



Applicant:
Clive Toon

Ref. No. DMPA/2024/0784
Made valid on: 31 July 2024

DECISION NOTICE

Description and location of proposal: Partial demolition of the existing dwelling with associated internal/external alterations to create a garage and the conversion of the existing outbuilding to living accommodation with associated works at Barrow House, Beaumont Close, Barrow-on-Trent, Derby, DE73 7HQ

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 the following:
 - Location Plan (Drawing No. 01001) as received on the 26/07/2024;
 - Block Plan as proposed (Drawing No. 01004) as received on the 26/07/2024;
 - Site Plan as proposed (Drawing No. 01005) as received and amended on the 16/02/2026;
 - Ground Floor Plan as proposed (Drawing No. 02003) as received and amended on the 16/02/2026;
 - First Floor Plan as proposed (Drawing No. 02004) as received and amended - on the 16/02/2026;
 - Stable elevations as proposed (Drawing No. 03003) as received and amended on the 16/02/2026;
 - Elevations as proposed (Drawing No. 03004) as received and amended on the 16/02/2026;
 - Tree Protection Plan as received on the 26/07/2024;
 - Tree Survey as received on the 26/07/2024;
 - Tree Survey and Arboricultural Impact Assessment as submitted on the 26/07/2024;
 - Bat and Bird Report as submitted on the 03/12/2025;
 - Heritage Impact Assessment as received on the 5th May 2025;unless as 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.

Reason: For the avoidance of doubt and in the interests of achieving sustainable development.

3. No development shall take place until a written scheme of investigation (WSI) for historic building recording and archaeological monitoring (watching brief) has been submitted to and approved by

Jenny Blair

Authorised Officer of the Council

Date: 3 June 2026

the local planning authority in writing, and until the pre-conversion historic building recording has been completed to the satisfaction of the local planning authority. For land that is included within the WSI, no development shall take place other than in accordance with the agreed WSI, which shall include the statement of significance and research objectives; and:

- The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works
- The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI.

Reason: In the interest of archaeology as per policy BNE2 and BNE10.

4. Prior to the extension being brought into use a scheme of hard and soft landscaping shall be submitted to and approved in writing by the Local Planning Authority. Details of soft landscaping should evidence compliance with British Standard (BS) 3936: 'Part 1 - Specification for trees and shrubs', BS3969 - 'Recommendations for turf for general purposes' and BS4428 - 'Code of practice for general landscape operations (excluding hard surfaces)' and includes at least 3 new trees of small to medium size. All hard landscaping shall be carried out in accordance with the approved details prior to occupation of the dwelling, whilst all planting, seeding or turfing comprised in the approved scheme shall be carried out in the first planting and seeding seasons; 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 the interest of the visual setting of the development and the surrounding area as per policy BNE1.

5. Prior to building works commencing above foundation level, a Species Enhancement Plan shall be submitted to and approved in writing by the Local Planning Authority. 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:
 - 2 x integrated universal nest boxes / swift bricks erected at eaves level, avoiding southern elevations
 - integrated bat boxes erected at eaves level, favouring southern elevations
 - insect bricks
 - fencing gaps 130 mm x 130 mm to maintain connectivity for hedgehogs in all gardens.
 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 the interest of biodiversity in accordance with policy BNE3 (Biodiversity).

6. The conversion of Building B2 (stables) shall not take place until an appropriate bat licence has been obtained. Confirmation of this shall be submitted to the LPA. Upon receipt of a licence from Natural England, works shall proceed strictly in accordance with the approved mitigation, which should be based on the proposed measures outlined in the Bat & Bird Activity Survey Report produced by Charnia Ecology (November 2025), and amended as necessary based on any correspondence with Natural England or update surveys. Such approved mitigation will be implemented in full in accordance with a timetable of works included within the licence and maintained thereafter. A copy of the results of any monitoring works will be submitted to the LPA.

Reason: In the interest of protecting roosting bats in accordance with policy BNE3 (Biodiversity).

7. No removal of trees, hedges, shrubs, buildings or structures shall take place between 1st March and 31st August inclusive unless a survey to assess the nesting bird activity on the site during this period and a scheme to protect the nesting birds has first been submitted to and approved in writing by the Local Planning Authority. Thereafter, no trees, hedges, shrubs, buildings or structures shall be removed between 1st March and 31st August inclusive other than in accordance with the approved bird nesting protection scheme.

Reason: In the interest of protecting nesting birds in accordance with policy BNE3 (Biodiversity).

8. Prior to the installation of external lighting fixtures, a detailed lighting strategy shall be submitted to and approved in writing by the LPA to safeguard bats and other nocturnal wildlife. This should provide details of the chosen luminaires, their locations and any mitigating features such as dimmers, PIR sensors and timers. Dependent on the scale of proposed lighting, a lux contour plan may be required to demonstrate acceptable levels of lightspill to any sensitive ecological zones/features. The Strategy should refer to Guidance Note 08/23 - Bats and Artificial Lighting at Night (BCT and ILP, 2023) and explain how proposals have been designed in compliance with this document. Such approved measures will be implemented in full.

Reason: In the interest of safeguarding nocturnal wildlife in accordance with policy BNE3 (Biodiversity).

9. Notwithstanding the plans hereby approved, prior to the construction of a boundary wall, fence or gate, details of the position, appearance and materials of such boundary treatments shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of the character and appearance of the area as per policy BNE1, BNE2 and BNE10.

10. Before any works to the following building elements, on the grade II listed stable block commence, details in respect of the following shall be approved in writing by the Local Planning Authority:

- Belfry Clock Tower
- Staircase
- Horse stalls
- Ceilings
- Walls
- Flooring

The work shall be carried out in accordance with such approved details:

- Schedule of works/specification;
- Method statement;
- Detailed drawings;
- Samples of external materials and surface finishes.

Reason: In the interest of the significance of the heritage assets(s) as per policy BNE2 and BNE10.

11. Before any cleaning of masonry is carried out, details of the method of any masonry cleaning shall be submitted to the Local Planning Authority and a test panel(s) undertaken in a position to be agreed with the Conservation Team. The submitted cleaning method and the test panel must then be agreed in writing with the Local Planning Authority. The works shall only be carried out in accordance with the approved cleaning details.

Reason: In the interest of the significance of the heritage assets(s) as per policy BNE2 and BNE10.

12. Before the rooflights hereby granted consent are installed, a detailed specification of all new rooflights shall be submitted to and agreed in writing with the Local Planning Authority. The rooflight(s) specification shall include details of the following elements and shall be fitted flush with the roof:
Size;
Material;
Colour;

Method of opening;
Method of fixing; and
Appearance.

The works shall only be carried out in accordance with the approved details.

Reason: In the visual interest of the building(s), the significance of the heritage asset(s) and the surrounding area as per policy BNE1, BNE2 and BNE10.

13. Before any windows and doors are installed on any buildings, details of their material, design, specification, method of opening, method of fixing and finish, in the form of drawings and sections of no less than 1:20 scale, shall be submitted to and agreed in writing by the Local Planning Authority. The works shall be carried out only in accordance with the agreed window and door details.

Reason: In the visual interest of the building(s), the significance of the heritage asset(s) and the surrounding area as per policy BNE1, BNE2 and BNE10.

14. Prior to their incorporation in to the building(s) hereby approved, details and/or samples and specifications of the facing materials to be used on the property, including the contemporary addition hereby approved, 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: In the visual interest of the building(s) and the surrounding area as per policy BNE1, BNE2 and BNE10

15. Other than where specified on the approved plans/drawings, all external materials used in the development shall match those used in the existing building in colour, coursing and texture unless, prior to their incorporation into the development hereby approved, alternative details are first submitted to and approved in writing by the Local Planning Authority pursuant to an application made in that regard, whereafter the approved alternative details shall be incorporated into the development.

Reason: In the visual interest of the building(s) and the surrounding area as per policy BNE1, BNE2 and BNE10.

16. Prior to any pointing works beginning, details and/or samples of the pointing mix shall be submitted to and approved in writing by the Local Planning Authority. The details shall be carried out using a lime mortar mix of either lime putty or NHL 3.5 in a 1:2.5/3 ratio (lime:sand) using a sharp, well-graded aggregate unless alternative details are first submitted to and approved in writing by the Local Planning Authority pursuant to an application made in that regard, whereafter the approved alternative details shall be incorporated into the development. The finished joint shall be slightly recessed with a brushed back finish.

Reason: In the visual interest of the building(s), the significance of the heritage asset(s) and the surrounding area as per policy BNE1, BNE2 and BNE10.

17. Visible trickle vents shall not be inserted into the windows/doors.

Reason: In the visual interest of the building(s), the significance of the heritage asset(s) and the surrounding area as per policy BNE1, BNE2 and BNE10

18. All new external and internal works and finishes and works of making good to the retained fabric, shall match the existing original work adjacent in respect of methods, detailed execution and finished appearance unless otherwise approved in writing by the Local Planning Authority.

Reason: In the interest of the significance of the heritage assets(s) as per policy BNE2 and BNE10.

19. All plumbing and service pipework, soil and vent pipes, electricity and gas meter cupboards and heating flues shall be located inside the building(s) unless alternative details are first submitted to and approved in writing by the Local Planning Authority; whilst prior to their installation details of the type, number, position and finish of heating and ventilation flue outlets shall be submitted to and approved in writing by the Local Planning Authority. All approved details shall be incorporated into the development.

Reason: In the interest of the significance of the heritage assets(s) as per policy BNE2 and BNE10.

20. Except in an emergency, no demolition, site clearance, construction, site works or fitting out shall take place other than between 08:00 hours and 18:00 hours Mondays to Fridays, and between 08:00 hours and 13:00 hours on Saturdays. There shall be no such activities whatsoever on Sundays, public holidays and bank holidays.

Reason: To safeguard the amenities of nearby occupiers in accordance with policy SD1.

21. 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 site shall not be enlarged, extended or altered, and no buildings, gates, walls, fences or other means of enclosure (except as authorised by this permission or allowed by any condition attached thereto) shall be erected or constructed 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 interest of the character and amenity of the area, having regard to the setting and size of the development, the proximity to existing features on or adjacent to the site, and the effect upon neighbouring properties and/or the street scene – in accordance with policies BNE1, BNE2, H27, and BNE10.

You are advised of the following matters:

- a. The applicant is reminded that this permission does not authorise any works on land outside the applicant's ownership without the consent of the landowner. Any encroachment onto neighbouring land may constitute trespass, which is a civil matter.

b. 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. These are listed below.

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 in the list below is/are considered to apply.

4.6 Development which is subject of a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. A householder application means an application for planning permission for development for an existing dwellinghouse, or development within the curtilage of such a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse which is not an application for change of use or an application to change the number of dwellings in a building.

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 appeal) 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, for a decision on a lawful development certificate for proposed works to a listed building or related to a non-material amendment application, 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.

Appeals should be made online via [Appeal a planning decision](#). If someone does not have access to the internet and needs help completing the appeal digitally, they should contact the Planning Inspectorate customer service team on 0303 444 5000 who will provide details of support options available.

Before making an appeal, you may find it helpful to review guidance and watch a video explaining the appeals process at [Make an appeal to the Planning Inspectorate and associated guidance](#).

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.

The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development 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.

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 quoting the above reference number.