
Delegated report Officer: Helen Branson

Application ref. DMPA/2026/0938

Listed building consent for the addition of a log burner and flue (using the existing chimney) at 22 Main Street, Milton, Derby, DE65 6EF

Valid date: 17/07/2026

Consults expired: 02/09/2026

EIA development? No

Section 106 agreement? Not required

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

Relevant planning history

DMPA/2021/1623 - erection of a single storey side extension, alterations to windows and doors, alterations to stable block and associated works - approved with conditions 23 Feb 2022

DMPA/2021/1645 - Listed Building Consent for erection of a single storey side extension, alterations to windows and doors, alterations to stable block and associated works - approved with conditions 23 Feb 2022

DMOT/2019/1399 – Application for approval of details required by condition 4 attached to planning application ref. 9/2017/0542 relating to Listed Building Consent for replacement windows and doors, external and internal alterations and the partial conversion and renovation of the stable block to form ancillary annex/office accommodation – Condition discharge approved on 9th January 2020.

9/2017/0538/FH – External alterations to main house and the partial conversion and renovation of the stable block to form ancillary annex/office accommodation – HPP granted on 31st October 2017.

9/2017/0542/L - Listed Building Consent for replacement windows and doors, external and internal alterations and the partial conversion and renovation of the stable block to form ancillary annex/office accommodation – LBC granted on 31st October 2017.

9/2015/0845/FH – Restoration and conversion of part of existing redundant stables to create a self-contained one bedroom annexe to the existing main house – HPP granted on 14th January 2016.

9/2015/0846/L – Restoration and conversion of part of existing redundant stables to create a self-contained one bedroom annexe to the existing main house – LBC granted on 14th January 2016.

9/2012/0817/FH – Restoration and conversion of part of existing redundant stables to create a self-contained one bedroom annexe to the existing main house – Householder planning permission (HPP) granted on 16th November 2012.

9/2012/0839/L – Restoration and conversion of part of existing redundant stables to create a self-contained one bedroom annexe to the existing main house – Listed Building Consent (LBC) granted on 19th November 2012.

Responses to consultations and publicity

Environmental Health (06/08/2026) - No comment

Conservation Officer (26/08/2026 - No harm to the significance of the Listed Building. No harm to the character and appearance of the Conservation Area. No objection.

Relevant policy, guidance and/or legislation

Legal considerations include:

Planning (Listed Buildings and Conservation Areas) Act 1990

Section 16 (2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that: 'In

considering whether to grant listed building consent for any works the local planning authority or the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.'

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 comprises a statutory duty to give special consideration to preserving or enhancing the character or appearance of the Conservation Area.

Policy considerations include:

The legal requirement to make decisions in accordance with the development plan does not apply to the consideration of listed building consent applications. However, the planning objectives for an area, such as that set out below, may well be material to the consideration of consents.

South Derbyshire District Council – Local Development Framework

Local Plan Part 1 (LP1) 2016: BNE2 (Heritage Assets)

Local Plan Part 2 (LP2) 2017: BNE10 (Heritage)

Repton Neighbourhood Plan

National Planning Policy Framework (NPPF)

Chapter 20 of the NPPF sets out the Government's national policies on the conserving and enhancing the historic environment.

Relevant local guidance

Milton Conservation Area Character Statement

Relevant National Planning Policy Guidance (NPPG)

PPG Paragraph Id 18a: Historic Environment

Relevant Historic Environment Practice Guidance

Historic England Good Practice Advice note 2 (GPA2) Managing Significance in Decision-Taking in the Historic Environment (2015)

Historic England Advice Note 2 - Making Changes to Heritage Assets (2016)

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 policy DM4 of the NPPF.

With regard to paragraph DM4 1. a., the plan is at an early stage of preparation having recently been submitted for examination. In terms of DM4 1. b., 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 was submitted for examination on 26 August 2026 following a Regulation 19 Addendum consultation which proposed a handful of main modifications to the plan. Although the plan is in general conformity with the NPPF (paragraph DM4 1. c.), it has been published to benefit from the transition arrangements set out in Annex A paragraph 8. 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 polices 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.

Policies DM4 2. and 3. 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

Whether the proposed works preserve or enhance the listed building or its setting or any features of special architectural or historic interest which it possesses.

Planning assessment

Site context and proposal

22 Main Street (also known as Kirby Holt), together with its attached walls, gate piers and railings, dates to the early C19, is Grade II listed and located within the rural village and conservation area of Milton.

The Site is within the defined settlement boundary of Milton Village as referred to in policy SDT1 and shown on the Settlement Boundary Maps in Appendix A to LP2.

The site is also included within the boundary of the Repton Neighbourhood Plan.

The proposal is for the installation of a log burner and flue, replacing the existing kitch units.

Assessment of proposal

The 1990 Planning (Listed Buildings and Conservation Areas) Act places a duty on local planning authorities to preserve or enhance Conservation Areas, listed buildings and their settings. This is underpinned by Policy HE5 of the NPPF which states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Local Plan policy BNE2 states that development that affects South Derbyshire's heritage assets will be expected to protect, conserve and enhance the assets and their settings; and Policy BNE10 expands upon these requirements. Additionally, Policy BNE1 sets out principles for design excellence, which is supported by the detail within the South Derbyshire Design Guide SPD.

The existing kitchen units will be removed to expose the historic fireplace. All modern materials will be removed and the multi-fuel log burner will be installed within the fire place. The flue from the stove will be fitted within the existing chimney and discharge through one of the existing chimney pots so would not be visible inside or outside the property. There is considered to be no impact on the historic fabric of the building. All materials removed are later modern additions. The asset will therefore be preserved as required by the statutory duty.

As a result it is considered that the proposal would result in no harm to the significance of the Listed Building or to the character and appearance of the Conservation Area. The Conservation Officer has confirmed this view and has no objection to the proposals.

Conclusion

In reaching the above view, consideration has been given to the significance of the Grade II listed building and it is concluded that the proposed works would cause no harm to the listed asset, nor will there be any removal or detriment caused to the historic fabric of the building or the character and appearance of the Conservation Area. Consequently, it is not considered to conflict with the heritage objectives of local policies BNE2 of the LP1 and BNE10 of the LP2 and Chapter 20 of the NPPF. As such, it is considered that Listed Building Consent should be granted.

Recommendation

Approve with Conditions

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

Recommendation made:	08/09/2026
Report agreed:	09/09/2026
Authorised officer:	Sarah Beeby
