Stevenson, Claire

From: Goodier, Melanie
Sent: 30 October 2026 10:38
To: Anthony, Laura
Cc: Development
Subject: PDR/2026/0041 - Prior Approval: Proposed Change of Use of agricultural buildings to residential at Flatmeadow Farm, Bell Lane, Shipley (Our Ref. 26/13523/PL01)
Attachments: Proposed Site Plan.pdf

Hello Laura,

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 application form:

Please provide details of any noise impacts and how these will be mitigated:

The site is situated within a rural setting, where background noise is primarily associated with agricultural activities and occasional vehicle movements. The proposed residential use is not expected to generate significant noise impacts. Appropriate insulation and glazing will be incorporated where necessary to provide suitable internal living conditions and protect residential amenity.

The buildings are situated within an established agricultural setting and form part of the existing farm complex. The proposal seeks to and utilise the existing buildings, incorporating alterations and building operations necessary to facilitate their conversion into resident accommodation.

And section 6.1 of the 'Design & Access Statement':

The wider holding also includes approximately sixteen horse stables, which are actively used for equestrian purposes. These facilities contribute to the mixed agricultural and rural character of the site. In addition, there are existing hay barns and a purpose-built hay storage facility located to the rear of the proposed site area, all of which remain operational and continue to support the ongoing agricultural activities at the farm.

Beyond the built elements, the surrounding landscape comprises open agricultural fields and managed grassland, with established hedgerows and boundary treatments defining the site. Public pedestrian footpaths run through parts of the wider landscape, contributing to the rural setting and openness of the area.

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, although no mention is made of the impacts of the potential impacts of the equestrian and 'ongoing agricultural activities' at the farm. However, the photos in the 'Design & Access Statement', and reference to Google Maps, suggest that the scale of these activities in relation to the proposed dwellings is unlikely to result in significant noise impacts.

c) Contamination risks on the site

Contamination risks are considered in the application form:

Please provide details of any contamination risks and how these will be mitigated:

The proposal involves the conversion of existing agricultural buildings, with no significant ground disturbance anticipated beyond necessary construction works. Potential contamination associated with historical agricultural activities will be considered during the conversion proces Should any contamination be identified, appropriate investigation and remediation measures will be undertaken to ensure the site is suitabl for residential occupation.

And section 6.1 of the 'Design & Access Statement':

Identification of any visible signs of contamination or hazardous materials - There were no signs of contamination or hazardous materials on site

Asbestos Management - Based on a review of the existing construction materials used within the former cow sheds, there is no evidence to suggest the presence of asbestos-containing materials (ACMs) within the buildings proposed for conversion.

The structures are primarily formed from traditional masonry, reclaimed brickwork, and modern replacement roofing materials, none of which are typically associated with asbestos products.

Section 2.1 of the 'Design & Access Statement' states that:

> 'The development area comprises the former cow sheds situated to the rear and side of the main farmhouse, forming part of an established farmstead.'

The applicant should be advised to consider any potentially contaminative activities, processes or materials on the development site which might have resulted in ground contamination. Agricultural, commercial and industrial land can be associated with fuels, oils, lubricants, solvents, other chemicals; sheep dips, pesticides, manure heaps / slurry pits; poor waste handling practices, including disposal of materials by burning and burial; asbestos fragments/fibres; 'made-ground' – importation and use of non-native soils. Exposure to these materials can, in certain circumstances, be harmful to human health and the wider environment. Responsibly for properly dealing with land contamination rests with the developer; as such, it is in the developer's interest to disclose any contamination constraints of material concern at the planning stage. The developer should be aware that actions or omissions on their part could lead to liability being incurred where the development fails to address an existing unacceptable risk or creates such a risk by introducing a new receptor or pathway. The applicant should seek professional advice (as appropriate) should contamination be suspected at any stage of the development and inform the Council's Scientific Officer at the earliest opportunity.

The submission states that no asbestos-containing materials (ACMs) are thought to be present within the development site. The developer should seek professional advice if they suspect ACMs are present on any building to be demolished or altered. The management and disposal of ACMs is dealt with under other legislation outside the planning regime (see www.hse.gov.uk/asbestos).

I understand that my colleague, David Martschenko (Scientific Officer), has been consulted separately on the application, so may have further comments.

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 'Design & Access Statement' concludes that the location and siting of the proposed development isn't 'impractical or undesirable'. The photos in that document, and reference to Google Maps, suggest that the

scale of existing equestrian and agricultural activities around the application site are likely to meet this requirement.

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

Amber Valley Borough Council
Pollution Control | Town Hall, Market Place, Ripley, Derbyshire, DE5 3BT
Email (Direct): melanie.goodier@ambervalley.gov.uk; (Office): env.admin@ambervalley.gov.uk | Telephone (Direct): 01773 841325; (Office): 01773 841335 | www.ambervalley.gov.uk

Making a Difference for Amber Valley

Please note that e-mails larger than **25MB** will not be accepted at the above e-mail address.

From: development@ambervalley.gov.uk <development@ambervalley.gov.uk>
Sent: 23 October 2026 18:30
To: Goodier, Melanie <Melanie.Goodier@ambervalley.gov.uk>
Subject: Planning Consultation - PDR/2026/0041

Dear Sir/Madam

Consultee Type: EH Pollution Control (Noise/Nuisance)
Our Ref: PDR/2026/0041

Proposal:
Prior Approval of Proposed Change of Use of Agricultural Buildings to a three self contained residential dwellings under Class Q of Part 3, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Development Type:
Notifications

Location:
Flatmeadow Farm Bell Lane Shipley Ilkeston Derbyshire DE75 7JP

Applicant:
Mr Jason Ware
Flatmeadow Farm Bell Lane Shipley Ilkeston Derbyshire DE75 7JP

Agent:
Mr T Richardson
Flatmeadow Farm Bell Lane Shipley Ilkeston Derbyshire DE75 7JP

Case Officer Details:
Name: Laura Anthony
Telephone: 01773 841506
E Mail: laura.anthony@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-2026-0041

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

Sarah Brooks
Planning Manager