Stevenson, Claire

From: Goodier, Melanie
Sent: 29 September 2026 16:13
To: Grant, Carol
Cc: Development
Subject: PDR/2026/0037 - Prior Approval to convert agricultural building to a single 1-bedroom dwelling at Beech Farm, Lynam Road, Fritchley (Our Ref. 26/12895/PL01)
Attachments: Location & Block Plan.pdf; Supporting Statement.pdf

Hello Carol,

Permitted development under the Town and Country Planning (General Permitted Development)(England) Order 2015, Schedule 2, Part 3, Class Q, as amended, consisting of:

(a) a change of use of -
i. a building that is part of an established agricultural unit and any land within that building's curtilage, or
ii. a former agricultural building that was (but is no longer) part of an established agricultural unit and any land within that building's curtilage,
to a use falling within Class C3 (dwellinghouses) of Schedule 1 to the Use Classes Order,
(b) ~~development referred to in sub-paragraph (a) together with the extension of the building referred to in sub-paragraph (a),~~ or
(c) development referred to in sub-paragraph (a) together with building operations reasonably necessary to convert the building referred to in sub-paragraph (a) to a use falling within Class C3 (dwellinghouses) of that Schedule or to extend that building.

Q2(1) of the Order states that where the development proposed is development under Class Q(a) together with development under Class Q(c), development is permitted subject to the condition that, before beginning the development, the developer must apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to:

a) transport and highways impacts of the development,
b) noise impacts of the development,
c) contamination risks on the site,
d) flooding risks on the site,
e) whether the location or siting of the building makes it otherwise impractical or undesirable for the building to change from agricultural use to a use falling within Class C3 (dwellinghouses) of Schedule 1 to the Use Classes Order,
f) [~~the design or external appearance of the building Q2(3)~~], and
g) the provision of adequate natural light in all habitable rooms of the dwellinghouses.

Q2(2) of the Order states that where the development proposed is development under Class Q(a) only (no extension), development is permitted subject to the condition that before beginning the development, the developer must apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to the items referred to in sub-paragraphs (1)(a) to (e) and (g), and the provisions of paragraph W (prior approval).

Of the above, sections **b), c)** and **e)** are of relevance to this team.

b) Noise impacts of the development
Noise impacts are considered in the 'Supporting Statement':

'The application site otherwise lies within a relatively tranquil rural area and the dwelling would be remote from any uses incompatible with residential properties in terms of noise generation.'

I would agree that the impacts of noise from the development itself (on completion of the construction/conversion phase) are unlikely to have a significant adverse impact on the local noise climate; however, the 'Supporting Statement' states that the building currently forms part of an 'established agricultural holding', but provides no further information on the nature, proximity and extent of the existing agricultural activities outside the application site – the main (western) elevation also appears to overlook the main farmyard. As stated in the NPPF guidance, some farming activities near to unrelated dwellings can give rise to noise complaints, particularly if they occur during the night-time or early morning, as well as nuisance complaints including odours from manure and slurry, flies and artificial lighting

Further information regarding the nature, proximity and extent of existing/future agricultural activities in the vicinity of the proposed conversion should be provided before the likely impact of noise on the future occupants can be assessed. Also see comments under e) below.

c) Contamination risks on the site

Contamination risks are considered in the 'Supporting Statement':

> 'The land has been used for agricultural purposes for a significant amount of time. It is therefore highly unlikely that the site would have been subject to any contaminants that would prejudice residential use.'

Earlier in the document it is stated that the building is in agricultural use, previously as a milking shed but now predominantly to store implements, materials etc. The building and surrounding soils may therefore have been contaminated. There is no indication, visually or in the text, of the presence of asbestos-containing materials.

I understand that my colleague, David Martschenko (Scientific Officer), has been consulted separately on this particular matter.

e) The location or siting of the building makes it otherwise impractical or undesirable for the building to change from agricultural use to a use falling within Class C3 for use as a dwelling

In relation to what is meant by 'impractical or undesirable', paragraph 109 (Reference ID: 13-109-20150305, 05.03.2015) of the planning practice guidance to the NPPF 'When is permission required?' states:

> 'There may…be circumstances where the impact cannot be mitigated… Additionally the location of the building whose use would change may be undesirable if it is adjacent to other uses such as intensive poultry farming buildings, silage storage or buildings with dangerous machines or chemicals.'

The location/siting is considered in the 'Supporting Statement'::

> 'Agricultural buildings by their very nature are typically sited away from existing settlements. As such it is not uncommon for them to score relatively poorly in terms of locational sustainability.
> 'The building has access to a water supply and electricity and is not in a location inherently unsuitable for residential use.
> 'The proposed dwelling does not directly overlook neighbouring properties and will not therefore prejudice the amenities currently enjoyed by their occupants.
> 'It is therefore concluded that the location and siting of the building does not make it impractical or undesirable for the proposed change of use.'

Although the Supporting Statement' concludes that the location or siting of the building does not make it undesirable as a dwelling, the absence of any information in relation to the nature, proximity and extent of the activities on the rest of the 'established agricultural holding' outside the application site make this assertion, and the likelihood of complaints, difficult to assess. Unless the proposed dwelling is to be occupied by the applicant, a family member or a farm worker, i.e. not forming a separate household unrelated to the agricultural activities, the proposed change of use could have significant implications for both the living conditions of the proposed dwelling and the viability of future farming operations in the immediate vicinity should any subsequent complaints be considered a statutory nuisance under the provisions of Part III of the Environmental Protection Act 1990. Enforcement action may restrict farming activities; however, it is highly unlikely that such issues would be capable of satisfactory resolution at such close quarters.

Further information regarding the nature, proximity and extent of existing/future agricultural activities in the vicinity of the proposed conversion should be provided before the desirability of the proposed change of use can be assessed.

Regards,
Melanie Goodier | **Principal Pollution Officer**

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From: development@ambervalley.gov.uk <development@ambervalley.gov.uk>
Sent: 21 September 2026 18:30
To: Goodier, Melanie <Melanie.Goodier@ambervalley.gov.uk>
Subject: Planning Consultation - PDR/2026/0037

Dear Sir/Madam

Consultee Type: EH Pollution Control (Noise/Nuisance)
Our Ref: PDR/2026/0037

Proposal:
Application to determine if prior approval is required to convert the agricultural building into a single 1 bedroom dwelling.

Development Type:
Notifications

Location:
Beech Farm Lynam Road Fritchley Belper Derbyshire DE56 2HQ

Applicant:
Mr Barker Mrs Allsop
Beech Farm Lynam Road Fritchley Belper Derbyshire DE56 2HQ

Agent:
Mr Ian Bullock
Beech Farm Lynam Road Fritchley Belper Derbyshire DE56 2HQ

Case Officer Details:
Name: Carol Grant
Telephone: 01773 84
E Mail: carol.grant@ambervalley.gov.uk

I enclose details of this application and would be pleased to receive any comments you may have within the next 21 days.

The Application should be available to view on our website within the next 24 hours.

There is a comments button that you can click on to make comments regarding an application (please see the link below that will take you directly to this planning application) or alternatively you can send a direct email to development@ambervalley.gov.uk

https://www.ambervalley.gov.uk/planning/development-management/view-a-planning-application/?appnumber=PDR-2026-0037

Please let the case officer know if you cannot reply by then.

Sarah Brooks
Planning Manager