversity is considered further in the relevant section of the assessment.

As of the recent appeal decision for Land South of Kings Newton Lane, Melbourne (appeal ref. APP/F1040/W/25/3368728; LPA ref. DMPA/2025/0438), South Derbyshire District Council does not have a five year housing land supply. The proposal would provide a small benefit through the contribution of one dwelling to the District's housing stock.

## Design and Impact on the Character of the Area

Design for barn conversions is integral within Policy H28 to an extent, as well as Policy BNE1 which sets out principles for design excellence, and the South Derbyshire Design Guide SPD. The conversion

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would have limited intervention to the existing building's form, and its appearance would be improved with external cladding. The proposed extension would project from the southern side elevation and would be subservient to the host building. It would have the same design concept as the converted section of the building and would therefore be in keeping. The proposed car port would be an open fronted, timber clad building not dissimilar to the existing stables block. Collectively the dwelling and car port would appear as typical rural buildings, not dissimilar to agricultural buildings. Although these buildings are in the grounds of Derby Hills House, they are visually distinct by virtue of them occupying a lower area of ground and with mature vegetation intervening. The private amenity space would have limited impact on the character of the area as it would occupy the area of the former menage. The design is overall considered to be low impact and appropriate within the setting, accordant with Policy BNE1 and the Design Guide SPD. The new dwelling would be c. 35m from the nearest dwelling (no. 11 Derby Hills Farm Court) and as such would meet the recommended separation distances for protecting neighbouring privacy, outlook and light. Conditions are recommended to secure full details of the proposed materials in the visual interest of the development, and to remove permitted development rights in order to ensure any future changes are appropriate to the buildings and in the rural context.

## Biodiversity

Policy BNE5 requires that rural development does not unduly impact biodiversity. Policy BNE3 supports development which contributes to the protection, enhancement, management and restoration of biodiversity and delivers net gains in biodiversity wherever possible. Additionally, planning proposals that could have a direct or indirect effect on priority habitats and species will need to be supported by appropriate surveys or assessments. Policy OS3 of the Neighbourhood Plan also seeks to protect and enhance biodiversity. The requirement for a 10% biodiversity net gain (BNG) is mandatory under schedule 7A of the Town and Country Planning Act 1990 (as inserted by schedule 14 of the Environment Act), unless an exemption applies.

In this case, the applicant has submitted a supporting statement that demonstrates that the proposal would impact less than 25m<sup>2</sup> priority habitat and would therefore benefit from the de minimis exemption for BNG. Given that the land incorporated into the development is currently occupied by buildings and a menage this is not disputed. Derbyshire Wildlife Trust has reviewed the application and commented that precautionary measures would be required for nesting birds and recommended a sensitive lighting strategy and species enhancement plan, which would be reasonable to attach as conditions in the context of Policy BNE3 of the Local Plan and Policy OS3 of the Neighbourhood Plan.

## Access and Parking

Policy INF2 sets the policy framework for sustainable transport and states that planning permission will be granted for development where appropriate provision is made for safe and convenient access to and within the development for users of the private car and other modes of transport. The Design Guide SPD strongly encourages developments to provide two car parking space per dwelling with three spaces for homes of 4-bedrooms or more.

Access to the site is provided from The Common to the north and via the shared private road to Derby Hills Farm Court and Derby Hills House. County Highways has been consulted and raised no objection to the proposal and requested no conditions. The proposal is for the conversion of a building to a single dwelling together with erection of an extension and car port. The construction works and traffic impacts during that phase, would be small-scale and time limited, commensurate with the scale of development. Although members of public have raised concerns about the impact of the proposal on the private road, this would be a private matter to resolve between relevant parties rather than a material planning consideration in this instance. Nonetheless it is recommended that an informative be attached to the decision notice to highlight the concerns raised to the applicant. The dwelling would have 2no. parking spaces in the car port with space also in front of this and would meet the Design Guide SPD recommendations. The proposal would not have a material impact on the public highway and would conform with Policy INF2.

## Other Matters

Environmental Health requested conditions to restrict the timing of construction hours, and to prevent disposal of materials by burning. These conditions would be reasonable to attach to any forthcoming decision in the interest of the amenity of the area in accordance with Policies SD1 and SD4.

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## Planning Balance

The proposal is considered to comply with the requirements of Policy H28 with respect to residential conversions and is acceptable in principle. The proposal would provide a small benefit through the contribution of one dwelling to the District's housing stock. The assessment of material considerations related to the design, ecology, impact on the public highway and other matters has not found any matters that would outweigh the policy support afforded to the development in principle. Accordingly, the application is recommended for approval subject to conditions.

## **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.

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|                      |             |
|----------------------|-------------|
| Recommendation made: | 28/01/2026  |
| Report agreed:       | 29/01/2026  |
| Authorised officer:  | Jenny Blair |

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## Appendix 3 Flood map for planning



Environment  
Agency

### Flood map for planning

Your reference  
<Unspecified>

Location (easting/northing)  
436960/324793

Created  
16 Jul 2024 14:41

**Your selected location is in flood zone 1, an area with a low probability of flooding.**

You will need to do a flood risk assessment if your site is **any of the following**:

- bigger than 1 hectare (ha)
- In an area with critical drainage problems as notified by the Environment Agency
- identified as being at increased flood risk in future by the local authority's strategic flood risk assessment
- at risk from other sources of flooding (such as surface water or reservoirs) and its development would increase the vulnerability of its use (such as constructing an office on an undeveloped site or converting a shop to a dwelling)

#### Notes

The flood map for planning shows river and sea flooding data only. It doesn't include other sources of flooding. It is for use in development planning and flood risk assessments.

This information relates to the selected location and is not specific to any property within it. The map is updated regularly and is correct at the time of printing.

Flood risk data is covered by the Open Government Licence **which** sets out the terms and conditions for using government data. <https://www.nationalarchives.gov.uk/doc/open-government-licence/version/3/>

Use of the address and mapping data is subject to Ordnance Survey public viewing terms under Crown copyright and database rights 2022 OS 100024198. <https://flood-map-for-planning.service.gov.uk/os-terms>

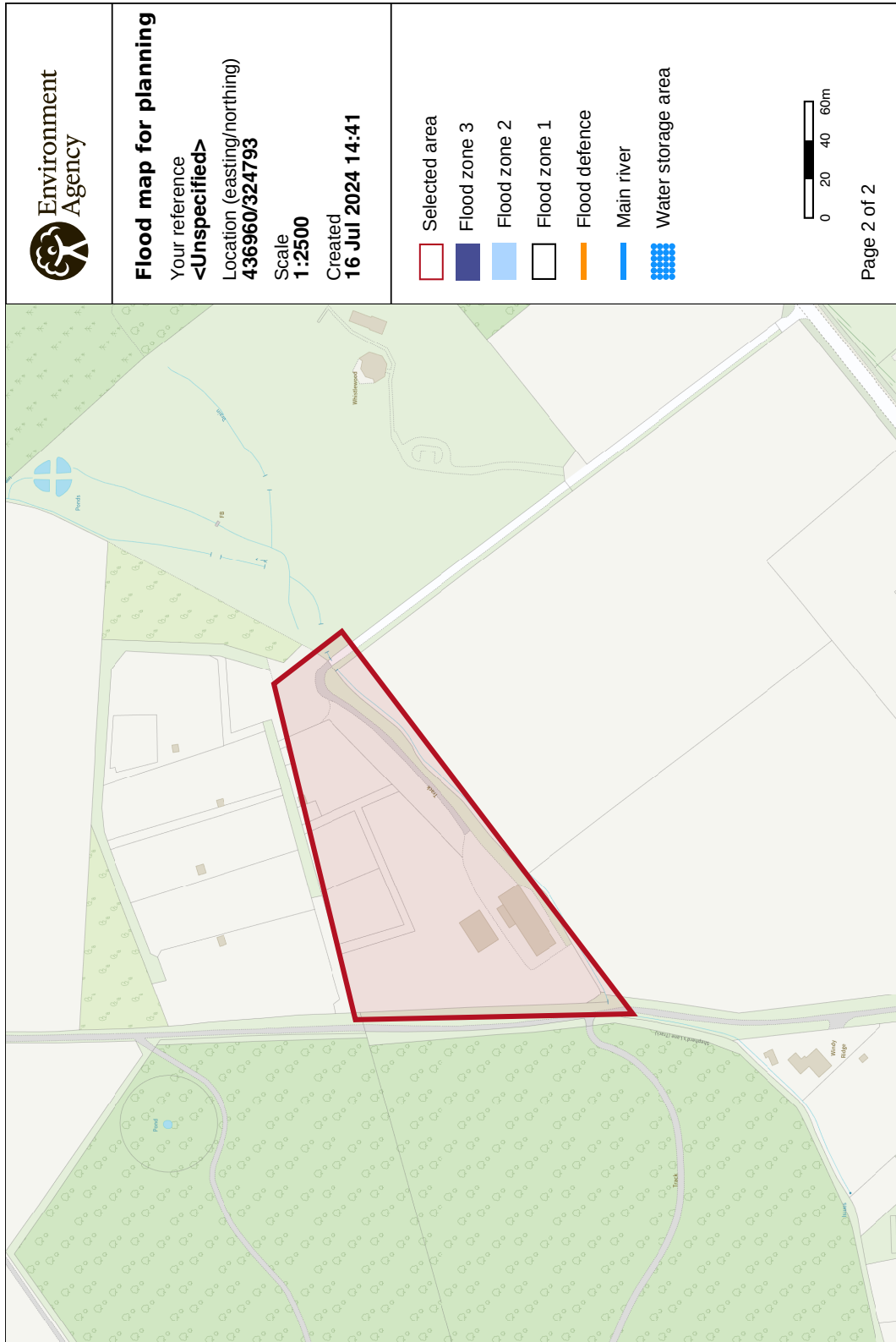
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