

DELEGATED DECISION REPORT

HPK/2023/0273
Valid 19/07/2023

BAILEY FLATT FARM
REDGAP LANE
GREEN FAIRFIELD
BUXTON

**CONVERSION OF
REDUNDANT BARNs TO
CREATE 2NO.
DWELLINGHOUSES.
CONVERSION OF EXISTING
SHIPPON TO DOUBLE
GARAGE. ALTERATIONS TO
MAIN HOUSE COMPRISING
SINGLE STOREY REAR
EXTENSION AND PORCH TO
THE FRONT**

(FULL - MINOR)

MAIN ISSUES

- Principle of Development
- Design, Character and Appearance
- Amenity
- Ecology
- Highway Safety

DESCRIPTION OF SITE

The application relates to a parcel of land that lies in a relatively isolated location outside of the built-up area boundary in the open countryside approximately 2km from Buxton adjacent to Redgap Lane.

The site contains a farmhouse with two adjacent barns, all of which adjoined to each other to read as one elongated mass. Both the main farmhouse and adjacent redundant barns are constructed of a natural stone with tiled roofs, and personify the traditional characteristics of agricultural buildings, with regards to architectural detail, materials and fenestration layout.

Access to the site is from Redgap Lane which is a single track, with the vehicular access also serving as a public footpath that runs directly in front of the principal elevations of the existing buildings.

The site did benefit from full planning permission granted on 12th February 2020 under HPK/2018/0411 for the conversion of the existing farmhouse and adjoining redundant farm buildings into a main farmhouse and 2no. additional independent cottages. However this permission was not implemented (presumably because of the outbreak of Covid-19) and has now lapsed.

PROPOSAL

This application seeks full planning permission for the conversion of the 2no. redundant barns to independent dwellinghouses. In addition to the previous consent, this application also seeks to convert the existing shippon to a double garage, and erect a single storey rear extension to the rear of the main farmhouse, and a single storey porch to the front.

To facilitate the converted shippon to a double garage, an existing cowshed that lies forward of the shippon would be demolished. A further small lean-to outrigger with corrugated roof that comes forward of the principal elevation would also be demolished.

The proposed rear extension is shown to span a width and depth of approximately 4m protruding outwards from the rear elevation of the main farmhouse, whilst the front porch measures 2.5m x 2.5m, with a simple dual pitched roof finished tile with walls constructed in a matching natural stone.

Further to Officers comments, revised plans have been submitted which show amendments to the appearance of the principal elevation of the barn and changes to the appearance of the proposed rear extension, amounting to a traditional single storey solid extension as opposed to a glazed orangery.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Section 38(6) of the Planning and Compulsory Act 2004 requires proposals to be determined in accordance with the Development Plan taking into consideration any material considerations relevant to the determination of the application.

The Local Development Plan for this site comprises the High Peak Local Plan (2016). Adopted Supplementary Planning Guidance documents and the National Planning Policy Framework (NPPF) are also material considerations in determining applications.

High Peak Local Plan 2016

- S1 Sustainable Development Principles
- S1a Presumption in Favour of Sustainable Development
- S2 Settlement Hierarchy
- EQ2 Landscape Character
- EQ3 Rural Development
- EQ5 Biodiversity
- EQ6 Design and Place Making
- H1 Location of Housing Development
- H3 New Housing Development
- CF6 Accessibility and Transport

National Planning Policy Framework 2023

Delivering a Sufficient Supply of Homes	Chapter 5
Promoting Sustainable Transport	Chapter 9
Achieving Well Designed Places	Chapter 12
Conserving and Enhancing the Natural Environment	Chapter 15

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

HPK/2008/0238	Conversion of existing farmhouse and adjacent redundant farm building into main farmhouse and 2no. additional cottages (Withdrawn)
HPK/2009/0319	Conversion of existing farmhouse and adjacent redundant farm building into main farmhouse and 2no. additional cottages (Approved 22/09/2009)
HPK/2012/0380	Application to extend time limit for conversion of existing farm house and adjoining redundant farm buildings into main farmhouse and 2no. additional cottages (Approved 21/08/2012)
HPK/2018/0411	Conversion of existing farmhouse and adjoining redundant farm building into main farmhouse and 2no. additional cottages (Approved 12 th February 2020)

CONSULTATIONS

Publicity

Site Notice expiry date: 28th August 2023
 Neighbour consultation period ends: 11th August 2023
 Press Advert: N/A

Public Comments

None

Town / Parish Comments

N/A

Peak & Northern Footpath Society

Thank you for the opportunity to comment upon this application. We note that the site involves three footpaths, Buxton 17/18/19. As I could not open the application form I cannot confirm that this has been recognised in the application. They are not indicated on the plans. Whilst it appears that the proposed works do not require any adjustment to the footpaths long term. However, Footpath 17 is along the track that it is proposed will be used as the access road to the works; it is therefore crucial that appropriate provision is made for the safety of those using the footpath during the

works. We would ask that a condition is attached to any permission granted to the effect that all 3 paths must remain open and safe to use during and after the works.

Severn Trent Water

Suggested informative

Derbyshire Wildlife Trust

No objection subject to conditions

Natural England

No objections

Derbyshire County Council Highways

Initial Response:

The planning statement submitted in support of the application states that a passing place will be provided in line with that required in the previous application – “Access to and from the site will be as existing with a proposed passing point on Red Gap Lane - see plan.” However, there does not seem to be any indication of a passing place on any of the submitted plans. It is noted that the provision of “passing opportunities” was a requirement of the previous consent under HPK/2018/0411 and was conditioned accordingly. Can the applicant/agent confirm if the provision of a passing place(s) is to be considered in this application and where it is to be provided please?

Updated Response:

Hi James, I can confirm that the two passing places indicated on the attached plan (Ref: C200) are acceptable. I would recommend the following condition or something similar:

1. Prior to the first occupation of the dwellings being occupied two passing places shall be provided in accordance with those details indicated on the submitted drawing number C200.

OFFICER COMMENTS

Principle of Development

The site lies outside of the built-up area boundary of the towns and villages and in the open countryside. As such, the application is subject to Local Plan (LP) Policy EQ3, which refers to rural development proposals which lie outside of the defined built-up area boundaries and seeks to ensure that new development is strictly controlled in order to protect the landscape’s intrinsic character and distinctiveness.

The policy sets out a list of the types of residential development that will be supported in the open countryside. These include the re-use of redundant and disused buildings where it does not have an adverse impact on the character and appearance of the countryside.

In light of the fact that the site is not constrained by any sensitive statutory designation, having regard to the above policy context, and that the Council have previously granted planning permission on multiple occasions for similar development, including under the same adopted plan and NPPF, it is concluded that there has been no change in the planning policy context and therefore the principle remains acceptable, subject to all relevant planning considerations.

Design Character and Appearance

LP Policy S1 sets out a number of sustainability principles which all new development proposals should incorporate in order to make a positive contribution towards the sustainability of communities and to protect, and where possible enhance the environment.

LP Policy EQ2 seeks to protect, enhance and restore the landscape character of the Plan Area by requiring development to have particular regard to maintaining the aesthetic and biodiversity qualities of natural and man-made features within the landscape, and that are sympathetic to and are informed by the distinctive landscape character areas as identified in the Landscape Character Supplementary Planning Document.

LP Policy EQ3 refers to rural development proposals which lie outside of the defined built-up area boundaries and seeks to ensure that new development is strictly controlled in order to protect the landscape's intrinsic character and distinctiveness. The policy supports extensions and alterations to existing dwellings provided they are subsidiary to the building and do not have an adverse impact on the character of the landscape.

LP Policy EQ6 states that all development should be well designed to respect and contribute positively to the character, identity and context of High Peak's townscapes, having regard to matters of scale, height, density, layout, appearance and materials.

Chapter 9 of the Residential Design Guide SPD (2005) refers specifically to domestic extensions. Extensions should be designed so to be subordinate to the main form of the house, so that the extension results in a dwelling that is well designed in itself.

Chapter 5 of the more recently adopted Design Guide SPD (2018) refers to Alterations, Extensions and Conversions. The following paragraphs are considered to be relevant to this application:

- 5.2 *Alterations need to be undertaken with care. Insensitive changes can easily spoil a building. The key to a sensitive approach is to take note of what is there already before preparing the design and to work with, and not against,*

the building's character.. The aim should be to revitalise the building without altering its fundamental character.

- 5.4 *It is best to use existing openings to the full, if necessary rearranging the functions of the rooms to suit, before considering their alteration.*
- 5.5 *All extensions should harmonise with the parent building. An extension should respect the dominance of the original building and be subordinate to it in terms of its size and massing.*
- 5.9 *Porches must be appropriate to the property and be well designed. They rarely look right on small cottages and often spoil terraced properties. They detract from the basic simplicity of such buildings. In these cases, an internal porch is the better solution.*

Paragraph 130 states amongst other things that decisions should ensure that developments will add to the overall quality of the area; are visually attractive as a result of good architecture; and are sympathetic to the surrounding built environment.

The principle of converting the two redundant barns has been repeatedly accepted in design terms by virtue of previous planning permissions. As submitted, this proposal varies slightly from the most recent permission under HPK/2018/0411 by virtue of more extensive glazing at ground and first floor level, and the introduction of a single storey rear extension to the main farmhouse and small front porch added to the principal elevation of the main farmhouse.

There would be a clear and obvious visual enhancement to the building by virtue of the demolition of the more modern unsympathetic agricultural outriggers, exposing the traditional character of the barns.

The rear extension is very modest with regards to its scale and height, and is well contained within the immediate rear yard area (residential curtilage) of the farmhouse. The scheme in its original form showed this extension to have a very contemporary glazed appearance, which whilst discreetly hidden, was not considered to compliment the traditional farmhouse. The latest revised plans show the glazed orangery to be replaced with a more traditional lean-to structure finished in a matching stone with tiled roof. Whilst the roof has a high ridgeline, this is due to the introduction of a slate tile which requires a minimum pitch of 20 degrees, which is consistent with what is proposed. Given the significant improvement secured comparable to the original scheme, Officers are satisfied that this revised structure would not result in any harm to the existing traditional character and appearance of the dwelling or indeed the wider rural landscape.

The proposed porch is similarly of a very modest scale and height with a neat dual pitched roof and minimal detailing, constructed of materials which compliment the existing farmhouse. It is the case that this porch is only marginally larger than that which is permitted under Schedule 2, Part 1, Class D of the GPDO, and is considered to preserve the traditional character of the building cluster.

In light of the above, it is considered that the proposed development is acceptable with regards to its design, character and appearance, and aligns with the design principles set out under LP Policies S1, EQ2, EQ3 and EQ6, and relevant paragraphs under Chapter 12 of the NPPF.

Amenity

LP Policy H3 requires all new housing development to provide a high standard of amenity for future occupiers by ensuring that they are compliant with Nationally Described Space Standards, having regard to the size of bedrooms and occupancy rate.

LP Policy EQ6 requires all new development to have a satisfactory relationship with existing land and buildings and protects the amenity of the area, which includes residential amenity of neighbouring properties. Aspects of residential amenity include impacts such as a loss of sunlight, overshadowing and overbearing impacts, loss of outlook, and loss of privacy.

The High Peak Residential Design Guide SPD requires extensions to preserve the residential amenity of neighbouring properties, having regard amongst other things to the relationship between existing and proposed development, the positioning of windows, and the change in land levels.

Paragraph 130 of the NPPF states that planning should create places with a high standard of amenity for existing and future users.

The site is not within close proximity of any other residential properties and the scheme will therefore not result in any harm to neighbouring amenity. A high standard of amenity would be provided for both new independent dwellings with regards to overall floor area, size of bedrooms and amenity space, which exceeds minimum standards as required by NDSS.

The public footpath would remain open at all times and would therefore not affect the amenity for users of this right of way.

In light of the above, the application is found to preserve the amenity for all existing and future occupiers in accordance with LP Policies H3 and EQ6, Residential Design Guide SPD and relevant paragraphs under Chapter 12 of the NPPF.

Highway Safety

LP Policy CF6 seeks to ensure that development can be safely accessed in a sustainable manner and that all new development is located where it can be satisfactorily accommodated within the existing highway network and provides suitable off-street parking provision in accordance with guidelines set out under Appendix 1 of the Local Plan.

Paragraph 110 of the NPPF states that in assessing applications for development, it should be ensured that safe and suitable access to the site can be achieved for all users. Paragraph 111 goes on to state that development should only be prevented or

refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

The previously approved application for similar development under HPK/2018/0411 included a condition (Condition 9) that stated the following:

9. *Unless otherwise approved in writing by the Local Planning Authority, the development shall not be commenced until a detailed scheme of highway improvement works for the provision of intervisible passing opportunities on Redgap Lane, together with a programme for the implementation and completion of the works, has been submitted to and approved in writing by the Local Planning Authority. No part of the development shall be brought into use until the required highway improvement works have been constructed in accordance with the approved details. For the avoidance of doubt the developer will be required to enter into a 1980 Highways Act S278 Agreement with the Highway Authority in order to comply with the requirements of this condition.*

The principle of development and potential impacts on highway safety have already been considered under the former application, and thus there are not considered to be any adverse impacts upon highway safety subject to appropriately worded conditions.

In order to avoid a repeat of the above pre-commencement condition, the applicant has submitted a Plan showing the location of the proposed highway improvement works on Redgap Lane. Given the fact that the Highways Authority have confirmed that such details are acceptable, it is recommended that a positively worded compliance condition be attached which requires these accepted works to be implemented prior to occupation, which would also be subject to a S278 Agreement.

Subject to compliance with this condition and all other highway safety conditions that applied to the previous consent, there are not considered to be any adverse impacts resulting from the proposal in accordance with LP Policy CF6 and paragraph 110 of the NPPF.

Ecology

LP Policy EQ5 requires all new development proposals to demonstrate that any protected species and habitats within the site will not be adversely affected and seeks to promote a nett gain in biodiversity by securing appropriate mitigation and ecological enhancements where appropriate.

Chapter 15 of the NPPF contains the relevant national planning policies aimed at conserving and enhancing the Natural Environment.

Protected Species and Habitats

The application has been supported by a Bat Report prepared by Helen Hamilton Ecology dated 26th June 2023.

As per the previous planning application, Derbyshire Wildlife Trust has confirmed that there are no objections subject to appropriate conditions. As such, the proposed development is considered to preserve and not adversely impact any protected species, subject to compliance with such conditions.

Nutrient Neutrality

The site lies within the catchment of the River Wye which forms the Peak District Dales Special Area of Conservation (SAC). The Council has been notified that action must be taken to address exceedances of phosphorus in the River. As such, the Council cannot grant consent for development unless it can rule out “likely significant effects” on the SAC. A Habitats Regulations Assessment (HRA) will be required when the plan or project creates a source of water pollution or has an impact on water quality and when it is within the catchment of the SAC. Initially, a screening assessment will be required to consider if “likely significant effects” (alone or in-combination) on the SAC can be ruled out. If not, this will be followed by an “Appropriate Assessment” where the impact of the plan or project is considered in detail.

Screening Assessment

The proposal is not directly connected with or necessary for the conservation management of a European site. The proposal will not surface water run-off from the site. However, the proposal does involve additional bedroom accommodation. As such, the applicant was requested to commission an ‘Nutrient Neutrality Assessment and Mitigation Strategy’ (if required) that demonstrates how the proposal will neutralise the discharge and resultant impact to the SAC as a result of the proposed dwellings.

The ‘Nutrient Neutrality Assessment and Mitigation Strategy’ prepared by Water Design Engineers dated 31/10/2023 provided by the applicant utilises Natural England’s Nutrient Neutrality approach, and indicates that the proposal will result in a **reduction in phosphorous input to the Peak District Dales SAC of 0.61kgP/yr.** This has been reviewed by Natural England who have confirmed that the assessment is comprehensive, thorough and fully addresses the issue of Nutrient Neutrality given that the budget is negative and therefore the proposed development is phosphate neutral.

As such, Officers can conclude that the proposed development is unlikely to have a significant effect on the Peak District Dales SAC, and it is therefore not necessary to proceed to Appropriate Assessment.

CONCLUSION / PLANNING BALANCE

LP Policy S1a reflects the presumption in favour of sustainable development contained within the National Planning Policy Framework. It states that planning applications that accord with relevant policies in the Local Plan will be approved without delay.

Paragraph 11 of the NPPF sets out the presumption in favour of sustainable development. For decision taking, this means approving development proposals that accord with an up-to-date development plan without delay; or, where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission, unless:

- the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

The application seeks full planning permission for the conversion of 2no. redundant barns to two individual open market dwellings, together with ancillary domestic development associated with the main dwellinghouse at Bailey Flatt Farm, Fairfield, Buxton.

The analysis contained within this report has concluded that the principle of development is acceptable, and that all relevant planning considerations have been satisfactorily addressed. As such, the application comprises a sustainable form of development and in line with LP Policy S1a and paragraph 11 of the NPPF is recommended for approval subject to appropriate conditions.

OFFICER RECOMMENDATION : Approve with Conditions

Case Officer: James Stannard

Recommendation Date: 12th December 2023

X 

Signed by: Ben Haywood

On behalf of High Peak Borough Council