

Delegated officer's report	Officer: THB
Application ref. 9/2019/0450	
THE ERECTION OF A HAY BARN AND IMPLEMENT STORE AT BARN FARM CAULDWELL ROAD DRAKELOW SWADLINCOTE	
Valid date:	26/04/2019
Consults expired:	11/06/2019
EIA development?	☐ Yes ☒ No
Habitats development?	☐ Yes ☒ No

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

Responses to consultations

The Coal Authority – The application site does fall within the defined development high risk area and is located instead within the defined development low risk area. Therefore no requirement for a Coal Mining Risk Assessment to be submitted. No objections.

Responses to publicity

None

Planning history

- | | |
|-------------|---|
| 9/1992/0059 | The conversion into a dwelling and garage of two barns to the north of the farm buildings – Refused |
| 9/2005/0634 | The change of use of buildings from domestic use to a dwelling and an office (B1 Use) – Approved with conditions |
| 9/2007/0538 | The variation of condition 8 of planning permission 9/2005/0634/U – Approved with conditions |
| 9/2008/0372 | The conversion of barn to residential and office use including the erection of a garage and extensions - Approved with conditions |
| 9/2014/0991 | Certificate of lawfulness for a proposed extension – Certificate allowed |
| 9/2018/0337 | Change of use from agricultural land to residential curtilage – Approved 31/05/2018 |

Development Plan Policies

The relevant policies are:

- 2016 Local Plan Part 1: S2 (Presumption in Favour of Sustainable Development), SD1 (Amenity and Environmental Quality), BNE1 (Design Excellence), BNE4 (Landscape Character and Local Distinctiveness) and E7 (Rural Development).
- 2017 Local Plan Part 2: SDT1 (Settlement Boundaries and Development) and BNE5 (Development in Rural Areas).

National Guidance

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

Local Guidance

South Derbyshire Design Guide SPD

Planning Considerations

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

- Principle of Development; and
- Design and Visual Impact.

Planning Assessment

Principle of Development

The site is located outside of any settlement boundary as defined in the Local Plan. Policy SDT1 states that outside settlement boundaries and allocated sites, within rural areas as defined by Policy H1, development will be limited to that considered acceptable by BNE5; in addition BNE6 is appropriate considering the intended use of the building. The use proposed as detailed within the supporting statement submitted as part of the application is considered to be 'essential' to a rural based activity and suitable for its intended purpose, albeit relatively large for the limited size holding (i.e. to allow for the maintenance of the land within the applicant's ownership and for the storage of hay for animals) and as such is considered to be suitable in principle in accordance with policies BNE5 and BNE6. This is subject to consideration below of the design and scale of the building and the impact of the proposal on landscape character.

Design and Visual Impact

The proposed new building is to be located approximately in line with that of the host dwelling, in the very corner of the adjacent field. Although the preferred location would be adjacent to existing agricultural buildings, having assessed the land within the applicant's ownership, it is considered to be the only appropriate location, which has the least visual impact. The proposed building would be 27m away from the host dwelling, which is enough for it not to harm the dwellings character as a large rural farm house, with traditional detail. There would be limited views of the building from the public realm, being over 110m from the highway. In addition, there is a row of large mature trees that partially screen views into the site from the highway and help to reduce any harmful impact. There are also a number of agricultural buildings, constructed from steel only 70m south east, so when viewed within its setting a new agricultural building would not appear out of place. The proposed size and design of the building is considered appropriate for its setting and the use of timber cladding will help to soften the appearance as opposed to blockwork which was originally proposed. As such the proposed design and visual impact of the building is considered compliant with Policies SD1, BNE1 and BNE6.

Recommendation

- ☐ Approve without conditions
- ☒ Approve subject to conditions
- ☐ Approve subject to conditions and planning obligation
- ☐ Refuse

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).

Recommendation made:	04/07/2019	
Recommendation agreed:	04/07/2019	Agreed by: CN