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Peak District National Park Authority

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Aldern House, Baslow Road, Bakewell, Derbyshire. DE45 1AE



Our Ref: A.1142/1363

Date: 5 March 2015



NOTICE OF MEETING

Meeting: **Planning Committee**

Date: **Friday 13 March 2015**

Time: **10.00 am**

Venue: **Aldern House, Baslow Road, Bakewell**

SARAH FOWLER
CHIEF EXECUTIVE

AGENDA

1. **Apologies for Absence**
2. **Minutes of the meeting of 13/02/2015** (*Pages 1 - 14*)
3. **Urgent Business**
4. **Members Declarations of Interest**
Members are asked to declare any disclosable pecuniary, personal or prejudicial interests they may have in relation to items on the agenda for this meeting.
5. **Public Participation**
To note any questions or to receive any statements, representations, deputations and petitions which relate to the published reports on Part A of the Agenda.
6. **Full Application - Alterations and Extensions to Existing Public House to Facilitate Conversion to Class A1 Convenience Store - Rutland Arms, Calver Road, Baslow (NP/DDD/0115/0040, P.5887, 20/1/15, 425122/372391, MN)** (*Pages 15 - 32*)
Site Plan
7. **7. Full Application: Proposed South Westerly Extension to Once A Week Quarry to Extract 69000 Tonnes of Limestone (At a Rate Of 2500 Tonnes Per Annum), Retention of Existing Stone Cropping Shed/Office/Store with Restoration to Hay Meadow NP/DDD/0714/0739, M3353, 29/07/2014, 415743/368009/ NH)** (*Pages 33 - 62*)
Site Plan

8. **Full Application - Conversion of The Mill to Residential Use. Repair and Consolidation of the Shell and Interior Including, new Cast-Metal Rainwater Goods, Fenestration and Joinery. Re-Roof and Timber Repairs. Pedestrian Bridge to Connect to the A6, Reinstate Small Roof Lights, The Mill, Mill Lane, Ashford In The Water (NP/DDD/1214/1290, P2524, 419831/369520, 24/12/2014/ALN) (Pages 63 - 76)**
Site Plan
9. **Listed Building Consent Application - Repair and Consolidation of the Shell and Interior Including, new Cast-Metal Rainwater Goods, Fenestration and Joinery. Re-Roof and Timber Repairs. Conversion of The Mill to Residential Use. Pedestrian Bridge to Connect to the A6. Reinstate Small Roof Lights at The Mill, Mill Lane, Ashford in the Water (NP/DDD/1214/1291, P2524, 419831/369520, 24/12/2014/ALN) (Pages 77 - 86)**
Site Plan
10. **Full Application - Conversion of 3 Agricultural Buildings to 2 Houses and Garages/Games Room Ancillary to Dwelling, Ivy House Farm, Uppertown, Birchover (NP/DDD/1114/1155, P.9270, 414217 361642, 27/02/2015/JRS) (Pages 87 - 96)**
Site Plan
11. **Full Application - Demolition of Former Dwelling and the Erection of a New Open Market Dwelling at Hope View Cottage, Pindale Road, Castleton (NP/HPK/1014/1108), P2105, 415198 / 382695/JK) (Pages 97 - 104)**
Site Plan
12. **Full Application - Provision of an All Weather Riding Surface to an Approved Riding Arena, Including New Perimeter Timber Fence and Landscaping at Lane End Farm, Abney (NP/DDD/0115/0036, P.1660, 419924 / 379933, 27/02/2015/AM) (Pages 105 - 112)**
Site Plan
13. **Pott Shrigley Conservation Area Draft Appraisal (A4182/SA) (Pages 113 - 182)**
Appendix 1

Appendix 2
14. **Designation of Leekfrith Neighbourhood Area (AM) (Pages 183 - 190)**
Appendix 1

Appendix 2
15. **Approval of Chapel-en-le-Frith Neighbourhood Development Plan for Referendum (AM) (Pages 191 - 248)**
Appendix 1

Appendix 2
16. **Head of Law Report (A.1536/AMC) (Pages 249 - 250)**

Duration of Meeting

In the event of not completing its business within 3 hours of the start of the meeting, in accordance with the Authority's Standing Orders, the Authority will decide whether or not to continue the meeting. If the Authority decides not to continue the meeting it will be adjourned and the remaining business considered at the next scheduled meeting.

If the Authority has not completed its business by 1.00pm and decides to continue the meeting the Chair will exercise discretion to adjourn the meeting at a suitable point for a 30 minute lunch break after which the committee will re-convene.

ACCESS TO INFORMATION - LOCAL GOVERNMENT ACT 1972 (as amended)

Agendas and reports

Copies of the Agenda and Part A reports are available for members of the public before and during the meeting. These are also available on the website www.peakdistrict.gov.uk.

Background Papers

The Local Government Act 1972 requires that the Authority shall list any unpublished Background Papers necessarily used in the preparation of the Reports. The Background Papers referred to in each report, PART A, excluding those papers that contain Exempt or Confidential Information, PART B, can be inspected by appointment at the National Park Office, Bakewell. Contact Democratic Services on 01629 816200, ext 362/382. E-mail address: democraticservices@peakdistrict.gov.uk.

Public Participation and Other Representations from third parties

Anyone wishing to participate at the meeting under the Authority's Public Participation Scheme is required to give notice to the Director of Corporate Resources to be received not later than 12.00 noon on the Wednesday preceding the Friday meeting. The Scheme is available on the website www.peakdistrict.gov.uk or on request from Democratic Services 01629 816362, email address: democraticservices@peakdistrict.gov.uk, fax number: 01629 816310.

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Please note that there is no catering provision for members of the public during meal breaks. However, there are cafes, pubs and shops in Bakewell town centre, approximately 15 minutes walk away.

To: Members of Planning Committee:

Chair: Mr P Ancell
Vice Chair: Cllr D Birkinshaw

Cllr P Brady	Cllr C Carr
Cllr D Chapman	Cllr A R Favell
Cllr Mrs H Gaddum	Cllr Mrs N Hawkins
Cllr H Laws	Cllr A McCloy
Ms S McGuire	Mr G Nickolds
Cllr Mrs K Potter	Clr Mrs L C Roberts
Cllr Mrs J A Twigg	Cllr S Wattam
Cllr D Williams	

Constituent Authorities
Secretary of State for the Environment
Natural England

Peak District National Park Authority
Tel: 01629 816200
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Aldern House, Baslow Road, Bakewell, Derbyshire. DE45 1AE



MINUTES

Meeting: **Planning Committee**

Date: Friday 13 February 2015 at 10.00 am

Venue: Board Room, Aldern House, Baslow Road, Bakewell

Chair: Mr P Ancell

Present: Cllr D Birkinshaw, Cllr P Brady, Cllr C Carr, Cllr D Chapman, Cllr A R Favell, Cllr Mrs N Hawkins, Cllr H Laws, Cllr A McCloy, Ms S McGuire, Mr G Nickolds, Cllr Mrs K Potter, Cllr Mrs L C Roberts, Cllr Mrs J A Twigg, Cllr S Wattam and Cllr D Williams

Apologies for absence: Cllr Mrs H Gaddum

1/15 MINUTES

The minutes of the last meeting of the Planning Committee held on 16 January 2015 were approved as a correct record subject to an amendment to the introductory text in minute 179/14 to add the words "and have an unacceptable impact on relationship with the landscape."

2/15 MEMBERS DECLARATIONS OF INTEREST

Item 7

Cllr D Chapman, personal interest as a friend of the applicant.

Item 8

Cllr D Chapman, personal interest as he knows the applicant.

Item 13

It was noted that all members had received correspondence from Hartington Parish Council, Keith Broadbent, John Youatt and Andrew Wood.

Cllr A McCloy, personal interest as a former member and Chair of the Hartington Community Liaison Group.

Cllr D Chapman, personal prejudicial interest in this item, as the District Councillor representing Hartington village he had supported villagers through the process and previously declared his objections to the proposals. He confirmed that he would address the Committee during public participation and then leave the room.

Cllr Mrs K Potter, it was noted that she had contacted the Archaeologist to clarify the location of land associated with this application.

3/15 PUBLIC PARTICIPATION

The Chair reported that 25 members of the public were present to make representations to the Committee.

4/15 FULL APPLICATION - RETROSPECTIVE CHANGE OF USE OF LAND FROM AGRICULTURE TO A YARD/STORAGE AREA FOR THE ADJACENT STEEL FABRICATION BUSINESS GRANTED UNDER CLEUD NP/SM/0712/0783 AND LANDSCAPING SCHEME, PITCHINGS FARM, WHITEFIELDS LANE, WATERHOUSES

Consideration of this item was deferred to a future meeting of the Committee.

5/15 FULL APPLICATION - ERECTION OF AFFORDABLE DWELLING ON LAND OFF BUXTON ROAD, HIGHFIELD FARM, ASHFORD

It was noted that, John Scott, Director of Planning, knew the applicant through a Member of his family. He confirmed that although it was not a close personal relationship he had not been involved in processing this application.

It was noted that Members had visited the site on the previous day.

The following spoke under the public participation scheme:

- Mr Roger Ryder, Agent

The officer recommendation was moved, seconded, put to the vote and carried.

RESOLVED:

To refuse the application for the following reasons:

- 1. By virtue of its siting in an elevated position, above the existing residential properties that front on to Buxton Road, the proposed dwelling would be a prominent and incongruous addition to the street scene that would fail to reflect or respect the existing pattern of built development within the local area, would be unneighbourly, and would detract from the valued characteristics of the local area. Therefore, the proposals are contrary to national planning policies in the Framework, and do not accord with policies GSP1, GSP2, GSP3 and L1 of the Core Strategy or saved Local Plan policies LC4 and LH1.**
- 2. The proposed dwelling would fail to preserve the special qualities of the designated Ashford in the Water Conservation Area and would detract from the significance of this heritage asset because the newly-built house and associated track would be constructed on an important open green space in the Conservation Area but the proposed development would not be sensitive to the special qualities of the open space including its positive contribution to the setting of the village. Therefore, the proposals conflict with core planning principles in the Framework and do not accord with policy L3 of the Core Strategy or saved Local Plan policy LC5.**

3. **By virtue of the orientation of the access track, its overall length, its poor relationship with existing landscape features, and a section that would be especially visible from public vantage points, the access track would detract significantly from the character of the surrounding landscape and the setting of the Conservation Area in its own right, and the adverse visual impact associated with the track would be exacerbated by the prominent and elevated location of parking provision for the proposed dwelling. Furthermore, a demonstrably safe and convenient access to the property for emergency vehicles, service vehicles such as bin lorries and for future occupants of the property could not be achieved without further adverse impacts on the environmental quality of the local area. Therefore, the proposals conflict with core planning principles in the Framework and do not accord with policies T1 and T3 of the Core Strategy or saved Local Plan policies LT11 and LT18.**

Cllr A R Favell joined the meeting at 10.33am following consideration of this item.

6/15 PLANNING APPLICATION TO INCREASE THE NUMBER OF POWDERS TANKERS DELIVERING OVERNIGHT AND THE CESSATION OF NIGHT TIME DELIVERIES OF COATED MACADAMS. VARIATION OF CONDITION 10 (III) OF PLANNING CONSENT NP/DDD/0803/419, BALLIDON QUARRY

As the Committee was slightly ahead of schedule the Chair agreed to bring forward item 10 to allow time for registered public speakers to attend.

In introducing the report it was noted that page 3 had been amended to remove duplicate paragraphs in the officer recommendation. Following Member suggestions that the Committee would benefit from a visit to this site, it was confirmed that officers were expecting the applicants to submit an application for a land exchange in the near future and a Committee site visit would be arranged before determining the application.

The Committee noted the Parish Council comments relating to the speed of vehicles travelling to and from the site and asked officers to contact the operator to highlight these concerns.

The officer recommendation was moved, seconded, put to the vote and carried.

RESOLVED:

To APPROVE the application, reference NP/DDD/0214/0210, to vary condition 10(a)(iii), subject to:

1. **Condition 10 being revised to read:**

The total number of dry aggregate, industrial and coated roadstone lorry movements per day shall not exceed a maximum of 800 (i.e. 400 in and 400 out). Within the total number of vehicle movements the following restrictions shall apply:

- (i) **No more than 240 (120 in, 120 out) dry aggregate vehicle movements shall take place per day subject to the restrictions specified in condition 17 of this permission;**
- (ii) **Out of the 240 movements, no more than 40 movements (20 in, 20 out) of dry aggregate lorries shall take place between 0500 hours and 0600 hours Monday to Saturday;**

- (iii) **No more than 24 movements (12 in, 12 out) of industrial powders shall take place between 1900 hours and 0600 hours Monday to Saturday.**

From the date of this permission the operators shall maintain records of their lorry movements, specifying types of vehicles, products carried, and time in and out of the site, and shall make them available to the MPA at any time upon request. All records shall be kept for at least 36 months.

- 2. The remaining conditions on permission NP/DDD/0803/419 being re-imposed on the grant of a new permission, subject to any necessary minor updates, to be agreed with the Chair and Vice Chair of Planning Committee and the Director of Planning; and**
- 3. The signing of a deed of variation to the existing section 106 to reflect the new planning permission.**

7/15 S.73 APPLICATION - PROPOSED VARIATIONS TO CONDITION 2 (COMPLIANCE WITH APPROVED PLANS) AND CONDITION 3 (HEIGHT OF HEDGE) ATTACHED TO PLANNING DECISION NOTICE NP/SM/1213/1146 FOR INSTALLATION OF 30 KW (96 PANELS) GROUND MOUNTED SOLAR PV PANELS, UPPER HURST FARM, HULME END

It was noted that Members had visited the site on the previous day.

The following spoke under the public participation at meetings scheme:

- Mrs Susan Green, Applicant

The officer recommendation was moved, seconded, put to the vote and carried.

RESOLVED:

TO APPROVE the application subject to the following conditions/modifications:

- 1. The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted plans and specifications subject to the following conditions / modifications:**
- 2. No development shall take place until a landscape management plan and a schedule for its implementation has been submitted to and agreed in writing by the Authority. Thereafter, the development hereby permitted shall be dismantled and permanently removed from the land within six months of the date of the failure to comply with the requirements of any part of the management plan.**
- 3. At the time of their installation, the external finishes of the ground mounted modules shall be matt black and the individual solar panels shall not be installed other than with matt black surrounds and an anti-reflective finish. Thereafter, the ground mounted solar array shall be permanently so maintained throughout the lifetime of the development hereby permitted.**
- 4. Once the solar panels are no longer required for the purposes of energy generation, the ground mounted solar array shall be completely removed from**

the land, and the ground shall be reinstated to its original ground within three months of the solar panels being decommissioned.

The meeting was adjourned at 11.15am for a short break and reconvened at 11.25am.

8/15 FULL APPLICATION - TEMPORARY CHANGE OF USE FROM INDUSTRIAL UNIT TO A PERSONAL TRAINING STUDIO AT UNIT 2B, STATION YARD, BAKEWELL

Cllr Mrs J Twigg declared a personal interest as she knew the parents of the applicant.

In introducing the report the Planning Officer confirmed that in the current economic climate the supply of business units in the Bakewell area exceeded demand.

The following spoke under the public participation at meetings scheme:

- Mr Ed Eley, Applicant

Before speaking the applicant passed to the Chair a 300 name petition supporting the application.

Following the discussion the Committee asked Officers to contact the Town Council to address their concerns about the loss of business units.

The officer recommendation was moved, seconded, put to the vote and carried.

RESOLVED:

To APPROVE the application subject to the following conditions/modifications:

- 1. Statutory 3 year time limit for implementation.**
- 2. The use hereby permitted shall be temporary for 5 years.**
- 3. Use shall be limited to a 'gymnasium' and for no other purposes within a D2 use class.**
- 4. The use hereby permitted shall be limited to within the building.**
- 5. Visiting members of the public (including customers/members/clients) shall be limited to no more than 4 at any one time.**

9/15 FULL APPLICATION - CONSTRUCTION OF NEW AGRICULTURAL DWELLING, ELIZABETHASH FARM, HAYFIELD ROAD, CHINLEY

The Planning Officer reported that, following sight of the agenda report, the objectors had confirmed that they were satisfied that their concerns had been addressed and therefore had withdrawn their objections. The Planning Officer also updated the recommendation to insert into the Section 106 agreement an Agricultural occupancy restriction.

The following spoke under the public participation at meetings scheme:

- Holly Frost, Applicant

The officer recommendation was moved, seconded, put to the vote and carried.

RESOLVED:

To **APPROVE** the application subject to prior entry into a legal agreement to restrict occupancy of the dwelling to an agricultural worker and to prevent the separate sale of land in ownership, the new house, and existing buildings and subject to the following conditions / modifications.

1. **Statutory 3 year time limit for implementation.**
2. **Development not to be carried out otherwise than in accordance with specified amended plans.**
3. **The residential caravan on site shall be removed and the land restored to its previous condition within 1 month of the first occupation of the dwelling hereby approved.**
4. **Removal of permitted development rights for external alterations, extensions, outbuildings, hard standing, walls, fences and other means of enclosure to the approved dwelling.**
5. **No development shall take place until a detailed scheme showing the finished ground levels within the site has been submitted and approved. The development shall then be carried out in accordance with the approved scheme.**
6. **No development shall take place until a detailed scheme of landscaping (including planting, earth mounding, re-seeding, walls, gates and hard standings) has been submitted and approved. The development shall then be carried out in accordance with the approved scheme and maintained in perpetuity.**
7. **Any new services to be placed underground.**
8. **Foul sewerage to be dealt with by a package treatment plan. Prior to the installation of the package treatment plant, full details of which shall have first been submitted and approved. The development shall then be carried out in accordance with the approved scheme.**
9. **Development shall be built to a minimum of the Government's Code Level for Sustainable Homes Level (or its successor) required of Registered Social Landlords at the time of commencement of the building works.**
10. **No development shall take place until a design stage assessment (under the Code for Sustainable Homes or its successor) has been carried out and a copy of the summary score sheet and Interim Code Certificate indicating that the development can achieve the stipulated final Code Level (or any such national mechanism that replaces this) have been submitted to and approved in writing by the National Park Authority.**
11. **Prior to the occupation of the dwelling hereby approved, a copy of the summary score sheet and Post Construction Review Certificate (under the Code for Sustainable Homes or its successor) shall be submitted to the Authority verifying that the agreed standards have been met.**

12. **Conditions to specify or require prior approval of architectural and design details for the dwelling including, stonework, roof materials, roof verges, rainwater goods, chimneys, window and door design and finish and solar panels.**
13. **Prior approval of space within the site for accommodation, storage of plant, materials and parking for site operative's vehicles during construction works.**
14. **Parking and turning areas to be laid and constructed prior to first occupation of the dwelling and maintained in perpetuity.**
15. **Details of bin storage space and dwell area for use on refuse collection days to be submitted and approved. The development shall then be carried out in accordance with the approved scheme.**

10/15 FULL APPLICATION - CHANGE OF USE OF PUBLIC HOUSE TO TWO RESIDENTIAL DWELLINGS WITH ASSOCIATED PARKING AND AMENITY SPACE AT STANHOPE ARMS, DUNFORD BRIDGE, SHEFFIELD,

The following spoke under the public participation at meetings scheme:

- Mr Andrew Keeling, Agent

The Committee were of the view that, although the loss of a public house was regrettable, they were satisfied that the viability report demonstrated that the current owner had fully explored alternative options before submitting the application.

The officer recommendation was moved, seconded, put to the vote and carried.

RESOLVED:

To APPROVE the application subject to the following conditions:

1. **3 year time limit for commencement of development**
2. **Adopt amended plans**
3. **Removal of PD rights for external appearance, extensions, etc.**
4. **Minor building design details.**
5. **Submit scheme of environmental management measures to reduce energy use and lower carbon footprint.**

11/15 DESIGNATION OF HOLME VALLEY NEIGHBOURHOOD AREA (AM)

As the Committee was slightly ahead of schedule the Chair agreed to bring forward item 16 to allow time for registered public speakers to attend.

The officer recommendation was moved, seconded, put to vote and carried. In moving the recommendation the Committee acknowledged the valuable support and advice given to Parishes by Adele Metcalfe, Village & Communities Officer, to progress their proposals.

RESOLVED:

To designate that part of the Holme Valley parish that is within the National Park as part of the Holme Valley Neighbourhood Area (the shaded area within the parish boundary on the map in Appendix 1), under the Localism Act 2011 Schedule 9, section 61G.

At 12.20pm, following consideration of this item, Cllr H Laws and Cllr Mrs N Hawkins left the meeting.

12/15 HEAD OF LAW

As the Committee was slightly ahead of schedule the Chair agreed to bring forward item 17 to allow time for registered public speakers to attend.

Members noted the appeals lodged and decided during the month. It was noted that since the report had been published NP/DDD/1014/1051 had been determined and the appeal had been dismissed.

RESOLVED:

To note the report.

At 12.25pm, following consideration of this item Cllr H Laws and Cllr Mrs N Hawkins returned to the meeting.

13/15 APPLICATION TO REMOVE/VARY CONDITIONS ON APPLICATION NP/DDD/0212/0153 (CONVERSION OF CHURCH TO TWO DWELLINGS WITH ACCESS AND PARKING) - VARIATION OF APPROVED ROOFLIGHT SIZES AND POSITIONS - FORMER URC CHURCH, PARKE ROAD, TIDESWELL.

With the consent of the Committee the Chair agreed to vary the order of business so that item 15 was considered before item 14.

In introducing the report it was noted that condition 1 in the officer recommendation had been amended to "Statutory 3 year time limit for implementation."

It was noted that a further 4 letters had been received expressing support for the two applications.

The following spoke under the public participation at meetings scheme.

- Mr Neal Richmond, Objector
- Mr Richard Brown, Supporter
- Mr Robin Brown, Applicant

During discussion Members expressed concern that the two applications had been submitted retrospectively.

The amended officer recommendation was moved, seconded, put to the vote and carried.

RESOLVED:

To APPROVE the application subject to the following conditions:

- 1 Statutory 3 year time limit for implementation.**

- 2 The development hereby permitted shall not be carried out otherwise than in complete accordance with submitted plans
- 3 Maintenance of storage of plant area throughout works.
- 4 Maintain access visibility and sightlines.
- 5 Agree details of lowered section of walling to the north of the access track.
- 6 Nest boxes to be installed as previously approved.
- 7 The ridge tile access points for bats and their positioning to be installed as previously approved.
- 8 Two bat boxes shall be mounted internally within each gable end of the building.
- 9 Vehicular access, access road and car parking/manoeuvring facilities to be completed.
- 10 Two car parking spaces to be permanently maintained for each dwelling and car parking spaces and associated manoeuvring areas shall remain unobstructed for use at all times.
- 11 Drainage and surfacing materials for the access road and car parking/manoeuvring areas to be installed as previously approved.
- 12 Environmental Management measures shall be undertaken as previously approved.
- 13 Ground levels of the access road and car parking/manoeuvring areas to be established and permanently maintained as previously approved.
- 14 External lighting shall be installed as previously approved.
- 15 Matching materials new for timber and stonework.
- 16 New door frame to be recessed from the external face of the wall the same depth as the adjacent window frames.
- 17 Doors shall be vertically boarded timber with no external framing or glazing.
- 18 Rooflights to the west facing roof slope to be fitted flush with the roof slope.
- 19 All pipework to be completely internal within the building.
- 20 No additional or replacement guttering or downpipes to be installed without the prior approval of the Authority.
- 21 The design and positioning of external meter boxes shall be as previously approved.
- 22 Remove permitted development rights.

- 23 The northern boundary wall to be maintained at its present height, subject to the reduction in height required by Condition 5.
- 24 Access for birds and bats via the existing louvred openings in the gable ends of the church shall be permanently retained.
- 25 Maintain internal layout as approved.

At 1.00pm following consideration of this item Cllr P Brady joined the meeting.

14/15 APPLICATION TO REMOVE/VARY CONDITIONS ON APPLICATION NP/DDD/0212/0153 (CONVERSION OF CHURCH TO TWO DWELLINGS WITH ACCESS AND PARKING) - VARIATION OF APPROVED ROOFLIGHT SIZES AND POSITIONS, AND ADDITION OF ROOFLIGHT TO FACILITATE ADDITION OF 4TH BEDROOM - FORMER URC CHURCH, PARKE ROAD, TIDESWELL.

In introducing the report it was noted that condition 1 in the officer recommendation had been amended to "Statutory 3 year time limit for implementation." The Officer also stated that the conditions would clarify that the louvred opening in the north gable would only be blocked internally.

The following spoke under the public participation at meetings scheme:

- Mr Neal Richmond, Objector
- Mr Robin Brown, Applicant

The amended officer recommendation was moved, seconded, put to the vote and carried.

RESOLVED:

To APPROVE the application subject to the following conditions:

- 1 Statutory 3 year time limit for implementation.
- 2 The development hereby permitted shall not be carried out otherwise than in complete accordance with submitted plans
- 3 Maintenance of storage of plant area throughout works.
- 4 Maintain access visibility and sightlines.
- 5 Agree details of lowered section of walling to the north of the access track.
- 6 Nest boxes to be installed as previously approved.
- 7 The ridge tile access points for bats and their positioning to be installed as previously approved.
- 8 Two bat boxes shall be mounted internally within the roof void of the southern half of the building.
- 9 Vehicular access, access road and car parking/manoeuvring facilities to be completed.

- 10 Two car parking spaces to be permanently maintained for each dwelling and car parking spaces and associated manoeuvring areas shall remain unobstructed for use at all times.
- 11 Drainage and surfacing materials for the access road and car parking/manoeuvring areas to be installed as previously approved.
- 12 Environmental Management measures shall be undertaken as previously approved.
- 13 Ground levels of the access road and car parking/manoeuvring areas to be established and permanently maintained as previously approved.
- 14 External lighting shall be installed as previously approved.
- 15 Matching materials new for timber and stonework.
- 16 New door frame to be recessed from the external face of the wall the same depth as the adjacent window frames.
- 17 Doors shall be vertically boarded timber with no external framing or glazing.
- 18 Rooflights to the west facing roof slope to be fitted flush with the roof slope.
- 19 All pipework to be completely internal within the building.
- 20 No additional or replacement guttering or downpipes to be installed without the prior approval of the Authority.
- 21 The design and positioning of external meter boxes shall be as previously approved.
- 22 Remove permitted development rights.
- 23 The northern boundary wall to be maintained at its present height, subject to the reduction in height required by Condition 5.
- 24 The external appearance of the louvred openings in both gable ends of the church to be retained with only the north opening being blocked internally.
- 25 Access for birds and bats to the roof void in the southern half of the building via the existing louvred opening in the southern gable end to be retained.
- 26 Maintain internal layout as approved.

Cllr P Brady did not participate in the discussion and voting on this application.

The meeting adjourned at 1.10pm for lunch and reconvened at 1.40pm

Chair: Mr P Ancell

Present: Cllr D Birkinshaw, Cllr P Brady, Cllr C Carr, Cllr D Chapman, Cllr A R Favell, Cllr Mrs N Hawkins, Cllr H Laws, Cllr A McCloy, Ms S McGuire, Mr G Nickolds,

Cllr Mrs K Potter, Cllr Mrs L C Roberts, Cllr Mrs J A Twigg, Cllr S Wattam and
Cllr D Williams

In accordance with Standing Orders, Members agreed to continue the Committee meeting beyond 3 hours.

15/15 MAJOR FULL APPLICATION: DEMOLITION OF EXISTING FACTORY BUILDING AND THE SUBSEQUENT CONSTRUCTION OF A TOTAL OF 26 DWELLINGS INCLUDING 4 'AFFORDABLE' AND CONVERSION OF FORMER FACTORY BUILDINGS TO TWO DWELLINGS AT DOVE DAIRY, STONEWELL LANE, HARTINGTON

The Head of Law reminded the Committee that as Cllr D Chapman had declared a personal, prejudicial interest in this application he would address the Committee as the first speaker under public participation and then leave the meeting.

Councillor P Brady declared a personal interest as he was a friend of one of the speakers and an acquaintance of two others.

It was noted that Members had visited the site on the previous day.

The Director Planning highlighted the policy issues relating to the application and the Planning Officer introduced aspects of the application. The introduction included details of the Viability Statement provided by the developer in support of the application. It was noted that, due to the flooding measures required by the Environment Agency, if approved the permission could not be implemented until the developer had received and implemented planning approval for a swale.

The following spoke under the public participation at meetings scheme:

- Cllr David Chapman, Authority Member and Derbyshire Dales District Councillor (As he had declared a personal, prejudicial interest he left the meeting immediately after speaking)
- Mr Richard Gregory, Objector
- Mr Ron Critchlow, Objector
- Mr Geoff Howden, Objector
- Liz Broomhead, MBE, Objector
- Robert Gregory, Objector
- Mr John Dean, Objector
- Mr C R Dullage, Objector
- Mrs Julie Critchlow, Objector
- Cllr David Annat, Chair of Hartington Parish Council, Objector
- Mr Andrew Wood, Friends of the Peak District, Objector
- Alison Clamp, Peak District Rural Housing Association
- Isabel Frenzel, DDDC Rural Housing Enabler
- Rob Cogings, DDDC Head of Housing
- Mr Teifion Salisbury on behalf of the Applicant

Following the public speakers Cllr Mrs K Potter declared a personal interest as a supporter of CPRE/Friends of the Peak District.

During questions and debate the Committee discussed in detail issues relating to viability, community benefit and the provision of affordable housing. As part of the discussion it was suggested that further information on issues relating to affordable housing should be considered at the 2015 Parishes Day later in the year.

A motion to refuse the application was moved, seconded, put to the vote and carried.

RESOLVED:

To REFUSE the application for the following reasons:

- 1. The public benefits of allowing permission for the current application would not amount to the exceptional circumstances necessary to justify a major development in the National Park.**
- 2. By virtue of its size and scale and by virtue of the design, siting layout and landscape design for the development, the proposed development would not be in keeping with local building traditions and would be insensitive to the locally distinctive character landscape setting and the settlements overall pattern of development and would therefore be contrary to a range of development policies.**
- 3. The development does not fully take into account the energy hierarchy by reducing the need for energy and lack of energy saving measures and renewables and therefore it will not achieve the highest possible standards of carbon reductions or sustainable development contrary to CC1 of the core strategy.**

The meeting ended at 3.55 pm

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6. FULL APPLICATION - ALTERATIONS AND EXTENSIONS TO EXISTING PUBLIC HOUSE TO FACILITATE CONVERSION TO CLASS A1 CONVENIENCE STORE - RUTLAND ARMS, CALVER ROAD, BASLOW (NP/DDD/0115/0040, P.5887, 20/1/15, 425122/372391, MN)

APPLICANT: NEW RIVER RETAIL PROPERTY UNIT TRUST

Site and Surroundings

The Rutland Arms public house is a traditional building sited on the western side of Calver Road, Baslow. It is believed to date from the late 1800s and has a two storey triple-gabled element which projects from the rear wall of the main building, with a further gabled extension projecting northwest off this and beyond the northwest elevation of the main building. There are also extensions to the northwest elevation in the form of two single storey mono-pitched lean-to extensions. These abut each other for some of their length, creating a partially dual pitched addition. There is also a flat roofed extension adjoining the north corner of the main building. This has a parapet wall to the top of the walls with a roof lantern above.

The building is constructed of coursed gritstone under a slate roof, with detailing in gritstone, including full windows and doors surrounds and quoins. Windows and doors are of timber construction. Most of the building has overhanging roof verges with barge boards, whilst the later extensions have flush pointed verges.

To the northwest of the building is the pub car park, which has two accesses onto the A.623 Calver Road. The front boundary of the car park is marked by a low stone wall. There is a yard area between the pub and the car park and also a store/garage that is set behind the building line of the main building. To the rear the pub is a beer garden that faces towards the river.

The River Derwent runs immediately to the west of the site and is spanned by Baslow Bridge, which is sited very close to the south of the pub. The bridge is Grade I Listed Building and a Scheduled Ancient Monument. The bridge is constructed of sandstone ashlar, and there is a gable roofed watchman's booth to the northeast end. The bridge is dated 1608 by inscription.

The property occupies a prominent roadside and corner position in the Conservation Area, fronting the A623 and the road serving Baslow Bridge. Over the bridge to the west lie the properties comprising Bubnell. The buildings in the area are of varying ages, types, and sizes, whilst most share materials of natural coursed gritstone and either blue slate or stone slate roofs.

The adopted Conservation Area Appraisal for Baslow and Bubnell describes the area around the pub as being the core of the village. It identifies that there are a mix of uses here, but that it is the services provided by this area and the people they attract that makes this the hub of the village community. The Rutland Arms is referenced in the Appraisal only for its role in 'closing' the view to the west.

Proposal

This application seeks to extend and alter the Rutland Arms public house, Calver Road, Baslow, to facilitate its change to an A1 shop use.

The applicant has stated that the application is for extensions and alterations to facilitate a change of use, and that the change of use itself could be carried out as permitted development under the provisions of The Town and Country Planning (General Permitted Development) Order 1995 (as amended) (the "GPDO").

However, the proposal is not presented as extension of a pub - the alterations and extensions are to facilitate the change of use, and the change of use is therefore considered to form part of the planning application. The starting point for the Authority is therefore to assess the entire application against the policies of the Development Plan, giving weight as appropriate to all material considerations, including the change of use that could be carried out under the provisions of the GPDO.

The physical works involve altering and extending the property to its northwest elevation. The extensions would increase the overall length of the building by 2 metres, including an increase in length of the existing two storey gable and the replacement and extension of a single storey extension. The application also originally proposed adding a single storey flat roofed extension to this end of the building, designed to incorporate an ATM cash machine. This has since been removed from the scheme, following Officer's advice, because it was considered that this element would detract from the appearance of the building and area, and could potentially lead to parking on the highway. The existing flat roofed extension would also be altered by the proposal, with the stone of northwest facing elevation being mostly replaced by a glazed door and glazing that would form the main entrance to the shop. This glazing was originally proposed to wrap around to the front elevation, but was revised following Officer advice.

Other alterations to the building itself are restricted to blocking up a rear door at first floor level with removal of associated metal staircase. The existing adjacent flat roofed garage/store would also be altered, having its roof removed, some openings blocked up, and the timber doors being replaced by timber planked doors with black mesh to the bottom to provide air flow through the space, which would house a plant and refuse area.

A widening of the two entrances to the car park is also proposed, which would involve removal of a short section of low stone wall from the side of each entrance.

RECOMMENDATION:

That subject to receipt of a satisfactory bat survey, it is recommended that the application be APPROVED subject to the following conditions:

- 1. 3 year time limit**
- 2. In accordance with revised plans**
- 3. All new walling to be natural stone to match the existing**
- 4. All new roofs to be clad with natural slates to match the existing**
- 5. Prior to installation details of the proposed windows along with details of their proposed finishes shall be submitted**
- 6. Prior to the building being taken in to the approved use the windows to be obscured in accordance with amended details**
- 7. Scheme of external lighting to be submitted prior to the new use being implemented**
- 8. Prior to the installation of any external refrigeration, air conditioning, or other motors or fans a noise survey shall be undertaken, submitted, and any mitigation agreed by the Authority**
- 9. Delivery and refuse collections limited to be between the hours of 08:00 to 18:00, Monday to Fridays, 09:00 to 13:00 on Saturdays and no deliveries on Sundays and Bank Holidays**

10. **Visibility splays and site accesses shall be maintained in perpetuity as shown on the revised plans.**
11. **No development until space has been provided within the site for the storage of plant and materials, site accommodation, loading, unloading and manoeuvring of goods and vehicles, and the parking and manoeuvring of employees and visitors vehicles in accordance with details to be submitted.**
12. **No development until a Delivery Management Plan addressing size, timing, and routing of delivery vehicles has been submitted.**
13. **No development shall take place until a Traffic Management Plan to deter roadside parking to be submitted.**
14. **Parking provided and maintained in accordance with revised plans.**
15. **Shop doors shall not open outwards.**
16. **No access ramps to the shop within the public highway.**
17. **Removal of permitted development rights for extensions and external alterations.**
18. **Flood mitigation measures to be carried out in accordance with those proposed in the submitted Flood Risk Assessment document.**
19. **Any measures arising from bat survey.**

Key Issues

The key issues in assessing this proposal are:

- The acceptability of the principle of the development
- The impact of the development on the character and appearance of the building
- The impact of the development on the setting of the building, including on the Conservation Area and adjacent Listed bridge
- The impact of the development on highway safety
- The permitted development rights relating to the building

History

2005 – Permission granted for the erection of new signage scheme

1995 – Temporary permission granted for erection of sign

Consultations

Highway Authority – No objections relating to the proposal on the basis that the change of use would constitute permitted development. Whilst not objecting, some concerns are raised regarding some elements of the proposal including bollards adjacent to the entrance, the external ATM, and the relocation of a lamp post. These elements have since been omitted. More detailed comments include:

- No access ramps should be sited within the public highway
- The shop doors should not open outwards over the public highway

- There is a potential for increased delivery vehicles to increase on-road parking to the detriment of the free flow of traffic on the highway and visibility from the egress. Therefore suggest that existing waiting restrictions (double yellow lines) are extended.
- The development is likely to lead to an increase in turning traffic at the site, but not necessarily an increase in vehicle numbers on the immediate road network
- There are no recorded collision incidents in the vicinity of the site in at least the last 3 years
- The site would not meet the recommended maximum parking standards, but would be closer to them than the extant pub use
- The applicant could consider relocating the cycle park away from the proposed delivery area.

District Council – Environmental Health – No objection subject to the control of delivery and refuse collection timings, and the undertaking of noise surveys in relation to the installation of potential refrigeration or air conditioning motors.

Parish Council – Object to the proposal on the following grounds:

- Harmful effect on the character and appearance of the building, Listed bridge, and conservation area
- Highway safety including increased traffic, increased pedestrian movements and associated road crossing risks, and impacts of delivery vehicles on parking provision
- Inadequate parking/loading/turning provision
- Size of store not proportionate to local need
- Increased noise disturbance
- Increased light pollution
- External ATM will attract dangerous roadside parking

PDNPA Conservation – Recommends that the application is refused, considering that the development would lead to a significant and irreversible loss of character and features to a fine vernacular building that plays a crucial townscape role in the conservation area. Specifically:

- There is a lack of heritage assessment provided with the application
- The building would be converted from a pub to a food store in a way that adversely affects its character; the outside appearance would bear no relationship to its gutted interior
- The proposal would involve substantial loss of historic building fabric
- The blanked-out windows would harm the character and appearance of the conservation area
- The rear extensions will add a non-traditional flat roof, and elongate the existing rear wing out of proportion with the main frontage, detracting from the conservation area

PDNPA Ecology – Bat survey required.

Environment Agency – No objections to the proposed development as submitted. Advice provided for the applicant in relation to assessment of potentially contaminated land and removal of any contaminated waste from the site.

English Heritage – Do not wish to comment in detail, but refer the Authority to the advice of their Conservation Officer and the English Heritage guidance on the setting of heritage assets

Representations

At time of writing 97 letters of representation have been received. 93 object to the proposals, whilst 4 are written in support. The grounds for both objection and support are summarised below. The full version of each letter of representation can be read on the Authority's website.

In addition to the individual letters of representation received, a petition attracting 700 signatures titled '*Baslow does not require a second village/convenience store*' has been submitted. This was

held in the existing village SPAR shop and Post Office and the signatures were collected between 18 January and 17 February 2015. A second petition of 150 signatures was submitted alongside this petition, having been held at the SPAR shop in the neighbouring village of Calver under the title '*Residents of Calver do not require more convenience stores in the area*'. It is not stated when this petition was carried out, other than over a two week period.

The grounds for objection raised by the individual representations are summarised as follows:

- The village already has sufficient convenience goods provision and there is no need for a further shop.
- The development poses a threat to other businesses and their employment within the village, including the existing convenience store, the Post Office, and the surgery pharmacy.
- The development will lead to increased traffic on the highway around the site, posing an increased highway safety risk.
- The development will lead to increased pedestrian activity, including an increased need to cross the main road in a dangerous location, posing an increased highway safety risk, particularly for children.
- Increased numbers of delivery vehicles generated by the development would cause an obstruction and hazard to users of the highway.
- There is insufficient on-site parking proposed, which will lead to on-road parking and waiting, posing an increased highway safety risk. Related to this, users of the new shop would make use of the limited parking outside existing nearby shops, reducing their custom from passing trade.
- Were the existing convenience shop forced to close, support of local suppliers would be lost as well as the additional community services offered, such as home deliveries for elderly customers.
- The proposed signage would be inappropriate and out of keeping, harming the appearance of the building and its setting.
- The change of use and/or the alterations and extensions would harm the character and appearance of the building, the Conservation Area, and the adjacent Listed and Scheduled Baslow Bridge.
- The development would result in the loss of the pub, which is a valued community facility.
- The shop would be occupied by a national chain with no local interest and would detract from the rural and independent character of the village.
- The proposed use would lead to increased noise to the detriment of nearby residents, including as a result of opening hours exceeding those of the current use.
- Increased traffic levels would lead to higher levels of pollution.
- The submitted traffic survey is inadequate and/or inaccurate and does not take account of local factors.
- The location is not accessible on foot to some residents.
- The pavement widths and barriers around the site lead to inadequate pedestrian access.
- If the development is undertaken and the retailer later pulls out it could leave the village with no convenience store provision (based on the assumption that the existing store would have been put out of business between times by the increased competition).
- The internal blanking out of the windows would have a detrimental effect on the appearance of the building and its setting.
- The external cash machine (ATM) would lead to harm to the buildings appearance, littering, and parking on the roadside in a position contrary to safe use of the highway.
- The development would lead to the loss of views of the Listed Baslow Bridge from the pub garden.
- There is no requirement for further employment in the village.
- It would be premature to determine this application prior to the determination of the application that has been made to the district council for the pub to be listed as an Asset of Community Value.
- The lighting from the development would harm the amenity of nearby residents.
- An insufficient heritage assessment has been made of the building.

- The cycle storage area is at risk of being hit by delivery vehicles.

The grounds for support raised by the representations are summarised as follows:

- The position of the existing convenience store is difficult for elderly and infirm residents to walk to.
- This area of the village is poorly served by convenience stores, and the development would provide an accessible shop for Bubnell residents.
- Parking and vehicular access would be better at the proposed store than is the case for the existing store.
- The development would provide a fuller range of products than is currently available in the village.

Main Policies

Relevant Core Strategy policies: GSP1, GSP2, GSP3, DS1, L2, L3, HC4, HC5.

Relevant Local Plan policies: LC4, LC5, LC6, LC8, LC10, LC17, LC21, LS1.

Core Strategy policy GSP1 reiterates that the Authority has a statutory duty to foster the social and economic welfare of local communities in the National Park whilst GSP2 states opportunities to enhance the National Park should be acted upon.

Core Strategy policies DS1 details the development strategy for the National Park. It identifies Baslow as a named settlement.

Core Strategy policy HC4 permits the change of use of buildings providing community services to another community use. Policy HC5 of the Core Strategy requires that any new shops and related activities are of an appropriate scale to serve the needs of the local community and the settlements visitor capacity. Local Plan policy LS1 reiterates some of these points, adding that there must be adequate facilities for the storage and disposal of goods, waste, and delivery of stock.

Core Strategy policy GSP3 and policy LC4 of the Local Plan seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.

Local Plan policy LC5 states that development in conservation areas should assess and clearly demonstrate how the existing appearance of the conservation area will be preserved and, where possible, enhanced.

Core Strategy policy L2 states that development must conserve and enhance any sites, features or species of biodiversity importance and where appropriate their setting. LC17 reiterates this position, stating that development will not be permitted unless adequate information is provided about its likely impact on the special interests of a site.

Core Strategy policy L3 requires development to conserve historic assets. Local Plan policy LC6, which states that any applications for development affecting listed buildings must clearly demonstrate how the building will be preserved and enhanced and why the development is desirable or necessary.

Local Plan Policy LC8 requires that the conversion of buildings of historic or vernacular merit must be able to accommodate the new use without changes that would adversely affect their character. It describes such changes as including significant enlargement or other alteration to form and mass, inappropriate new openings, and major rebuilding.

Local Plan Policy LC10 addresses shop fronts, requiring a design and appearance that conserves the character and appearance of a building and its locality.

Local Plan policy LC21 resists development that would have adverse impacts in terms of pollution or disturbance.

It is considered that these policies are consistent with the core planning principles set out in paragraph 17 of the National Planning Policy Framework and the policies in the Framework when taken as a whole because both documents seek to support the prosperity of rural communities, and promote the retention and development of local services, including local shops and public houses. Both documents also seek to secure high quality design that would conserve the valued characteristics of the National Park.

Wider Policy context (if relevant)

Since this application has been submitted an application has been made to Derbyshire Dales District Council requesting that the pub be listed as an Asset of Community Value (ACV). Under the Localism Act 2011, community organisations and parish councils can nominate 'assets' to be included in a 'list of assets of community value'. If the authority deems the asset to have community value and includes it on their 'assets of community value' list then if the owner of a listed asset then wants to sell it a moratorium period will be triggered during which the asset cannot be sold. This is intended to allow community groups time to develop a proposal and raise the required capital to bid for the property when it comes onto the open market at the end of that period.

In addition, ACV listing can be a material consideration when a planning authority is determining a planning application affecting such an asset. The Department for Communities and Local Government's non-statutory guidance on ACVs states that *"it is open to the local planning authority to decide whether listing as an ACV is a material consideration if an application for change of use is submitted, considering all the circumstances of the case"*.

The application site is located within the Baslow and Bubnell Conservation Area, and so the Baslow and Bubnell Conservation Area Appraisal is also a material consideration in the assessment of this application.

Assessment

Principle

Change from use from pub

The development would result in the change of one community use to another and would not result in the unavailability of any such service within the village; it would create a further shop and the village would still benefit from two further pubs. The proposed shop would increase the breadth of convenience products available within the village, and in this sense would improve local service provision within the village, as encouraged by policy HC4 of the Development Plan.

As noted in the policy section above, since this application has been submitted an application has been made to Derbyshire Dales District Council for the pub to be listed as an Asset of Community Value (ACV). At time of writing that application is still outstanding. If it is approved then Officers would be obliged to consider whether the building's listing as such an asset is a material planning consideration and to make an assessment of how much weight to give to this status. In addition to national planning policy – which seeks to support the sustainability and growth of rural communities – and regardless of the ACV application, the community value of the pub is already a material consideration because the Authority has a duty to consider the social well-being of its communities when carrying out its statutory purposes, as reiterated by policy GSP1. This is reflected in the Core Strategy and Local Plan policies referred to above.

The level of use of the current pub has not been established and no assessment has been made of its business model or service offering. Officers have therefore assessed its community value on the basis that the pub is, or could be, run as a successful business. As well as offering a useful community facility for eating and drinking, successful pubs can also act as important social hubs within village settings.

As previously stated, the pub is one of three available within Baslow, the other two being towards the eastern end of the village. Both of these serve food as well as drinks. There are also a number of other restaurants, a hotel and a cafe within the village. The change of use of the pub to a shop would not therefore leave local people without sufficient local provision for eating and drinking out, or without the social benefits noted above that pubs can provide.

Having considered these points, the social and community impacts that the loss of the pub would result in are considered to be low, and are afforded only limited weight in assessing the application. The proposal is, in effect, replacing one form of community facility with another.

Proposed use

Officers have considered the scale of the development relative to local shopping needs and the settlements visitor capacity, as is required by policies HC5 and LS1. Baslow village has a population of just over 1000 residents. The pub is situated on a main road used by both residents and visitors, as well as by those passing through the village on the A623 and A619. Whilst some objectors have stated that they consider the population of Baslow to be insufficient for a store of the proposed size to be viable, it is considered that its location means some of the store's custom would be likely to come from visitors to the village and those passing through on other journeys, as well as from local residents.

However, the shop would not be of such a size that the service it could offer would be likely to attract visitors from outside of the nearby area or outside of the National Park. In terms of size, the shop would be commensurate – relative to the village population – with the established convenience stores of other Peak District villages, including those at Calver, Tideswell, Bradwell and Bakewell.

Taking account of all of these factors, the proposed store is considered to be commensurate with the likely local demand and visitor capacity of the area, and in accordance with adopted policy.

Some objectors have raised concerns regarding the impacts of the proposed development on the existing convenience store within the village, as well as the Post Office and surgery-based pharmacy (including a knock-on effect to the surgery itself). Whilst Officers understand the desire to support longstanding local businesses, matters of competition are not material planning considerations. The Post Office can be considered to be a community facility in its own right, but there is no evidence to suggest that if the existing shop were to close that the Post Office would not be relocated to another site within the village. Similarly, there is no evidence of a potential impact on the pharmacy, or that any such impact would lead to a loss of the surgery. Some representations also object to the application on the grounds that it would introduce a national retail chain to a village with a generally rural and independent retail offering, and that this is unwanted. The identity or nature of the occupant of the shop is not a material planning consideration and so no weight should be given to this matter.

Design and visual impacts

The alterations and extensions applied for are described in the 'Proposal' section above. The Authority's Conservation Officer has objected to the proposal on grounds relating to the impacts of these works. Whilst recognising that most of the works could be carried out under permitted development rights, he considers that the development would be harmful to the character of a non-designated heritage asset. Some of his objection relates to the internal alterations that would be undertaken were the development to proceed, along with a concern over the impact of the extension on the buildings appearance, and a loss of historic fabric.

Internally, the opening up of the ground floor to accommodate the shop floor would result in the removal of the majority of dividing walls (some of which would be historic fabric) and of the bar counter. The Conservation Officer considers that these changes would result in a building in which the interior appearance and use bear no relation to the external appearance, and that this has the effect of harming the building's character.

As a non-listed building, works to the inside of a building would not usually fall under planning control, limiting the weight that can be given to these changes. Nonetheless, the building has been identified as a non-designated heritage asset and the NPPF requires applications to take account of the effect of development on the significance of a non-designated heritage asset when determining applications. It goes on to state that in weighing applications that affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset. The applicant's heritage statement provides little detail with regard to the impacts of the proposed works to the building's appearance, but the nature and scale of the proposed alterations are such that it is considered an assessment of the application can still be made based on the information available.

The primary significance of the Rutland Arms is its role in the street scene and contribution to the character and appearance of the conservation area, being a historic and mostly traditionally designed building that occupies a prominent corner plot, and is also adjacent to Scheduled and Listed Baslow Bridge. The internal works would not alter the building's external appearance in its setting (with the exception of internally screening the windows, which is discussed later in this section of the report). Officers also give weight to the fact that, regardless of this application or the change of use of the building, internal alterations could be made without the permission of the Authority. Officers therefore consider that very little weight can be given to the Conservation Officer's comments, or those of objectors, in relation to the internal alterations.

In terms of the form of the proposed extensions, as described in the proposal section above, the Conservation Officer considered that they would add a further non-traditional flat roofed element and elongate the existing rear wing out of proportion with the main architectural frontage, detracting from the conservation area's appearance. The flat roofed element has since been removed from the proposal as noted above. Officers disagree with the Conservation Officer's view in regards to the impact of the elongation of the extension. In terms of form, it simplifies a somewhat jumbled arrangement of roof and wall slopes, resolving the appearance of the extension. By virtue of being so significantly set back from the front elevation it does not compete with it, nor is it significantly more prominent in the conservation area. Its massing remains subordinate to the parent building, and the proportions of the extension would better reflect those of the main building than the current extensions do. The Conservation Officer has also advised that the building does not have sufficient architectural or historic interest to justify the statutory listing of the building, as has been suggested by some of the objectors

The alterations to the existing flat roofed extension, as amended, would accommodate the main entrance to the shop. The front, road-facing, wall of the extension would be increased in height by approximately 600mm but would otherwise remain unchanged. This means that from the front and when approaching from the south the appearance of the building would be largely unaffected. The new shop front would be visible on approach from the north. It is considered that in these views it would be seen as a modern and unfussy intervention to a later part of the building. It is therefore not considered to have a significant effect on the building's overall character and appearance.

The impacts of the extensions on Baslow Bridge have been considered, as it is an important historic structure. The extensions would be to the northern end of the building, which is the furthest from the bridge and faces away from it. In most views the extension and bridge would not be seen together. Some views of the extension would be afforded from the bridge, but these would be partial and the matching materials proposed would mean that it did not appear prominent or out of keeping. English Heritage have been consulted for their views in relation to

the listed bridge and raise no objections. The impact on the setting of the bridge is therefore considered to be very low and in accordance with policy LC6.

The applicant has advised that they are proposing to retain the ground floor windows but to blank them internally for security purposes. This is considered to have an unfortunate effect on the building's appearance and its setting in the conservation area, as the light and activity behind the windows add life and vitality to the street environment and conservation area. However, the Authority has limited powers to reasonably control this. If the Authority were to require that the windows themselves remain unobscured, there would still be no control over the internal layout of the shop. The applicant has advised that the layout would include shelving around the internal face of the external walls so if the windows are unobscured then views into the building would be of the back of these shelves, affording no views of people or lights, and having a more detrimental effect than if the windows were screened.

As a result, Officers have sought to minimise the impacts of screening the windows, considering this to be preferable to leaving the matter completely uncontrolled. The applicant had originally proposed to screen the windows internally with a grey film adhered to the rear side of the glass. Officers considered that this would deprive the windows of any depth, as neither the internal part of the window frames or the internal window rebate would be visible. Officers have therefore negotiated to secure a grey-coloured board in line the internal face of the wall across the openings. Whilst still not allowing views in to the building this will mean that when viewing the windows from an angle it will be less apparent that they have been obscured, and where it is apparent the windows will still retain some depth and character.

The alterations to the garage/store would facilitate its use as a plant area and for the storage of refuse. This building has a low impact on the appearance of the site. Whilst of non-traditional design, its low height and recessive position mean that it does not appear prominent. The replacement of the timber doors would have a low impact on the building's appearance, with the black mesh required to ventilate the space being limited to the bottom 300mm of the openings. The removal of the flat roof and fascia is considered to both improve the structure's appearance and reduce its prominence. Overall, the impact is therefore considered to be an improvement and in accordance with policies L3, LC4, and LC5.

The removal of a small amount of the low stone walling adjacent to the site entrances is considered to have an insignificant effect on the appearance of the site due to the limited amount of removal and the fact that the wall's low height reduces its role and importance in the street scene.

English Heritage have advised that they do not wish to make specific comment on the application, other than providing a standard reply that refers to the advice of the Authority's Conservation Officers.

Overall, and based on the assessments above, it is considered that the extensions and alterations conserve the character and appearance of the property and wider area and therefore accord with policies L3, LC4, LC5, LC6, LC8, and LC10.

Whilst the proposed extensions and alterations are considered to conserve the character and appearance of the building, further extension or alteration has the potential to cause harm in these regards. If permission is granted, some further extension could be carried out under permitted development rights. If the application is approved it is therefore considered necessary for permitted development rights for alterations and extensions to be withdrawn.

Signage

There have been a number of objections to the proposed signage for the shop. The signage does not form part of this application however and is controlled under the advertisement consent regime. Depending upon its final positioning some of the signage would be likely to benefit from 'deemed consent' under that legislation (i.e. no further permission would be required), whilst

some could require a separate application to the Authority for 'express consent'. In order to make it clear that the signage is not part of this application, the applicant has omitted it from the revised montage illustration.

Highway matters

Parking

In terms of parking requirements, the 'Adopted Car Parking Standards in Derbyshire' included in the Local Plan is now very outdated. The more recently adopted standards (2005) of the Derbyshire Dales District Local Plan are a better representation of currently advised parking standards for this area. The applicant has used these to calculate that a food shop of the size proposed would require a maximum of 16 parking spaces. However, they have not accounted for the provision of staff parking spaces, which for a building of this size would amount to a maximum provision of 4 further spaces, totalling 20. The application proposes 13 spaces. The applicant has provided results from surveys monitoring parking levels for food shops that indicates provision of 13 spaces, even if 4 spaces are reserved for staff, would be sufficient during peak periods.

A number of objectors have stated that the survey findings do not account for local factors in arriving at these conclusions, noting that these are skewed towards urban areas rather than rural villages. No contrary, evidenced data has been put forward to contradict the survey findings, however, and the Highway Authority has found the figures regarding potential parking requirements to be "reasonably robust".

The parking provision should also be considered in the context of the existing use of the site. For a pub of this size, with a beer garden, the maximum number of parking spaces required would be much higher, around 90 spaces according the Highway Authority's calculations. Officers calculate it to be closer to 50, but it is nevertheless clear that the change of use proposed would result in a significant reduction in the requirement for parking spaces. In light of this, there are no sustainable objections to the proposed level of parking provision, as it represents an improvement over the existing use and is likely to be sufficient to meet demand.

The provision of a cycle store is welcomed, encouraging the use of sustainable transport when visiting the site. The Highway Authority has noted that the applicant could consider moving the cycle park elsewhere within the car park to improve the safety of its use. However, they did not object to its proposed position and Officers do not consider this poses a significant safety risk; the cycle park would be clearly visible to those using the car park, and, whilst adjacent to the delivery area, it does not impede access to it.

Traffic and pedestrian movements

Due to the siting of the building on the main road it is expected that many visits to the proposed store would be combined with other journeys, or that they would replace trips to other convenience stores outside of the village. This accords with comments from the Highway Authority, which notes that around 85% of visits are likely to be pass-by or diverted and already be on the network. The shop would be unlikely to attract additional traffic from outside of the village, as the closest settlements of notable size, Calver and Bakewell, already benefit from larger convenience shops. In addition, it is noted that were the pub to run successfully then it could become a destination venue within the area, attracting visitors from a wider catchment and resulting in additional vehicular visits.

Nevertheless, it is still considered that there would be different patterns of movements between the two uses and that the frequency of vehicles entering and leaving the car park would be likely to be higher under the proposed use, especially during the daytime. Adequate visibility at the site entrances is therefore an important consideration here. Visibility distances in each direction from the site entrances accord with those advocated by the *Manual for Streets* and *Manual for Streets 2*, and there is also clear visibility across the adjacent pavements due to low boundary walls long the car park perimeter.

The applicant has proposed that deliveries would be made by 8m long vehicles and have demonstrated that 10m vehicles could access and leave the site in forward gear without encroaching over parking spaces and would have satisfactory exit visibility. However, because the frequency of deliveries would be likely to increase under the proposed use, and because the 'dwell time' for customer vehicles would be reduced, it is possible that deliveries could lead to increased impediment of parking spaces and risk of vehicles parking on the highway. At this point of the road, this would be detrimental to the safe and efficient use of the highway. The Highway Authority has recommended that the double yellow lines adjacent to the existing site are extended across its entire frontage to reduce the likelihood of customers or delivery vehicles stopping here.

It is noted that the applicant could undertake a scheme for change of use only with similar impacts in this regard under permitted development rights, without the need to meet such conditions. However, the application seeks permission for a scheme which requires permission and which brings such matters under the Authority's control. It is therefore considered reasonable and necessary that a scheme of traffic management for this section of road, which could comprise double yellow lines or another parking deterrent such as an extension of the roadside railings, is required to be agreed with the Authority in consultation with the Highway Authority by a "Grampian" style planning condition, which would require discharging before any development is undertaken.

In addition, the possibility of concurrent deliveries and deliveries by vehicles larger than those proposed mean that it is considered necessary for a condition requiring a delivery management plan to be agreed by the Authority prior to the change of use taking place. These two conditions would mitigate any adverse impacts to a reasonable level, particularly taking account of the currently unregulated deliveries that could be made to the site under the extant use.

In terms of impact on pedestrian activity, it is considered that the proposed use would lead to some increase in on-foot visitors to the site. The stretch of the A623 adjacent to the pub is a well-used and at times busy road. It already serves as a crossing point for the pub itself, as well as for shops, a restaurant, and the church. In addition Baslow Bridge provides the main pedestrian link between the houses of Bubnell Lane and Baslow village, and from there people are also required to cross the A623 to access most village services. The pub's position close to a bend in the road does reduce visibility to the south east when crossing the road. A central pedestrian refuge is in place on the road some 30m east of the pub, aiding crossing of the road, but visibility to the north west at this point is still less than would be desirable. The road bends towards the north west as it passes the pub and straightens out, and crossing the road 30m north west of the pub gives sight lines of over 60 metres to the south east and over 100 metres to the north west.

Some objectors have referred to accidents at this location, including repeated damage to the refuge bollards, and the potential for these to be increased under the proposed use. However, the Highway Authority has advised that no accidents have been recorded within the vicinity of the site with the last 3 years, and they do not raise any concerns regarding the potential increased level of pedestrian activity at this location. Consequently, there are no grounds for objection in this regard.

Whilst the narrow pavement around the pub is not ideal in terms of pedestrian access, this is an existing situation outside of the applicant's control, and affects the existing use in the same manner in which it would affect a shop. There would be some improvement in access to the building due to the door being set away from the narrow section of pavement that restricts access to the current door, and by virtue of it being wider than is currently the case. This would make access for disabled people and those with prams/buggies easier.

Permitted development rights

The Town and Country Planning (General Permitted Development) Order 1995 (as amended) (the "GPDO") is a material consideration in assessing this application. This permits the change of use of a building from an A4 use (which includes pubs) to an A1 shop use. This does not grant

permission for any external extensions or alterations required to facilitate the change of use however, which is the reason that this application has been submitted. However, a smaller extension than that currently proposed could be carried out under permitted development rights following conversion to a shop under a different provision of the GPDO. This therefore represents an alternative 'fall-back' option for the applicant if this application is refused.

To weigh the significance of this fall-back position in assessing the application, its impact in planning terms relative to the current proposal must be assessed. As assessed above, the design and form of the proposed extensions is considered to be acceptable, and they provide only minor additional floorspace that would not result in a significantly larger or busier shop than would otherwise be the case. The fall-back position would not result in significantly less harm than the current proposal in these regards.

In terms of the change of use of the site, impacts such as parking, delivery times, noise generation, light pollution, and changes to flood risk would be outside the control of the Authority if the fall-back position was to be taken up. In these regards the fall-back position therefore has the potential to have more harmful planning impacts than the scheme currently proposed, under which the Authority could control such matters.

The applicant has not directly stated that they intend, or indeed would be able, to convert the building to a shop under these provisions were this application to be refused. However, the relatively small degree of extension and alteration currently proposed to facilitate the conversion would indicate that it would be possible for a conversion to be undertaken as permitted development. This therefore represents a realistic fall-back position for the applicant, with a reasonable likelihood that they would pursue such a conversion were this application to be refused.

Given the above assessment, the permitted development rights of the applicant are given significant weight in favour of the current proposal.

Noise

Environmental Health officer has been consulted and has raised no objections to the proposal on noise grounds subject to deliveries being restricted to take place only between 8:00 and 18:00 Monday to Friday and 9:00 to 13:00 on Saturdays with no Sunday or bank holiday deliveries. They have also advised that there is the potential for additional refrigeration or air conditioning motor noise to be generated, and that the applicant must carry out a noise survey to establish potential impacts, with the findings and any required mitigation to be agreed in writing by the Planning Authority prior to installation. Due to the site being within a residential area Officers agree with this assessment, and it is recommended that if permission is granted that both of these matters are controlled by planning conditions. Subject to such conditions, the application is considered to accord with policies LC4 and LC21.

Pollution

As identified earlier in the report, it is considered that most traffic utilising the site will already be on the highway network. As the proposed use of the site would contribute no further pollution than the extant use in other regards pollution impacts are considered to be low and therefore in accordance with Policy LC21.

Lighting

External lighting also has the potential to impact on nearby properties if not properly controlled, as well as the character and appearance of the conservation area. For this reason, if permission is granted it is considered necessary that any external lighting should be subject to the prior approval of the Authority. This could be controlled by planning condition.

Flood risk

Much of the site is within Flood Zone 2. However, the use type would change from one that the Environment Agency (EA) class as 'More Vulnerable' (drinking establishments) to one that would be classed as 'Less Vulnerable' (shops). The EA raise no objections to the proposal. The applicant has undertaken a flood risk assessment as part of their submission, which confirms that the existing floor levels would remain unchanged, and demonstrates that both these and car park ground levels would provide sufficient flood resistance and access routes were such an event to occur. Based on the change of use, the EA's advice, and the subject to the development being carried out in accordance with the proposed mitigation measures (finish floor levels), there are no objections to the proposal on flood risk grounds. This could be secured by planning condition.

Protected species

At time of writing the applicant is in the process of undertaking an ecological survey to assess the potential impact of the development on bat activity. This is required because the development proposes altering a part of the existing roof, where the two storey extension would adjoin the existing building. It is expected that this report will be submitted before the Planning Committee meeting. Should this demonstrate that no evidence of bat activity or occupation of the building has been found, and that the building is not suitable for such use, then the development would be considered acceptable in this regard.

However, should the report suggest that there is the potential for such activity or that further survey works are recommended – or if the survey report is not available before the Committee Meeting – then Officers would recommend that the application should be refused, as the impact on this protected species cannot be fully assessed. And adverse impacts cannot be ruled out, contrary to policies L2 and LC17.

Appeal decisions

One objector has requested consideration of a planning appeal that was dismissed by the Planning Inspector following the refusal of planning permission for the change of use of 'The Porcupine' public house, London, to a shop (Appeal ref: APP/G5180/A/14/2217362), considering this to be a similar proposal to the current application. Whilst the application was also for a change of use from a pub to a shop, the proposal differs from that currently proposed in a number of significant ways. That application involved substantially extending the existing building. It was also considered by the Inspector to be the last remaining pub in the local centre. It also had substandard access visibility and replaced existing landscaping with additional car parking space. This is therefore considered significantly different from the current proposal.

A further appeal decision that allowed the change of use of 'Somerset House' public house, Chesterfield, to a shop has been brought to Officers' attention by the Highway Authority in support of its consultation response. This proposal included a similar level of extension to that proposed under the current application, albeit to the rear of the property, and resulted in a larger reduction in parking provision than is proposed by the current application. However, the setting of the building is considered to be suburban, rather than rural.

In allowing the appeal, the Inspector accepted that the pub was well used and was listed as an Asset of Community Value, and noted that the Framework seeks to guard against the unnecessary loss of valued facilities and services. He acknowledged local concerns regarding the effect that the proposed use would have on local businesses, and concerns relating to the increased number of comings and goings that a retail store could generate. He gave great weight however to the fact that the pub could be converted into a retail store without planning permission and determined that overall the other factors did not justify withholding planning permission. Due to its parallels with the current application, this decision is given some weight.

Conclusion

Officers have assessed the application against all relevant planning policy and all other material considerations. Whilst there is significant local objection to the proposal, it is considered to comply with both national and local planning policies. All other material matters have also been considered and are either considered to be acceptable, or can be made acceptable by the imposition of planning conditions. This is subject to the findings of the outstanding bat survey, which has the potential to result in an objection on ecological grounds or to require additional measures.

It is also relevant that the applicant could pursue a scheme under permitted development rights that could have more significant impacts than those that this planning permission would result in, by virtue of the fact that the Authority would have no control over matters that would be brought under some control if permission for this application is approved with conditions.

The application is therefore recommended for approval, subject to conditions, and to the findings of the bat survey.

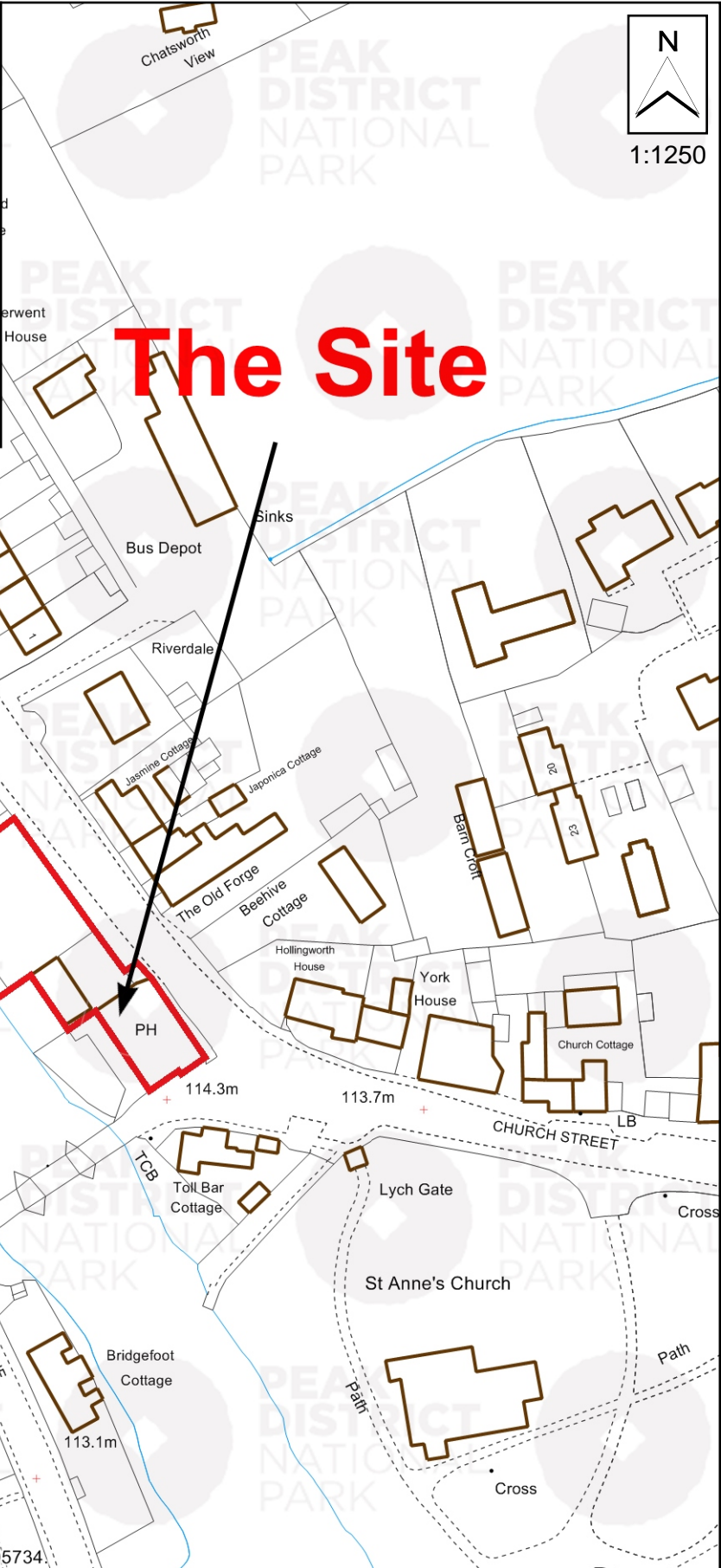
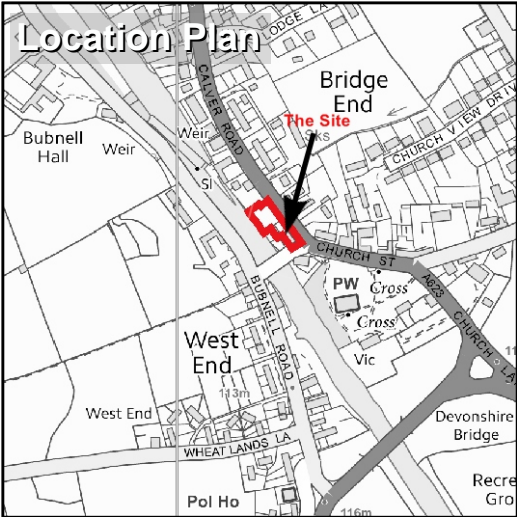
Human Rights

Any human rights issues have been considered and addressed in the preparation of this report.

List of Background Papers (not previously published)

Nil

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Committee Date:	13/03/2015
Item Number:	6
Application No:	NP/DDD/0115/0040
Grid Reference:	425122, 372391

Title: Rutland Arms
Calver Road
Baslow



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7. FULL APPLICATION: PROPOSED SOUTH WESTERLY EXTENSION TO ONCE A WEEK QUARRY TO EXTRACT 69000 TONNES OF LIMESTONE (AT A RATE OF 2500 TONNES PER ANNUM), RETENTION OF EXISTING STONE CROPPING SHED/OFFICE/STORE WITH RESTORATION TO HAY MEADOW NP/DDD/0714/0739, M3353, 29/07/2014, 415743/368009/NH)

APPLICANT: Mandale Stone Company Ltd

Site and Surroundings:

Once-a-Week Quarry is situated approximately 2 miles south west of Sheldon, off the road to Chelmorton (Flagg Lane). The existing quarry lies south of the road, behind a tree belt running parallel to the road. The quarry covers approximately 1.2 hectares in area. This includes the existing quarry excavation, product storage area, quarry tip, sawing shed and associated buildings and a pond within the quarry. The quarry tip has been re-graded to surrounding ground levels and a topsoil storage mound is located on the tipped material. To the north of the tip is a small rectangular field/paddock contained within the site boundary.

The total site area including the existing quarry, adjoining extension area and site access road covers 2.58 Ha. The proposed extension to the limestone quarry is situated to the south of the current quarry face. The proposed extension area comprises a single hay meadow to the south of the existing quarry, which is surrounded by dry stone walls. There are two mine shafts within the field. The surface of the land is owned by the Peak District National Park Authority and the mineral is owned by the Chatsworth Settlement.

The 'Monyash Round' footpath runs through fields to the east and west of the site.

The site lies approximately 1 km south of Deep Dale, which forms part of the Wye Valley Site of Special Scientific Interest and the Peak District Dales SAC. It is therefore just within the SSSI impact zone for which quarrying is identified as a potential risk. The existing quarry is surrounded by the Hard Rake hay meadows, and woodland, which are owned and managed for conservation by the Authority. The pond supports a population of the protected Great Crested Newt.

No aggregate has been produced in recent years. The site is situated within the Lower Carboniferous limestones of the Monsal Dale Group. The dip of the geology is approximately south. The beds worked by Mandale Stone Company are those of the crinoidal limestone which is suitable for the decorative stone market and can be used to produce limestone marble.

Proposal

The application proposes a south western extension to the existing Once a Week Quarry to extract limestone. It is proposed to retain the existing quarry excavation, product storage area, sawing shed and associated buildings and land to undertake tipping, restoration works and translocation works. The small pond within the existing quarry is to be retained.

The proposals are for the extension of the existing quarry into an enclosed 1.61ha hay meadow field to the south of the existing quarry face. The mineral extraction area in the field will extend to 0.58ha with a further 0.56ha providing stand-off, etc. Around 0.47ha of the field will remain undisturbed, although hay meadow management is likely to be disrupted. The application proposes the translocation of material from the existing haymeadow habitat from the proposed extension area onto a receptor site, to be created on the existing quarry tip.

Tonnage and Duration

It is proposed to extract 69,000 tonnes of limestone from the site at a rate not exceeding 2,500 tonnes per annum. This is an increase of 1,000 from the 1,500 tonnes per annum previously allowed. It is proposed that extraction will take place over a duration of 27 years.

Working Hours

It is proposed to carry out working at the site between 07:30 – 17:30 Mondays to Fridays and 07:30 – 12:00 Saturdays.

Site Access and Traffic

Vehicular access to the quarry is gained from Flagg Lane which is a single width track. It is proposed to undertake 10 vehicle movements per day.

Method of Working

Limestone is proposed to be extracted in a careful traditional way by hand using plugs and feathers (traditional hand tools) in order not to damage the stone. Individual beds, typically less than 0.5 metres thickness, are lifted along the bedding planes using a hydraulic excavator. Limestone beds in excess of 0.35 metres are turned and split using a hand-held hydraulic hammer, before cutting in the on-site saw shed.

Waste materials and overburden are to be stored in a number of mounds initially to the north and later to the south of the extraction area, typically less than 3 metres in height. These materials are then proposed to be progressively placed back in the worked out void as space.

Generally soils are stripped and stored separately in soil bunds. However, in this instance as the proposed extension area comprises a hay meadow, it is proposed that material from the existing the habitat will be translocated in turves in two phases.

Mineral Extraction Phasing

The proposed operation comprises three phases (phase 1a and b, phase 2 and phase 3) of working which will be worked in a north to south direction. Each of the phases will advance the working face 25-30 metres to the south west. The width of each phase will allow a number of limestone beds at different elevations to be worked at the same time enabling a range of products to be produced. It is proposed that Phase 1 will have duration of 6.6 years, Phase 2, will be 9.8 years and Phase 3 will be 10.9 years.

Phase 1a - Prior to the commencement of mineral extraction, hay meadow turf from the full extent of Phase 1, together with access corridors, will be trans-located to the receptor site at the western end of the quarry. Prior to the placement of the turf, the topsoil mound will be spread out and re-graded. Any large blocks or excess waste will be stored on the quarry floor of the worked out void in the south east corner of the quarry.

Following translocation, weathered limestone at the top of the working face, together with some processed waste, will be placed in the south east corner of the quarry to form Tip T1. The tip located below ground level has sufficient capacity to store waste for the first 4 to 5 years of the development.

Phase 1b - Within 4 to 5 years after the commencement of working in Phase 1, Tip 1 will have reached capacity with additional waste storage required above ground level. Prior to the placement of any waste, new exclusion fencing will be extended around Phases 2 and 3 and the remaining hay meadow turf from these phases will be translocated to the receptor area at the western end of the existing quarry. The total area of translocated turf to the receptor area is 0.66ha.

The new waste tip, T2 will be located on top of the Phase 3 mineral extraction area and constructed to a height of 2.5 metres. Whilst these works are being undertaken, mineral within Phase 1 will continue to be worked.

Phase 2 - Phase 2 will be opened up to allow limestone from various levels/beds to be worked to produce a range of stone products. Waste from the working area will be placed on the quarry floor to form a southern extension area to Tip T1, fully contained below original ground level.

Phase 3 - Waste stored on the surface (Tip T2) will be relocated into the worked out void, fully contained below the original ground level. The full extent of Phase 3 will be opened below the original ground level from the placement area of the working void.

Preliminary Works

Prior to any operational works commencing new exclusion fencing will be erected around the eastern, southern and western boundaries of Phase 1. A small number of existing drystone walls will be removed to facilitate the expansion of the quarry. These will be removed during the implementation of Phase 1. At this point new drystone walls shall be erected around the final phase footprint, to allow continuity of the appearance of the current field structure, but in a slightly altered form. Gateways shall be included into the layout of the new field boundaries to maintain access for grazing. Temporary post and wire fences shall be constructed to divide off each of the subsequent phases of quarrying, with the final footprint enclosed by a permanent drystone wall. The walling and fencing will minimise human access and allow grazing as appropriate.

Hay Meadow Translocation

The Applicant proposes to undertake the translocation works in 2 phases. Translocation phase 1 combines the areas which will be translocated as part of the quarrying Phase 1(a and b) and 2. Quarrying of Phase 3 will be conditional on the basis that the translocation phase 1 is successful. Should translocation phase 1 be successful and translocation phase 2 is allowed to proceed, the receptor field will be resurveyed and mapped to ensure that turf is only removed from the donor site, if it can be accommodated at the receptor site. Should there be insufficient space to accommodate translocated turves, then a smaller number of turves will be removed and the extent of the Phase 3 Quarry development will be reduced accordingly.

A detailed scheme for the translocation process has been submitted with the application. The key elements are as follows. Surveys of the receptor site prior to translocation with the aim of identifying the extent of the areas to be translocated. Zones will be identified and marked out and drawings provided to contractors. The donor site would be managed as a hay meadow for the period prior to translocation. The aim of management would be to allow the plants of biodiversity interest to flower and set seed (June-July) and to maintain the sward height at the end of the season (September). The existing hay meadow from phase 1a of operations will be translocated from the proposed extension area onto a receptor site to be created on the existing quarry tip. Prior to translocation, the topsoil storage mounds will be spread over the receptor site at the western end of the existing quarry to produce a smooth level surface in preparation for reception of hay meadow turves. From the initial translocation process monitoring will occur on a regular basis.

The proximity of the woodland to the north of the site has been raised as an issue which could result in a negative impact on any translocated grassland. The woodland in question comprises a row of sycamores *Acer pseudoplatanus* with an approximate 11m overhang across the proposed receptor area. The majority of branches are growing towards the south. Since the row of trees is east to west the amount of shading is reduced. Furthermore the leaf fall each autumn could increase the amount of nutrients on the grassland below and this could reduce the species richness. If this were considered an issue then an additional cut in this area after the majority of leaves have fallen could be undertaken. This would serve to remove any leaves, and therefore the nutrients.

Restoration

It is proposed that the initial restoration of the existing quarry will be restricted to the 0.66ha hay meadow field created from the trans-located turf within the extension area. Limestone faces of varying heights from 5 to 6 metres will be retained around the extension area. The southern embankment to the waste tip in the existing quarry will be retained as a scree slope to increase the biodiversity potential of the site. Fencing will be erected around the top of the quarry faces and scree slope.

It is proposed to restore the quarry floor to limestone grassland which is a Biodiversity Action Plan habitat, and this will be achieved through natural regeneration. Restoration will also include the retention of the existing pond on the site and creation of an additional pond feature within the site. Existing hedgerow and scrub will be retained and supplemented with planting to include tree and hedgerows species suitable for the landscape character area. All structures, utilities and vehicle parking areas will be removed during the final restoration of the site. There will also be opportunity to reinstate and restore dry stone walling on the site.

RECOMMENDATION

It is recommended that, subject to the prior completion of the S106 planning obligation whereby the Applicant, and those with an interest in the site, formally agree to:

- (a) the use of the extraction stone solely for dimensional stone purposes, and**
- (b) No more than 750 tonnes per annum in total (calculated January to December) of stone product shall be removed from the site where delivery addresses are outside the Peak District National Park.**

A) That the application be APPROVED subject to conditions covering the following:

- 1. Development to commence within 3 years from the date of the permission.**
- 2. Duration for the winning and working of mineral to 30 September 2042, the removal of buildings and restoration completed by 30 September 2043.**
- 3. The site and approved details - development to be undertaken in accordance with the application details.**
- 4. Type of Mineral - No mineral other than limestone to be extracted from the site shall be worked.**
- 5. Output Restriction - Limestone shall only be removed from the site for building, walling and decorative stone uses.**
- 6. Mineral Restriction - Limestone shall not be removed from the site as or in the form of aggregate.**
- 7. Destination Restriction - No more than 750 tonnes per annum in total (calculated January to December) of stone product shall be removed from the site where delivery addresses are outside the Peak District National Park boundary.**
- 8. Right to Inspect Delivery Notes.**
- 9. Submission of a statement of sales.**
- 10. Working scheme including phasing – development to be undertaken in accordance with the 3 phases of working identified in the application and revised information**
- 11. Submission and approval of Hay meadow Translocation methodology prior to commencement), including measures of translocation success.**
- 12. Phase 3 quarry operations shall not proceed should Phase 1 & 2 be deemed unsuccessful.**
- 13. 10 year aftercare period for Translocation Phase 1 and 2.**
- 14. Translocation works supervision - Preparation of donor and receptor sites, aftercare and management shall be supervised by a competent and suitably experienced Ecologist.**

15. Aftercare of all translocated turf shall begin immediately after Phase 1 & 2 have been moved to the receptor site, and shall continue for a period of at least 10 years after turves from phase 3 have been placed on the receptor site
16. Fencing – submission of fencing details prior to commencement.
17. Method statement for Great Crested Newts mitigation – to be submitted for approval prior to commencement).
18. Agreement of access route for the internal haul road – access route set out in the details and plan submitted in the application (pre-commencement)
19. Restoration – implication of restoration plan as set out in the restoration management plan.
20. Site Access – Use of approved vehicle access.
21. Access improvements – Submission of a scheme of junction improvements (pre-commencement).
22. Submission and implementation of landscaping scheme for quarry.
23. Biodiversity and habitat creation - submission and approval of details.
24. Pond - Retention of pond and surrounding habitat within the site. - Management and control of Canadian pondweed.
25. Restoration, aftercare and management of quarry – Submission of restoration and aftercare proposals and 5 year aftercare period.
26. Recreational access provision to be agreed.
27. Production of appropriate information and interpretation.
28. Details of drystone walling repair to be agreed.
29. Hours of working – 07:30 - 17:30 daily Monday to Friday, 07:30 - 12:00 Saturday; no working on Sundays, Bank or Public Holidays: except for emergency operations
30. Output and resource monitoring- no more than 2,500 tonnes to be removed from the site per annum; total extracted stone leaving the site shall not exceed 69,000 tonnes; provision of annual output records to Authority in January of each year
31. Site and Quarry access and transportation – no more than 10 lorry movements in and 10 out of the site per day carrying stone from the site; via the internal haul road onto Flagg Lane; lorry types.
32. Quarry waste control - any overburden shall be used within the site for progressive restoration.
33. Archaeology - erection of protective fencing to protect remnant industrial features; a programme of archaeological work including a Written Scheme of Investigation to be submitted for approval (pre-commencement).
34. Noise - noise levels from site operations shall not exceed 10dB Laeq1h above background noise levels or where the background noise is below 35 Laeq1h shall not exceed a limit of 45 Laeq1h.
35. Blasting - no blasting permitted.
36. Dust, Smoke and Fumes – make available facilities to include water bowser, to control dust problems arising.
37. Lighting - no lighting without Authority's consent.
38. Drainage and water pollution – prevention of slurry, no discharge of foul or contaminated drainage from the site; suitable storage of oils fuel or chemicals; no vehicle maintenance except on impermeable areas.
39. Restrict permitted development rights (buildings, structures, plant machinery) colours of ancillary buildings; parking of plant and vehicles; and removal of ancillary development when no longer required.

B. That authority be delegated to the Director of Planning and the Head of Law jointly to determine the details of the section 106 obligation.

C. That authority is delegated to the Director of Planning to approve the final details of the conditions in consultation with the Chair and Vice Chair of the Planning Committee.

Key Issues

- Whether there is a proven need to provide limestone from Once a Week Quarry for use in building works and whether that need can be met in any alternative way;
- If there is a demonstrable need for compatible stone from Once a Week Quarry, whether the environmental impacts arising from the development can be appropriately mitigated;
- Whether any exceptional circumstances exist to allow the development to proceed and whether the proposal represents an overall net benefit to the National Park and is in the public interest.

History

1976 – Temporary 10 year permission granted for extraction of limestone within the old quarry workings. An accompanying legal agreement limited the output to masonry or walling stone and restricted the installation of crushing plant and the production of crushed stone (NP/WED/1075/402).

1988 – Renewal of permission granted for a further period, expiring on 31 December, 2000. The accompanying legal agreement specified a primary end use of walling or masonry stone and allowed a single, small jaw crusher and a limited output of crushed stone to overcome waste stockpiling problems (NP/WED/785/270).

1999 – The Authority purchased the surface ownership of the site and other adjacent land, subject to an exception and reservation of mineral rights by the Chatsworth Settlement.

2000 – Renewal of permission granted for extension of time period for phased mineral extraction of dimensional, building and walling stone, until 31 December 2011. The previous permission to remove crushed stone as aggregate material was revoked. Restoration to agricultural/grazing land is to be completed within 12 months of the cessation of working (NP/DDD/1298/602).

2011 – Replacement shelter building granted and erected (NP/DDD/0111/0009)

2012 – Permission granted to enable 9 months extension of time to complete extraction of the reserves and restoration of the site. (NP/DDD1211/1259)

2014 - Permission was granted to enable 12 months extension of time to complete the extraction of all permitted reserves from the Once a Week quarry. The permission required the removal of stockpiled stone by the 31 August 2014, while restoration would be completed by September 2014 (NP/DDD/0812/0836). A legal agreement was signed which limited the output of the stone for use in building/walling or decorative stone, and limited the use of the limestone for local use only and prohibited the use of limestone outside of the Peak District National Park.

Consultation Responses

DCLG: No comment received

English Heritage: Recommend the application should be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice.

PDNPA (Archaeology): The Hard Rake landholding was archaeologically surveyed by staff from the PDNPA Archaeology Service in 1999. The report highlighted three features which were related to the areas which are going to be disturbed by the proposed extension. These are: (i) a rubble-filled hollow with an area of lumpy ground around it which may be a lead mining shaft. (ii) The site of a dew pond is shown on the 1922 O.S. map. There is no surface trace of the feature now. (iii) A Parliamentary enclosure: this land was part of the commons of Ashford, part of

Sheldon Moor on the undated (17th century) William Senior map. The commons of Ashford were enclosed by Parliamentary Act of Enclosure in 1767. The commons were then allotted in to large blocks of land which were later sub-divided in to straight sided, regularly shaped fields prior to the 1824 estate map.

If the potential lean mine shaft is going to be affected by this scheme it should be archaeologically recorded by means of rapid measured survey and, possibly investigation by trial trenching. This must be undertaken before any ecological mitigation, such as translocation of turf, commences.

Should the application proceed it is recognised that the wall between the existing active quarry and the 'extension' field will have to be removed to allow extraction. There should be a condition that this boundary be restored when the scheme finishes. Removal of other sections of field wall should be limited to as short a stretch as possible.

Landscaping screening: any landscaping should be in keeping with the existing, open relatively treeless character. Restoration proposals should be sensitive to the landscape character of this area.

PDNPA (Built Environment): State that the Built Environment section of Cultural Heritage Team support this application: *“There is a critical need within the National Park for dimensional Limestone for repairs to existing buildings and for new building. At present Once a Week is the only suitable source of stone of the right size, colour and texture to match that used historically in the area. Without it, the conservation of both existing vernacular buildings and the character of new developments within the limestone areas of the NP would suffer.”*

PDNPA (Landscape): Has no landscape objections to the proposals. A small information point could be useful where the footpath cuts through explaining what the stone is used for. Recommends a final restoration condition asking for full details of treatments etc. closer to final completion of the quarry.

“In respect of the importance of the stone that is excavated. The stone from this quarry is an important resource for historic restoration and landscape purposes. I have specified the stone from this quarry on a number of occasions for landscape projects in particular paving and steps. The unique properties of the stone make it ideally suited for paving having a rough textured surface, reducing slip hazards.”

PDNP (Policy): Advise that the ‘Strategic Stone Study’ has identified this site as being important to the supply of stone for heritage purposes. The need for building stone is accepted in principle by the Core Strategy as a justifiable exception to the overall position of constraint. The principal reason for this exception is to provide building stone of heritage value to support the conservation objectives of the National Park. The extraction of stone for use beyond the National Park boundary may only be permitted as an exception to policy. Refer to paragraph 14.42 of the Core Strategy, which states:

“In exceptional circumstances there may be a need to supply small-scale building and roofing stone to conserve nationally important buildings and structures outside of the national park in line with Annexe 3 of MSP1. In such circumstances where that need cannot be met from elsewhere the Authority will consider whether consent may be granted as an exception to policy MIN3 if the material planning considerations outweigh the policy. This conservation need outside of the Park should not however be the sole reason for seeking to justify new proposals.”

‘As such a key policy matter for this case appears to be an understanding of the scale and proportion of stone that is intended for use outside the National Park. Do the material considerations outweigh the policy principle? Can the structures or buildings outside the National

Park be identified as being of national significance? Or is supply beyond the National Park boundary only included in order to make the scheme more viable? If the latter we need to take great care as this could quite easily become a regular reason to cite as an exception, and as such should not in itself be viewed as a reason to make an exception. Care must be taken to ensure that the principle aim of permitting extraction in the National Park (as an exception to the normal position of constraint) is to further National Park purposes.'

'A clear understanding and view on the level of output that may be permitted for export beyond the National Park is therefore essential, ensuring that the significant majority will be for the National Park itself. It will also be necessary to secure this with a section 106 agreement. This should provide greater potential for monitoring the outcome of extraction should such an exceptional permission be made. Indeed it may be advisable to place the onus of monitoring upon the applicant by requiring them to annually submit a statement of sales.'

'In addition it is clear that this case involves a conflict between the extraction of building stone for heritage purposes and the conservation of a hay meadow with ecological value. This will require a very careful balancing of the particular conservation interests involved with each of these being a priority within our purposes and policies. Close involvement by the respective specialists is essential'.

PDNPA (Property): State that the National Park Authority as landowner objects to the proposal on the following grounds:

- 1. The proposed extension involves destruction of a flower-rich traditionally managed hay meadow which is of national Biodiversity Action Plan quality and which we judge meets the criteria for SSSI designation.*
- 2. The hay meadow is one of a contiguous group of flower-rich meadows and pastures which together are of a size that is so unusual now in the National Park that we sought and secured external funding to purchase the whole group of fields in 1999 when they were threatened by a change in ownership.*
- 3. The JNCC (Joint Nature Conservation Committee) do not recommend translocation as an alternative to in-situ conservation of high quality grassland sites because the available research and evidence suggests this is rarely totally successful.'*

'I appreciate that the Authority will make a planning decision based on the merits of the application and will take other aspects of the application into account including the quality and characteristics of the quarried stone.'

PDNPA (Ecology): The Authority's Ecologist objects to this proposal, as it is considered to have a significant ecological impact. Given the nature of the concerns raised, they summarised in some detail below:

'The meadow affected by the proposals is of SSSI quality and is of national importance and should be regarded in this context. Nationally over 97% of this resource has been lost. The urgency to conserve and protect this habitat is recognised by Natural England, they are now adopting a critical standards approach with the presumption being that all sites at least 0.5ha in extent should be selected for notification, singly or in combination. To put this in context, just the area of the grassland habitat required for translocation meets the size threshold for SSSI designation.'

'The importance of this meadow is further elevated as it is part of a wider suite of meadow grasslands that are also of SSSI quality and collectively represents one of the last and largest single units of such grasslands in the Peak District.'

‘Translocation of high quality habitat such as this is damaging and not an acceptable means of mitigation or compensation. This view is supported by the Joint Nature Conservancy Committee. The act of translocation itself disturbs, alters and destroys the integrity of the grassland ecosystem. Consequently translocation is likely to result in a net loss of intact habitat, significantly degraded habitat is the likely outcome of translocation.

‘Permission for this application as it stands would be in conflict with core policy as L2, saved local plan policy LC17 and the NPFF...In addition, as the habitat is of principle importance it therefore comes under the duty of public authorities and Section 40 of the NERC Act...’

History of grasslands at Hard Rake and context

‘Hard Rake grasslands were bought by the National Park Authority in 1999, at the time the future of these valuable grasslands was under threat and the site was bought with funding from the Heritage Lottery Fund with the aim being to protect the land for perpetuity, securing environmental and historic values for the future. Hard Rake is particularly valuable because so many of the facets of the heritage of the White Peak are present at the site; haymeadows, flower rich pastures and dewponds.’

Over recent years consideration has been given to having the site designated as SSSI, however, this has not been pursued as the site was considered to be in ‘safe hands’ and not under threat’

Importance of Meadow grassland

‘This site supports lowland meadow habitat. This is a Priority Habitat under the UK Biodiversity Action Plan and a key habitat in the Peak District BAP recognised for their importance, local distinctiveness and character and the threat they are under from agricultural improvement and neglect.’

‘Unimproved neutral grassland is now a rare and threatened habitat. It is estimated that by 1984 in lowland England and Wales, semi-natural grassland had declined by 97% over the previous 50 years. Losses continued during the 1980s and 1990s, and have been recorded at 2 -10% per annum in some parts of England, and continue to this day (information taken from the UK BAP for Lowland Meadows).’

‘This loss has continued in the Peak District National Park. 50% of hay meadows of the White Peak have been lost in the past 15 years (up to 2000) and a further 26% have significantly declined in quality. It is now highly unusual on the White Peak plateau of the Peak District to find such an extensive block of flower rich grassland. As such it forms a very important landscape feature, both as a record of past farming and in the provision of such a variety of textures, tones and colours. The size, diversity and fragility of the land and the past record of how the land was managed for hundreds of years, all contribute to the intrinsic appeal of the site. (Hard Rake Management 2000- 2010 PDNPA 1999).’

Individual areas are now small in extent, seldom exceeding 10ha and are highly fragmented (Guidelines for selection of Biological SSSIs, 2014).) The hay meadows collectively at Hard Rake are exceptional in that they are over 10ha in extent.

Translocation

‘The Joint Nature Conservancy Committee have published a document on habitat translocation (A Habitats Translocation Policy for Britain 2003 JNCC) The position of the statutory conservation agencies on important habitats and translocation is clear: “Habitat translocations have been proposed as a means of saving wildlife from areas threatened by development. These translocations have been portrayed by some as a means of reducing the impact of development (mitigation), where as in reality they can only partly make amends for developments (as incomplete compensation)” JNCC

The translocation of habitats is considered by the statutory conservation agencies not to be an acceptable alternative to in situ conservation. “There is limited published information on the success or otherwise of attempts to translocate habitats, but the available information shows that it is not possible to move assemblages of species together without substantial changes taking place in the structure of the habitats and in its species composition thus rendering the translocation unsuccessful with respect to sustaining the original flora and fauna” JNCC

Following the submission of supplementary ecological information submitted by the Applicant, the Authority’s Ecologist, whilst continuing to have significant concerns about the adequacies of translocation, and maintaining an objection, has provided further comment:

‘Should the proposal be granted approval it is strongly recommended that the following conditions are attached’:

Translocation

‘The report ‘Once a week Quarry – Hay meadow translocation ecological response’ Peak ecology Ltd. January 2015 provides a reasonable basis for translocation, monitoring and management, however there are elements within it that need adding and amending and therefore should permission be granted, a revised report will need to be agreed with the Authority. ‘

- *No work shall be undertaken on the application site until a translocation method report has been agreed in advance and to the complete satisfaction of the Authority Ecologist. This should include, but not be exclusive to, preparation of donor and receptor sites, soil strategy, translocation, machinery, timing, management, aftercare, enhancement and monitoring. The work shall then be undertaken as laid out in the report unless otherwise agreed with the Authority.*
- *Translocation shall not be undertaken before October 2015 or before the receptor and donor site is prepared to the satisfaction of the Authority Ecologist.*
- *The translocation, preparation of donor and receptor sites, aftercare and management shall be supervised by a competent and suitably experienced Ecologist.*
- *All of the hay meadow habitat vegetation that is affected by the land take in Phase 1 & 2 of quarry operations shall be translocated for future on-going management as a hay meadow to the location shown on plan 07/23a.*
- *After translocation, a fence line shall be erected along the perimeter of the extraction area of quarry operations (Quarry Phase 1 & 2), so that continued management of the remaining field can take place. There shall be no further incursion into the remainder of the field and no storage of waste. This is to ensure that the remainder of the hay meadow remains intact and can continue to be successfully managed.*
- *Translocation of meadow affected by land take of Phase 3 quarry operations shall be conditional on the success of the translocated turf from Phase 1 & 2, as set out in an agreed translocation methodology report.*
- *Should the translocation of Phase 1 & 2 be deemed unsuccessful (as set out in an agreed translocation methodology report) then Phase 3 translocation shall not proceed.*
- *The measure of success of the translocation shall be agreed with the Authority and included in the translocation method report and be based on, but not exclusively, the following:*
 1. *At least maintain the current botanical species diversity and richness, the baseline of which is to be established during an agreed monitoring plan in summer (July) 2015.*
 2. *Grade A hay meadow criteria as defined in the Farm Environment Plan (FEP) manual*

(Natural England 2010) and survey sheet PDNPA/FEP – grassland identification, feature detail and condition assessment recording card.

3. To retain notable species such as common spotted orchid, field scabious, ox-eye daisy and common knapweed.
- Any enhancement measures of the turves will be undertaken as necessary e.g. spreading of specific seed. Any enhancement measures shall be agreed in advance with the Authority Ecologist.
 - Should vegetation from quarry phase 3 be translocated, all of the hay meadow habitat vegetation that is affected by the land take operations shall be translocated for future on-going management as a hay meadow to the location shown on plan 07/23a.
 - Immediately after translocation of meadow affected by Phase 3 quarry operations, an agreed fence line shall be installed that allows for the continued management of the remaining field.
 - Prior to the start of works the access route for the internal haul road shall be agreed with the Authority. (Currently it is shown across the meadow but this will result in loss of more meadow habitat and there is insufficient capacity to take more turf to the receptor site).
 - After care of all translocated turf shall begin immediately after Phase 1 & 2 have been moved to the receptor site, and shall continue for a period of at least 10 years after turves from phase 3 have been placed on the receptor site.

Compensation

- The three meadows at Royston Grange and identified on plan 1 shall be enhanced with green hay and shall include primarily seed from later flowering hay meadow flowers, including key species such as ox-eye daisy, common knapweed and great burnet.
- The methodology, machinery, timing, donor seed sites and monitoring shall be agreed to the complete satisfaction of the Authority Ecologist. A maximum of two enhancement events will be undertaken, with the first event taking place in summer 2015.
- The aim of the enhancement shall be to achieve Grade A hay meadow habitat as defined in the Farm Environment Plan (FEP) manual (Natural England 2010) and survey sheet PDNPA/FEP – grassland identification, feature detail and condition assessment recording card, within 7 years of the final phase of enhancement works at Royston Grange. Species present shall at least include ox eye daisy and common knapweed.'

Great Crested Newts

'Breeding great crested newts have been found in ponds around the quarry area and the development site supports terrestrial habitats that may be used by great crested newt. A method statement will need to be agreed that has regard for avoiding/minimising disturbance and harm to this species. The method statement will need to be compatible with maintaining the important hay meadow habitats. A suggested condition could include:

- No work shall be undertaken on the application site until a detailed working method statement has been supplied and agreed in writing with the PDNPA Ecologist stating how potential threats to great crested newts occurring at the site will be avoided. Any mitigation needs to have due regard and be compatible with conserving important hay meadow habitats around the site and proposed translocation operations.'

Interior habitats of quarry and geological features

'In the longer term it is planned that calcareous grassland will develop in the quarry void by natural colonisation. Aftercare may be needed in the form of some limited weed control and provision for this should be included within a condition. Grazing may also be required and maintenance will require an appropriate infrastructure & access i.e. fencing and a gate to allow controlled management of the site once quarry operations have finished.'

'The plan does not show local topographical variation and it is important that opportunities are sort during the final landscaping process to ensure that there is as much variation as possible in the quarry floor and quarry faces. Rather than a level floor, opportunities should be undertaken to create hummocks and hollows using varied sizes of quarry material. Additionally scree fans at the base of the faces will provide varied habitat as well as stepped faces. Sufficient material from the quarry operations should be put aside specifically for this purpose.'

The site is of significant geological interest and in the past has been used to interpret geology to the public. Opportunities need to be sought for access to the quarry throughout and after its life together with the provision of appropriate information and interpretation. Liaison will be necessary with specialist Geological expertise and the Learning & Discovery Manager at the PDNPA. To maximise interpretation opportunities it will be necessary to ensure that faces are visible and accessible.

It is recommended that a condition is included to cover both the topographical variation and the need for accessible geological faces e.g.

- *Small scale topographical features and quantities and size of materials to create these features shall be agreed within 7 years of the end of quarry operations. Final shaping of faces shall be agreed at regular intervals during the life of the quarry.*

It is proposed that a pond will be created in the south eastern corner of the quarry. In this location the pond will be shaded by the quarry face, it will be better to integrate the pond into the northern half of the extension area. It is highly likely that clay material will need to be brought on site to line the pond. It is recommended that a condition is included along the lines of :

- *The location, design, and materials for lining the pond will be agreed within two years of the end of quarry operations.*

DCC (Highways): No Objection, subject to a condition requiring access improvements. Detailed comments as follows:

The application is to extend the quarry to the south west of the current operations and the proposed annual increase in stone extraction will rise from 1500 tonnes to 2500 tonnes. The applicant states that this increase in tonnage will be accommodated within the 10 HGV vehicle movements per day currently authorised. The submission refers to deterioration of the carriageway at the access junction. The Highway Authority recommends improvements being made prior to any increased quarrying operations. On the basis of the submitted details, raise no objections to the proposals but would recommend the following in the interests of highway safety'.

1) Prior to any works commencing the applicant shall submit a scheme for prior written approval for the junction improvements with the unnamed fronting road. The scheme should include proposed construction and drainage details all as may be agreed with the Local Planning Authority in consultation with the Highway Authority. The approved scheme shall be fully implemented prior to any works commencing on the proposed quarry extension.

DCC (Planning): Comment upon the need for the stone rather than any other merits of the application itself. Summarised as follows:

Note that limestone building stone is difficult to source for jobs in the Peak and especially so where the type and colour of the stone is important. The walling stone produced from Once a

Week quarry was one of only two local suppliers and the main one used for limestone walling stone in the Peak District. Stone from Once a Week is the only one they (local builders) build with and recommend to clients as the other suppliers stone is too porous. The lack of a continuous supply has caused a problem with some sites in the National Park.

Consider that there is a clear need for a continuous supply of a suitable locally sourced natural limestone for local building purposes. Would lend support to the need for Once a Week to continue to supply building stone to meet the demand of the local building market as there is a clear need for it to maintain and conserve the valued characteristics of the built environment. The need locally is for limestone from the quarry to be at the lighter end of the scale – stone that is too dark grey or bluey grey is not preferred.

Derbyshire Dales (EHO): Confirm that they have not received complaints regarding this site and from the description of operations it would appear that the potential noise impact on nearby properties would be limited. Obviously, without a noise survey it is difficult for me to make further observations. Under the Technical Guidance to the National Planning Policy Framework, the recommendations for mineral workings during daytime operations is that where possible, noise from the site during the daytime (07:00 to 19:00hours) should not exceed the background noise level by more than 10dB (A). Given the low level of operation that is suggested at this site, then this would seem to be a reasonable condition. However, without knowing what the existing background noise levels are, cannot give a specific figure.

Natural England: Raises no objection and their relevant comments in respect of the application are: *This application is in close proximity to the Upper Lathkill, The Wye Valley and Lathkill Dale Sites of Special Scientific Interest (SSSI's). The Upper Lathkill SSSI forms part of the Peak District Dales SAC. Natural England advises your authority that the proposal, if undertaken in strict accordance with the details submitted, is not likely to have a significant effect on the interest features for which Peak District Dales SAC has been classified. Natural England therefore advises that your Authority is not required to undertake an Appropriate Assessment to assess the implications of this proposal on the site's conservation objectives.*

In addition, Natural England is satisfied that the proposed development being carried out in strict accordance with the details of the application, as submitted, will not damage or destroy the interest features for which these SSSI's have been notified. We therefore advise your authority that these SSSI's do not represent a constraint in determining this application. Should the details of this application change, Natural England draws your attention to Section 28(1) of the Wildlife and Countryside Act 1981 (as amended), requiring your authority to re-consult Natural England.

Ashford in the Water Parish Council: *'Ashford in the Water Parish Council supports this application. Once a Week Quarry is a valuable and unique source of architectural limestone, which is used for maintenance and restoration of existing vernacular buildings, as well as new build. Extension would secure a viable future for this important resource'.*

Maintain their support on reconsultation.

Sheldon Parish Council: *'Sheldon Parish Meeting has some objections to this planning application and asks that you would take into consideration the following comments when making your decision.*

1. *The "Statement of Community Involvement "at 16.0.1 of the Planning Application states that "details of the proposal have been sent toSheldon Parish Meeting. No responses were received." To our knowledge, no approach was made to Sheldon Parish Meeting, so this is incorrect.*

2. *This extension is very large, doubling the size of the present quarry and would be extending fully into a hay meadow. Hay meadows are now very rare and we do have concerns at their loss*

and the difficulty of replacing them. The key issue is to ensure they commit to a full and complete restoration plan of the former hay meadow to the quarried site.

3. The application appears to be to continue quarrying which was at the last application in 2012 said to be coming to an end. We would not like to see this quarry expand indefinitely'

Environment Agency: The Environment Agency confirms that they have no objection to the proposed quarry extension subject to imposition of the planning conditions.

Representations

Friends of the Peak District: In summary, state that they strongly support the application and urge the Authority that the application is approved. Comment that although the extension area has both ecological and archaeological interest, we are satisfied that the mitigation measures proposed are sufficient to conserve the features of interest.

Nine letters of support have been submitted in response to the proposals. These are from employees related to the quarry and Natural Stone Sales Ltd. They are worried that they will not find work if the extension proposals are not approved.

Main policies

Relevant Core Strategy (2011) policies: GSP1, GSP2, GSP3, GSP4, DS1, L1, L2, L3, MIN 1, MIN3, CC1, CC5, T1, T4.

Relevant Local Plan (2001) 'saved policies' LM1, LM9, LC6, LC9, LC15, LC16, LC17, LC18, LC19, LC22, LT9.

National Planning Policy Framework

As a material consideration in planning decisions, the NPPF recognises the special status of National Parks and the responsibility of National Park Authorities, as set out in the National Parks and Access to the Countryside Act 1949 (as amended). In line with the requirements of primary legislation, paragraph 14 of the NPPF recognises that in applying the general presumption in favour of sustainable development, specific policies in the Framework indicate that development should be restricted, for example, policies relating to National Parks.

Paragraph 115 of the NPPF confirms the highest status of protection in relation to landscape and scenic beauty, reflecting primary legislation. The Framework also gives great weight to considerations for the conservation of wildlife and cultural heritage.

For minerals, and specifically building stone, the NPPF (paragraph 144) states that when determining planning applications local planning authorities should:

'Give great weight to the benefits of the mineral extraction, including to the economy; as far as is practical, provide for the maintenance of land-banks of non-energy minerals from outside National Parks; ensure no unacceptable adverse impacts on the natural and historic environment, human health, and take into account the cumulative effect of multiple impacts from individual sites and/or from a number of sites in a locality; ensure that any unavoidable noise, dust and particle emissions and any blasting vibrations are controlled, mitigated or removed at source, and establish appropriate noise limits for extraction in proximity to noise sensitive properties; provide for restoration and aftercare at the earliest opportunity to be carried out to high environmental standards; consider how to meet any demand for small-scale extraction of building stone at, or close to, relic quarries needed for the repair of heritage assets, taking account of the need to protect designated sites; and recognise the small-scale nature and impact of building and roofing stone quarries, and the need for a flexible approach

to the potentially long duration of planning permissions reflecting the intermittent or low rate of working at many sites.'

Assessment

Applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise (s.38 (6) of the Planning and Compulsory Purchase Act 2004). The proposal constitutes mineral development which, in terms of the definitions provided in the Development Management Procedure Order (2010), falls under the category of 'major development'.

The Core Strategy general spatial policies provide overarching principles for spatial planning in the National Park. They relate closely to the delivery of National Park purposes to ensure that the valued characteristics and landscape character of the area are protected. Section E of policy GSP1 states that, in securing national park purposes, major development should not take place within the National Park other than in exceptional circumstances. It goes on to state that major development will only be permitted following rigorous consideration of the criteria in national policy, and that where such a proposal can demonstrate a significant net benefit, every effort to mitigate potential localised harm and compensate for any residual harm would be expected to be secured.

The criteria in national policy as referred to in policy GSP1 are contained in paragraph 116 of the NPPF. That paragraph re-states that planning permission should be refused for major developments in designated areas except in exceptional circumstances and where it can be demonstrated they are in the public interest. Consideration of such applications should include an assessment of:

- The need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it upon the local economy (NEED);
- The cost of and scope for developing elsewhere outside the designated area or meeting the need for it in some other way (ALTERNATIVES);
- Any detrimental effect on the environment, the landscape and recreational opportunities and the extent to which that could be moderated (EFFECTS ON ENVIRONMENT).

In support of CS policy GSP1, policy MIN1(A) states that proposals for new mineral extraction or extensions to existing mineral operations will not be permitted other than in exceptional circumstances in accordance with the criteria set out in National Planning Policy – however, this policy excludes local small-scale building stone proposals which are covered by MIN3.

In assessing whether this application falls within the scope of a 'small-scale' building stone proposal, reference is made to other limestone building stone operations in the National Park in terms of the area, duration, intensity of the development and the resultant annual/total output. The proposal seeks an annual output of tonnes 2,500 over a 27 year period. The equivalent figure for Hazelbadge Quarry is 1,500 tonnes per year, although no working has taken place in recent years at this site. There has been an occasional supply of some limestone for building stone uses from some other limestone quarries but on limited basis. In taking such factors into account, it is considered that this proposal sits within the scope of 'small scale' and therefore falls to be considered against policy MIN3 rather than MIN 1 (A). Nevertheless, because the proposal is by definition, 'major development' it needs to be assessed against the exceptional circumstances and public interest tests in GSP1 and paragraph 116 of the NPPF.

The requirements of policy MIN3 overlap to a large extent with the overarching policies of GSP1 and the exceptional circumstances test set out in the NPPF for major developments in National

Parks. The policy states that proposals will only be permitted for small-scale working of building and roofing stone where:

- (i) they meet a demonstrable need within the National Park, which cannot be satisfied from existing permissions inside or outside the National Park;
- (ii) they will be confined to local use only on buildings and structures within the National Park; and
- (iii) the individual and cumulative impacts of working on the environment, amenity and communities can be appropriately mitigated.

In respect of point (i), the policy states that any proposal should be supported by demonstrable evidence which proves that alternative sources of supply are not and cannot be made available.

In considering the above policies, the three key areas of Need, Alternatives and Effect on the Environment are now considered in more detail, in conjunction with an assessment as to whether exceptional circumstances exist to permit the development. Additionally, conformity with other relevant detailed Development Plan policies is included in the assessment, alongside national policies set out in the NPPF. This is undertaken with consideration given to the overriding requirement in policy GSP1 that major development will only be permitted following rigorous consideration of the criteria in national policy.

NEED FOR THE DEVELOPMENT

In their submission the applicant has presented a case of need to address this particular requirement.

Geology

The Applicant considers that the geology of Once a Week Quarry is unique. Once a Week Quarry works a Carboniferous Limestone deposit – specifically the Eyam Limestone formation (Knoll Reef). This deposit is extremely limited in geographical extent. The British geological Survey website confirms that the deposit is limited only to the Peak District and describes it as a thinly bedded, dark grey, cherty, bio-clastic limestone with fossiliferous beds...which is overlain by massive pale reef limestone. The Applicant has submitted supporting geological evidence which demonstrates that the deposit is limited to the Peak District within the vicinity of Monyash.

The submission confirms that there are no other quarries either within the Park that can produce the same products. Their submission refers to the Strategic Stone Study undertaken by English Heritage and BGS which identifies all quarries that are producing or have produced building stone throughout the country. The study confirms that Once a Week quarry is the only operational quarry working the Eyam Limestone.

Building Tradition & Restoration

The ES sets out that there is a need to use stone which will restore and conserve listed and historic buildings of historic and architectural importance, which have experienced a deterioration of stonework and masonry features on account of weathering over time. The use of locally-derived stone is an important aspect of the architectural quality and character of many of the buildings and structures in the Park.

The Applicant has confirmed that the stone will be used for the repair of old buildings since its unique properties and colour are typical of the buildings found within the White Peak. This statement is also supported by the Built Environment Team and Landscape Architect within the Peak District National Park Authority, who have confirmed that there is a critical need within the National Park for dimensional limestone for repairs to existing buildings and for new building.

This is supported by policy within the Peak District National Park's Design Guide 4 – Materials states:

'New buildings should ideally be constructed from the same palette of materials used traditionally in the area. This means for the most part, natural stone for walling and slate or tile for roofs...The two predominant types of building stone in the peak District are Millstone Grit (a buff or pink, large-grained sandstone) and Carboniferous Limestone (a grey, hard fossil rich stone).'

Notwithstanding the tests for major developments in National Parks, paragraph 144 of the NPPF requires local planning authorities to consider how to meet demand for small-scale extraction of building stone at, or close to, relic quarries needed for the repair of heritage assets and expects such authorities to recognise the small-scale nature and impact of building [and roofing] stone quarries, and the need to adopt a flexible approach to the potentially long duration of planning permissions reflecting the intermittent or low rate of working at many sites. The application for Once a Week falls generally within this description and therefore, the Authority is required to pay particular attention to the small-scale nature of the development proposal in making its determination.

In respect of the second strand of CS policy MIN 3, which requires that the stone be confined to local use only on buildings and structures within the National Park, the Applicant has requested that an exception is made. They consider that the volumes that would go outside the Park are insignificant, typically less than 750 tonnes per annum, and approximately 93% of such material would be destined for locations within 5km of the Park boundary. The Applicant considers that *'the sale of very small quantities of higher value products into the wider market are critical to the continued viability of the business'*. *'Closure of the site would be detrimental to Park policies regarding Conservation and maintenance of the built environment and climate change and would lead to the loss of traditional stone cutting skills.'*

They have requested that small volumes of material be allowed outside the National Park. This will be used in the wider locality and decorative stone to be used further afield, whilst ensuring that at least 70% of material will be sold within the National Park.

Given that there is a real need for the stone within the Park, and that the applicant has made a commercial case, a material consideration is considered to exist. Planning conditions are proposed which will ensure that no more than 750 tonnes per annum of stone product shall be removed from the site where delivery addresses are outside the Peak District National Park boundary (this is typically around 30% of annual output). The Authority will also have the right to inspect delivery notes. In addition, a condition restriction to ensure none of the stone is extracted for primary aggregate purposes also provides assurance and there is consistency with policy MIN1.

In addition to these conditions, a unilateral Section 106 obligation will be sought from the Applicant to secure the restriction the use of the stone extracted solely for dimensional stone purposes, up to a maximum of 750 tonnes per annum of the stone is used annually outside the Park. Taking into account the aforementioned material consideration, this will ensure compliance with policy MIN3 (C) and provide a "belt and braces" approach to securing the successful implementation of the policy.

ALTERNATIVES

The second criteria to be assessed is whether other alternative sites exist that could provide such stone, or whether the need could be met in some other way, including an appraisal of the cost of, and scope for, developing elsewhere. The Applicant has provided further information in the assessment of whether there are alternative sites outside of the Park that could provide such stone. The 2008 Derbyshire County Council list of stone quarries identifies 23 quarries located in the local area and provides details of the colour, texture and type and geological classification of

products from these quarries. It states that all of the quarries on this list produce sandstone and are typically a buff colour which is not in keeping with traditional buildings in much of the Park, particularly the High Peak. Quarries outside of the Park are Millstone Grit not Carboniferous Limestone.

The 2014 Quarries Directory identifies limestone or dimensional stone quarries operating in Derbyshire and they have been discounted because they either do not produce dimension stone or the colour is unsuitable. The assessment confirms that the particular characteristics of limestone that has traditionally been used in buildings within the Park is that is naturally bedded and square ended and capable of being laid either as 'coursed' or 'uncoursed' (random blocks). This is the result of the geology of the deposit where heights between various beds of stone are naturally of a depth that allows them to be used in building applications without the need for cutting. As a result this stone produces a very distinctive style of building and Once a Week quarry is currently the only source of this stone. The stone has been used in renovation and the extension of existing buildings within the National Park.

The ES also considers alternatives to the scheme as required by the EIA Regulations 2011. The ES confirms that the site is already an established quarry within the local environment and is well screened and an established barely noticeable feature in the local environment. The site benefits from a good relationship with the local community and rarely receives complaints regarding its activities. There are established markets predominantly within the National Park boundary and to a very limited degree beyond for certain products.

Geological Constraints

The supporting information submitted with the application confirms that in the immediate vicinity of the quarry the geological deposits do not extend much beyond the eastern boundary of the proposed extension area. Planning permission for an area to the north west of the existing quarry was granted previously, but has never been worked because the stone quality deteriorates in that direction. Land to the east and south east drops away dramatically. The rock has been naturally eroded over time with the result that the surface beds no longer exist. Cross sections which accompanied the application show the stone decreasing in thickness whilst the clay overburden increases. This area is also much more exposed and therefore difficult to screen. The geological beds are visible in the quarry face and have been proven by core drilling. It is the only direction in which the quarry can be extended. Cross sections confirm that the deposit also runs out towards the west leaving a southern extension as the only viable option.

In taking all the above factors into account, it is considered that there are exceptional circumstances and material considerations to permit the proposal in terms of need and alternatives, subject to being able to adequately control any adverse effects on the environment. In terms of policy MIN3, the small-scale nature of the proposal does meet a demonstrable need within the National Park, which cannot be satisfied from existing permissions inside or outside the National Park. Additionally, the use of the stone would be mostly confined to local use only on buildings and structures within the National Park, therefore the proposal is in line with this policy, subject to the individual and cumulative impacts of working on the environment, amenity and communities being appropriately mitigated.

EFFECTS ON THE ENVIRONMENT, LANDSCAPE AND RECREATIONAL OPPORTUNITIES

Having assessed need and alternatives, the third strand of the NPPF and GSP1 major development test is an assessment of any detrimental effects on the environment, the landscape and recreational opportunities, and the extent to which those effects could be moderated. This ties in with the assessment of the development against policy MIN3 (part iii) which states that the Authority will only permit small scale working of building and roofing stone where the individual and cumulative impacts of working on the environment, amenity and community can be

appropriately mitigated. There are several areas to be considered in terms of environmental impact, which are set out below.

Biodiversity and Ecology

Hay Meadow

The proposed quarry extension would result in the loss of part of a hay meadow which is currently used for grazing. This type of land is considered to be valuable habitat and is a UK and Peak District National Park BAP species. The hay meadow and pastures in the vicinity of the proposed development site are known to support breeding skylarks. Mitigation would be required in the form of similar replacement habitat. It is proposed to translocate the area of hay meadow that would be lost to a prepared area within the existing quarry.

The ES has demonstrated that potentially there may be significant impact arising from the development on biodiversity and ecology, specifically the loss of hay meadow habitat. There has been objection made by the Authority's Ecologist and Property Officer. In summary, they consider that the proposed extension involves the destruction of a flower-rich traditionally managed hay meadow which is of national Biodiversity Action Plan quality and which they judge meets the criteria for SSSI designation. The translocation process is viewed as damaging and not an acceptable means of mitigation or compensation. The proposals are not considered to be in accordance with planning policy.

In respect of assessing the proposals against planning policy, Core Strategy policy GSP1 indicates that every effort to mitigate potential localised harm and compensate for any residual harm to the areas valued characteristics would be expected to be secured. Core Strategy policy L2 seeks to conserve and enhance any sites, features or species of biodiversity or geo-diversity importance and, where appropriate, their setting. Other than in exceptional circumstances, development will not be permitted where it is likely to have an adverse impact on sites of biodiversity or geo-diversity importance. Similarly, saved policy LM1 of the Local Plan states that mineral development will not be permitted unless adverse impacts on the valued characteristics and amenity of the area can be reduced to the minimum practicable level, or eliminated, and the development is acceptable given the need to conserve and enhance the National Park.

Local Plan policy LC17 seeks to protect sites, features or species of wildlife importance and policy LC19 requires scientific assessment of the nature conservation importance of sites not subject to statutory designation based on specified criteria including diversity, richness, rarity and irreplaceability. MIN3 (part iii) only permits small scale working of building and roofing stone where the individual and cumulative impacts of working on the environment, amenity and community can be appropriately mitigated.

At the national level, the NPPF says that the conservation of wildlife is an important consideration and should be given great weight in National Parks. It states that the planning system should contribute to and enhance the natural and local environment by (inter alia) minimising impacts on biodiversity and providing net gains in biodiversity where possible. Accepting that exceptional circumstances has been demonstrated, consideration therefore needs to be given as to whether the development is **likely** to have an **adverse impact** on the hay meadow and that every effort is taken to conserve, mitigate and enhance against harm.

Whilst avoidance of loss of the hay meadow would be preferred, this option has been discounted by the Applicant. The alternatives to this scheme have been fully considered and discounted and exceptional circumstances demonstrated.

The hay meadow habitat would be translocated in an attempt to retain and preserve the habitat and ensure that there is no net loss. Whilst it is acknowledged that the process is uncertain,

there has been considerable information submitted to ensure that the process is undertaken to ensure that the translocation has a good chance of success and to ensure that there will be safeguards in place.

The soils report supporting the planning application confirms that there is soil compatibility between the receptor and the donor area. It appears that the impact can be controlled and/or reduced to a large degree through the implementation of mitigation. A further detailed method statement can be submitted as part of a suite of pre-commencement conditions, to be approved by the Authority prior to any development taking place on the site. The Authority can ensure that the translocation works are undertaken by a specialist contractor authorised by the Authority. Aftercare of the hay meadow will begin immediately after translocation Phase 1 and 2 have been removed to the receptor site and shall continue for a period of 10 years after turf translocation has been completed.

Whilst the translocation process may not be ideal, with on-site conservation always being the preferred option, it is an attempt to retain and preserve the value of the habitat. This must be weighed against the fact that the proposal provides a benefit to the Park in that it will meet a much needed local demand for stone.

As outlined within NPPF, flexibility should be accorded to projects where there is a local need for the stone and this is very much a small scale local operation. The information provided demonstrates that the Applicant is trying to mitigate the impact to the habitat through translocation and also provide enhancement to the Park, although this is over a longer period. It should be recognised that the area of hay meadow affected represents only a small proportion of the hay meadows owned by the Authority. The Applicant has provided information which demonstrates that they have considered all alternatives to the scheme.

The impact can be controlled and/or reduced to a large degree through the implementation of a number of mitigation measures. Should the first phase of translocation prove unsuccessful, then quarrying shall not continue to the 3rd phase. A Method Statement has been submitted as part of the application details. This has been assessed by the Derbyshire Wildlife Trust who has made no adverse comment. Comments raised by the Authority's Ecologist in relation to the translocation have been addressed, where possible, through post application submission discussions with the Applicant.

Compensation - Enhancement of Existing Hay meadow

The Authority's Ecologist has requested that there is ecological compensation should Members be minded to approve the application. The Applicant has submitted a signed unilateral undertaking which provides for a financial contribution of £3,200 plus VAT to enable the enhancement of three existing meadows which are owned and managed by the Authority at Royston Grange. It should be noted that this compensation has been provided by the Applicant directly to overcome the objections made by the Authorities Ecologist. The proposal has been assessed on its planning merits, without consideration of this contribution.

Breeding Birds

The loss of the hay meadow will mean the loss of the habitat for species such as curlew and skylark (both known from the site). The provision of hay meadow creation in the plans for the quarry will replace habitat to be lost. This will include hay meadow translocation. The ES confirms that the replacement grassland habitat as part of the mitigation proposals will ensure breeding habitat is maintained for this species.

Bats

The quarry faces have some potential for bat roosts (those in the south west which have not been worked for some time) will not be affected by the extension works. Therefore, if any bat roosts are present in the quarry faces it is unlikely they will be affected by the proposed extension given that the proposed works represent similar activities that have been carried out on

site for many years. In addition, there will be little loss of foraging and commuting habitat. Therefore, no further mitigation has been advised.

Reptiles

The ES confirmed that there was potential for hibernation sites locally, particularly within the woodland and in the waste rock and soil mounds around the western section of the site. There were no records of reptiles in the area.

Great Crested Newts

The ES confirms the presence of great crested newts within proximity to the works and that an EPS mitigation licence will be required across the site. It confirms that no breeding ponds will be directly affected by the proposed works and it is likely that only a small amount of terrestrial habitat will be lost as part of the works. A method statement will be prepared as part of the licensing agreement with Natural England and this will be conditioned.

Amphibians

The ES confirms that the pond on site and others found locally offer potential for amphibians such as newts and toads to be present. The retention of this pond will be required through planning condition.

The Environmental information submitted demonstrates that whilst there will be significant impacts arising from the development on biodiversity and ecology, those impacts can be controlled and reduced through the implementation of a number of mitigation measures. Whilst the proposed impact upon the hay meadow has attracted objection from the Authority's Ecologist and Property Manager, there has been no objection from Natural England, and the issues raised by the Authority's Ecologist have been addressed by the Applicant as far as possible.

CS policy GSP2 states that opportunities should be taken to enhance the valued characteristics of the National Park. The policy goes on to state that proposals intended to enhance the National Park will need to demonstrate that they offer significant overall benefit to natural beauty, wildlife and cultural heritage of the area. The restoration of the quarry to calcareous grassland is a targeted measure included within the Peak District Biodiversity Action Plan habitat and will deliver some biodiversity gain, albeit it will be when the quarry ceases in ecological works already proposed, but with the intention of delivering some biodiversity 'gain' over and above those measures which are necessary solely to address the impacts of the development. The inclusion of this plan would also be in line with the NPPF policy (paragraph 118). This requires that local planning authorities, in determining applications, should seek to encourage opportunities to incorporate biodiversity in and around developments, and would therefore also address the advisory comment made by Natural England about biodiversity enhancement.

It is considered that the proposal is in accordance with policies MIN3, L2, LM1, LC17 and LC19 and is consistent with the policy direction at national level concerning wildlife conservation.

Blasting and vibration

Since the stone proposed to be extracted from the quarry is destined primarily for use in a heritage and local vernacular projects, it needs to be carefully extracted from the quarry face. No blasting is proposed. The proposed method of working is for stone to be carefully extracted by removing blocks which are defined by joints and bedding planes. Where such blocks are too large to handle, it may be necessary to split them using a plug and feather technique but this will not compromise the structural integrity of the stone.

It is therefore concluded that the proposal will not give rise to any vibration effects resulting from blasting operations and so will be in conformity with the environmental protection policies contained in LM1, MIN3 and the relevant paragraph in the NPPF which seeks to ensure that any unavoidable blasting vibrations are controlled, mitigated or removed at source.

Landscape and Visual Impact

The NPPF (paragraph 115) gives the National Park the highest status of landscape protection. LDF Policy L1 stipulates development must conserve and enhance values character identified in the LSAP. Policy L2 seeks to conserve and enhance sites biodiversity and geo-diversity importance. Policy MIN1 indicates that restoration schemes should focus on nature conservation afteruses and should include a combination of wildlife and landscape enhancement, recreation and recognition of cultural heritage and industrial archaeological features.

The quarry is set within an agricultural landscape with an area of woodland to the north and north east. Drystone walling field boundaries define the site perimeter and the immediate surrounding area.

The effects of the development on landscape features, landscape character, views from roads, properties and monuments has been assessed as part of the ES in a Landscape and Visual Impact Assessment (LVIA) and a supplementary LVIA report (July 2012). The LVIA acknowledges that the development proposals are of a reasonably large scale and that the operational phases, especially the initial phasing and lateral progression will be more visually intrusive. The quarrying process, removal of existing vegetation, vehicle movements and changes in topography brought about by soil storage all have the potential to cause adverse impact.

The Landscape and Visual Assessment confirms that the significance of the effect of the proposed quarry upon the site and site landscape features is assessed as negligible. A proportion of quarry waste will need to be placed above ground level within the quarry extension, covering an area of approximately 0.15ha. The storage area will be built to an elevation of 317 m AOD, varying in height from 1.5 to 2.5 m. The outer faces will be dressed with soils in order to establish grass cover during the operational life of the site. However the majority of the quarry waste materials will be stored below ground level within the quarry for future restoration.

The small scale of the quarry development, the nature of activities involved and the location of the site will all minimise significance of effect upon the broader landscape character area to negligible. The proposed development would have no effect upon any designated landscapes, conservation areas, listed buildings or local scheduled monuments.

Taking the assessment into consideration overall the landscaping impact is considered to be small and the proposed development can be controlled to minimize the effects on the characteristics and amenity of the area, in terms of landscape impact. The proposal has not attracted objection from the Authority's Landscape Officer. The proposal is in accord with policies L1, MIN1, LM1 and the relevant landscape and restoration policies of the NPPF.

Countryside Access and Recreation Impact Assessment

The LDF Core Strategy (chapter 10) supports recreation and sustainable access and development should not prejudice the informal quiet enjoyment of the National Park (Policy RT1). There is an informal path which runs across the paddock which lies to the north of the quarry. It is considered that this can be re-routed along the rear boundary of the paddock. The details can be agreed by planning condition.

The 'Monyash Round' is a circular walk from Monyash on the public footpaths which run through fields to the east and west of the site. The footpath to the west is 200 metres away from the site at its closest point whilst the footpath to the east is 325m away. The existing quarry storage area is visible from the western footpath but local topography prevents views from the east. There will be views of the surface operations such as the construction of tip T2. However, these operations will be short in duration and similar to agricultural operations. They have been assessed by the Applicant as of moderate impact.

The Authority's Landscape Officer has no objections to the scheme and is satisfied that the impacts have been assessed and are not significant. The proposal is considered to be in accord with policy RT1, MIN 3 and LM1.

Traffic

No more than 10 lorry movements are proposed to take place per day at the site, with the average figure being considerably less. The lorries will travel along the Flagg Road which is a readily accessible link to the B5055, leading to the A515 or the A6. There have been no complaints over lorry movements associated with the most recent past mineral working at the site. As such the lorry traffic associated with the proposed development would have limited impacts on the environment and amenity of the area.

The Highway Authority has raised no objections to the proposed development but, due to the condition of the vehicular access and the proposed duration of the development, has recommended improvements be made to the vehicular access prior to any quarrying operations.

Core Strategy policy T1 seeks to conserve and enhance the National Park's valued characteristics in a number of ways, including minimising impacts of traffic within environmentally sensitive locations. Policy T4 specifically relates to freight traffic, stating that facilities should be related to the needs to the National Park-based businesses and should be located to avoid harm to the valued characteristics of the National Park or compromise to the routes which are subject to weight restriction orders.

In assessing the proposals put forward, it is considered that the development proposal does not conflict with Development Plan policies T1 and T4. Local Plan policy LT9 states that, depending on the nature of the business, planning permission may be given to business subject to an agreement about the size of vehicles to be used. The development proposal accords with this policy as there is already consensus on the size of vehicles to be used to transport stone from the site. It is considered that the access, vehicular access improvements, lorry types and numbers can be covered by conditions. Consequently the proposal is considered to be in accordance with policies MIN3 T1, T4 and LT9

Noise

The Environmental Statement confirms that no blasting is undertaken at the quarry. It is worked by traditional methods involving minimal mobile plant and machinery. Sawing is undertaken in the on-site saw shed. There have been no historic problems with neighbours regarding noise.

The nearest residential properties to the site are Nursery Fields Farm, 620 metres to the southwest of the application site, Barker Fields Farm, 885 metres to the southeast and Red House, 1120m to the south east, and Johnson Lane Farm, 1160 metres to the east north east.

The very low output of the site combined with the proposed phasing of working means that the occasions when mobile plant will be operating on the surface will be minimal. Furthermore the proposed hay meadow translocation will be undertaken by specialist turf lifting equipment which more resembles agricultural machinery than heavy mobile quarry plant.

The Environmental Health Officer has been consulted on the proposals and has confirmed that there is no objection to the proposals and that noise can be dealt with by planning condition. This has previously been the case with previous permissions related to the site.

With regard to the third strand of policy MIN3 relating to the control of environmental effects, and Local Plan saved policy LM1 (requiring consideration of the risk and impact of potential pollution affecting the use of land, including noise, dust, vibration and fumes), it is considered that noise levels from the proposed development will not be above acceptable limits and measures can be imposed through conditions to allow control over noise impacts arising from the development. Such conditions can cover noise emission levels, restriction of reversing beepers and hours of

operation. In view of these safeguards the proposal is considered to be in accordance with policy MIN3 and LM1. The NPPF Technical Guidance requires that MPAs should ensure that unavoidable noise emissions are controlled, mitigated or removed at source, and establish appropriate noise limits for extraction in proximity to noise sensitive properties. Again, given the low level nature of the activities proposed and the imposition of appropriate conditions on the grant of permission, the proposal is considered acceptable in this respect.

It is considered that the noise limit of 45 dB LAeq (1hr) free field, previously set out in the mineral permissions at the site are added as a condition to the new permission. Consequently the proposal is considered to be in accord with policy MIN 3 and LM1.

Dust

The NPPF (paragraph 143) and Local Plan Policy LM1 seek to ensure that operations do not have unacceptable adverse impacts from dust on the natural and historic environment or human health.

The method of working at the quarry employs traditional techniques of splitting the rock rather than the use of blasting. No crushing or screening takes place and there is the occasional use of mobile plant. There are therefore far fewer dust sources than in larger quarrying operations and very little to generate fine dust particles.

The effects of dust can be appropriately mitigated and therefore the development is in accordance with policy LM1.

Hydrology

The NPPF (para.103) and LDF Policy CC5 both require that flood risk is not increased elsewhere by development proposals. The potential impacts of the development on the water environment have been assessed as part of the application.

The potential impacts of the development on the water environment have been assessed as part of the application. With the exception of the pond there are no surface water features in the existing quarry, the proposed extension area or the immediate vicinity of the site. Surface water falling into the quarry currently soaks away naturally through the existing quarry floor or the small pond located within the existing quarry void. Surface water falling in proposed quarry extension will be managed in the same way. All the excavations proposed within the excavation area are above the natural water table level. No de-watering of the proposed quarry excavations is therefore required.

The Environment Agency has raised no objection to the proposed quarry extension subject to imposition of certain planning conditions. The proposal is therefore considered to be in conformity with the Core Strategy policies CC1, CC5 and MIN3. Similarly, it is in line with Local Plan policy LM1 where in respect to minerals development 'Particular attention will be paid to the following and planning conditions will be imposed as appropriate where: (vii) harm to surface and groundwater resources. The hydrological and hydrogeological aspects of the development proposal will not result in harm and therefore fit with policies MIN3, CC5 and LM1.

Archaeology

The NPPF identifies cultural heritage assets including those most at risk as an irreplaceable resource and that their conservation in a manner appropriate to their significance should be given great weight in National Parks. The LDF paragraph 9.40 promotes consideration of qualities and local distinctiveness of the historic environment and how these contribute to the spatial vision, and seeks to conserve heritage assets most at risk.

The ES confirms that there are no Scheduled Monuments, Conservation Areas or Listed Buildings within the site or in the immediate vicinity of the site. The closest Conservation Areas and Listed Buildings are outside the Zone of Theoretical Visibility for the site, in excess of 1.5km away. The

ES confirms that there is potentially an old mine shaft in the extension area. This feature has been excluded from the proposed extraction area and will therefore be preserved in situ.

A lead mining feature which constitutes an area of lumpy ground located at the southern boundary of the extension area has been excluded from the operations and a condition will ensure that this feature is retained. Where practicable drystone walls will be reinstated following restoration or alternatively the stone will be used to reinforce existing boundaries and this will be conditioned accordingly.

Core Strategy policy L3 seeks to ensure that development conserves and, where appropriate, enhances or reveals the significance of archaeological, architectural, artistic or historic assets and their settings, including statutory designations. Development will not be permitted, other than in exceptional circumstances, where it is likely to cause harm to the significance of any such asset. Policy L1 relates to landscape character, and includes the history and archaeology of the area and the historic buildings and registered parks and gardens as key aspects of the overall landscape character of an area. The policy states that development must conserve and enhance valued landscape character.

The Authority's Archaeologist is satisfied with the proposals subject to the imposition of a series of conditions, the main one of which would be the requirement to submit (for prior approval) a programme of archaeological work including a Written Scheme of Investigation. In summary, the proposals do not conflict with the specific policies of the Development Plan.

Cumulative effects

The NPPF (para 143) requires account to be taken of the cumulative effects of multiple impacts from individual mineral sites and/or a number of sites in the locality. CS policy MI3 and Local Plan LM1 also require an assessment of the cumulative impacts of operations. Examination of the public register establishes that there were no development proposals with planning permission in the wider which would lead to the proposed development having an unacceptable cumulative impact.

Employment and Local Economy

Policy is clear that where there are conflicting desired outcomes in achieving national park purposes priority must be given to the conservation of the natural beauty, wildlife and cultural heritage of the Park over socio-economic benefits. The Core Strategy (paragraph 4.28) states "the challenge is to manage down the adverse environmental impacts of the (minerals) industry respecting the fact that it provides jobs and building materials that are valuable locally and nationally". The 2011 National Parks Census identifies 185 residents employed in Mining and Quarrying (1% of all employment) in the Park District National Park, the second highest number and second highest percentage of residents employed in this sector out of the 13 England & Wales National Parks.

Once a Week Quarry makes a contribution to the local economy. The quarry provides employment for 5 people from the local area who spend their income locally. A stone cutting business located in Rowsley is also supported by the quarry and this employs a further 7 people. The companies also subcontract 3 fitters and regularly use a further 5 contracting companies. From letters of support received in respect of the proposed extension most employees live in local villages and Derbyshire towns. The ES confirms that the site provides skilled, well paid employment to local people who spend their income in the towns and villages in the area. These factors should be taken into account in determining this application, but do not, in themselves, justify an approval.

The site makes a significant contribution to the supply of locally sourced building stone within the Park. These materials are essential to the development and maintenance of the built environment. Due to the costs of transportation, it is preferable to extract materials from a quarry local to the site of works. In addition to reducing costs of manufacture, this proximity benefits the

local economy by improving the availability, quality and visual appropriateness of the materials being used, as well as reducing the type of materials used in the local housing and other construction projects.

The Applicant is proposing to translocate the hay meadow affected by the extension proposals. This will be undertaken in two stages. They have confirmed that they will employ the services of specialist ecologists to oversee and project manage the translocation and these details can be conditioned accordingly. In addition, a ten year aftercare will commence once each stage of the translocation process has been complete. Upon the cessation of mineral extraction the quarry floor will be allowed to naturally regenerate to limestone grassland. There will be variation in levels of the floor created and a pond and new habitat will be created.

Quarry Restoration, Aftercare and Enhancement

The quarry restoration proposals are considered acceptable having regard to Policy MIN1 of the Core Strategy which sets out criteria for the restoration and after-use of minerals development. Restoration of all minerals and waste development is expected to contribute to the general spatial outcomes of the plan. These outcomes are expected to focus on amenity (nature conservation) after uses rather than agriculture or forestry.

Conditions are proposed which require an ecological management plan and aftercare programme to secure the proposed restoration and its management for a period of five years. A further condition requires the applicant to submit an aftercare management plan every year during the aftercare period.

The site is considered to be of significant geological interest and in the past has been used to interpret geology to the public. Opportunities will be sought for access to the quarry as the quarrying, restoration and aftercare progresses for the provision of information and interpretation features. In addition, topographical quarry variation and relocation of the proposed pond will be sought in the approved restoration proposals. These will be secured through the imposition of planning conditions.

The proposal is considered to be in accord with policies GSP2, MIN1, MIN3 and LM1.

Translocated Hay Meadow Aftercare

Aftercare of the hay meadow will begin immediately after areas Phase 1 and 2 have been moved to the receptor site, and shall continue for a period of at least 10 years after turves from phase 3 have been placed on the receptor site.

Section 106 considerations

If Members wish to approve the application, there is a number of additional material planning considerations which are required to be secured by a section 106 obligation as required by policy MIN3 (C). The legal agreement would be required to cover the following:

- Restriction on the primary use of the stone solely for dimensional stone purposes.
- Restricting the amount of stone to no more than 750 tonnes per annum of stone product where delivery addresses are outside the National Park.

Government guidance is a material consideration in determining planning applications. Planning obligations can mitigate the impact of unacceptable development to make it acceptable in planning terms. Obligations should meet the tests that they are necessary to make the development acceptable in planning terms, directly related to the development, and fairly and reasonably related in scale and kind. These tests are set out as statutory tests in the Community Infrastructure Levy Regulations 2010 and as policy tests in the National Planning Policy Framework (superseding Circular 05/2005). The 2010 regulations state:

“A planning obligation may only constitute a reason for granting planning permission for the development if the obligation is—

- (a) necessary to make the development acceptable in planning terms;*
- (b) directly related to the development; and*
- (c) fairly and reasonably related in scale and kind to the development”.*

The unilateral S106 obligation would provide the Authority with an assurance that any stone won from the quarry is used for specific purposes. With the material consideration of allowing up to 750 tonnes per annum of the stone to be used outside the Park, this agreement would ensure compatibility with the requirement to ensure that the majority of the stone will be restricted to local use only on buildings and structures within the National Park, as specified in CS policy MIN3. This restriction is therefore necessary to make the development acceptable in policy terms, directly related to the development, fairly and reasonable in all respects. It is therefore considered consistent with the guidance on section 106 obligations and conditions.

Conclusion

The proposal is considered to be major development. The policy direction in the Core Strategy and the National Planning Policy Framework (NPPF) states that major development should not take place within National Parks other than in exceptional circumstances, and where it can be demonstrated that it is in the public interest. In this case, exceptional circumstances have been demonstrated to support the development within the National Park, and it is clear that the proposal would provide benefits and would contribute to the achievement of sustainable development objectives, predominantly in the National Park, through provision of heritage conservation, creating a high quality built environment, use of natural resources prudently and helping to improve the biodiversity.

The NPPF also requires local planning authorities to give great weight to the benefits of mineral extraction, including to the economy. Specific reference is made to building stone and the need to consider how to meet any demand for small-scale extraction of building stone at, or close to, relic quarries needed for the repair of heritage assets, taking account of the need to protect designated sites. Similarly the NPPF requires Mineral Planning Authorities to recognise the small-scale nature and impact of building and roofing stone quarries, and the need for a flexible approach to the potentially long duration of planning permissions reflecting the intermittent or low rate of working at many sites.

The proposed working is considered to be small in scale. It is considered to be in the national and local interest to undertake the proposed development to maintain the historic and heritage environment of the Peak District National Park.

In assessing the primary end use of the stone to be extracted, it is considered that the proposal would have a substantial positive impact in enabling the restoration and new build work on properties and structures within the National Park. The proposal therefore complies with the end use requirement specified in Core Strategy policy MIN3.

Core Strategy policies seek to conserve and enhance any sites, features or species of biodiversity or geo-diversity importance and, where appropriate, their setting. Other than in exceptional circumstances, development will not be permitted where it is considered to have an adverse impact on sites of biodiversity or geodiversity importance.

Consideration has been given as to whether the development is **likely** to have an **adverse impact** on the hay meadow. The ES has confirmed that potentially there may be significant impact arising from the development on biodiversity and ecology, specifically the loss of hay meadow habitat. However in mitigation, the Applicant is proposing to translocate part of the hay meadow which will be affected.

The detailed information submitted regarding the proposed translocation provides reassurance that that an adverse impact is unlikely. Overall, having regard to the ES and the further information submitted through consultation, it is considered that the proposed operations, in conjunction with the recommended conditions would not likely create an adverse impact sufficient to justify refusal of this application.

The proposed mitigation measures are considered to be sufficient to control those impacts and with provision for 10 years aftercare for the translocated hay meadow and further habitat establishment within the quarry following cessation of mining to calcareous grassland which will enhance the valued characteristics of the National Park.

Subject to the recommended conditions, it is considered that the proposed development would not unacceptably (individually or cumulatively) impact upon the landscape and environment and amenity in terms of landscape character, visual appearance, noise, dust, blasting, lighting, nor on the water environment, archaeology, cultural heritage, ecology, recreation, residential amenity, highways and traffic. The potential loss of part of this block of hay meadow is unfortunate, but this needs to be balanced against the wider benefits of providing a local supply of natural stone and it may be mitigated by translocation, if this is successful.

Overall, it is considered that there are exceptional circumstances specifically the ability to obtain locally produced specialised limestone from this site, sufficient to overcome those policy objections. It is also considered on balance that the proposals are in both the public interest and that of the wider interests of the National Park because of the supply of specialised stone will be made available, thereby helping to maintain the conservation of the built heritage of the National Park. The proposal is not considered to be contrary to the fundamental aims of the Authority to conserve and enhance the National Park.

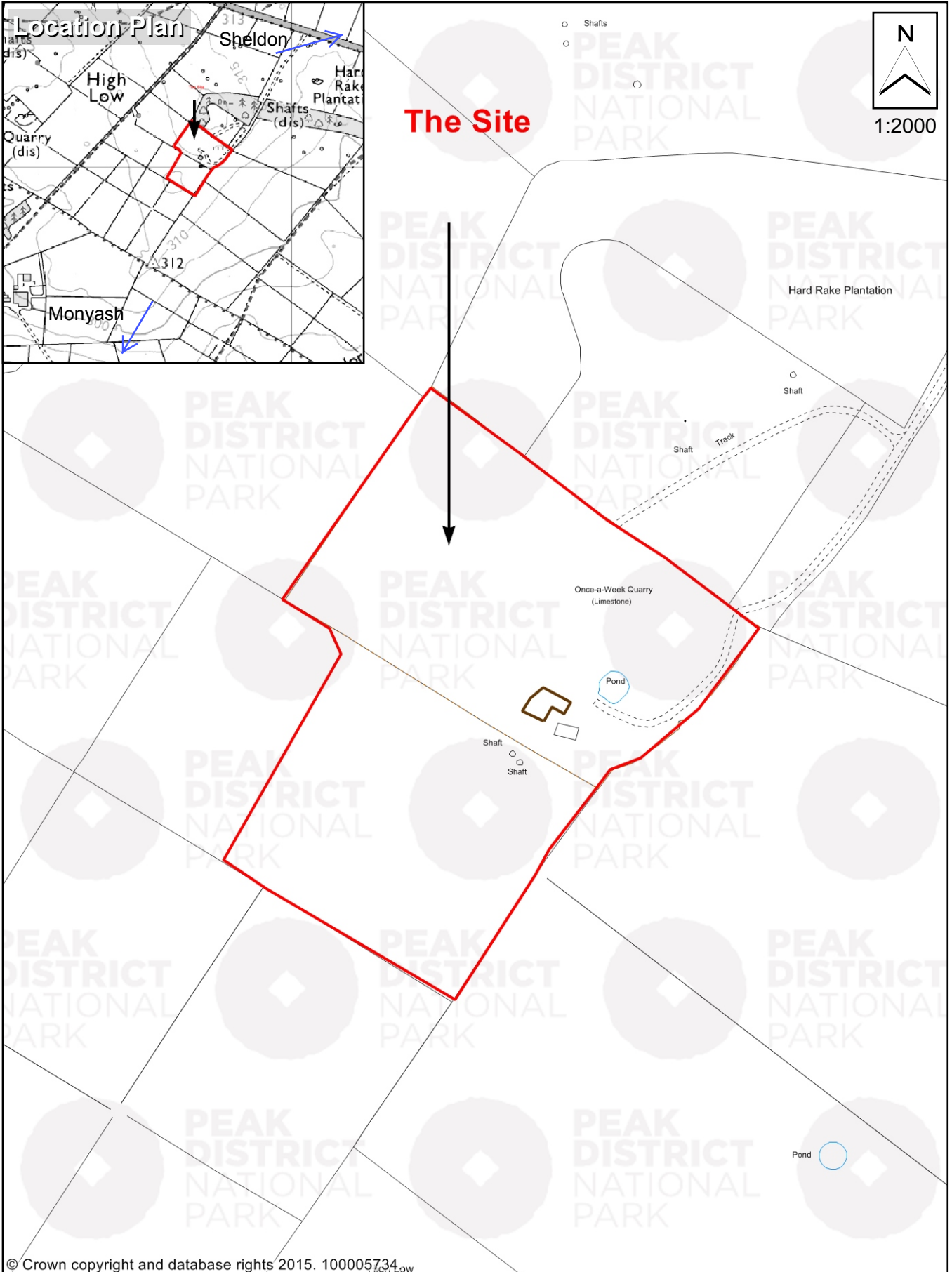
Consequently exceptional circumstances exist to allow the development, which is procedurally major development, but in this instance is small in scale, and there are important material considerations in favour of the proposal such that it is in the public interest to allow the development in accordance with the Core Strategy policies GSP1, GSP2, GSP3, GSP4, DS1, MIN1, MIN3, CC1, CC5, L1, L2, L3, T1, and T4 and Local Plan policies LM1.

Human Rights


Any human rights issues have been considered and addressed in the preparation of this report.

List of background paper (not previously published)

None



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Committee Date:	13/03/2015	Title: Once A Week Quarry Sheldon	 PEAK DISTRICT NATIONAL PARK
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Application No:	NP/DDD/0714/0739		
Grid Reference:	415743, 368009		

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8. FULL APPLICATION - CONVERSION OF THE MILL TO RESIDENTIAL USE. REPAIR AND CONSOLIDATION OF THE SHELL AND INTERIOR INCLUDING, NEW CAST-METAL RAINWATER GOODS, FENESTRATION & JOINERY. RE-ROOF AND TIMBER REPAIRS. PEDESTRIAN BRIDGE TO CONNECT TO THE A6, REINSTATE SMALL ROOF LIGHTS, THE MILL, MILL LANE, ASHFORD IN THE WATER, (NP/DDD/1214/1290, P2524, 419831/369520, 24/12/2014/ALN)

APPLICANT: DR ROBERT GRIFFITHS

Site and Surroundings

The application site, known locally as Ashford Mill, is located approximately 200m to the south east of the main body of the village of Ashford in the Water. The site abuts the northern side of the main A6, east of the junction with the A6020. To the east, a minor road (now a cul-de-sac) leads north from the A6 over Lees Bridge.

The River Wye is located some 38m to the north of the site. A series of leats, created by diverting water from the main river run adjacent to the mill building itself. The south leat, which consists of two channels, runs immediately to the south of the mill building, between it and the A6. The water runs through a series of sluices and weirs and served a former water wheel on the south elevation of the mill. The north leat served a second waterwheel on the north side. As such, the buildings effectively stand on an island between the diverted watercourse and the River Wye.

The mill building is the only building within the red edged application site. The former corn mill is grade II listed and the site is within the Ashford in the Water Conservation Area. Also included in the application site is the land to the east of the mill in the form of two spurs between the three water channels, a hardstanding area to the north of the building and the leats and small areas of intervening land to the west of the mill.

The mill is an L-shaped building that is 1½ storey in height. It is predominantly constructed from locally quarried limestone interspaced with limestone blocks. The roof largely retains its original gritstone slates. At the east end of the south wing is a kiln at ground floor with a drying room above. The mill is redundant, having ceased milling in 1963. It was used as a general farm suppliers until the early 1980s. It is currently used for domestic storage purposes by the applicant who has owned the site since 2008.

Immediately to the north of the mill and also within the applicant's control is a two storey barn. To the north east is a pair of semi-detached houses. The westernmost property, Mill Cottage, is in third party ownership. The easternmost property, the Old Mill House is occupied by the applicant and is grade II listed. Lees Bridge, which is also a grade II listed structure, abuts the eastern side of the application site.

Vehicular access is gained to the mill building along with Old Mill House and Mill Cottage along a shared driveway off the cul-de-sac leading north off the A6.

The whole site falls within the Environment Agency Flood Zone 3, which is land assessed as having a 1% or greater annual probability of fluvial flooding.

Proposals

The application proposes the conversion of the mill building to a single open market dwelling. The dwelling would have two bedrooms and lounge accommodation on the first floor and kitchen/dining room, utility room and storage on the ground floor.

A pedestrian bridge would be constructed across the mill leat to the north of the mill building linking the land immediately adjacent to the mill to the A6. The bridge is intended to provide emergency egress from the building in the event of a flood.

A parking area for up to four vehicles would be provided on the hardstanding to the north of the building.

RECOMMENDATION:

That the application be APPROVED subject to the following conditions:

- 1. 3 year implementation time limit**
- 2. Adopt amended plans including plans for the sloped bridge with yachting wire infill panels.**
- 3. Conversion to be within shell of building with no demolition or rebuild without the prior written agreement of the National Park Authority.**
- 4. All repairs to historic fabric outlined in the submitted 'Condition Survey and Repair Methods' to be completed before the dwelling is first occupied.**
- 5. No development to commence until a detailed scheme for the bridge has been submitted and agreed in writing. The details shall include cross sections, design calculations and details of construction, materials etc., a schedule for installation and a remediation plan in the event that the conversion is not carried out.**
- 6. Pedestrian bridge to be completed before dwelling is first occupied.**
- 7. The pedestrian bridge shall be ancillary to and for the use of occupiers of The Mill only in emergency flood situations.**
- 8. Sample of colour for steelwork and yachting wire to bridge to be submitted and agreed.**
- 9. Any gates to the pedestrian bridge shall open inwards only. Excluding the means of attachment no part of the proposed pedestrian bridge shall be located within the public highway.**
- 10. Extent of domestic curtilage to be limited to area edged green on plan no. 14158/P/102.1a**
- 11. Parking spaces and bin store and bin dwell area to be provided and maintained throughout the life of the development.**
- 12. Details of construction compound to be submitted and agreed prior to commencement.**
- 13. Recommendations of Protected Species Survey to be fully adhered to.**
- 14. Submission and agreement of a scheme of archaeological monitoring measures.**
- 15. Lighting scheme to be submitted and agreed.**

16. **Details of internal doors to be submitted and agreed.**
17. **Details of etched map on lobby glass to be agreed.**
18. **Windows and doors to be repaired on a like for like basis unless otherwise agreed in writing by the National Park Authority.**
19. **Photographic record of internal and external features to be submitted before work commences.**
20. **Minor Design Details.**

Key Issues

1. Whether the proposed development meets the requirements of the Authorities Core Strategy and Local Plan policies in relation to the provision of open market housing on the basis of conservation and/or enhancement; and
2. Whether the proposed bridge would provide safe egress in the event of a flood and whether it would conserve and enhance the setting of the listed building and Conservation Area.
3. Highways Issues

History

February 2015 – Enquiry opened with regard to unauthorised use of barn as a dwelling.

Feb 2012 – Retrospective planning and listed building consent granted for turbine housing, bridges and path creation.

2009 – Planning and listed building consent applications for conversion of barn to holiday accommodation and storage withdrawn.

Consultations

Highway Authority – no objections subject to conditions. However, the retaining boundary wall onto which the bridge would abut is in the ownership of the County Council and as such the applicant would need to secure a licence agreement with the County Council to indemnify DCC against any costs associated with the bridge structure, maintaining/inspecting the wall, removing the bridge structure etc. Additionally a legal mechanism whereby the agreement could be transferred to all future owners would be required.

District Council - no response

Parish Council - has reservations about this plan as a whole and the conversion to living accommodation. This building is part of the local heritage which the parish council feel should be preserved as its original function. The Parish Council objects to the bridge as it is out of character in the setting of a listed building and is also in a conservation area. It is also felt to be unnecessary. No response received to re-consultation on amended bridge design.

Environment Agency – no objections to amended bridge design.

Derbyshire County Council Emergency Planning Team - the overall assessment of flood risk and particularly for flooding from the River Wye appears accurate and in line with the flood outline data held by the County Council. The assessment and development proposal seems to take

account of flood levels, with residential accommodation floor levels being above the 1-100 year flood height (including allowance for climate change). The proposed route of the walkway and bridge confirm the necessary clearance above flood water heights and also that flood zone 1 areas will be reached. Main concern regarding such an arrangement would be its effectiveness for people with a disability, particularly sight or mobility impairment.

English Heritage - The application should be determined in accordance with national and local policy guidance, and on the basis of the Authority's specialist conservation advice.

Natural England – satisfied that the proposals will not damage or destroy features in the Wye Valley SSSI which is proximity to the site. Refer to standing advice with regard to protected species. The Authority should consider securing measures to enhance the biodiversity of the site from the applicant, if it is minded to grant permission for this application

Authority's Built Environment Team – amendments to the design of the conversion itself both internally and externally are acceptable. No objections to the bridge in principle and amended design acceptable although the additional of metal mesh to the sides is regrettable and may make the bridge appear more substantial. Would prefer a less obtrusive addition such as horizontal yachting wire (climbing on it should not be an issue given the bridge is only for emergency use). Favours the horizontal rather than the curved form as this may help to reduce its obtrusiveness. Considers that the mill should remain ancillary to the main house to preclude future problems over curtilage, parking etc.

Authority's Ecologist - recommends that section 4 of the submitted Protected Species Report pertaining to bats, birds and water quality is conditioned in full.

Authority's Archaeologist – no objections subject to a condition requiring the submission and agreement of archaeological monitoring measures.

Representations:

One letter has been received in support of the proposals on the grounds that the mill would be preserved for future generations.

Eight letters of objection have been received which raise the following issues:

- the proposals would prevent future use of the building for its original purpose as a mill;
- conversion to a dwelling is not the only means of preservation of the mill;
- the owner has a duty to undertake repairs to the listed building;
- concerns that other suitable uses such as garaging or uses incidental to the dwelling have not been investigated;
- the proposed bridge would detract from the setting of the listed building and the wider Conservation Area;
- concerns about introducing a residential use into an area of high flood risk;
- mobility impaired people would have difficulty accessing the bridge due to stairs within the building;
- lack of side panels on submitted plans for bridge results in risk of falling into the river;
- land beyond the boundary wall with A6 is still at risk of flooding;

- the mill should remain ancillary to Mill House; and
- acceptance of bridge may lead to others seeking to build further bridges.

Main Policies

Relevant Core Strategy policies include: GSP1, GSP2, GSP3, L2, L3, HC1, CC1, CC5, T1 and T3

Relevant Local Plan policies include: LC4, LC5, LC6, LC8, LC15, LC16, LC17 and LT18

National Planning Policy Framework

The National Planning Policy Framework ('the Framework') was published on 27 March 2012 and replaced a significant proportion of central government planning policy with immediate effect. The Government's intention is that the document should be considered to be a material consideration and carry particular weight where a development plan is absent, silent or relevant policies are out of date. It is considered that in this case there is no significant conflict between prevailing policies in the Development Plan and more recent national planning policies in the Framework with regard to the key issues that are raised in the determination of the current application.

It is considered that policy HC1 of the Core Strategy provides a clear starting point consistent with the National Park's statutory purposes for the determination of this application. This is because HC1 (c) allows for the provision of housing where in accordance with GSP1 and GSP2 it is required in order to achieve conservation and or enhancement of a valued vernacular or listed building. Para 55 of the Framework outlines the circumstances where isolated dwellings in open countryside in rural areas can be accepted and that includes where the development would re-use redundant or disused buildings and lead to an enhancement to the immediate setting.

The planning considerations that are key issues in the determination of the current application include design considerations and the impacts arising from the proposed bridge adjacent to the listed building and within the Conservation Area as well as flood risk issues. In these respects, Paragraph 115 of the Framework states that great weight should be given to conserving landscape and scenic beauty in National Parks along with the conservation of wildlife and cultural heritage, which is consistent with the aims and objectives of policies GSP1, GSP2 and L3 of the Core Strategy. The Framework states that local planning authorities should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings, including safe and suitable access provisions. These provisions are consistent with the requirements of Policies GSP3 and L3 of the Core Strategy and saved Local Plan policies LC4 and LT18.

The Framework also states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere. This is consistent with Core Strategy policy CC5 which discourages development that would increase flood risk and Core Strategy policy GSP3 and Local Plan policy LC4 which requires attention to be paid to impacts on living conditions.

Finally paragraphs 132 and 134 of the Framework state 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. The more important the asset, the greater the weight should be. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use. This is consistent with the aims and objectives of policies GSP1, GSP2, GSP3 and L3

of the Core Strategy and LC5, LC6 and LC8 of the Local Plan.

Assessment

Issue 1: Whether the proposed development meets the requirements of the Authorities Core Strategy and Local Plan policies in relation to the provision of open market housing on the basis of conservation and/or enhancement.

Core Strategy policy HC1 (c)(i) states that exceptionally new housing can be accepted where , in accordance with core policies GSP1 and GSP2 it is required in order to achieve conservation and enhancement of valued vernacular or listed buildings.

Principle

Ashford Mill is a fine grade II listed building which contributes significantly to the character of the Conservation Area in which it is located, as evidenced in a ‘Statement of Significance’ submitted with the application. This provides a chronology of the history of the mill dating back to the 17th century and highlights its importance in terms of the local heritage of the area. Therefore in terms of the provisions of HC1(c) in principle its conversion to a single unit of open market housing is acceptable subject to considerations with regard to whether the proposals would conserve and or enhance the listed building and its setting and whether the new use is ‘required’.

Impact of Conversion on Character and Setting of Listed Building

In addition to the requirements of HC1 and policies GSP1 and GSP2 of the Core Strategy, policy L3 and Local Plan policies LC5 and LC6 require that development must conserve and where appropriate enhance or reveal the significance of archaeological, architectural, artistic or historic assets and their settings and say development will not be permitted where it is likely to cause harm to the significance of a listed building or the special qualities of a designated Conservation Area.

Local Plan policy LC8 allows for the conversion of buildings of historic or vernacular merit provided that the new use can be accommodated without changes that would adversely affect its character (such changes include significant enlargement, or other alteration to form and mass, inappropriate windows spacings and major rebuilding or changes to the buildings curtilage or require new access that would adversely affect its character). Local Plan policy LC4 and policies GSP3 set out further detailed considerations on the design of new development.

In this case the proposed conversion would be carried out within the shell of the existing mill building. A structural survey has been submitted which indicates that the building is in reasonable condition with no major rebuilding required, although some strengthening and repair of internal beams and trusses would be required, along with local rebuilding and consolidation of external walls.

The application has been supported by a Historic Building Appraisal, an Archaeological Evaluation report and a Design and Access Statement incorporating a Statement of Significance. These reports explain that the building is unusual in that internally it retains 19th century grinding machinery, including the stones, line shafting, hopper chutes, grain storage bins and hoist mechanism. The submitted plans show that these elements would be repaired and retained ‘in situ’. As such the residential accommodation has been designed in a ‘loose fit’ manner, around the historic features.

On the ground floor the kitchen/dining space would be provided without subdivision of the existing space. The machinery which sits along the south wall would be retained and the existing timber partitions would be repaired and remounted such that they can slide open to reveal the gear train behind. The kiln at the east end of the ground floor would be unaltered. A new

staircase would provide access to the first floor, where a bedroom would be provided in the drying room above the kiln. A glass floor would be installed which would provide views of the remaining perforated tiles and kiln below. In the second bedroom at the northern end of the building the grinding stones and one hopper would be retained with a second hopper partially dismantled to provide access to the room. Within the living room space the granary storage bins would be retained along with associated millstones and housing. In the attic space above, the top of the hoist and associated machinery would remain in situ.

Externally existing window and door frames would be repaired. A single rooflight would be reinstated on each of the north, west and east facing roofslopes. Otherwise there would be no change to the external appearance of the building. Following negotiations it has been agreed that conditions will be attached to agree details of internal doors and the proposed etched map on the lobby glass. Subject to these conditions it is considered that the proposed scheme would serve to conserve, and by repairing and revealing the historic features within the building, enhance the special architectural and historic qualities of the building in accordance with Core Strategy policies GSP1, GSP2, GSP3 and L3 and Local Plan policies LC4, LC5, LC6 and LC8.

With regard to the impact on the setting of the listed building, following negotiations a plan has been submitted showing the extent of the proposed domestic curtilage. This is limited to modest areas of land between the leats on the west side of the building, the area between the south side of the building and the leat and a narrow strip of land to the east of the building, together with the hard surfaced parking area to the north. Whilst this would be quite a modest sized garden for a detached property, it is considered that it would provide adequate amenity and parking space consistent with the preservation of the setting of the listed building. On this basis, a condition limiting the domestic curtilage to this area is considered to be reasonable and necessary. As the mill is a listed building planning consent would be required for the erection of any extensions, domestic outbuildings or wall, fences and gates so the removal of permitted development rights is not necessary.

In conclusion, it has been demonstrated that the conversion of the building itself and the impact of a domestic use on its setting would not harm the significance of the heritage asset and therefore the proposals are compliant with Core Strategy policies GSP1, GSP2, GSP3 and L3 and Local Plan policies LC4, LC6 and LC8 and accordingly with paras 128 to 134 of the Framework. It follows therefore that the proposed development would conserve and enhance a building of historic and vernacular merit in accordance with Core Strategy policy HC1(c).

Is the development 'required' to achieve conservation and/or enhancement?

In assessing whether the requirement of HC1(c) are met it must be determined whether the impetus of open market values is required for the conservation and enhancement of the building.

In this case, the building is in reasonably sound condition but the submitted archaeological appraisal states that the building is at risk of dereliction in the long term through redundancy. It ceased use as a mill in the 1960s, had an intervening use as an animal feed suppliers and has had a low key use for domestic storage since 2008. HC1(c) does not require alternative uses to be investigated for change of use to a single open market dwelling. However, given the concern expressed by the Parish Council and local residents with regard to the principle of the proposed new use and the resulting permanent loss of access to the building by the public, the agent has submitted information with regard to a possible use of the building as a working museum. This states that museums are dependent on ownership and operation by a charitable trust and no such trust exists. It argues that unlike other nearby mills such as Cauldwell's Mill, this mill would be too small to be viable as a visitor centre or museum and parking and access to the mill would be problematic.

A cost plan by a firm of Quantity Surveyors has also been submitted which estimates that costs

of repair and conversion at £815,000 excluding VAT (£780,000 if the bridge were excluded). Whilst officers consider that these costs might be an over-estimate, it is clear that given the necessary repairs to the fabric of the building including the internal equipment, the costs of conversion would clearly be significant. The submitted details state that conversion to office use would encompass less fitting-out, but a structural glass floor costing £20,000 would still be required to the first floor kiln. With current office rental values of £96.85m² - £118.40m²/per annum and a maximum £5,900.00 annual income generated, an approximate 160 year investment payback has been calculated (excluding interest).

Clearly the mill could continue to be used for domestic storage ancillary to the Mill House but this use would not bring forward the investment required to conserve the building.

Given that the condition of the mill is likely to deteriorate further if a viable use is not found and in the light of the information provided with regard to costings and alternative uses, officers consider that open market values are 'required' in order to secure the conservation and enhancement of the building, and therefore, the proposals meet the requirements of HC1(c) in full. In these respects, the proposed conversion of the mill to a dwelling is also considered by officers to be development that would represent the optimal viable use of the heritage asset.

Issue 2 - Whether the proposed bridge would provide safe egress in the event of a flood and whether it would conserve and enhance the setting of the listed building and Conservation Area.

Whilst it has been established that the proposed development in terms of its impact on the listed building and its immediate surrounds would not cause harm, it is necessary to consider whether the bridge would provide a safe egress in the event of a flood and to consider the impact of the bridge on the setting of the listed building and Conservation Area.

Flood Risk Issues

Core Strategy policy CC5 states that development proposals that would unacceptably increase flood risk will not normally be permitted. Core Strategy policy GSP3 and Local Plan policy LC4 seek to ensure that impacts on living conditions including amenity and security are considered. Local Plan policy LT18 states that the provision of safe access will be a pre-requisite for all development.

In this case the whole of the application site falls within the Environment Agency's Flood Risk Zone 3, which is land assessed, as having a 1% or greater annual probability of fluvial flooding. A Flood Risk Assessment has been submitted which concludes that the site falls within Flood Zone 3b having a 1 in 20 annual probability of river flooding. As the proposals are for a change of use of an existing building, there is no requirement for the Sequential or Exception Tests to be applied. The report recommends essential mitigation measures including the construction of a footbridge over the river to the existing footway adjacent to the A6 to provide safe access and egress from the proposed bedroom accommodation to an area of higher ground outside of Flood Zone 3. Also recommended is the provision of a flood evacuation plan and signage of the escape walkway.

As a result, the application seeks consent to construct a new pedestrian bridge across the river from mill building to the A6. The bridge would key into the retaining boundary wall that forms the edge of the highway. As submitted, plans showed a flat bridge, which would extend from the piece of land that separates the two leats to the north of the mill building and the footplate of the bridge would meet the boundary wall on top of its coping stones. The footplate of the bridge would be 1m wide wooden slats and as submitted would sit upon stainless steel or 'Corten' (steel alloy with a rust-like appearance) beams. Uprights of the same material would be provided at 1m intervals along both sides of the bridge and would be fitted with a top handrail. The bridge would extend to replace an existing timber footbridge across the smaller channel of water to the north

and adjacent to the existing housing to the turbine pit.

The plans show that in the event of a significant flood residents would exit the building from a half landing on the new staircase, and through an escape window which sits adjacent to ground level on the west elevation of the mill building, before traversing the bridge to the A6. The point where people would set down onto the A6 is within Flood Zone 2 and Flood Zone 1 can be reached within a few metres.

The Environment Agency was involved in pre-application discussions regarding the bridge and has raised no objections to the scheme as submitted and as amended. It is considered therefore that in general terms the bridge would provide an adequate means of access and egress to an area less liable to flooding. However, objectors to the scheme have raised an issue with regard to the design of the bridge and whether the absence of side panels between the upright members would result in a danger to vulnerable people, exiting over a fast flowing river, potentially in darkness.

As a result of these concerns, amended plans have been submitted which seek to resolve this issue in one of two ways. One is to provide an anodised wire 'mesh' between the uprights and the second is to use horizontal 'shipping wire' at intervals. Whilst mesh might provide the most secure solution, this must be balanced against the impact upon the setting of the listed building and the Conservation Area. It is considered that its use would give the bridge a more robust and substantial appearance which would draw the eye and interfere with views of the mill from the A6 more significantly than yachting wire would. Given that the bridge is intended for use in emergencies only and therefore climbing up on the yachting wire should not be an issue, it is considered that its use would be preferable as it would secure an adequate barrier to the sides of the structure whilst still retaining a degree of openness to the design.

On balance, it is considered that with the additional of yachting wire to the sides, the proposed bridge would provide a safe means of access and egress in the event of the flood thus protecting the amenity and safety of residents of the dwelling in accordance with Core Strategy policy GSP3 and Local Plan policies LC4 and LT18. Consequently flood risk would not be significantly increased in accordance with CC5 and national planning policies.

Given that the whole of the application site and most of the lands in ownership including the vehicular access to the property are within flood risk zone 3, officers are satisfied that there is no alternative means of emergency escape from the property other than a bridge across the river. Technically a bridge could cross the river some way to the west or east, further away from the mill building. However the river is wider at these points, resulting in the necessity for a longer bridge and residents would then have to walk further from the mill building along the narrow spits of land to reach a more remote bridge. Consequently it is considered that the proposed location represents the most appropriate option for the bridge in the interests of the safety of occupants.

Location and Design

Whilst it has been established that the bridge is necessary in the interests of the safety of the occupants of the proposed dwelling and the proposed location is the most suitable in respect of minimising flood risk, these considerations must be weighed carefully against the impact of the bridge structure on the setting of the listed building and Conservation Area.

As noted above, GSP1 and GSP2 of the Core Strategy support sustainable development proposals that reflect and respect the statutory purposes of the National Park's designation. L3 emphasises the need to conserve and enhance the setting of historic asset, LC6 states that planning applications for development affecting the setting of listed building should demonstrate how these will be preserved and where possible enhanced, and LC5 says development will not be permitted where it is likely to cause harm to the special qualities of a designated Conservation Area. Core Strategy policy GSP3 and Local Plan LC4 state that development must respect,

conserve and enhance all valued characteristics of the site with particular attention being paid to a range of considerations including impact on the character and setting of buildings.

The principal elevation and main entrance to the mill faces north towards the barn and the other dwellings adjacent to the site. The rear of the mill faces south towards the A6. In the winter months, when the riverside trees are not in leaf, the rear elevation of the mill and its surrounding leats and water features are visible from the A6 and the footway that runs alongside it. This is an attractive view into the Conservation Area. The proposed bridge would be clearly visible in views of the mill at these times of year from stretches of the road and its adjacent footway. It may also be seen in more distant views from Lees Bridge to the east. In support of the application the agent has submitted a historic plan for the site which shows that in 1898 there was a crossing over the river just to the east of the site for the proposed bridge but it is not clear whether this was a ford or a bridge.

Aside from its prominence, the overall design of the bridge, which is simple and industrial but lightweight in style, is in keeping with the working mill heritage of the site, and consequently is considered to be appropriate. However, officers were concerned that the height of the bridge as shown on the submitted plan was such that its intersection with the boundary wall at a high level would appear incongruous. As a result amended plans have been received which show the height of the bridge reduced whilst maintaining the necessary clearance of the river in flood and also the design amended so that it slopes down towards the wall, thus reducing its prominence when viewed from the road. As amended the footplate would be approx. 400mm below the top of the coping stone. An alternative design for a gently arched bridge, which would achieve a similar effect was also submitted but officers and the Authority's Built Environment Team consider that the straight, sloped bridge is, on balance, more functional in appearance, slightly lower overall and therefore more appropriate in this setting.

Officers were also concerned about the use of stainless steel as it is considered that its bright appearance would make the bridge more prominent and the orange coloured 'Corten' finish might also stand out against the backdrop of trees. As a result amended plans have been received which show the use of steel pre-coated in a dark recessive colour.

The bridge would appear at quite a high level in relation to the adjacent road in that the uprights would be visible above the roadside boundary wall. As amended however, whilst it would be visible from the A6 at certain times of the year, it is considered that its lightweight structure and the recessive colour mean that it would not stand out significantly and the mill building would still be visible beyond its structure. Trees that are growing along the river bank would be retained and these would help to soften its appearance.

The harm that has been identified in terms of the fact that the bridge would be seen in views of the mill from the road is considered to be 'less than substantial' in terms of the requirements of the National Planning Policy Framework. The public benefits of the scheme would be that the existing building and its internal workings would be repaired and conserved albeit that the building would be put to a different use to that for which it was designed. On balance, it is considered that these benefits outweigh any harm that the bridge might bring to the setting of the building and the wider Conservation Area. As such the proposals are compliant with the Framework and with Core Strategy policies GSP1, GSP2, GSP3 and L3 and Local Plan policies LC4, LC5 and LC6.

Highways Issues

With regard to car parking, a plan has been submitted which shows that there is space to park 4 vehicles on the forecourt to the north of the mill building. Adequate space would remain within the curtilage of Mill House for parking to serve that property.

The Highway Authority (Derbyshire County Council - DCC) owns the boundary wall to the A6,

into which the new bridge would key. DCC have emphasised that the wall is a retaining wall to the edge of the footway and also acts as a flood defence. They are concerned that the structural integrity of the wall is not damaged by the bridge. Consequently they have requested that loading calculations be submitted along with a requirement for the applicant to secure a licence agreement with the County Council to indemnify DCC against any costs associated with the bridge structure, maintaining/inspecting the wall, removing the bridge structure etc. Additionally a legal mechanism whereby the agreement could be transferred to all future owners would be required. It is understood that the agent has had further discussion with DCC in these respects and he is confident that their requirements can be met. At the time of writing a final response from DCC on this element of the proposals has not been received but informally officers have been advised that a negatively worded “Grampian” condition which requires that no work shall commence until full details of the abutment details are submitted and agreed is likely to be acceptable.

Other Planning Considerations

Impact on Amenity of Neighbouring Properties

Core Strategy policy GSP3 and Local Plan policy LC4 require that the impact on living conditions and the amenity, privacy and security of neighbouring properties are considered.

The nearest residential property to The Mill building is Mill Cottage which lies approximately 23m to the north east. Given the intervening distance and the fact the Mill Cottage is set diagonally away from The Mill building, it is not considered that overlooking from/to habitable room windows would cause harm to the amenity to either property. Although vehicles associated with the new dwelling and pedestrians accessing the site would pass in front of Mill Cottage along the driveway, it is not considered that this would cause an unduly harmful loss of amenity to its occupants, bearing in mind that adequate parking provision would be provided adjacent to the property. In conclusion therefore it is considered that proposals accord with policies GSP3 and LC4 with regard to impact on amenity.

Protected Species

A Protected Species Survey has been submitted with the application which concludes that there is no evidence to suggest that the mill is used by roosting bats, although the building does offer high roost potential. A precautionary approach the building works is therefore recommended along with the provision of gaps underneath ridge tiles. No evidence of breeding birds was found but the report recommends that either works should be avoided between March to August or that suitable cracks and holes be inspected prior to commencement of re-pointing to ensure no active nests are present. In the event that nests are present re-pointing should be delayed until after fledging. Despite the River Wye providing suitable areas of habitat for water voles, the survey suggests that they are not present in the vicinity of the mill. It is therefore recommended that the Environment Agency Pollution Control guidelines are adhered to during the construction phase.

Subject to a condition requiring the recommendations of the report to be adhered to it is considered that the proposals would conserve species of biodiversity and their setting in accordance with Core Strategy policy L2 and Local Plan policy LC17.

Archaeological Considerations

The submitted Archaeological Evaluation explains that three trial holes were dug inside The Mill and that no features of archaeological significance were encountered. The submitted Historic Building Appraisal recommends that a further archaeological survey is undertaken in accordance with a written scheme of investigation and the Authority’s Archaeologist is satisfied that this can be required by condition. Subject to this condition, the proposals would accord with the requirement of Core Strategy policy L3 and Local Plan policies LC15 and LC16.

Environmental Management

On the south side of the mill there is a hydropower turbine and associated housing, which was approved retrospectively in 2009. Currently the turbine supplies power to the adjacent barn only and the remaining is fed to the National Grid. The agent states that it is the intention that the turbine will provide all the power and heating required for the Mill and the remaining output will be supplied to the National Grid. In the future it is also probable that the turbine will supply power to the Mill House. The Design and Access statement also explains that it is proposed to improve thermal insulation values within the building as much as possible without compromising historic fabric. As such it is considered that the proposals meet with the requirement of Core Strategy policy CC1.

Ancillary Accommodation

Finally the Authority's Built Environment Team considers that the proposed dwelling should remain ancillary to the main house to preclude future problems with regard to curtilage and parking. It is understood that there is a restrictive covenant in place which prevents sale of the mill separately from the Mill House. Officers have considered this issue carefully but given that the dwelling has all of the features that would enable it to be occupied independently, sufficient parking would be provided within its curtilage, the proposed domestic curtilage, whilst modest would be adequate for a detached dwelling, and there would be no issues with regard to loss of amenity to neighbouring properties, it is concluded that there are no valid planning reasons to impose such a condition.

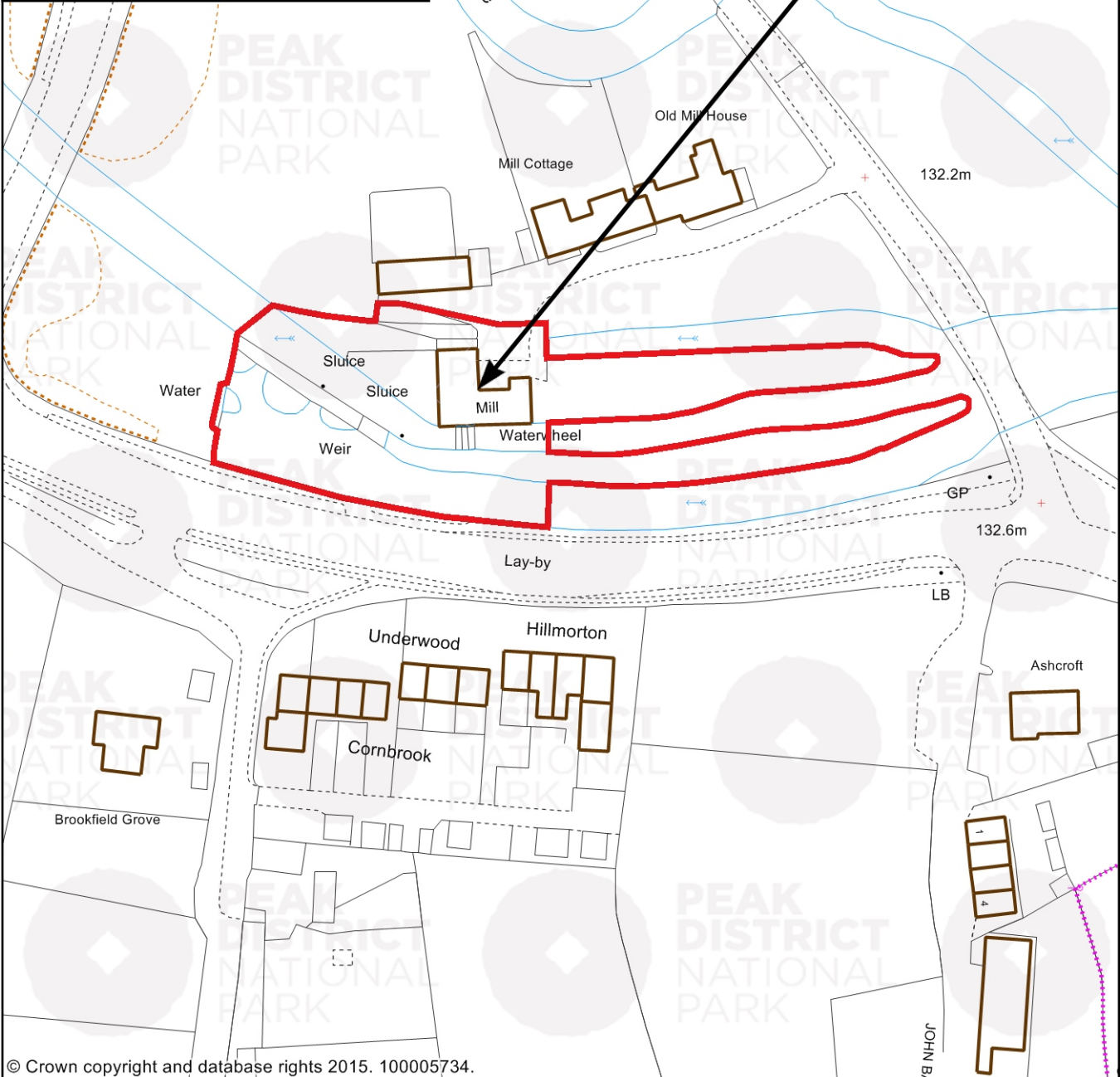
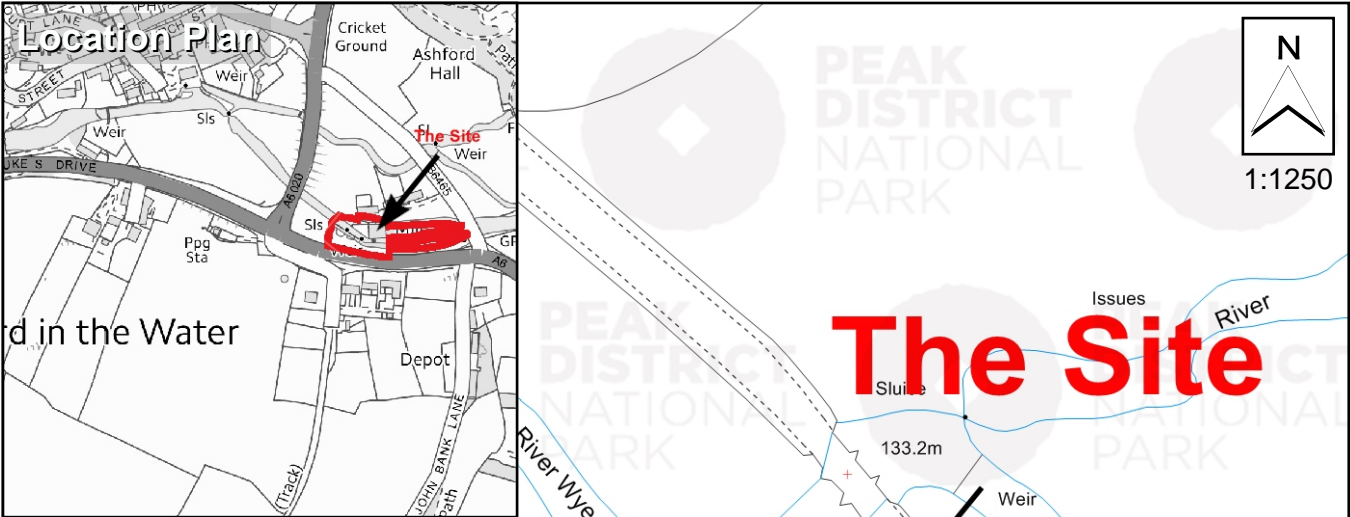
Conclusion

For the reasons set out in this report the proposed development meets the requirements of Core Strategy policy HC1(c) in that it is considered that the new use is necessary to conserve a building of historic and vernacular merit. The design of the conversion would be of an appropriately high quality. Flood risk issues have been adequately addressed and the 'less than substantial' harm caused by the proposed footbridge is outweighed by the public benefits of bringing the redundant Mill building back into a viable use. The proposals are therefore compatible with the relevant Development Plan policies and policies in the National Planning Policy Framework. Accordingly, taking these and all other relevant planning considerations into account, the application is recommended for conditional approval.


Human Rights

Any human rights issues have been considered and addressed in the preparation of this report.

List of Background Papers (not previously published)



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Committee Date:	13/03/2015	Title: The Mill Mill Lane Ashford inthe Water	 PEAK DISTRICT NATIONAL PARK
Item Number:	8		
Application No:	NP/DDD/1214/1290		
Grid Reference:	419831, 369520		

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9. LISTED BUILDING CONSENT APPLICATION - REPAIR AND CONSOLIDATION OF THE SHELL AND INTERIOR INCLUDING, NEW CAST-METAL RAINWATER GOODS, FENESTRATION & JOINERY. RE-ROOF AND TIMBER REPAIRS. CONVERSION OF THE MILL TO RESIDENTIAL USE. PEDESTRIAN BRIDGE TO CONNECT TO THE A6. REINSTATE SMALL ROOF LIGHTS AT THE MILL, MILL LANE, ASHFORD IN THE WATER, (NP/DDD/1214/1291, P2524, 419831/369520, 24/12/2014/ALN)

APPLICANT: DR ROBERT GRIFFITHS

This is the listed building application relating to the previous item NP/DDD/1214/1290.

Site and Surroundings

The application site, known locally as Ashford Mill is located approximately 200m to the south east of the main body of the village of Ashford in the Water. The site abuts the northern side of the main A6, east of the junction with the A6020. To the east, a minor road (now a cul-de-sac) leads north from the A6 over Lees Bridge.

The River Wye is located some 38m to the north of the site. A series of leats, created by diverting water from the main river run adjacent to the mill building itself. The south leat, which consists of two channels, runs immediately to the south of the mill building between it and the A6. The water runs through a series of sluices and weirs and served a former water wheel on the south elevation of the mill. The north leat served a second waterwheel on the north side. As such the buildings effectively stand on an island between the diverted watercourse and the River Wye.

The mill building is the only building within the red edged application site. The former corn mill is grade II listed and the site is within the Ashford in the Water Conservation Area. Also included in the application site is the land to the east of the mill in the form of two spurs between the three water channels, a hardstanding area to the north of the building and the leats and small areas of intervening land to the west of the mill.

The mill is an L-shaped building that is 1½ storey in height. It is predominantly constructed from locally quarried limestone interspaced with limestone blocks. The roof largely retains its original gritstone slates. At the east end of the south wing is a kiln at ground floor with a drying room above. The mill is redundant, having ceased milling in 1963. It was used as a general farm suppliers until the early 1980s. It is currently used for domestic storage purposes by the applicant who has owned the site since 2008.

Immediately to the north of the mill and also within the applicants control is a two storey barn. To the north east is a pair of semi-detached houses. The westernmost property, Mill Cottage, is in third party ownership. The easternmost property, the Old Mill House is occupied by the applicant and is grade II listed. Lees Bridge, which is also a grade II listed structure, abuts the eastern side of the application site.

Vehicular access is gained to the mill building along with Old Mill House and Mill Cottage along a shared driveway off the cul-de-sac leading north off the A6.

Proposals

The application seeks listed building consent for alterations to the listed building in association with the conversion of the mill building to a single open market dwelling. The dwelling would have two bedrooms and lounge accommodation on the first floor and kitchen/dining room, utility room and storage on the ground floor.

A pedestrian bridge would be constructed across the mill leat to the north of the mill building linking the land immediately adjacent to the mill to the A6. The bridge is intended to provide emergency egress from the building in the event of a flood.

RECOMMENDATION:

That the application be APPROVED subject to the following conditions:

- 1. 3 year implementation time limit**
- 2. Adopt amended plans including plans for the sloped bridge with yachting wire infill panels.**
- 3. Conversion to be within shell of building with no demolition or rebuild without the prior written agreement of the National Park Authority.**
- 4. All repairs to historic fabric outlined in the submitted 'Condition Survey and Repair Methods' to be completed before the dwelling is first occupied.**
- 5. Details of internal doors to be submitted and agreed.**
- 6. Details of etched map on lobby glass to be agreed.**
- 7. Windows and doors to be repaired on a like for like basis unless otherwise agreed in writing by the National Park Authority.**
- 8. Photographic record of internal and external features to be submitted before work commences.**
- 9. Minor design details.**

Key Issues

1. whether the proposed works to the listed building would conserve and enhance its features of special architectural or historic interest; and
2. whether the proposed bridge would conserve and enhance the setting of the listed building.

History

February 2015 – Enquiry opened with regard to unauthorised use of barn as a dwelling.

February 2012 – Retrospective planning and listed building consent granted for turbine housing, bridges and path creation.

2009 – Planning and listed building consent applications for conversion of barn to holiday accommodation and storage withdrawn.

Consultations

Highway Authority – no comments

District Council - no response

Parish Council - has reservations about this plan as a whole and the conversion to living accommodation. This building is part of the local heritage which the parish council feel should be preserved as its original function. The Parish Council objects to the bridge as it is out of character in the setting of a listed building and is also in a conservation area. It is also felt to be unnecessary. No response received to re-consultation on amended bridge design.

English Heritage - The application should be determined in accordance with national and local policy guidance, and on the basis of the Authority's specialist conservation advice.

Authority's Built Environment Team – amendments to the design of the conversion itself both internally and externally are acceptable. No objections to the bridge in principle and amended design acceptable although the additional of metal mesh to the sides is regrettable and may make the bridge appear more substantial. Would prefer to less obtrusive addition such as horizontal yachting wire (climbing on it should not be an issue given the bridge is only for emergency use). Favours the horizontal rather than the curved form as this may help to reduce its obtrusiveness. Considers that the mill should remain ancillary to the main house to preclude future problems over curtilage, parking etc.

Representations:

One letter has been received in support of the proposals on the grounds that the mill would be preserved for future generations.

Eight letters of objection have been received which raise the following issues:

- the proposals would prevent future use of the building for its original purpose as a mill;
- conversion to a dwelling is not the only means of preservation of the mill;
- the owner has a duty to undertake repairs to the listed building;
- concerns that other suitable uses such as garaging or uses incidental to the dwelling have not been investigated;
- the proposed bridge would detract from the setting of the listed building and the wider Conservation Area;
- concerns about introducing a residential use into an area of high flood risk;
- mobility impaired people would have difficulty accessing the bridge due to stairs within the building;
- lack of side panels on submitted plans for bridge results in risk of falling into the river;
- land beyond the boundary wall with A6 is still at risk of flooding;
- the mill should remain ancillary to Mill House; and
- acceptance of bridge may lead to others seeking to build further bridges.

Main Policies

Relevant Core Strategy policies include: GSP1, GSP2, GSP3 & L3.

Relevant Local Plan policies include: LC4, LC5, LC6 & LC8.

National Planning Policy Framework

The National Planning Policy Framework ('the Framework') was published on 27 March 2012 and replaced a significant proportion of central government planning policy with immediate effect. The Government's intention is that the document should be considered to be a material consideration and carry particular weight where a development plan is absent, silent or relevant policies are out of date. It is considered that in this case there is no significant conflict between prevailing policies in the Development Plan and more recent national planning policies in the Framework with regard to the key issues that are raised in the determination of the current application:

The key issues in the determination of the current application include considerations with regard to the impact on the building's special features of historic and architectural interest and the impacts arising from the proposed bridge adjacent to the listed building. In these respects, Paragraph 115 of the Framework states that great weight should be given to conserving landscape and scenic beauty in National Parks along with the conservation of wildlife and cultural heritage, which is consistent with the aims and objectives of policies GSP1, GSP2 and L3 of the Core Strategy.

Paragraphs 132 and 134 of the Framework state 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. The more important the asset, the greater the weight should be. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use. This is consistent with the aims and objectives of policies GSP1, GSP2, GSP3 and L3 of the Core Strategy and LC4, LC5, LC6 and LC8 of the Local Plan.

Assessment

Issue 1: Whether the proposed works to the listed building would conserve and enhance its special architectural and historic features.

Ashford Mill is a fine grade II listed building which contributes significantly to the character of the Conservation Area in which it is located, as evidenced in a 'Statement of Significance' submitted with the application. This provides a chronology of the history of the mill dating back to the 17th century and highlights its importance in terms of the local heritage of the area.

Impact of Conversion on Character and Setting of Listed Building

Core Strategy policy HC1 is permissive of the conversion of the mill building if it were required for conservation and enhancement in accordance with policies GSP1 and GSP2 of the Core Strategy, which support sustainable development proposals that reflect and respect the statutory purposes of the National Park's designation. Core Strategy policy L3 and Local Plan policies LC5 and LC6 require that development must conserve and where appropriate enhance or reveal the significance of archaeological, architectural, artistic or historic assets and their settings and say development will not be permitted where it is likely to cause harm to the significance of a listed building or the special qualities of a designated Conservation Area.

Local Plan policy LC8 allows for the conversion of buildings of historic or vernacular merit provided that the new use can be accommodated without changes that would adversely affect its character (such changes include significant enlargement, or other alteration to form and mass, inappropriate windows spacings and major rebuilding or changes to the buildings curtilage or require new access that would adversely affect its character.) Local Plan policy LC4 and policies GSP3 set out further detailed considerations on the design of new development.

In this case the proposed conversion would be carried out within the shell of the existing mill

building. A structural survey has been submitted which indicates that the building is in reasonable condition with no major rebuilding required although some strengthening and repair of internal beams and trusses would be required along with local rebuilding and consolidation of external walls.

The application has been supported by a Historic Building Appraisal, an Archaeological Evaluation report and a Design and Access Statement incorporating a Statement of Significance. These reports explain that the building is unusual in that internally it retains 19th century grinding machinery, including the stones, line shafting, hopper chutes, grain storage bins and hoist mechanism. The submitted plans show that these elements would be repaired and retained 'in situ'. As such the residential accommodation has been designed in a 'loose fit' manner, around the historic features.

On the ground floor the kitchen/dining space would be provided without subdivision of the existing space. The machinery which sits along the south wall would be retained and the existing timber partitions would be repaired and remounted such that they can slide open to reveal the gear train behind. The kiln at the east end of the ground floor would be unaltered. A new staircase would provide access to the first floor where a bedroom would be provided in the drying room above the kiln. A glass floor would be installed which would provide views of the remaining perforated tiles and kiln below. In the second bedroom at the northern end of the building the grinding stones and one hopper would be retained with a second hopper partially dismantled to provide access to the room. Within the living room space the granary storage bins would be retained along with associated millstones and housing. In the attic space above, the top of the hoist and associated machinery would remain in situ.

Externally existing window and door frames would be repaired. A single rooflight would be reinstated on each of the north, west and east facing roofslopes. Otherwise there would be no change to the external appearance of the building. Following negotiations it has been agreed that conditions will be appended to agree details of internal doors and the proposed etched map on the lobby glass and subject to these conditions it is considered that the proposed scheme would serve to conserve, and by repairing and revealing the historic features within the building, enhance the special architectural and historic qualities of the building in accordance with Core Strategy policy L3 and the wider range of design and conservation policies in the Development plan and the Framework.

With regard to the impact on the setting of the listed building, following negotiations a plan has been submitted showing the extent of the proposed domestic curtilage. This is limited to modest areas of land between the leats on the west side of the building, the area between the south side of the building and the leat and a narrow strip of land to the east of the building, together with the hard surfaced parking area to the north. As the mill is a listed building, planning consent would be required for the erection of any extensions, domestic outbuildings or wall, fences and gates.

In conclusion it has been demonstrated that the conversion of the building itself and the impact of a domestic use on its setting would not harm the significance of the heritage asset and therefore the proposals are compliant with Core Strategy policies GSP1, GSP2, GSP3 and L3 and Local Plan policies LC4, LC5, LC6 and LC8 and accordingly with paragraphs 128 to 134 of the Framework.

Issue 2 - Whether the proposed bridge would conserve and enhance the setting of the listed building.

Whilst it has been established that the proposed development in terms of its impact on the listed building and its immediate surrounds would not cause harm, the next issue is whether the bridge would conserve and enhance the listed building and its setting.

The short section of bridge to be replaced abuts the listed building but would not impact upon its

structure or any features of architectural or historic significance. The new, longer section of the bridge would be mounted onto the banking adjacent to the mill but would not affect any features of interest and the roadside boundary wall is not curtilage listed, being in different ownership at the time of listing.

Location and Design

Whilst it has been established in the planning application that the bridge is necessary in the interests of the safety of the occupants of the proposed dwelling and the proposed location is the most suitable in respect of minimising flood risk, these considerations must be weighed carefully against the impact of the bridge structure on the setting of the listed building.

As noted above, GSP1 and GSP2 of the Core Strategy support sustainable development proposals that reflect and respect the statutory purposes of the National Park's designation L3 emphasises the need to conserve and enhance the setting of historic asset, LC6 states that planning applications for development affecting the setting of listed building should demonstrate how these will be preserved and where possible enhanced. Core Strategy policy GSP3 and Local Plan LC4 state that development must respect, conserve and enhance all valued characteristics of the site with particular attention being paid to a range of considerations including impact on the character and setting of buildings.

The principal elevation and main entrance to the mill faces north towards the barn and the other dwellings adjacent to the site. The rear of the mill faces south towards the A6. In the winter months when the riverside trees are not in leaf the rear elevation of the mill and its surrounding leats and water features are visible from the A6 and the footway that runs alongside it. This is an attractive view into the Conservation Area. The proposed bridge would be clearly visible in views of the mill at these times of year from stretches of the road and its adjacent footway. It may also be seen in more distant views from Lees Bridge to the east. In support of the application the agent has submitted a historic plan for the site which shows that in 1898 there was a crossing over the river just to the east of the site for the proposed bridge but it is not clear whether this was a ford or a bridge.

Aside from its prominence, the overall design of the bridge, which is simple and industrial but lightweight in style, is in keeping with the working mill heritage of the site, and consequently is considered to be appropriate. However officers were concerned that the height of the bridge as shown on the submitted plan was such that its intersection with the boundary wall at such a high level would appear incongruous. As a result amended plans have been received which show the height of the bridge reduced whilst maintaining the necessary clearance of the river in flood and also the design amended such that it slopes down towards the wall, thus reducing its prominence when viewed from the road. As amended the footplate would be approx. 400mm below the top of the coping stone. An alternative design for a gently arched bridge, which would achieve a similar effect was also submitted but officers and the Authority's Built Environment Team consider that the straight, sloped bridge is, on balance, more functional in appearance, slightly lower overall and therefore more appropriate in this setting.

Officers were also concerned about the use of stainless steel as it is considered that its bright appearance would make the bridge more prominent and the orange coloured 'Corten' finish might also stand out against the backdrop of trees. As a result amended plans have been received which show the use of steel pre-coated in a dark recessive colour.

The bridge would appear at quite a high level in relation to the adjacent road in that the uprights would be visible above the roadside boundary wall. As amended however, whilst it would be visible from the A6 at certain times of the year, it is considered that its lightweight structure and the recessive colour mean that it would not stand out significantly and the mill building would still be visible beyond its structure.

Trees that are growing along the river bank would be retained and these would help to soften its

appearance.

The harm that has been identified in terms of the fact that the bridge would be seen in views of the mill from the road is considered to be 'less than substantial' in terms of the requirements of the National Planning Policy Framework. The public benefits of the scheme would be that the existing building and its internal workings would be repaired and conserved albeit that the building would be put to a different use to that for which it was designed. On balance therefore it is considered that these benefits outweigh any harm that the bridge might bring to the setting of the building and the wider Conservation Area. As such the proposals are compliant with the Framework and with Core Strategy policies GSP1, GSP2, GSP3 and L3 and Local Plan policies LC4, LC5 and LC6.

Conclusion

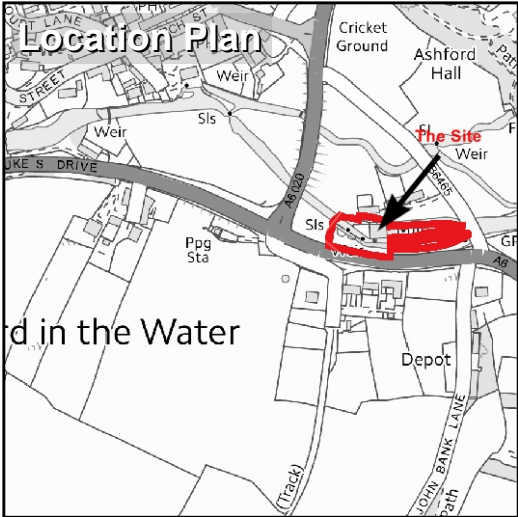
For the reasons set out in this report the proposed development meets the requirements of Core Strategy policy L3 in that the proposed works would conserve and enhance the listed building. The proposals are therefore compatible with the wider range of relevant Development Plan policies and design and conservation policies in the National Planning Policy Framework. Accordingly the application is recommended for conditional approval.

Human Rights

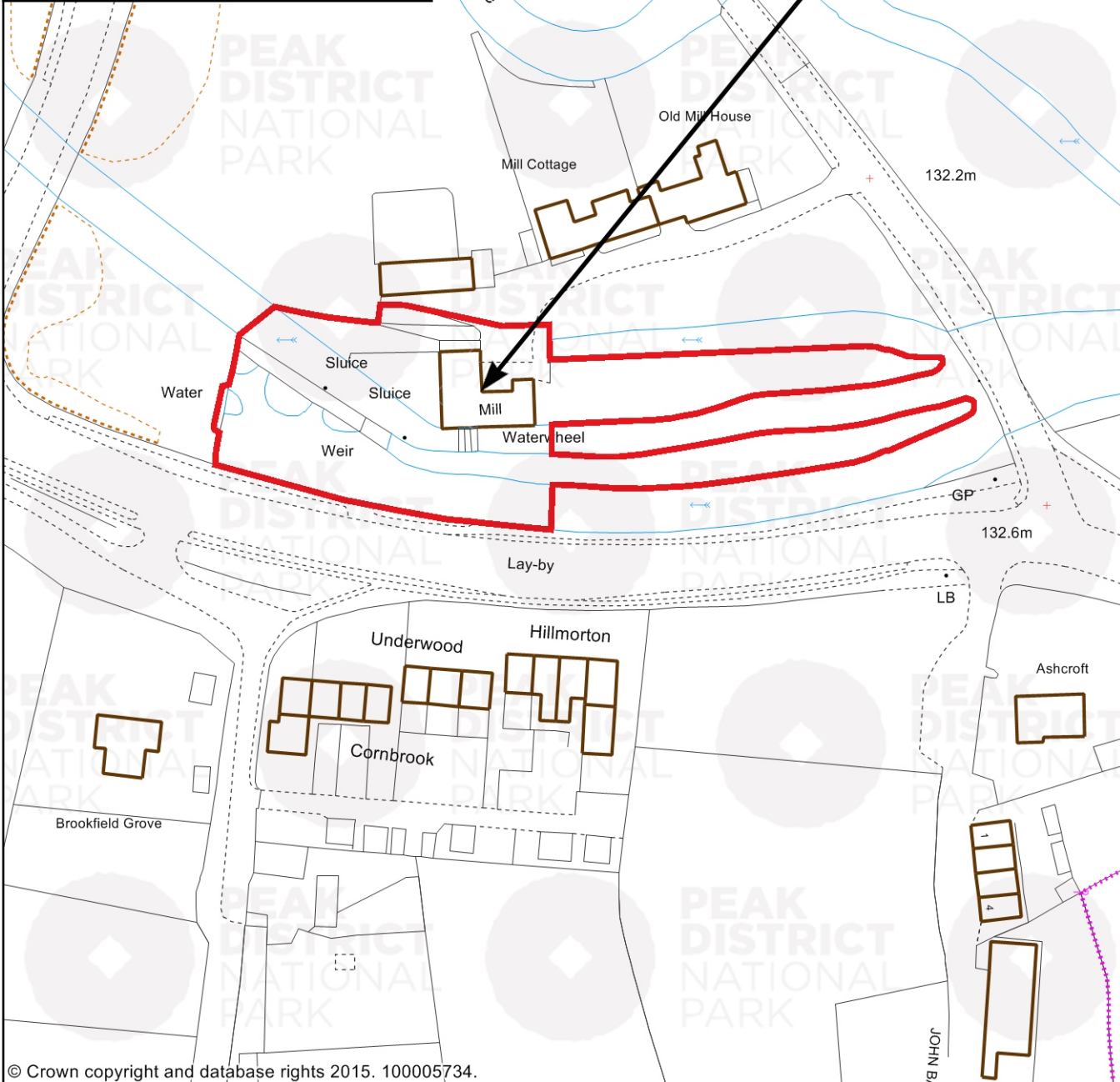
Any human rights issues have been considered and addressed in the preparation of this report.

List of Background Papers (not previously published)


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The Site



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<p>Committee Date: 13/03/2015 Item Number: 9 Application No: NP/DDD/1214/1291 Grid Reference: 419831, 369520</p>	<p>Title: The Mill Mill Lane Ashford inthe Water</p>	 <p>PEAK DISTRICT NATIONAL PARK</p>
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10. FULL APPLICATION - CONVERSION OF 3 AGRICULTURAL BUILDINGS TO 2 HOUSES AND GARAGES/GAMES ROOM ANCILLARY TO DWELLING, IVY HOUSE FARM, UPPERTOWN, BIRCHOVER (NP/DDD/1114/1155, P.9270, 414217 361642, 27/02/2015/JRS)

APPLICANT: MR & MRS D LENG

Site and Surroundings

Ivy House Farm is situated in a relatively isolated position on the northern side of Clough Lane in open countryside about 480m south-east of Birchover village. It comprises a large detached traditional farmhouse with a range of four detached modern agricultural buildings situated around a courtyard to the western side of the farmhouse.

Although recently constructed, the modern farm buildings have been built to a high standard in the local building vernacular style using traditional materials. These buildings are all single-storey with the exception of the laneside two-storey workshop/office building. There is also a modern agricultural building (sheep and poultry shed) situated on the opposite side of Clough Lane. This building has vertical-boarded timber wall cladding and a corrugated sheet roof.

The main approach road to the site from the village is via Uppertown Lane, a tarmacked single vehicle width lane which provides access to the local recreation ground and is used by walkers. This section of the road is sign-posted at the village end by the Highway Authority as being 'unsuitable for motor vehicles'.

The last 280m section of access track is off Upper Town Lane via Clough Lane, which is narrow winding section of lane surfaced with gravel, which serves a working farm (Cowley Knoll Farm) and a private dwelling (Upper Town) in addition to Ivy House Farm. Clough Lane is also a popular footpath route and beyond Ivy House Farm is unsuitable for vehicular traffic.

Proposal

The current application seeks permission for the change of use of two detached single-storey agricultural buildings in the courtyard to two open market dwellings. Consent is also being sought for the change of use of the two-storey agricultural building in the courtyard to ancillary garaging for the farmhouse with a games room on the first floor.

RECOMMENDATION:

That the application be REFUSED subject to the following reasons:

The proposal fails to meet the requirements of Core Strategy Policy HC1 because it proposes the conversion of a relatively modern range of buildings in a relatively isolated location in the open countryside. It has not been demonstrated that the impetus of the open market value of new houses is required to secure any conservation or enhancement to the site and its setting. The proposal would also be contrary to the National Planning Policy Framework which promotes sustainable development in rural areas, notably paragraph 55 of the Framework which seeks to avoid isolated new homes in the countryside unless there are special circumstances.

Key Issues

- whether the proposed conversion of two buildings to open market dwellings is acceptable in principle in relation to the Authority's Core Strategy policies and the National Planning Policy Framework in respect of sustainable development

Relevant Planning History

The following planning history is relevant to the grouping of farm buildings, which are the subject of the current application:

June 1998 – GDO Prior Notification Approval granted for Units 1 & 4. No conditions were attached requiring the buildings to be removed when no longer required for agricultural purposes. This approval also granted consent for the modern timber sheep shed on the other side of Clough Lane opposite the main complex of stone buildings.

March 2004 – GDO Prior Notification approval granted for the erection of a feed storage building (Unit 2). No conditions were attached requiring the buildings to be removed when no longer required for agricultural purposes.

December 2004 – Planning Consent granted for the erection of a sheep building (Unit 3). Consent granted subject to a conditions requiring that the building to be used solely for agricultural purposes and to be removed when no longer required for agricultural purposes.

November 2007 – GDO Prior Notification Approval granted for the erection of an agricultural building (pig sty) attached to the western end of Unit 4. This was withdrawn as the applicant was advised that full planning permission would be required as the proposal was for a livestock building.

February 2008 – Full Planning Permission granted for the erection of an agricultural building (pig sty) attached to the western end of Unit 4. A condition was attached requiring that the building shall not be used for any other purpose than a livestock building in accordance with the submitted details without the National Park Authority's prior written consent. This consent was not implemented.

March 2008 – GDO Notification Approval granted for a small agricultural building extension between Units 2&3. This consent was not implemented but amongst the conditions was condition 'g' which required that when the approved buildings hereby were no longer required for the purposes of agriculture they should be dismantled, removed from the site and the site shall be restored to its original condition.

This condition was imposed as whilst the buildings were to be of a traditional form and constructed of natural materials, GDO Notification Approval permitted to the use of the buildings solely for agricultural purposes. The officer's report stated that the applicant and agent may have been better advised to apply for full planning permission if they did not wish to be bound by this condition. However, it further stated that the opportunity existed for the applicant's to apply for planning permission to retain the building in any case should it no longer be required for the purposes of agriculture.

December 2013 – Full planning application submitted for the conversion of Units 1-4 to seven holiday units and a shop/café. This application was subsequently withdrawn following concerns raised about the scale of the proposed scheme, particularly with respect to highway issues and the principle of the proposed shop/café use, given its remote position well outside the village confines. Following discussions with the Authority's officers the applicant was advised to reduce the overall scale of the proposal and to omit the shop/café element.

May 2014 - Full planning application submitted for the change of use of three detached single-storey agricultural buildings in the courtyard to six units of holiday accommodation, and for the change of use of the remaining two-storey agricultural building in the courtyard to ancillary garaging for the farmhouse with a games room on the first floor. This application was withdrawn prior to determination by the Authority's Planning Committee in June 2014, but following a Committee site visit.

The following planning history relates to alterations and extensions to the existing house at Ivy House Farm:

August 1998 – Planning Consent granted for renovation of the farmhouse and conversion of a detached outbuilding to ancillary living accommodation.

December 2004 – Planning Consent granted for the erection of a rear two-storey extension to the farmhouse (implemented).

July 2005 – Planning Consent granted for the erection of a single-storey extension linking the farmhouse to the adjacent detached dependant relative annexe.

September 2008 – Planning Consent granted for the erection of a single-storey utility/laundry room extension between the annexe and Unit 1 (not implemented and now expired).

Consultation:

County Council (Highway) – on an “as submitted” basis, the application is open to a highway safety objection but if the applicant were to carry out improvements to Clough Lane then the County Council would have no objections to the proposals subject to conditions including agreement on the improvements to be carried out to Clough Lane.

District Council – No reply to date.

Parish Council – No response to date on this application but the Parish Council have previously commented that an increase in traffic along Clough Lane is undesirable, particularly as more vehicles would pass the recreation ground to gain access to Ivy House Farm. The Parish Council have also pointed out previously that Uppertown Lane is marked as unsuitable for traffic, there are no footpaths and there is an increasing problem with off-road users which the applicant has complained about on several occasions.

Representations

Four letters of objection have been received from nearby residents of this part of Birchover village, which raise the following issues:

- highway safety concerns, increase in use of a narrow lane that is unsuitable for motor vehicles, that has no passing places or traffic calming measures, and is the main access route for pedestrians, particularly young children, to the recreation ground;
- disturbance to properties from vehicles travelling up and down the lane late at night;
- increase in traffic will be a significant risk to elderly residents and young children.
- the traffic will also pass directly adjacent to a working farmyard adjacent to Clough Lane and the proposal would have a massive impact on that business and the quality of life to the family that own it in respect of privacy and disruption of extra traffic;
- original planning consents stated that the buildings would only be used for agricultural purposes. The new owners would have been aware of this stipulation when they purchased the property; and
- the highway is signposted unsuitable for vehicles, so altering the amount of traffic would contradict what the highway is designed for.

Main Policies

National Planning Policy Framework ('the Framework')

Paragraph 115 of the Framework states that great weight should be given to conserving landscape and scenic beauty in National Parks along with the conservation of wildlife and cultural heritage. Paragraph 17 of the NPPF sets out core planning principles including supporting sustainable economic development and high standards of design taking into account the roles and character of different areas, recognising the intrinsic character and beauty within the countryside and supporting thriving rural communities. The Framework is otherwise supportive of the re-use of existing buildings for housing and economic development.

Paragraph 54 of the Framework also says in rural areas, local planning authorities should be responsive to local circumstances and plan housing development to reflect local needs, particularly for affordable housing, including through rural exception sites where appropriate. Paragraph 55 goes on to say that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. For example, where there are groups of smaller settlements, development in one village may support services in a village nearby. Local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances.

The most relevant policies in the Development Plan (below) are consistent with national planning policies in the Framework because they promote the conversion of existing buildings in the Peak District where the proposed use of the building and associated development would be consistent with the conservation and enhancement of the National Park's scenic beauty, cultural heritage and wildlife interests, and would not harm the valued characteristics of the local area.

Development Plan

The policies in the Authority's Core Strategy that are most relevant to the current application include policies: DS1, GSP1, GSP2, GSP3, HC1, and L1. These policies are supported by saved Local Plan policies: LC3, LC4, LC8, LC24, LH1, LH4, LH6, LT11 and LT18. Of these policies, HC1, LH1 and LH6 are most directly relevant to the proposals in the current application.

Policies HC1 and LH1 carry forward the policy approach used in the Peak District National Park since 1994, that it is not appropriate to permit new housing simply in response to the significant open market demand to live in its sought after environment. The limited number of opportunities for new residential development emphasises the importance of concentrating on the eligible need within the National Park for affordable homes, rather than catering for a wider catchment area.

Therefore, HC1 and LH1 prioritise addressing eligible local need for affordable housing and support the provision of affordable housing for those who cannot compete in the open housing market. HC1 otherwise supports the provision of housing for key workers in rural areas, where they can be justified with reference to functional and financial tests, and the conversion of valued vernacular buildings to new housing to meet general demand where the impetus of open market values is required for their conservation and enhancement.

Policy LH6 says the conversion of an outbuilding within the curtilages of an existing dwelling to ancillary residential use will be permitted provided that:

- (i) it would not harm the character of the building, the dwelling and the surrounding area;
- and

- (ii) it would not result in an over-intensive use of the property, an inadequate standard of accommodation or amenity space, or the need to replace outbuildings at a later date; and
- (iii) the site is large enough to meet the parking and access requirements of the proposed development; and
- (iv) the new accommodation provided would remain under the control of the occupier of the main dwelling.

Assessment

The key issue raised by this application is whether the principle of conversion of the buildings to open market dwellings can be justified, either as being in accordance with policy or as an exception to it. This fundamental issue is dealt with in the last section of this assessment.

Conversion of farm building to garage and games room

This proposal concerns the former machinery store, which is a substantial stone-built two-storey building that runs parallel to Clough Lane and is to the immediate west of the existing house at Ivy House Farm. The submitted plans show that it is intended to use the ground floor of the building for the garaging of three domestic vehicles, and the first floor would become a games room. The physical works to achieve the proposed conversion comprise the installation of three new rooflights in the courtyard-facing roofslope, minor alterations to the boarded doors in the large door openings facing the courtyard, and an external stone staircase would be provided on the east facing gable (nearest the existing house) to provide access to the games room.

In design terms, the proposed conversion does not give rise to any concerns as there would be only very minor changes to the external appearance of the building which has been constructed to a particularly high specification of design, and the external staircase would be typical of many rural outbuildings. Therefore, there are no concerns that the proposed conversion would have any significant visual impact on the character of the surrounding landscape also taking into account the building is situated within an existing courtyard that is contingent with the curtilage of the farm house. The proposed uses of the building would not intensify the use of the property given that the garaging and games room is intended for the use of the occupants of the existing house, and the proposed conversion would not in itself generate additional vehicular movements to and from the property.

It is therefore considered that this proposal accords with the provisions of policy LH6 and the wider range of design and conservation policies in the Framework and the Development Plan, including policies GSP1, GSP2, GSP3, L1 and LC4, subject to conditions securing minor design detail and a condition that the converted building would remain under the control of the occupier of the main dwelling at Ivy House Farm.

Conversion of 2 farm buildings to 2 open market houses

These proposals concern the former feed store and sheep amenity building that are located at the western end of the courtyard at Ivy House Farm. These buildings, like the former machinery store, have been constructed to a high standard, with coursed natural gritstone walling under Staffordshire Blue natural plain clay tile roofs. The buildings are provided with dressed coped gables and quoinwork to the external corners and have large arched openings with dressed natural gritstone segmented arch details and dressed quoinwork surrounds. All pedestrian door and window openings are provided with dressed lintel and sills and dressed quoinwork surrounds.

Therefore, the buildings closely follow the local building tradition in terms of their size, form and detailing and have the character and appearance of stone-built farm buildings found within the National Park that often contribute positively to its landscape character.

The current application proposes the conversion of the food store to a four-bedroom house (with an internal floor area of c.160m²) and the sheep amenity building to a three-bedroom house (with an internal floor area of c.97m²). The works required to convert the food store would comprise the installation of a single rooflight in its north-facing roofslope to light a mezzanine bedroom and one boarded full-length arched opening and all the pedestrian door openings would be replaced with full-length glazing. All boarded openings on the east and west facing elevations of the sheep amenity building would be provided with full-length glazing with boarded timber shutters used on the west facing elevation that overlooks open countryside.

In design terms, there are no objections to the proposed changes to the external appearance of the buildings because it is considered that the conversions would be sensitive to the character and appearance of the existing buildings. Equally, in landscape terms, the proposed conversions would have a negligible visual impact on their landscape setting, and the proposed parking spaces for the new dwellings would be sited discreetly adjacent to Clough Lane amongst the existing group of buildings. There are no other concerns that the proposals would adversely impact on any protected species, or any heritage asset.

Providing the boarded south facing arched opening remained boarded in the former sheep amenity building (as shown on the submitted plans), there are no concerns that the two new houses would impinge on each other's privacy, and the two properties could sit side by side without being unneighbourly. The two buildings are sited far enough away from the existing house to avoid the proposed conversions having any substantial impact on the residential amenities of the existing house at Ivy House Farm. There are no other neighbouring properties that would be directly affected by the proposed conversions other than it is acknowledged there are local concerns that additional vehicular movements would have a harmful impact on the amenities of the local area.

Providing works are carried out to improve a section of Clough Lane, the Highway Authority has no objections to the current proposals, and officers also consider that access and parking provisions for the two new dwellings would be appropriate. On this basis, whilst officers acknowledge the concerns of the Parish Council about the width and nature of the access road, it is not considered that the extra vehicular movements along Clough Lane, Uppertown Lane and Main Street that would be generated by the two new houses would give rise to such substantial adverse impacts or cause such highway safety concerns that refusal of planning permission could be justified on these grounds.

It is therefore considered that the proposals accord with the design and conservation policies in the Development Plan and the Framework that require high standards of design and are permissive of development that would not detract from the valued characteristics of the local area and would be sensitive to its landscape setting within the National Park. Consequently, the key issues in the determination of the current application are whether the current proposals are consistent with conservation and housing policies in the Development Plan and with the policies in the Framework which support development in sustainable locations.

Principle

The proposals fail to meet the requirements of Core Strategy policy HC1 because the two buildings would not be converted to affordable housing to meet local need or for a key worker and the proposals are not required for the conservation or enhancement of valued vernacular buildings. The current proposals do not meet the requirements of policy LH1 of the Local Plan because the two buildings would not be converted to affordable housing to meet local need.

The Core Strategy, notably in policy HC1, carries forward the policy approach adopted by the Authority for many years, that it is not appropriate to permit new housing in the countryside simply in response to the significant open market demand to live in its much sought after environment. This reflects the conservation purpose of the National Park's statutory designation, to which, according to the National Planning Policy Framework (the Framework) great weight should be afforded. Accordingly Core Strategy Policy HC1 states that new housing, including the reuse of existing buildings, will only be accepted under exceptional circumstances. These include where it addresses eligible local need; provides for key rural workers or is required in order to achieve conservation/enhancement of a valued vernacular or listed building. This policy is consistent with paragraph 55 of the National Planning Policy Framework which sets out criteria where residential development in rural areas might be found acceptable. These criteria include the re-use of a redundant or disused building where it would lead to an enhancement in the immediate setting, or in order to meet an essential need for a rural worker to live permanently at or near their place of work. The Framework promotes sustainable development in rural areas; consequently, paragraph 55 of the Framework seeks to avoid isolated new homes in the countryside unless there are special circumstances, as outlined above. This approach has been consistently supported by Inspectors on appeal since 2011.

Although the buildings have been built to a high standard of design and architectural specifications, and are in keeping with the local building tradition, they have been built recently and do not have any special historic or architectural interest that would elevate the status of the buildings to a point where they could be regarded in the same way as a non-designated heritage asset, for example. The quality of the construction works and the relatively limited length of time that has elapsed since they were built means that the impetus of open market values is not required to conserve the buildings. Other than by way of the improvements to Clough Lane proposed by the Highway Authority, granting permission for the proposals would not achieve any other physical enhancements to the local area and these improvements are only required to serve the proposed development.

It might be argued that seeking to retain the buildings in an agricultural use where there is no reasonable prospect of the site being used for that purpose would not serve any meaningful purpose and there is no other viable use for the buildings, particularly given the size, nature and location of the buildings. However, the buildings have been constructed in recent years (by the previous owner) with a clearly stated agricultural purpose (and some were permitted development under the GPDO on that basis). The conversion of these buildings to open market dwellings after such a relatively short period on the basis that they have been built with a traditional vernacular appearance is considered to be an unsound approach which fundamentally conflicts with the Authority Core Strategy policies, notably GSP1, DS1 and HC1, and with the Framework, notably paragraph 55.

The buildings are in a very sound condition, given that they are of recent construction, so there is no imminent prospect of them falling into disrepair. Whilst conversion to open market dwellings may be an attractive option, it is not the only one that is possible. A mix of uses which fall within policy would be possible, even though it may not be the current owner's preference. For example, some buildings could be converted to holiday accommodation, but at a lower level than the previous scheme which was recommended for refusal, together with ancillary uses (storage, home-working, ancillary residential accommodation), and for the agricultural uses for which they were originally built. It is possible that the previous owners of the site over-invested in new buildings, but this does not provide a strong or valid justification for permitting the conversion of what are relatively new buildings in an isolated location in the open countryside, served by a poor access, into open market dwellings with no other policy justification.

It may be that alternative uses of the two buildings would require improvements to Clough Lane but would not be sufficiently viable to fund the improvements. For example, holiday lets have already been found to be contentious within the local area and there is little incentive to go forward with fewer units if even a very low number of units would trigger objections on highway safety grounds unless the lane is improved.

With regard to the possibility of conversion to affordable local needs dwellings, as submitted, the proposed conversions would be too large to be considered to be likely to be affordable to local people on low or moderate incomes, but this does not preclude an alternative design for smaller dwellings which would meet the Authority's guidance on the size of affordable dwellings.

Conclusion

In conclusion, it is considered there are no exceptional circumstances in this that would allow an exception to the Authority's housing policies to be considered on this occasion. The buildings are of a traditional style and materials but they are not "valued vernacular" buildings and are not in a suitable location for open market dwellings. There are no exceptional circumstances that justify an approval contrary to policy in this case. Approval of this application could encourage other landowners with relatively recently constructed buildings to consider their conversion to open market dwellings. This is a concern which is often expressed when the Authority is presented with proposals for high quality modern buildings in a traditional vernacular style. It is important to maintain a consistent approach to the re-use of these modern buildings, otherwise this may be abused; it would also make it more difficult to require or accept high quality designs in a traditional style if there is a prospect that they may be the subject of proposals for conversion to dwellings within a relatively short time.

With the benefit of hindsight, it may be that the site has been 'over developed' with four separate and substantial stone-built buildings that are not well-suited to modern farming practices and would not now be generally considered to have been purpose-designed for agricultural purposes. Applicants for such buildings need to be aware that they could be over-investing in such buildings and that the Authority's policies, together with the policies in the National Planning Policy Framework, are unlikely to allow conversion to an open market dwelling should the intended agricultural or other functional use cease.

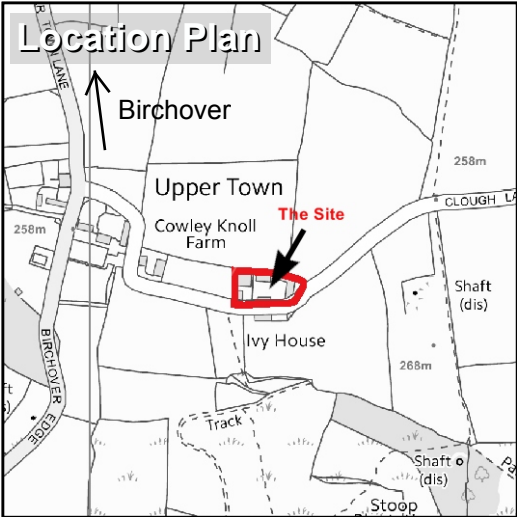
Accordingly, the current application is recommended for refusal.

Human Rights

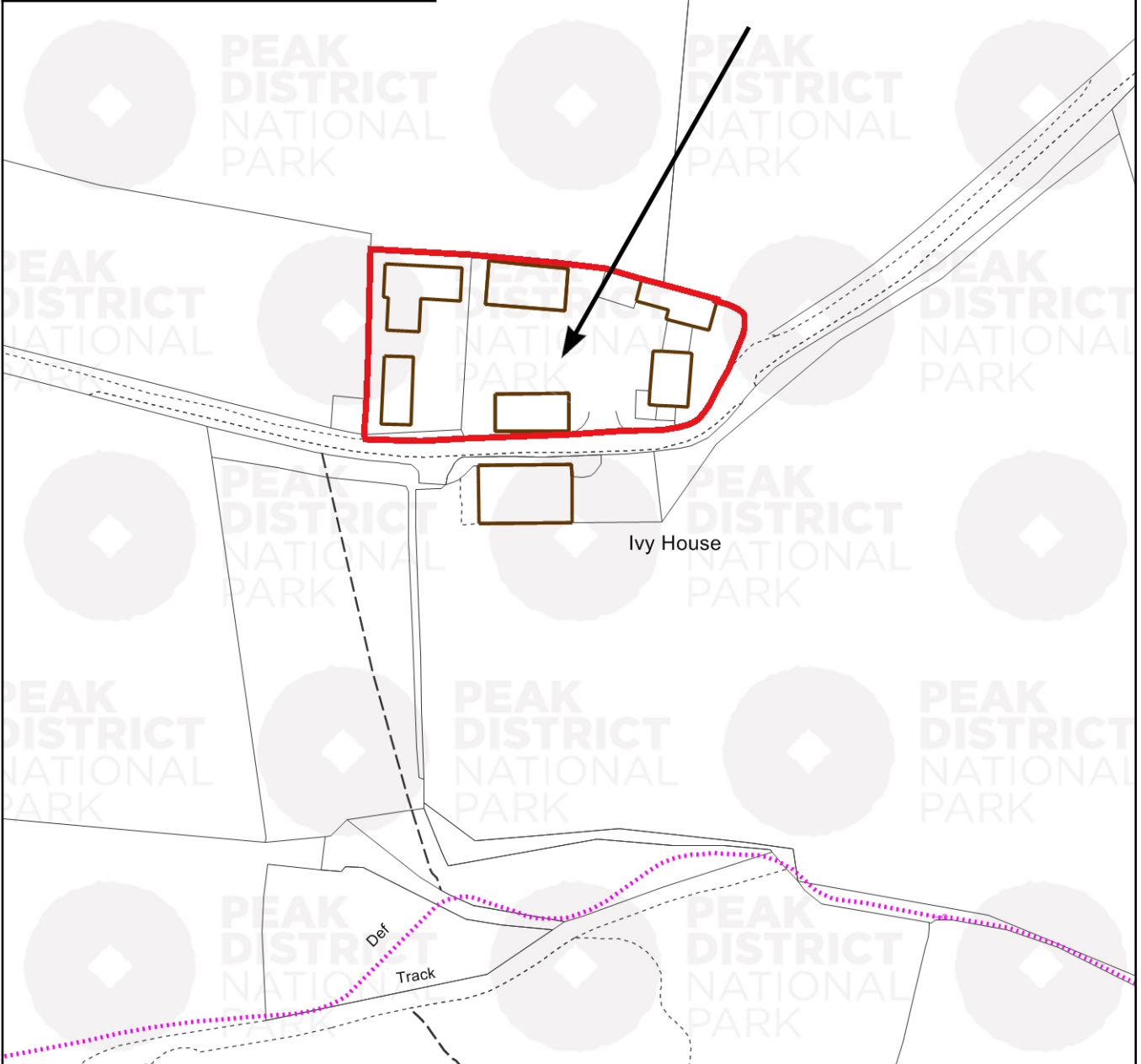
Any human rights issues have been considered and addressed in the preparation of this report.

List of Background Papers (not previously published)

Nil



The Site



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Committee Date:	13/03/2015	Title: Ivy House Farm Uppertown Birchover	 PEAK DISTRICT NATIONAL PARK
Item Number:	10		
Application No:	NP/DDD/1114/1155		
Grid Reference:	424217, 361642		

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11. FULL APPLICATION – DEMOLITION OF FORMER DWELLING AND THE ERECTION OF A NEW OPEN MARKET DWELLING AT HOPE VIEW COTTAGE, PINDALE ROAD, CASTLETON. (NP/HPK/1014/1108), P2105, 415198 / 382695/JK)

APPLICANT: MR HENRY WALKER

The application is brought to the Committee, since views of the Parish Council are contrary to the Officer recommendation.

Site and Surroundings

Hope View Cottage is a derelict dwelling (last in residential use in 1984), currently occupying a rising plot of land on the south side of Pindale Road, towards the eastern entrance to the village. The roadside elevation is bounded by a traditional drystone wall with no pavement between the boundary and the road. What remains of the structure indicates that it was a simple vernacular two storey dwelling, with a footprint of approximately 90m² and located 6m back from the road towards the centre of the plot.

The plot measures approximately 25m long x 17m deep and is currently overgrown with some mature trees and shrub. Pedestrian and vehicular access to the site is directly off Pindale Road. Bordering the site to the west is a row of traditional cottages (Winhill Terrace) and on the eastern boundary of the site is Hope View House, a two storey property of vernacular design. The land rises steeply to the rear (south) of the plot, towards the limestone ridge beyond. To the north are open views across the valley towards Lose Hill. The plot itself is sited within the village Conservation Area.

Proposal

Permission is being sought to demolish a former dwelling (now derelict) and the erection of a new open market dwelling. The submitted plans show a two storey four bedroomed dwelling, constructed of natural limestone under a pitched blue slate roof. The property would have an external floorspace of approx.160 m² and sited to the centre of the plot. The submitted Design & Access Statement suggests that the area in front of the proposed dwelling will be laid out to provide parking spaces for two vehicles, although this is not represented on the submitted plans.

RECOMMENDATION:

That the application be REFUSED for the following reasons:

- 1. Contrary to Policy HC1C II, that the proposed development is not required to conserve or enhance the site and the wider Conservation Area.**
- 2. Inappropriate scale and design of the new dwelling, contrary to policies GSP3, L3, LC4 and LC5.**

Key Issues

- Principle of development
- Impact upon the character & appearance of the Conservation Area.
- Impact upon the privacy and amenity of neighbouring properties.
- Highway impact

History

No planning history on file.

Consultations

Highway Authority – No response at the time of writing the report.

Parish Council - Agree with the proposed development of the site, as it would improve that area of land. However it would be incumbent on the PDNPA to ensure the two parking spaces are completed, as this road is already congested.

Natural England – No objections

PDNPA Tree Officer - No issues with tree removal as per the submitted Arboricultural Report. Suggest some re-planting with appropriate native species.

PDNPA Ecology - Recommend further survey and assessment being undertaken at the site. If bats are found to be roosting, detailed mitigation /compensation measures need to be included in any subsequent reports.

PDNPA Built Environment - Agree that renovating the site would be an improvement, but state that once the vegetation is removed, any building proposed is of an appropriate size/massing and sensitive design.

Representations

One letter of representation has been received from the neighbouring property Hope View House, summarised as follows:

1. What impact would this new property have on existing parking?
2. Would like to be reassured as the neighbour, how this would impact on my privacy, since the house has been vacant and with no plans for development since I purchased my property.
3. The development would impact on the loss of trees on the site and again potentially impact on privacy.

Main Policies

Relevant Core Strategy policies: GSP1, 2, 3, DS1, HC1, L3

Relevant Local Plan policies: LC4, LC5, LT11, LC17, LC20

National Planning Policy Framework

It is considered that in this case, there is no significant conflict between prevailing policies in the Development Plan and Government guidance in the NPPF.

Development Plan Policies

Core Strategy

GSP1, GSP2 and GSP3, jointly seek to secure national park legal purposes and duties through the conversion and enhancement of the National Park's landscape and its natural and heritage assets.

DS1 sets out at para C, that conversion or change of use to housing and a number of other uses is acceptable in principle and would preferably be done by re-use of traditional buildings.

HC1 states, provision will not be made for housing to solely meet open market demand. However exceptionally, new housing from the reuse of existing buildings can be accepted where there is a local need or where in accordance with policies GSP1 & GSP2, is required in order to achieve conservation and/or enhancement of valued vernacular or listed buildings or required in order to achieve conservation or enhancement in settlements listed in policy DS1.

L3 is particularly relevant, as it deals with Cultural heritage Assets. It explains that development must conserve and where appropriate enhance or reveal the significance of historic assets and their setting. Other than in exceptional circumstances development will not be permitted where it is likely to cause harm to the significance of any cultural heritage asset or its setting.

Local Plan

LC4 seeks to ensure that where development is permitted its detailed treatment is to a high standard that respects, conserves and, where possible, enhances the landscape, built environment and other valued characteristics of the area.

LC5 states that applications for development in a Conservation Area should assess and clearly demonstrate how the existing character and appearance of the Conservation Area will be preserved and where possible enhanced.

LT11 states, the design and number of parking spaces associated with residential development, including any communal residential parking, must respect the valued characteristics of the area, particularly in Conservation Areas.

LC17 relates to sites, features or species of wildlife, geological or geomorphological importance. This states that for statutorily designated sites, features or species of international, national or regional importance, development applications in the vicinity of designated sites will be carefully considered to assess the likelihood of adverse effects.

LC20, states amongst other things, that planning applications should provide sufficient information to enable their impact on trees, woodlands and other landscape features to be properly considered.

SPD advice is provided on Design & Renewables.

Officer assessment

Principle to open market dwelling

DS1 provides the development strategy. It allows conversion or change of use for a number of uses including housing, preferably by re-use of traditional buildings, subject to other policies within the Plan.

Core Strategy Policy HC1 provides the detailed housing policy. This explains that provision will not be made for housing solely to meet open market demand. Exceptionally, new local needs housing or key agricultural or forestry workers dwellings may be permitted.

The most relevant provision to the current proposal is part C, which in accordance with GSP1 and GSP2, HC1C (II) that development is required in order to achieve conservation or enhancement.

Paragraph 12.11 of the Core Strategy (CS) sets out the key aspects of policy HC1, as follows:
“Occasionally, new housing (whether newly built or from re-use of an existing building) may be the best way to achieve conservation and enhancement (for example of a valued building) or the treatment of a despoiled site. Sometimes this requires the impetus provided by open market

values, but wherever possible and financially viable, such developments should add to the stock of affordable housing, either on the site itself or elsewhere in the National Park. It is accepted that for small schemes capable of providing only one dwelling (whether new-build or changing the use of a building such as a barn) this is unlikely to be viable. However, unless open-market values are demonstrably required for conservation and enhancement purposes, all other schemes of this type that provide new housing should be controlled by agreements to keep them affordable and available for eligible local needs in perpetuity”.

This application has been submitted solely for open market housing. The key judgment is therefore whether an open market dwelling on the site is required to achieve its conservation or enhancement.

Officers consider that replacing the derelict building with a new house and subsequent landscaping would probably have minimal impact on the street scene than had previously been the case when the dwelling and land stood fully occupied. However, it is considered that in planning policy terms, the proposal does not meet the criteria in Core Strategy Policies which require an exceptional justification to approve an open market dwelling.

In this case, the plot in its present overgrown and returning to a natural state, so it is considered not to impact in a negative way on the street scene or the Conservation Area. It is considered that some appropriate management of the site and attention/refurbishment to the roadside boundary wall would be sufficient to conserve the site, without the need for further redevelopment. Therefore the impetus of an open market property is deemed not required in order to achieve the conservation or enhancement of the site and consequently the wider Conservation Area, therefore weakening the argument that the proposal is required to achieve enhancement and therefore comply with Policy HC1C.

Affordable local need option

In this situation, it is considered the applicant has not fully explained why the proposal is ‘required’ to conservation and/or enhancement, with which to meet the test of Policy HC1C, and that this could not have been achieved by other uses acceptable within policy, such as affordable local needs housing.

Given the policy objection with regard to HC1C, Officers had briefly suggested the option of achieving conservation or enhancement through an affordable housing scheme, as this would in principle meet eligible local need and could be supported in policy terms. However, this had not been regarded or addressed within the current application, and the application has been submitted solely for open market housing.

Design

LC4 considers design, layout and landscaping and points out that particular attention will be paid to scale, form, mass and orientation in relation to existing buildings. Design principles are set out in the Authority’s Supplementary Planning Documents.

In terms of the scale and external appearance of the building, it is considered that the proposed dwelling is too large within the plot, appearing very long in relation to its height, with the gable width being deeper than traditional. The scheme also includes non-traditional features such as bay windows, large glazed openings and an external chimney stack. For these reasons alone, the external scale, design and appearance are unacceptable and cannot be supported in its present form. Whilst no further design amendments have been sought at this stage, should Members be minded to approve the application in principle, then Officers would still have very strong concerns on design grounds, particularly given the location of the site in the Conservation Area.

Protected species

A bat survey has been submitted with the application, concluding the property has potential for roosting bats that has not been fully investigated. Further survey has been recommended in the report at Section 5. The Authority's Ecologist supports this view that a further survey and assessment be undertaken. If bats are found to be roosting, detailed mitigation /compensation measures need to be included in any subsequent reports.

Landscape

A submitted Arboricultural Survey has concluded that the existing tree and shrubs on the site have been poorly managed and therefore do not contribute to the conservation of the site/location. The Authority's Tree Officer has no issues with tree removal (as indicated in the Arboricultural Report) and suggests some re-planting with appropriate native species would be beneficial to any future development of the site.

Other issues

Whilst the neighbouring property (Hope View House) has submitted concerns over amenity and parking, Officers are confident (should members be minded to approve) that a scale, design and orientation of the building will overcome any perceived amenity issues. In addition, it would be the responsibility of the applicant/agent to submit a parking scheme acceptable to both the Planning and Highway Authorities.

Conclusion

The application is for an unrestricted open market dwelling. In this case, Officers consider that the proposal to develop with an open market dwelling the site is not required to achieve enhancement and that other uses such as affordable housing would be preferable and more readily supported within policy. Given the policy objection to HC1C, should members be sympathetic to the local need argument, then a more appropriate solution would be to refuse this submission and invite an application for a local needs dwelling/s on the site. In addition to this, there are strong design grounds to refuse the current application, notwithstanding the policy objections

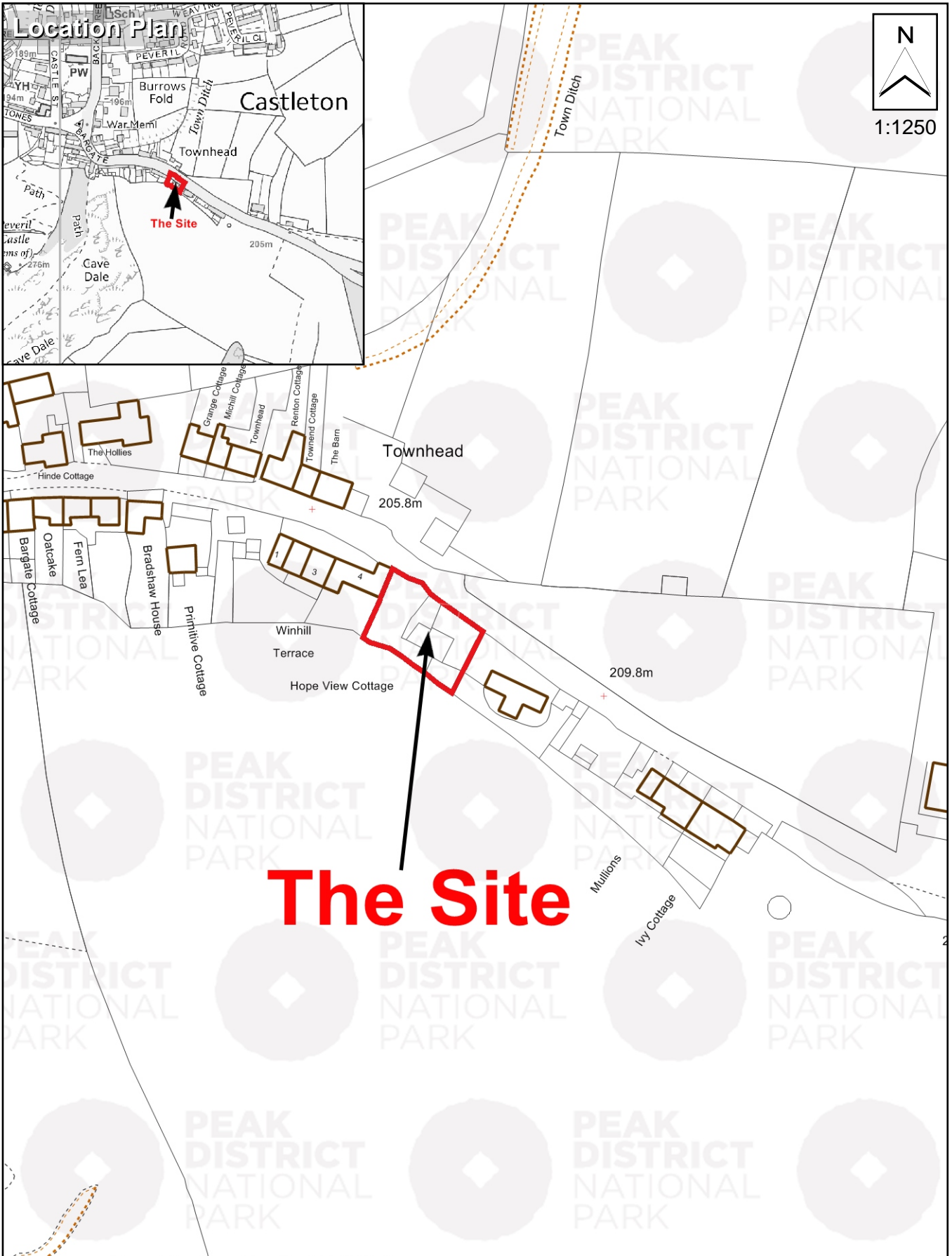
Human Rights

Any human rights issues have been considered and addressed in the preparation of this report.


List of Background Papers (not previously published)

Nil

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Committee Date:	13/03/2015	Title: Hope View Cottage	 PEAK DISTRICT NATIONAL PARK
Item Number:	11	Pindale Road	
Application No:	NP/HPK/1014/1108	Castleton	
Grid Reference:	415198, 382695		

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12. FULL APPLICATION – PROVISION OF AN ALL WEATHER RIDING SURFACE TO AN APPROVED RIDING ARENA, INCLUDING NEW PERIMETER TIMBER FENCE AND LANDSCAPING AT LANE END FARM, ABNEY (NP/DDD/0115/0036, P.1660, 419924 / 379933, 27/02/2015/AM)

APPLICANT: MR & MRS EVERARD

Site and Surroundings

Lane End Farm is located within Abney. The property includes a traditional gritstone farmhouse which fronts onto the lane and to the rear (north) a recently constructed stable block and riding arena on a levelled area of land bound by timber fencing. The farmhouse is occupied by the applicants who use the stables, riding arena and a nearby field for the keeping of up to 3 horses for domestic purposes.

The farmhouse and associated garden are located within the designated Abney Conservation Area. The stable block and riding arena are located outside of, but on the edge of, the Conservation Area. Vehicular access to the stables and riding arena is via an existing track which runs through the farm to the east of the site which is in separate ownership.

The nearest neighbouring properties in this case are Holly Cottage and Archway Cottage to the south west of the application site, the farm to east of the site. To the south east of the application site (east of the farmhouse) there is a range of traditional agricultural buildings. Part of this range has been converted to holiday accommodation. Planning permission has also been granted to convert the roadside barn to an open market dwelling.

Proposal

This application seeks planning permission for the provision of a new all-weather riding surface to the existing riding arena, along with the erection of a new timber perimeter fence and landscaping, including regarding the land around the levelled arena, new tree and hedge planting and the creation of a manure heap. The submitted plans show that the location of the riding arena would be unchanged, but provided with a new all-weather riding surface constructed with a mixture of recycled black rubber and sand.

The south west and east corners of the existing riding arena would be 'squared off' and the new riding surface would be bounded by a new treated timber post and rail fencing to replace the existing.

The levels of the embankment around the existing arena would be re-graded to provide a more gradual slope up to the riding surface. A new area for manure storage would be created to the south of the arena 'dug in' to the earth bund at this point with a concrete base and side walls.

Additional planting is proposed to either side of the riding arena, the planting would include native low level hedge planting (including hawthorn, blackthorn, hazel and holly) and tree planting along the south west embankment.

The existing driveway and stable block would be retained as existing.

RECOMMENDATION:

That the application be APPROVED subject to the following conditions or modifications.

- 1. Statutory three year time limit for implementation.**
- 2. Development to be carried out in accordance with specified approved plans.**

3. **Riding surface to be carried out in accordance with the sample received by the Authority and maintained in perpetuity.**
4. **Timber fencing and kickboards to be stained or painted either dark brown or black at the time of erection and maintained in perpetuity.**
5. **Scheme of landscaping to be carried out in accordance with the approved plans and maintained in perpetuity.**

Key Issues

- The visual impact of the proposed development and whether the proposed development would conserve the landscape character of the area and the setting of the designated Abney Conservation Area.
- Whether the proposed development is acceptable in all other respects.

Relevant Planning History

2004: NP/DDD/0204/0220: Planning permission granted conditionally for the change of use of land for the keeping of horses and the erection of stable and tack room.

Planning permission was granted subject to conditions that the use be restricted to domestic purposes only, ancillary to Lane End Farmhouse and that no more than 3 horses be kept on the site at any one time.

2006: NP/DDD/0305/0319: Planning permission granted unconditionally for the change of levels of land.

Consultations

Highway Authority - No objection subject to use remaining private and ancillary.

District Council – No response to date.

Parish Council – No response to date.

Representations

The public consultation period for this application does not end until the week before the committee meeting. A verbal update will be given at the meeting if any additional letters of representation are received.

A total of eleven letters of representation have been received at the time this report was written. Seven of the letters support the application and four of the letters object. The reasons given in support or in objection to the application are summarised below. The letters are available and can be read in full on the website.

Support

- The riding arena is already well established. The provision of an all-weather surface and landscaping will not change the character of the property in any material way.
- The arena is not visible from the road or from any neighbouring properties.

- The development will not block access to nearby fields. Both the applicants and neighbours use the access to the north east of the riding arena. The applicants will continue to use this access and neither the proposed development nor proposed landscaping will obstruct access.
- A wet weather surface will ensure the ground is kept neat and tidy.
- The provision of an all-weather surface will prevent the need to use another area in inclement weather and therefore reduce traffic.
- The addition of a hawthorn and blackthorn hedge will give a scenic advantage.

Object

- The development and proposed planting has the potential to block access to the agricultural land to the north east of the site.
- The proposed development would have an adverse visual and landscape impact where seen from higher ground from the nearby moorland footpaths.
- The proposed development would have an adverse visual impact upon the designated Abney Conservation Area.
- Views from the footpaths look down into the site and therefore the proposed planting will not mitigate the adverse visual impact.
- If permission is granted, consideration should be given to re-siting the riding arena to the western boundary.
- The use of the proposed facility should be clarified. It is unclear whether the riding arena would be used for domestic or commercial purposes.

Main Policies

Relevant Core Strategy policies: GSP1, GSP3, DS1, L1, L3 and RT1

Relevant Local Plan policies: LC4, LC5 and LR7

The Authority's adopted development strategy is set out in Core Strategy (CS) policy DS1 which states that recreation and tourism development is acceptable in principle in open countryside. CS policies L1, L3 and GSP3 set an overarching requirement that all development conserves and enhances the valued characteristics of the National Park including the scenic beauty of its landscapes and its cultural heritage.

CS policy RT1 says that (A) the National Park Authority will support facilities which enable recreation, which encourage understanding and enjoyment of the National Park and are appropriate to the National Park's valued characteristics. CS policy RT1 (B) goes on to state that in open countryside, clear demonstration of need for such a location will be necessary.

Saved local Plan (LP) policy LR7 refers specifically to facilities for keeping and riding horses and states that domestic facilities will be permitted provided that:

- i. The development does not detract from the landscape or valued characteristics of the area, either individually or cumulatively; and

- ii. is located adjacent to existing buildings or groups of buildings; and
- iii. is not likely to cause road safety problems; and
- v. Does not constitute a nuisance to local residents, landowners or farmers by noise, smell or other adverse impact.

There is no conflict with the above policies and national policies set out within the National Planning Policy Framework (the Framework) because both seek to promote appropriate and sustainable recreational development in the countryside while giving great weight to the conservation of the National Park.

Assessment

Relevant Development Plan policies are supportive in principle of facilities for riding horses and in this case the proposed riding arena is in accordance with LP policy LR7 (ii), (iii) and (iv) because the proposed development would affect an existing riding arena which is located adjacent to existing buildings, would not change the use of the riding arena (which is restricted to domestic and not commercial purposes) and having had regard to advice from the Highway Authority would not be likely to cause road safety problems.

The first key issue in this case therefore, is the visual and landscape impact of the proposed development and the potential impact upon the setting of the designated Abney Conservation Area (CS policy L1 and L3 and LP policy LC5 and LR7 (i)). The second key issue is whether the development would affect access to neighbouring fields or otherwise have a harmful impact upon amenity (CS policy GSP3 and LP policy LC4 and LR7 (v)).

With regard to the concerns raised about the potential visual and landscape impact of the proposed development, there is an established riding arena on the site which is closely related to nearby existing buildings. The proposed all-weather riding surface would be constructed using a mixture of recycled rubber and sand. The proposed surface would have a dark appearance which would mitigate the visual impact of the development where viewed from the footpath network.

The replacement timber fence would not have an adverse visual impact provided that the timberwork is treated in a dark stain when erected and maintained thereafter. The existing dry stone field boundary walls would be retained. The proposed re-grading of the embankment would create a more gentle gradient and would not have any adverse visual or landscape impact. The proposed muck storage area would be 'dug into' the embankment where it would only be visible from within the yard.

It is therefore considered that the proposed development would not have an adverse visual or landscape impact or have an adverse impact upon the setting of the designated Abney Conservation Area. The submitted application proposes additional landscaping comprising native hedge and tree planting. The proposed planting would be appropriate in landscape terms and when established, would further break up views into the site from public vantage points. If permission is granted, a condition would therefore be recommended to ensure that the proposed landscaping is implemented.

The submitted application proposes physical alterations to the existing riding arena, the use of which is restricted to domestic purposes. The submitted application does not propose any change of use or propose to increase the maximum number of horses that can be kept on the site. Access to the site and parking arrangements would be unchanged. There are otherwise no concerns that the proposed muck storage area would have a harmful impact upon the amenity of neighbouring properties given its modest size and the intervening distances.

Concern has been raised in regard to potential impact upon access through the site to the existing field access in the north east of the site. The submitted plans show that this access would be retained, with sufficient space for agricultural vehicles to pass by the riding arena and the proposed landscaping. The agent has also confirmed that the applicants require tractor and trailer access via this route and that there is no intention to obstruct access.

It is therefore considered that subject to conditions to secure the specifications of the proposed riding surface and timber fencing and to require the implementation of the proposed scheme of landscaping, that the proposed development would not have a harmful visual or landscape impact, would not harm the setting of the Abney Conservation Area and would not constitute a nuisance to or harm the amenity of any residential property or land owner.

Conclusion

It is considered that subject to conditions, the proposed development would not have a harmful visual or landscape impact or harm the setting of the Abney Conservation Area. The proposed development would otherwise not constitute a nuisance to or harm the amenity of any residential property or land owner in accordance with Core Strategy policies GSP1, GSP3, DS1, L1, L3 and RT1 and saved Local Plan policies LC4, LC5 and LR7.

In this case there is no conflict between relevant Development Plan policies and the more recently published National Planning Policy Framework. In the absence of any further material considerations the proposal is therefore recommended for approval, subject to the conditions outlined in this report.

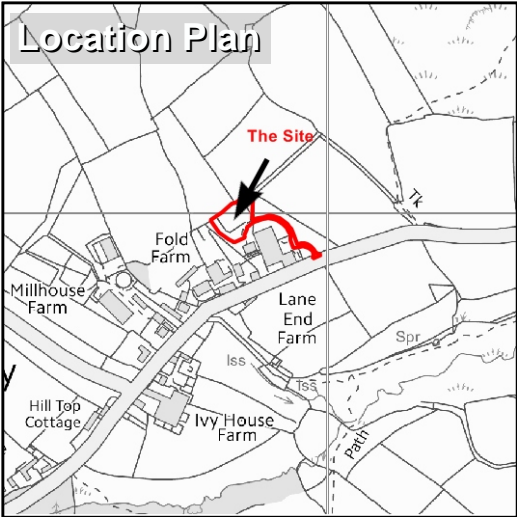
Human Rights

Any human rights issues have been considered and addressed in the preparation of this report.

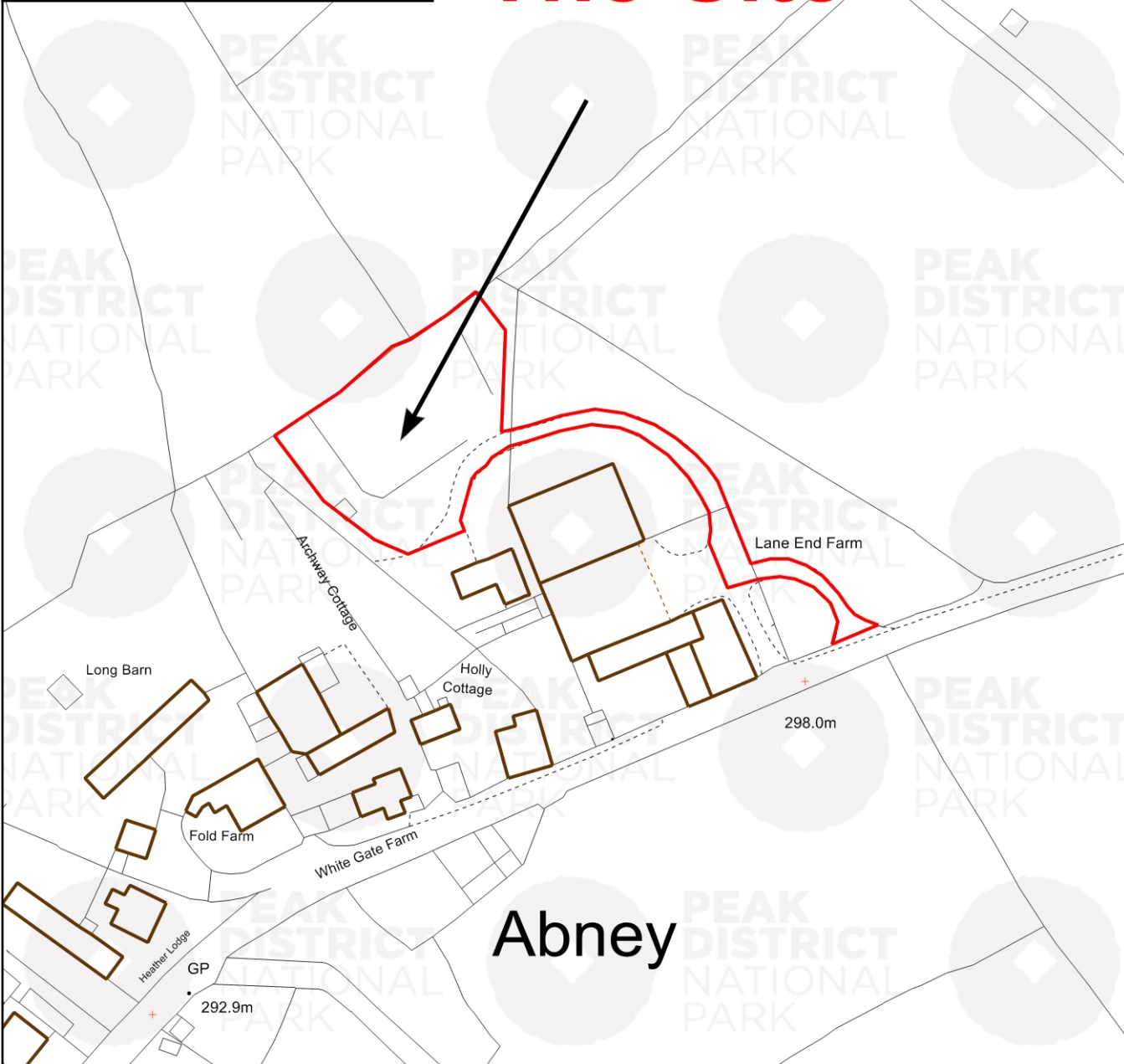
List of Background Papers (not previously published)

Nil


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The Site



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Committee Date:	NP/DDD/0115/0036	Title: Lane End Farm Abney	 PEAK DISTRICT NATIONAL PARK
Item Number:	12		
Application No:	NP/DDD/0115/0036		
Grid Reference:	419924, 379933		

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13. POTT SHRIGLEY CONSERVATION AREA DRAFT APPRAISAL (A4182/SA)

Purpose of the report

1. To seek Member approval for the adoption of Pott Shrigley Conservation Area Appraisal, which is the product of analysis of the character of the Conservation Area and a process of public consultation. The Appraisal covers only that part of the Pott Shrigley Conservation Area that lies within the Peak District National Park.

2. Key issues

- The Pott Shrigley Conservation Area Appraisal is the 103rd to be completed for the National Park's 109 Conservation Areas.
- A public consultation took place, enabling all interested parties to comment on the draft Appraisal.
- No objections were raised regarding the content of the Appraisal, although a few respondents suggested minor amendments, most of which have been accommodated in the final draft.

Recommendations

1. **That the Pott Shrigley Conservation Area Appraisal is adopted.**

How does this contribute to our policies and legal obligations?

3. Section 69. (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states: 'Every local planning authority (a) shall from time to time determine which parts of their area are areas of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance, and (b) shall designate those areas as conservation areas. (2) It shall be the duty of a local authority from time to time to review the past exercise of functions under this section and to determine whether any parts of their area should be designated as conservation areas; and, if they so determine, they shall designate those parts accordingly.'
4. The National Planning Policy Framework (2012) sets out the Government's objectives for the historic environment and the reasons for its conservation. The NPPF is integral to plan making and is an important material consideration, alongside adopted local planning policies, when assessing development that will affect a heritage asset, including Conservation Areas.
5. The preparation of the Pott Shrigley Conservation Area Appraisal is in line with the above national legislation and guidance. At present Conservation Area Appraisals have been completed for 102 of the National Park's 109 Conservation Areas. Seven Conservation Areas remain without Appraisals. The Authority's first priority is those Conservation Areas that do not have an Appraisal. Further prioritisation is agreed in consultation with Authority Officers and appropriate communities. It is anticipated that another Appraisal will be completed in 2015/16.
6. If adopted the Appraisal will be a material consideration when assessing proposals within the Conservation Area's boundary and proposed development that would affect the setting, or views into or out of the Conservation Area. Current Government advice suggests that Conservation Area Appraisals are not adopted as Supplementary Planning Documents. However, there are two generic policies (L1 and L3) on the management of the cultural heritage values of the built environment included within the core strategy document (Development Plan Document) of the Local Development Framework.

7. The Conservation Area Appraisal contributes towards the objectives in the National Park Management Plan (2012-2017). In particular: 'DL1. The diverse national park landscapes will respond to challenges whilst retaining their special qualities and natural beauty'; 'DL2. Our cultural heritage and distinctive local traditions will be sustained and enhanced as an integral part of modern Peak District life'; 'WI2. The Peak District will be an unrivalled setting for opportunities which enable people to develop a deeper understanding and appreciation of the place, and which instil a desire to contribute to the conservation, community and economy of the national park'; and 'TV1. Thriving villages, hamlets and the market town of Bakewell will adapt to new challenges whilst retaining their valued historic and cultural integrity'.
8. The Appraisal is also in line with objective 3.7 (a) of the Cultural Heritage Strategy for the National Park, which is to: 'continue the current programme of Conservation Area Character Appraisals including community consultation'.
9. The Conservation Area Appraisal complements and is informed by the Landscape Strategy and Action Plan (2009) and the National Park Authority's Design Guide (2007). Section 2.6 of the Design Guide emphasises that both the Landscape Character Assessment, which forms the descriptive part of the Landscape Strategy and Action Plan, and Conservation Area Appraisals are intended to inform and ensure better management of the National Park landscape. In addition, Design and Access Statements, which are a statutory requirement for many planning applications, should refer to the Landscape Strategy and Action Plan and relevant Conservation Area Appraisal as necessary.
10. The Appraisal has been prepared in line with English Heritage's 'Guidance on Conservation Area Appraisals' (2006) and 'Understanding Place: Conservation Area Designation, Appraisal and Management' (2011).

Background

11. An appraisal of the part of Pott Shrigley Conservation Area that lies within the Peak District National Park has been carried out, in line with the guidance described above, and outlines the main features of importance within the boundary of this part of the Conservation Area. A black-and-white copy of the draft Appraisal is attached to this report. The full-colour version of the draft Appraisal will be available at Committee and can also be viewed on the Authority's website at <http://www.peakdistrict.gov.uk/living-and-working/your-community/ca/caa/pott-shrigley-conservation-area-appraisal>.
12. The Authority procedure for consultation on Conservation Area Appraisals has been followed in Pott Shrigley, as with other Appraisals. The process enables all those with a potential interest in the contents of the Appraisal to become aware of its availability and to be able to access it and make comments.
13. The procedure for consultation adopted for the Pott Shrigley Conservation Area Appraisal was as follows:
 - A four-week consultation period, during which the draft Appraisal was available for internal consultation, enabling other Authority services to comment, and public consultation, enabling people outside the Authority, whether individually or as a group, to submit comments on the draft document.
 - As part of the public consultation all properties within the part of Pott Shrigley Conservation Area which lies within the National Park, together with the Pott Shrigley Parish Council and Cheshire East Council, Countryside landscape consultants, relevant PDNPA Members and Ward Councillors were informed, by letter or email, of the existence of the draft Appraisal and the consultation period.

Information about the consultation period was also made available on the Peak District Online website and through press releases. All, therefore, had the opportunity to comment if they so wished. Letters were also sent, for interest only, to all properties within the part of Pott Shrigley Conservation Area which lies outside the National Park, informing them of the existence of the draft Appraisal and of the public consultation. Hard copies of the draft Appraisal were available at Pott Shrigley Parish Council and Aldern House reception, and could also be viewed on the Authority's website.

- Following the consultation period, appropriate amendments were made where issues raised were within the remit of the Appraisal, before presenting this final draft Appraisal to Committee for adoption.

14. Comments were received by post or email from the Pott Shrigley Parish Council and from 3 other respondents. There was also one request for a printed copy of the final approved Appraisal. The Appraisal was supported by respondents. The Authority's Officers welcome all comments, reflecting as they do the obvious passion felt by the community for their village.

Consultees

15. Member Consultees

Clr H Gaddum, Cheshire East Council
Clr H Murray, Ward Member for Poynton East and Pott Shrigley
Clr J Saunders, Ward Member for Poynton East and Pott Shrigley
Paul Ancell, Chair of Planning Committee
Stella McGuire, Member Representative for Cultural Heritage

External Consultees

Countryside

Cheshire East Council Heritage and Design Department
Cheshire East Council Highways Team
Pott Shrigley Parish Council

All residents within the part of Pott Shrigley Conservation Area which lies within the National Park and others with an interest

Internal Consultees

Landscape Architect, Ecologist, Tree Conservation Officer, Policy Officer, Transport Planning Manager, Senior Conservation Archaeologist, Rangers – Area Team Manager and Area Ranger, Moors For the Future – Conservation Works Assistant, Planner – North Area.

Proposals

16. English Heritage guidance states that the purpose of a Conservation Area Appraisal is to define and analyse the special historic character and appearance that justify why the Conservation Area has been designated. The Appraisal highlights those elements that contribute to or detract from the architectural and historic importance of the area.
17. Adoption of the Pott Shrigley Conservation Area Appraisal will enable it to be used in a number of ways, including:
- To assess the impact of proposed development on the Conservation Area and its setting. It can also be used to inform the quality of new development and can assist in both planning appeals and in the development of planning policy.
 - To identify opportunities for managing change and elements that would benefit

from enhancement. This information could be used by the local community, individuals, the Authority and other agencies and stakeholders to develop initiatives that aim to protect or sympathetically enhance the area.

- To promote understanding and awareness of the area. It can be used as a starting point for interpretive materials such as information boards and local guides. It also provides a social and historical record of a place at a specific point in time, helping to create, maintain or enhance local distinctiveness and a sense of place.
- To help attract funding for improvements in an area. An Appraisal can act as a catalyst for further enhancement work and community projects, encouraging partnerships between the local community, other stakeholders and partners and the Authority.

18. Conservation Area Consent was abolished on 1 October 2013. However, Conservation Area designation brings with it some legislative controls to ensure that any changes respect the special character of the area. The following legislative controls already apply to any building or land within Pott Shrigley Conservation Area. These controls will also apply to any building or land within the proposed Conservation Area boundary extensions, if approved:

- Planning permission will be required to totally or substantially demolish a building with a volume of 115 cubic metres or greater.
- Prior approval will be required, from the Authority's Planning Service, to demolish a building between 50 and 115 cubic metres.
- Planning permission will be required to demolish all or any part of a wall, fence, gate or other means of enclosure 1 metre or more in height next to a highway (including a public footpath or bridleway), waterway or public open space, or 2 metres or more in height elsewhere.
- Planning permission will be required to demolish a building constructed before 1914 and in use, or last used, for agricultural or forestry purposes.
- Planning permission may also be required for some minor development.
- Planning applications for development within a Conservation Area will have to demonstrate that the proposed work will preserve, and where possible enhance, the character of the Conservation Area.
- Trees with a trunk 7.5cm or more in diameter in a Conservation Area are protected. Anyone proposing to cut down or carry out work on a tree in a Conservation Area is required to give the Local Planning Authority 6 weeks written notice of intent to do so.

Are there any corporate implications members should be concerned about?

19. **Financial:** None.

20. **Risk Management:** No risk identified.

21. **Sustainability:** There are no direct sustainability implications with the Conservation Area Appraisal as it is a descriptive document. However, the Appraisal forms the basis for a subsequent Conservation Area Management Plan and a principal objective of this will be to make places, as well as buildings, more sustainable.

22. **Other relevant implications**
No other relevant implications.

23. **Background papers** None

Appendices

1. Drawing No A4182/1 showing the Pott Shrigley Conservation Area boundary.
2. Black-and-white copy of the Pott Shrigley Conservation Area Appraisal.

Report Author and Job Title

Sue Adam, on behalf of Catherine Mate, Conservation Officer, 5 March 2015

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Fig. 2 Pott Shrigley Conservation Area
 Designation date 20th July 1979
 Peak District National Park Authority, Aldern House, Baslow Road, Bakewell, DE45 1AE
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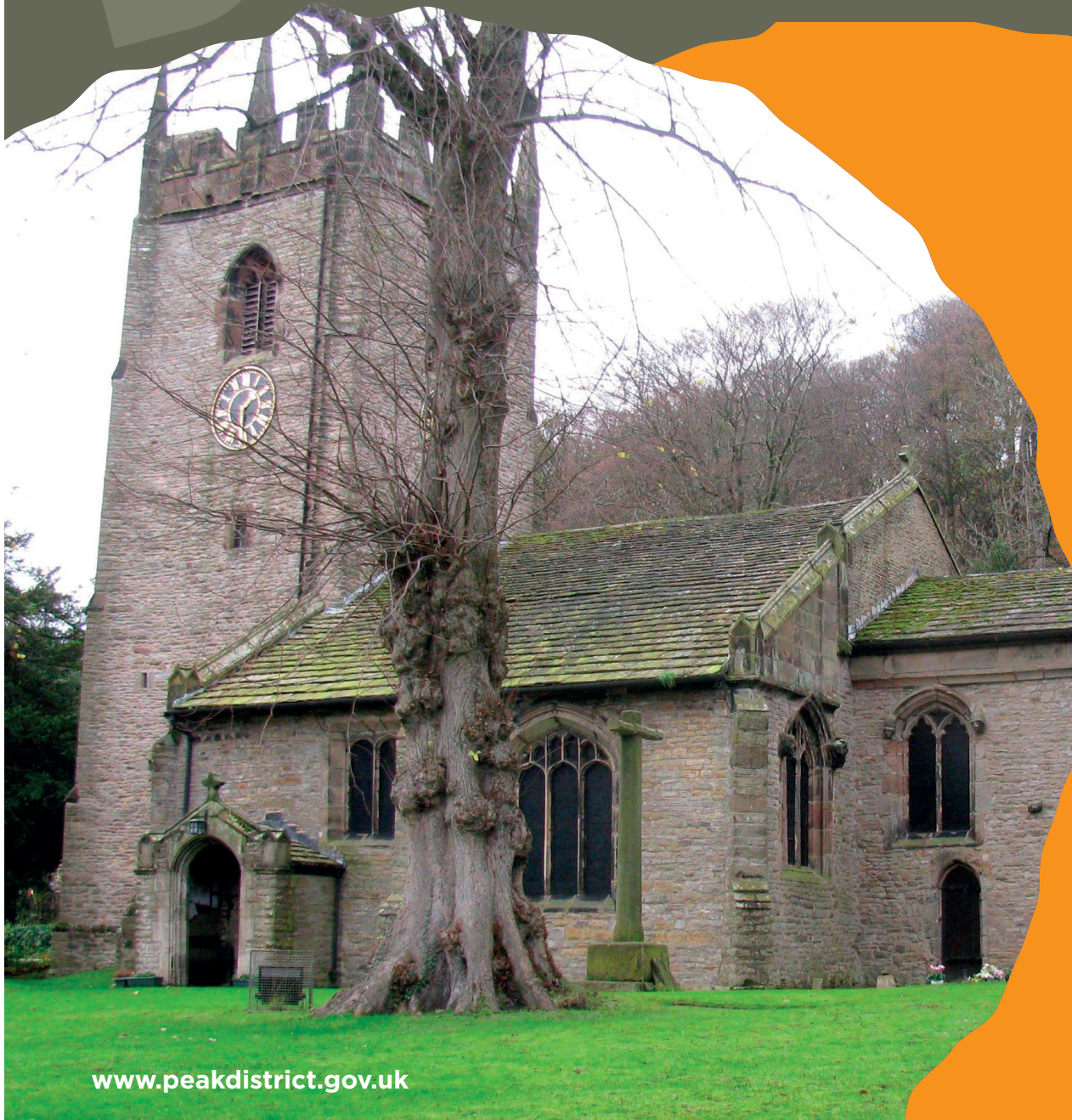
**PEAK
DISTRICT
NATIONAL
PARK**

Pott Shrigley

Conservation Area Appraisal

March 2015

DRAFT



POTT SHRIGLEY CONSERVATION AREA APPRAISAL

CONTENTS

Page No.

LIST OF FIGURES

INTRODUCTION

1. CHARACTER SUMMARY	1
2. LOCATION AND POPULATION	3
3. HISTORIC AND ARCHAEOLOGICAL DEVELOPMENT	8
4. FORMER AND CURRENT USES	17
5. ARCHITECTURAL AND HISTORIC QUALITIES	20
6. PREVALENT AND TRADITIONAL BUILDING MATERIALS	27
7. THE RELATIONSHIP OF STRUCTURES AND SPACES	32
8. GREEN AND OTHER NATURAL LANDSCAPE FEATURES	37
9. CONSERVATION AREA SETTING	42
10. AMENDMENTS TO THE CONSERVATION AREA BOUNDARY	44
11. POTENTIAL FOR IMPROVEMENT	45
12. PLANNING POLICY	48
13. DESIGNATED HERITAGE ASSETS IN POTT SHRIGLEY CONSERVATION AREA	50
14. GLOSSARY	51
15. REFERENCES	54

LIST OF FIGURES

Page No.

Fig. 1	Location of Pott Shrigley Conservation Area	5
Fig. 2	Pott Shrigley Conservation Area Boundary	6
Fig. 3	Aerial Photograph showing Pott Shrigley Conservation Area	7
Fig. 4	Archaeological Sites Identified on the Cheshire Council Historic Environment Record (HER), within Pott Shrigley Conservation Area	12
Fig. 5	1686 Map of the Survey of the Lands in Bollington belonging to Edward Downes of Shrigley	13
Fig. 6	1848 Tithe Map of Pott Shrigley	14
Fig. 7	1871 1 st Edition Ordnance Survey of Pott Shrigley	15
Fig. 8	1897 2 nd Edition Ordnance Survey of Pott Shrigley	16
Fig. 9	Architectural Development within Pott Shrigley Conservation Area	26
Fig. 10	Streetscape Features within Pott Shrigley Conservation Area	35
Fig. 11	Views within Pott Shrigley Conservation Area	36
Fig. 12	Landscape Features within Pott Shrigley Conservation Area	41

ACKNOWLEDGEMENTS:

We would like to thank the following for their additional assistance with this Appraisal:

Joyce Burton (Parish Clerk to Pott Shrigley Parish Council), David Kitching, Bollington Discovery Centre, Cheshire Archives and Local Studies, Cheshire Record Office

PLEASE NOTE: No Conservation Area Appraisal can ever be completely comprehensive. Omission of any particular building, feature or space should not be taken to imply that it is of no interest or significance.

In addition, there is a Glossary at the back of this Appraisal amplifying a range of historical and technical terms used within this document.

INTRODUCTION TO CONSERVATION AREAS & APPRAISALS

What is a Conservation Area?

A Conservation Area is defined as an area of 'special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance' (Planning (Listed Buildings and Conservation Areas) Act 1990).

Each Conservation Area has a unique character shaped by a combination of elements including buildings, materials, spaces, trees, street plan, history and economic background.

The aim of Conservation Area designation is to ensure that this character is not destroyed or undermined by inappropriate changes.

Conservation Areas in the Peak District National Park

There are 109 Conservation Areas in the National Park. Most contain groups of traditional buildings. Others include Historic Parks and Gardens, such as Lyme Park, or industrial sites, such as Cressbrook Mill.

Conservation Areas generally have an aesthetic quality that makes them desirable places in which to live. In order to preserve and enhance this aesthetic quality, a high standard of design and materials is required of any development within a Conservation Area. Organisations, including utility providers, are encouraged to exercise care and sensitivity.

Grant Assistance in a Conservation Area

Grants may be available for tree planting and tree surgery (no grants are provided for tree felling) within Conservation Areas. For further information please contact the National Park Authority's Tree Conservation Officer (on 01629 816200).

If local communities want to produce a Management Action Plan they can seek advice on both production of the plan and sources of funding for projects identified within it from the National Park Authority's Communities and Villages Officer (on 01629 816200).

Projects that have sustainability as their principal objective may be eligible for a grant from the Authority. For information please contact the National Park Authority's Sustainable Development Officer (on 01629 816200). For advice on improving the energy efficiency of historic buildings please contact the National Park Authority's Cultural Heritage Team (as above).

Planning Constraints in a Conservation Area

Conservation Area Consent was abolished on 1st October 2013. However, Conservation Area designation brings with it some legislative controls to ensure that any changes respect the special character of the area. The following controls apply to any building or land within a Conservation Area:

- Planning permission will be required to totally or substantially demolish a building with a volume of 115 cubic metres or greater.
- Prior approval will be required, from the Authority's Planning Service, to demolish a building between 50 and 115 cubic metres.
- Planning permission will be required to demolish all or any part of a wall, fence, gate or other means of enclosure 1 metre or more in height next to a highway (including a public footpath or bridleway), waterway or public open space, or 2 metres or more in height elsewhere.
- Planning permission will be required to demolish a building constructed before 1914 and in use, or last used, for agricultural or forestry purposes.
- Planning permission may also be required for some minor development.
- Planning applications for development within a Conservation Area will have to demonstrate that the proposed work will preserve, and where possible enhance, the character of the Conservation Area.
- Trees with a diameter 7.5cm, or more, in a Conservation Area are protected. Anyone proposing to cut down or carry out work on a tree in a Conservation Area is required to give the Local Planning Authority 6 weeks written notice of intent to do so.

The above guidance reflects legislation and guidance at the time this Appraisal was written. For further advice, please contact the Authority's Planning Service (on 01629 816200).

What is a Conservation Area Appraisal?

Local Authorities have a duty to review Conservation Areas from time to time. The preparation, publication and formal adoption of Conservation Area Appraisals are part of this process. Appraisals are being carried out, and in some instances reviewed, for each of the Peak District National Park's 109 Conservation Areas. English Heritage's 'Guidance on Conservation Area Appraisals' (2006) and 'Understanding Place: Conservation Area Designation, Appraisal and Management' (2011) inform the format and content of the appraisals.

Appraisals identify the special qualities that make a place worthy of designation as a Conservation Area. They look at ways in which the character of a place can be preserved or enhanced and are intended to inform future changes, not to prevent them altogether. Draft Conservation Area Appraisals will be available for public consultation prior to adoption.

Conservation Area Appraisals should be read in conjunction with the Authority's Local Development Framework Core Strategy (2011) and saved policies in the Local Plan (2001), the Authority's Supplementary Planning Document for Climate Change and Sustainable Building (2013), the Design Guide (2007) and the Authority's Landscape Strategy and Action Plan (2009). The relevant national guidance should also be taken into account, for example the National Planning Policy Framework (2012) and the forthcoming National Planning Practice Guidance (currently in consultation). These documents all include policies that help protect the special character of Conservation Areas and guide new development.

Once adopted, Appraisals will be available on request from the National Park Authority and on our website. Copies will also be sent to the relevant Parish Council and local libraries.

When this Appraisal has been adopted the above paragraph will be replaced with the following, 'The Pott Shrigley Conservation Area Appraisal was adopted at the Peak District National Park Authority's Planning Committee on the xxxxxx. It is available on the National Park Authority's website. Copies of this document have also been given to Cheshire East Council, Pott Shrigley Parish Council and Cheshire Archive and Local Studies Library.'

How will the Appraisal be used?

An appraisal can be used to assess the impact of proposed development on Conservation Areas and their settings. It can also assist in planning appeals, the development of planning policy and community-led initiatives.

An appraisal can identify opportunities for change and elements that would benefit from enhancement. This information could be used by local communities, individuals, the Authority and other agencies to develop initiatives that aim to protect or sympathetically enhance an area.

An appraisal can promote understanding and awareness of an area. It can be used as a starting point for interpretive materials such as information boards and local guides. It also provides a social and historical record of a place at a specific point in time, helping to create, maintain or enhance a sense of place and community.

Appraisals can help attract funding for improvements in an area. They can act as a catalyst for further enhancement work and community projects, encouraging partnerships between local communities, organisations and the Authority.

1.0 CHARACTER SUMMARY

1.1 Pott Shrigley was designated a Conservation Area on the 20 July 1979 by the former Peak Park Joint Planning Board and Macclesfield Borough Council (now the Peak District National Park Authority and Cheshire East Council). (Fig 2).

1.2 The designation schedule from April 1980 states that the 'conservation area boundary includes Holme Wood, the road, stream and dale as far as and including the Homestead, Pott Hall, Jackson Brow, The Vicarage, Engine Wood, land surrounding the Cricket Ground and Nab Wood.'



P1.1 Deer on the open space near the cricket ground

1.3 The National Park Boundary cuts through the Conservation Area boundary. It follows Shrigley Road and Bakestone Road below the northern edge of the Conservation Area; properties at the road junction opposite St Christopher's Church and at Pott Mill are outside the National Park and under the jurisdiction of Cheshire East Council. (Fig 2).



P1.2 Buildings on the north side of the road are outside the National Park boundary

1.4 The National Park boundary also runs south-east cutting through Nab Wood; land and property to the west of this boundary are outside the National Park and under the jurisdiction of Cheshire East Council. (Fig 2).

1.5 Pott Shrigley is a loose knit settlement which occupies a position at the junction of two river valleys and two roads in a wooded setting. The nucleus of the village is centred around St Christopher's Church. A significant number of the buildings date from the nineteenth century.



P1.3 The junction of Shrigley Road (north and south) and Bakestone Road

1.6 The early development of the settlement was likely to have been connected to the establishment of the Church and Pott and Shrigley Halls.

1.7 From the nineteenth century the neighbouring village of Bollington developed rapidly on the back of a thriving cotton industry. The proximity of Pott Shrigley to the much larger settlement of Bollington would have inhibited the development of the village. The economy of Pott Shrigley was based primarily on servicing the halls, agriculture and later quarrying and coal mining.

1.8 Sandstone buildings with Kerridge stone slate roofs pre-dominate. There are stone boundary walls with a variety of coping details.



P1.4 Kerridge stone is the dominant building material

1.9 The Conservation area encompasses a large area of open green space. There is a high concentration of trees within the managed woodlands of Holme and Nab wood on its northern edge. There are a number of important trees within the Conservation Area

and many of these are within garden boundaries. Although there are some specimen trees, species such as ash and sycamore dominate in the wider landscape.



P1.5 Trees and woodland are important to the setting

1.10 Although not always visually apparent Harrop Brook contributes to the character of the Conservation Area and the sound of running water is noticeable at points along Shrigley Road and Spuley Lane.



P1.6 Harrop Brook can be seen and heard on Spuley Lane and Shrigley Road.

2.0 LOCATION AND POPULATION

2.1 Pott Shrigley is a small village on the western fringe of the Peak District National Park, close to the Cheshire Plain. It occupies a protected south-facing site, in a wooded setting at the head of a small valley, at an altitude of approximately 198 m. (650') above O.S Datum.

2.2 The village of Pott Shrigley is in the Parish of Pott Shrigley and is in the Cheshire East Administrative Area. The Peak District National Park boundary runs through the village along Bakestonedale Road and Shrigley Road. The cottages to the north of the road, opposite St Christopher's Church, and at Pott Mill are outside the National Park. They are however in the Conservation Area under the jurisdiction of Cheshire East Council. (See Figs 2 and 3).

2.3 Pott Shrigley was originally part of Prestbury Parish becoming a Parish in its own right in 1866.

2.4 Pott Shrigley is a loose knit village located at the junction of three roads – west to Poynton (Shrigley Road), north to Kettlethulme (Bakestonedale Road) and south to Bollington (Shrigley Road). The church is situated immediately to the south-west of this junction. There is a second junction further at Walkersgreen, where the road splits, left along Spuley Lane (to Rainow) and Shrigley Road (to Bollington).



P2.1 The junction of Shrigley and Bakestonedale Roads, looking north

2.5 Shrigley Road is a classified C road, number C403/A/01. Bakestonedale Road is also a classified C road number C404.

2.6 A stream runs south-west along Bakestonedale into the centre of the village, where it passes under the school through a cuvert, emerging on the other side of Shrigley Road. It then runs south, joining the Harrop

Brook, just beyond of the Conservation Area boundary.



P2.2 The stream alongside Shrigley Road (south)

2.7 The Peak District Landscape Strategy and Action Plan (LSAP 2009) identifies Pott Shrigley as lying within the south-west peak. More specifically in the area known as 'Slopes and Valleys with Woodland'.



P2.3 Extract from the LSAP map, the whole of the village is in Slopes and Valleys with woodland area shaded green

2.8 The geology and landform of Slopes and Valleys with Woodland is described by the LSAP as 'An undulating landscape with steeply sloping land underlain by gritstone and incised cloughs which cut into the softer shales below. The undulating landform is shaped by the dipping beds of the Millstone Grit. The lower ground is underlain by shale with some limestone inter-bedded and there are also some outcrops of Coal Measures. (LSAP 2009)



P2.4 Undulating landscape looking towards Woodbine Cottage

2.9 The population of Pott Shrigley fluctuated between 1871 and 1961, with a population of only 313 in 1901 which was the lowest point, and 441 in 1931 which was the highest.

2.10 It should be noted that census population figures for Pott Shrigley Parish include the hamlets of Berristall, Birchenclyffe, Brook Bank, Cophurst Knott, Mitchelfold, Unwin Pool and Walkers Green.

1871 425
1891 354
1901 313
1911 326
1921 407
1931 441
1951 415
1961 376

2.11 The most recent census figures put the population at 220 in 2001 and 269 in 2011. These figures include East Poynton.

2.12 Historically the population was largely involved in agriculture and/or worked on The Shrigley Estate; during the nineteenth century increasing numbers were employed in minerals extraction industries. There were few farms within the village and few farm buildings survive.

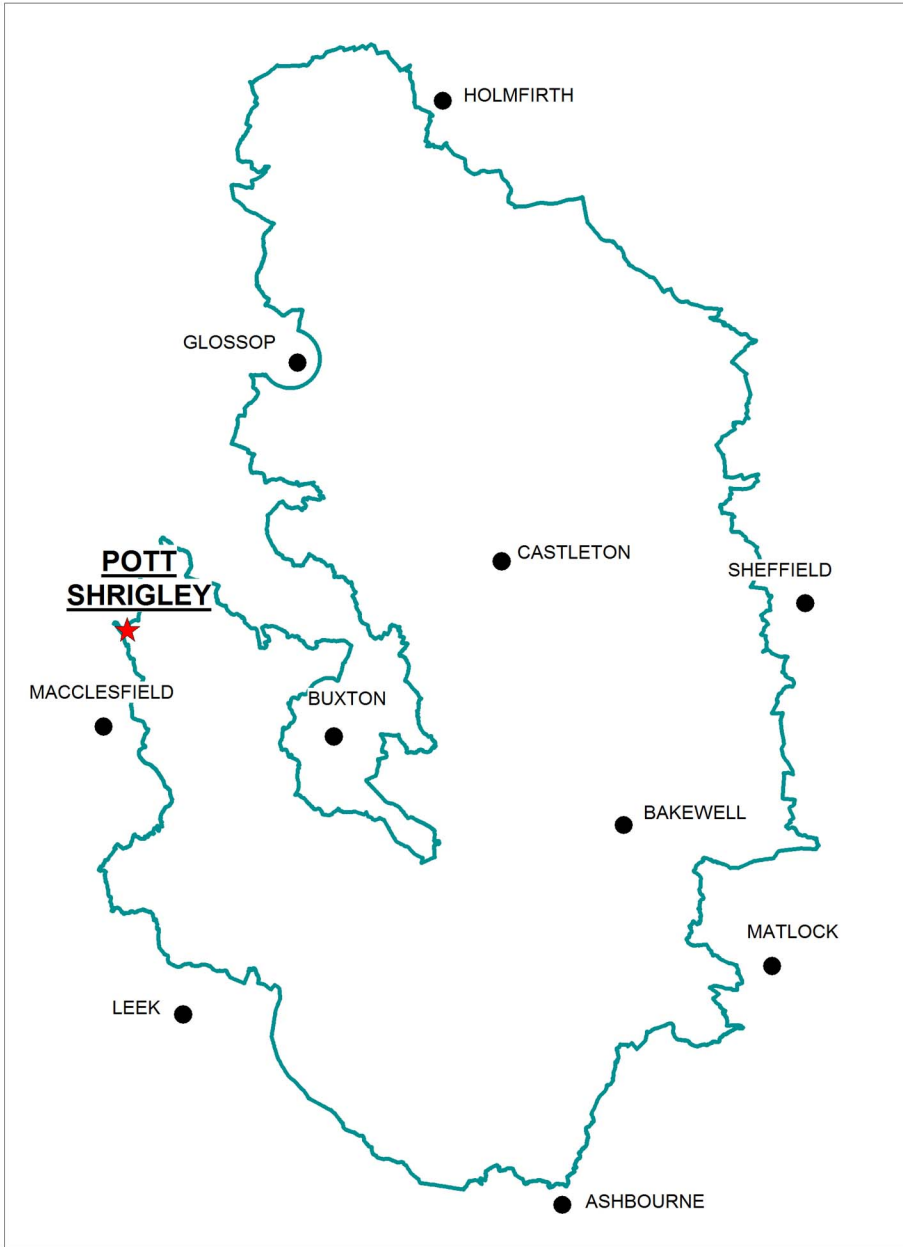


Fig. 1a. Location of Pott Shrigley Conservation Area

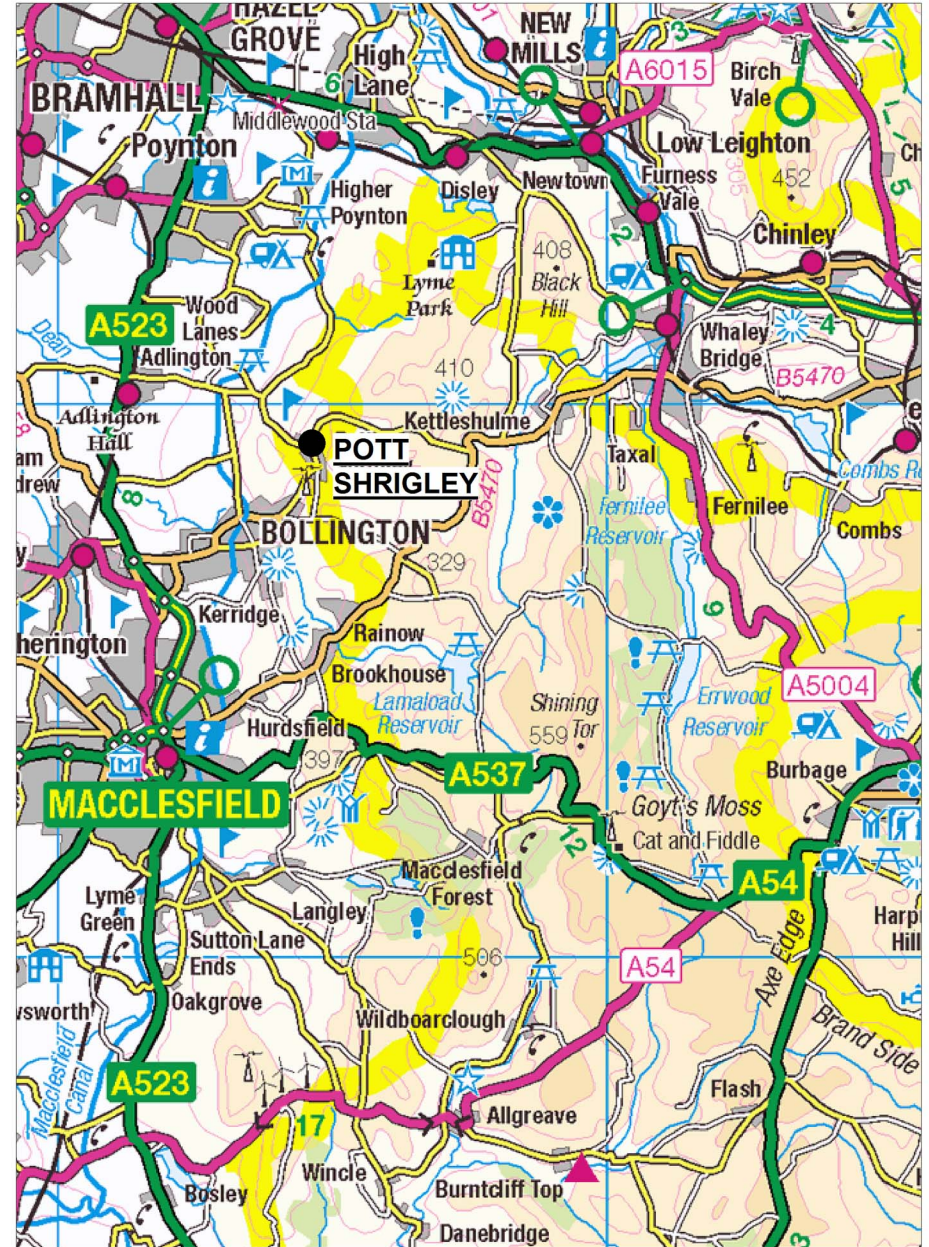
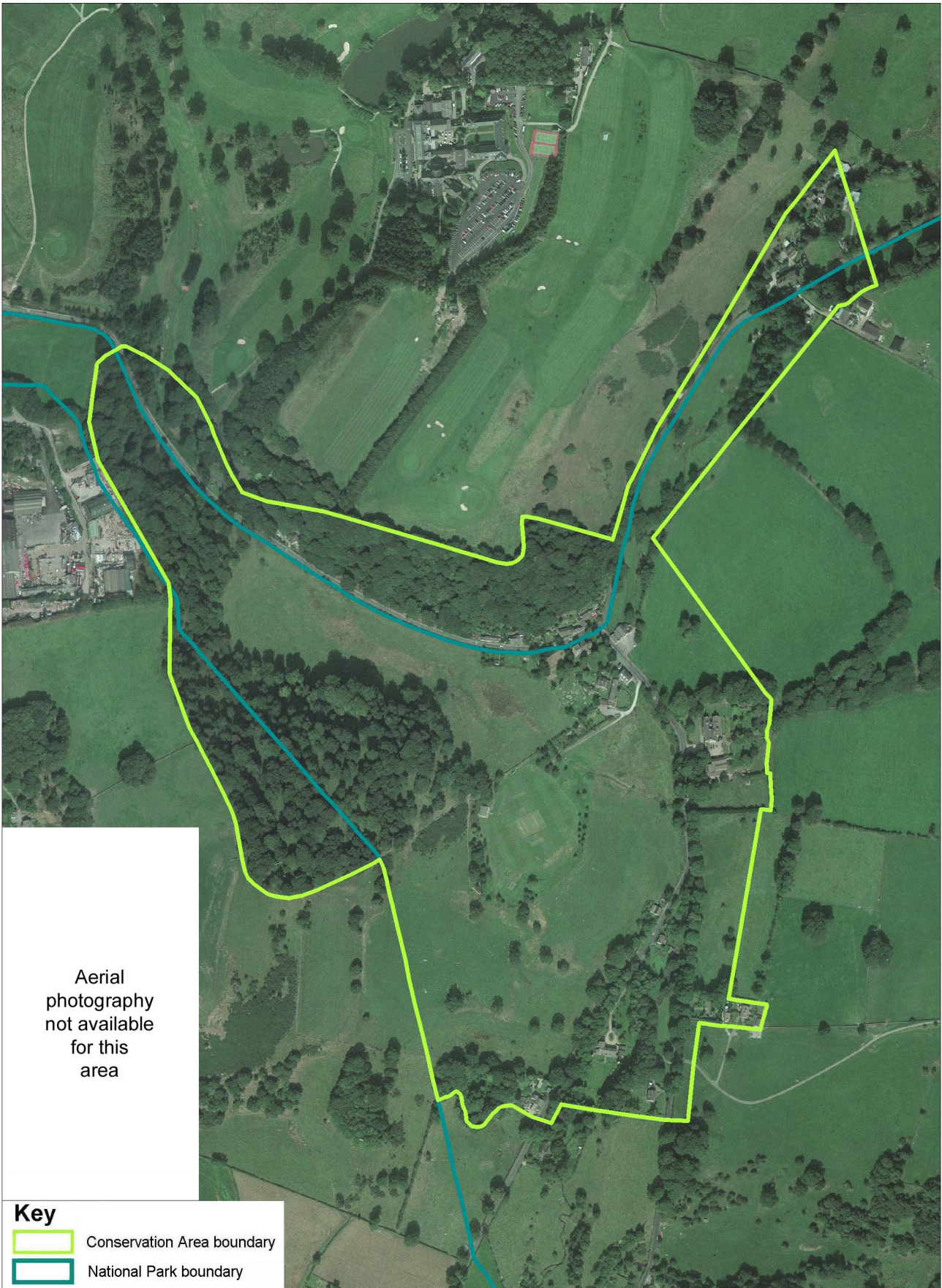


Fig. 1b. Location of Pott Shrigley Conservation Area



Fig. 2 Pott Shrigley Conservation Area
 Designation date 20th July 1979
 Peak District National Park Authority, Aldern House, Baslow Road, Bakewell, DE45 1AE

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3.0 HISTORIC AND ARCHAEOLOGICAL DEVELOPMENT

3.1 Pott Shrigley has never developed beyond a cluster of dwellings around St Christopher's Church. Archaeological and historical evidence relevant to the development of Pott Shrigley is comparatively good, but there are still some significant gaps in the chronology below. As and when further information comes to light and is verified, these details can be amended.

3.2 The two major influences on the historical development of Pott Shrigley were the Shrigley Hall Estate and minerals extraction industries. Most of the sites of historical and archaeological interest relating to these two influences lie outside the Conservation Area boundary. As it is impossible to divorce the development of Pott Shrigley from these two influences the sites outside the conservation area boundary will be discussed.

3.3 It is fortunate that family records of the Downes family, who occupied the Shrigley Estate from the early fourteenth century until 1819, are deposited in the Cheshire Record Office and these give some insight into the influence of the Estate on the village.



P3.1 Fifteenth Century Memorial to Robert and Matilda Downes in St Peter's Church Prestbury

3.4 In addition, there is a wealth of industrial archaeology around the parish relating to minerals extraction. This is discussed in Section 4.

3.5 The two influences are inextricably linked as the Shrigley Estate owned the rights to Redacre and Bakestonedale collieries and the corn mill.



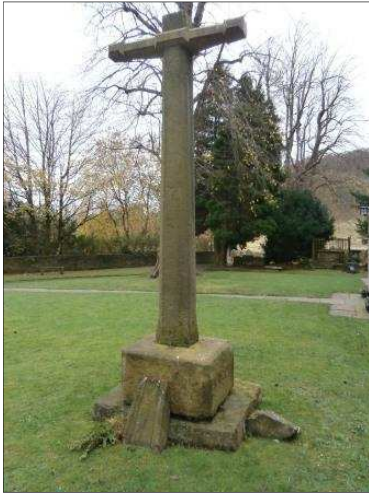
P3.2 The Mill was in the vicinity of Homestead Farm

3.6 Along Bakestonedale Road to the north east of the Conservation Area is Pott Mill which is comprised of Pott Mill Cottages, Homestead, Overhey and Pott Mill Farms. This was, as some of the building names suggest, the location of the former village mill. Historically, therefore, this would have been the economic focus of the village, especially in the nineteenth century when the colliery and brick works at Bakestonedale were at peak production.



P3.3 Group of buildings at Pott Mill (outside the National Park)

3.7 There are no Scheduled Monuments within the Conservation Area boundary but four sites appear on the Cheshire Historic Environment Record, (HER). These include the Church of St Christopher (HER 15381/1), Standing Cross in St Christopher's churchyard (HER 1583), Parish Boundary Stone at SJ 9433 7852 (HER 4616) and Pott Hall (HER 1583/2). These are all Grade II listed buildings with the exception of St Christopher's Church which is Grade I. These sites are shown on Fig 4.



P3.4 The standing cross in St Christopher's Churchyard

3.8 The earliest evidence of human occupation at sites near to Pott Shrigley are the Bronze Age bowl barrows at Nab Head, approximately 0.34 miles (0.6 km) south-west of the village; and the Bronze Age barrow at the summit of Sponds Hill, approximately 1.6 miles (3 km) north-east of Pott Shrigley.

3.9 There is some evidence of a Roman road running from Buxton to Cheadle which passed through or near to Pott Shrigley; The Street and Embridge Causeway in the Goyt Valley formed part of this route. There is no evidence to suggest that this had any influence on the development of a settlement at Pott Shrigley. (www.Whaley Bridge History, Goyt Valley Roads, Tracks and Trails)

3.10 The name Pott Shrigley does not appear in Domesday Book (1086) and is therefore not a manorial name. The earliest form seems to be Shrigglepott, used in 1348. The name means a deep hole (pott) or glade frequented by mistle thrushes (Shrigley). Shrigley may derive from the Old English *scric* meaning - a shrike or a thrush (Dodgson *The place names of Cheshire*. p 130).

3.11 Pott Shrigley was part of the ancient parish of Prestbury, in the Diocese of Chester, and became a parish in its own right in 1866. Boundary stones mark the parish borders.

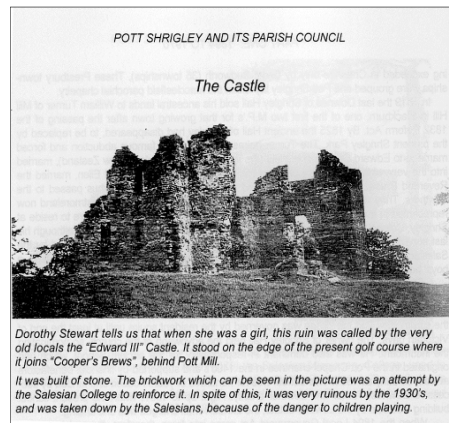
3.12 An extract from notes on the history of the parish of Pott Shrigley (nd no name) states that 'A great nephew of William the Conqueror called Horswin was granted a part of Macclesfield Forest, and the title: 'Lord of Shrigley'. The two hamlets were possibly combined in 1354, after William - a descendant of Robert de Dunes, a forester of

Taxal, bought some twenty acres of forest in this area.

3.13 The Downes family had estates at Shrigley and Worth in the parish of Prestbury, but the Shrigley Estate was always the more dominant of the two. It dates back over 500 years and was the ancestral home of the Downes family. The Downes, held the estate from the early 14th century (1313).

3.14 There were reputedly the remains of a castle in the grounds of Shrigley Hall until the 1930s. It was demolished in the 1930s on health and safety grounds by the Salesian College who owned it at that time. It was known by locals as "the Edward III Castle". If this was the era of construction then it would have been constructed in the fourteenth century, the same period as the Shrigley Estate was established. Another possibility is that the ruins were part of the Old Shrigley Hall.

3.15 An undated image of 'The Castle' does not show enough detail to establish whether this was a fortified building or part of the old hall. It doesn't give any clue as to a construction date. The text accompanying the image states the castle was situated behind Pott Mill and close to what is now the golf course of Shrigley Hall.



P3.5 Undated image of the castle remains

3.16 The first edition OS Map shows a property called Castle Field Cottage to the north-west of Shrigley Hall and behind the plantation known as Oakridge. The cottage is no longer in existence but this name gives a hint as to where the castle may have been situated. An aerial photograph (dated 2011) shows signs of soil disturbance but there is not enough detail to indicate what this might be. (Fig 3)

3.17 The earliest building in the village is St Christopher's Church. Geoffrey de Downes established a Chapel of Ease on the site of an old cross in the fifteenth century. This became St Christopher's Church. In his will dated 1492, he insisted that his chaplain "...keep no horse, no hawk, no hound ..." and should teach boys of the parish. (Notes from Pott Shrigley School, no date).

3.18 As such, education in the village, for boys at least, started at a comparatively early date. The 1848 Tithe Map shows a building (now demolished) to the south-west of St Christopher's Church which is described in the apportionment as a school building.



P3.6 St Christopher's Church

3.19 The last in the male line of the Shrigley Estate was Edward Downes who died in 1819. Prior to his death he had sold off the family estates at both Worth and Pott Shrigley. Those at Shrigley were purchased by a Mr William Turner an industrialist and MP for Blackburn, Lancashire.

3.20 William Turner made his mark by commissioning Thomas Emmet Senior, an architect from Preston, to redesign Shrigley Hall. The resulting building, completed around 1825, is described by Pevsner as; 'A very fine Regency House of eleven bays and two storeys', (Pevsner 1971).



P3.7 Shrigley Hall before rebuilding
©Bollington Discovery Centre



P3.8 Shrigley Hall after Emmet's redesign
©Bollington Discovery Centre

3.21 William Turner also built the present school building. This was originally a Sunday School known as Turner's School until the mid-1850s when it became a day school.



P3.9 Pott Shrigley Primary School, the original building is on the left

3.22 When William died, around 1845, his grand-daughter Ellen inherited his estate. She had married the Reverend Brabazon Brabazon Lowther in 1847 and they moved into Shrigley Hall. The Lowther's held the estate until 1928 when it was sold off following the death of Colonel W. G. Lowther, the last of the male line. The Hall was then bought by the Roman Catholic Salesian Mission and became a college.

3.23 Less is known about Pott Hall, which was a much more modest estate than that of Shrigley Hall. Pott Hall has its origins in the fifteenth century and is the earliest secular building in the Conservation Area.



P3.10 Pott Hall, the earliest part of the building is on the right
©Bollington Discovery Centre

3.24 In 'Magna Britannia for the County Palatine of Chester' Daniel Lysons says; 'The hamlet of Pott gave name to a family of gentry who had an estate here for many generations, now represented by Charles Potts Esq of Chester. Pott Hall, which had belonged to the family of Pott Hall passed successively to Edward Swan, and the Beeches, it is now by purchase from the latter, the property of Edward Downes Esq., (Lysons 1822). This purchase must have taken place at the end of the eighteenth century and before 1819 which was the year of Downes' death.

3.25 Ownership of Pott Hall is confirmed by the Tithe Apportionment of 1848 which shows that Pott Hall was in the ownership of the executor's of the late William Turner (Downes' successor) of Shrigley Hall and was occupied and rented by George Swindells.

3.26 The Swindells family took up residence in Pott Hall in 1830 when they moved to the area from Manchester. They had made their money from cotton manufacturing and owned Clarence Mill in neighbouring Bollington.

Map-based evidence

3.27 Examination of map-based evidence shows that the village has not developed very much over the centuries. There may have been little or no occupation of the site prior to the establishment of the Shrigley Estate in 1313. From 1492 St Christopher's Church would have become the main focus of the hamlet and this remains the case.

3.28 Disappointingly, the 1686 Map 'The Survey of the Lands in Bollington belonging to Edward Downes of Shrigley in the County of Chester' does not include any of the estate's property at Pott Shrigley. The earliest map is therefore the 1848 Tithe Map. (Fig 5).

3.29 The tithe map shows seven more buildings in the centre of the hamlet in 1848 than there are today (Fig 6). Most of these were in the vicinity of St Christopher's Church, these have now been demolished. Three other buildings, Church Cottages, Pott Hall and the Old Vicarage have all been rebuilt to some degree as different plan forms are shown on the first edition OS map of 1871 (Fig 7). It is useful to compare Figs 6 & 7.

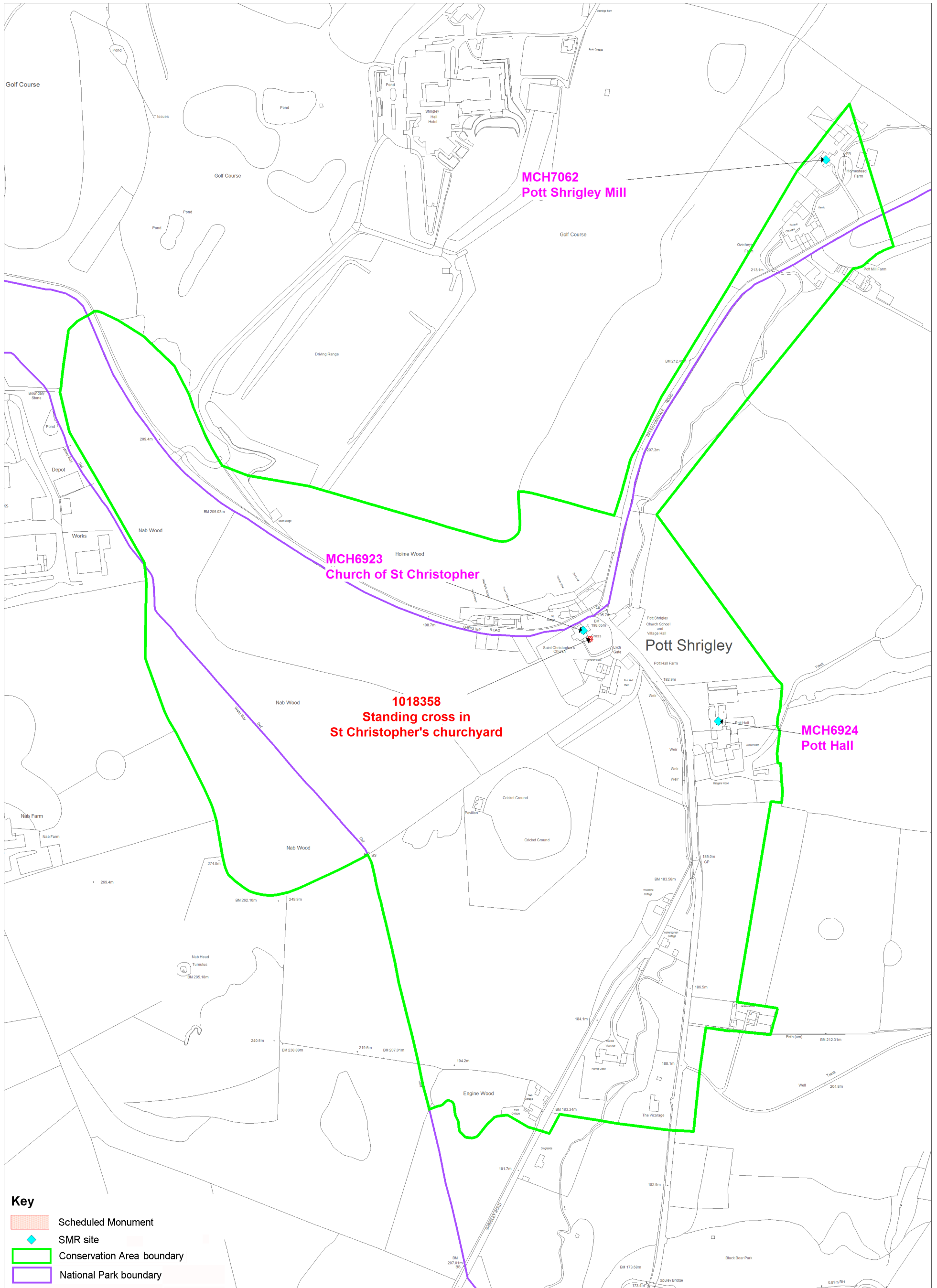
3.30 There is no Enclosure map and award for Pott Shrigley, possibly because the Estate was the majority landowner. There doesn't

appear to have been any common land within the village. However, a memorandum in the Downes family records signed by P Downes from 1 October 1787 concerns a dispute between himself and Sir George Warren of Poynton over land at Pointon (sic) Moor. The land is described as common land.

Reference here and hereafter to Downes Family records in the Cheshire Record Office (CRO) are reproduced with the permission of Cheshire Archives & Local Studies and the owner/depositor to whom copyright is reserved.

3.31 The 1848 Tithe Map and apportionment shows that most of the plots in the village were pasture, arable, meadow and woodland owned by 'The Executors of the late William Turner' (of Shrigley Hall) and leased to tenants. Most of the property is described as house or cottage with garden and, again, owned by the estate and leased to tenants.

3.32 All the land and property which is now in the Conservation Area was in the ownership of the Estate in the nineteenth century.



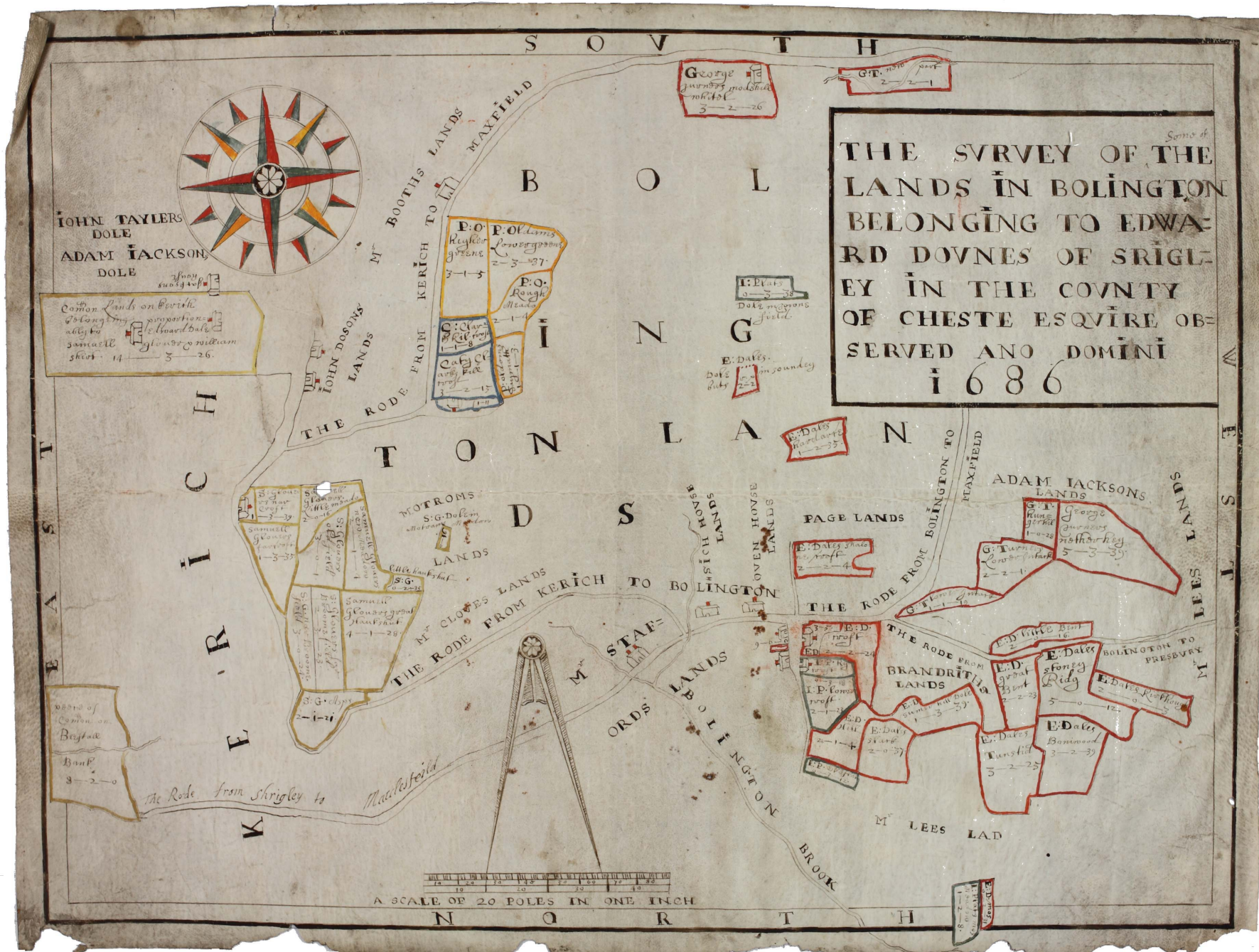


Fig. 5. 1686 Map of The Survey of the Lands in Bollington Belonging to Edward Dovnes of Shrigley
By permission of the Cheshire Archives and Local Studies, Cheshire Record Office

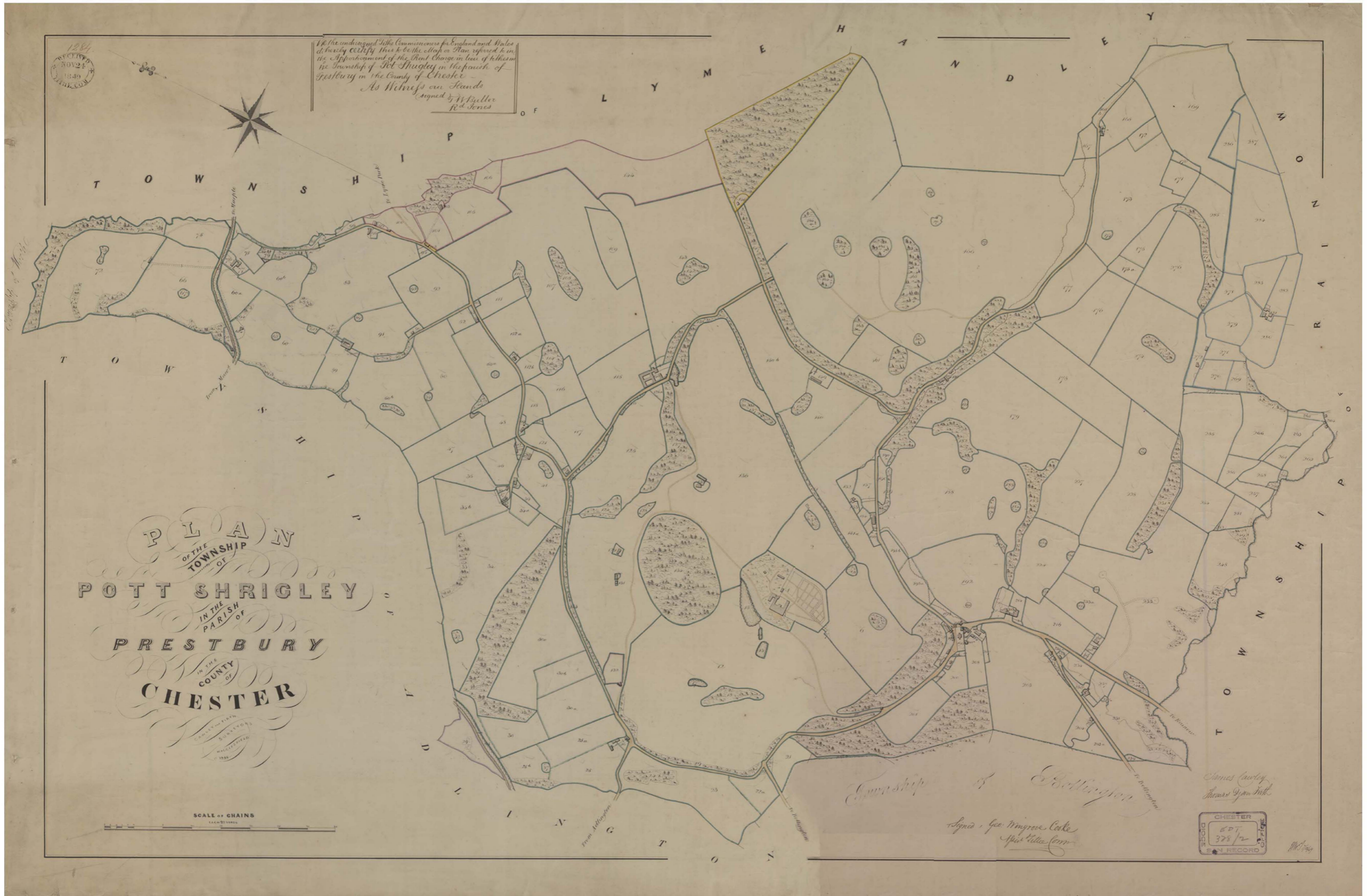
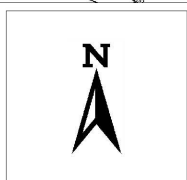


Fig. 6. 1848 Tithe Map
By permission of Cheshire Archives and Local Studies, Cheshire Record Office



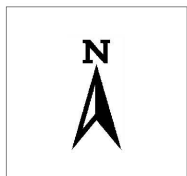
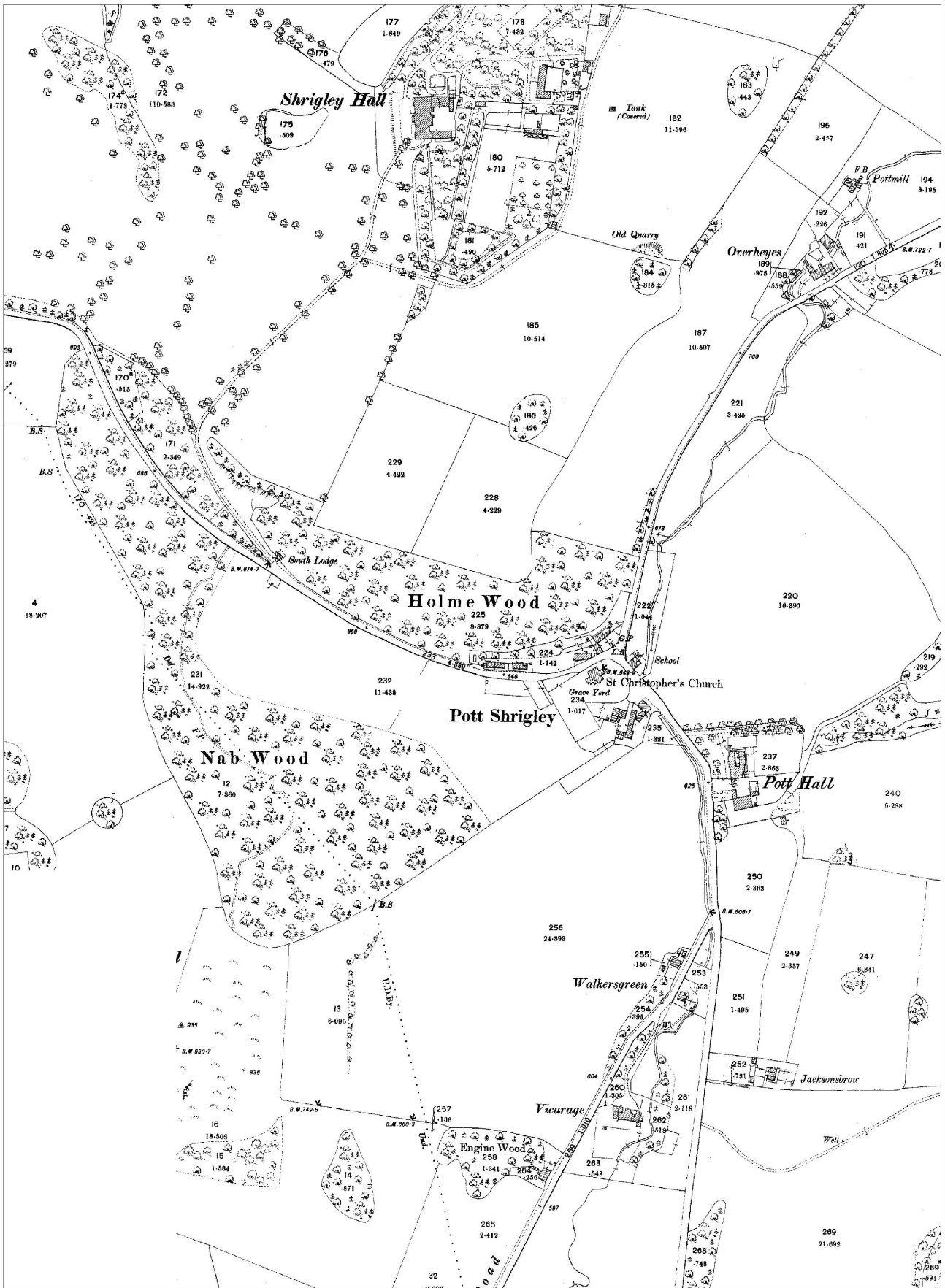


Fig. 8. 1897 Ordnance Survey 2nd Edition Map

4.0 FORMER AND CURRENT USES

4.1 Prior to the eighteenth century the main occupation in Pott Shrigley is likely to have been agriculture. It is also likely that the Shrigley Estate was one of the main employers. There is little evidence remaining in the village centre today of farming as an occupation.

4.2 The main concentration of farms was on the north-eastern edge of the Conservation Area boundary. Overheyes Farm is within the Conservation Area and Homestead and Pott Mill Farms straddle the boundary. Overheyes and Homestead Farms are both outside the National Park but within the Cheshire East part of the Conservation Area.



P4.1 Pott Mill Farm

4.3 A Court Roll in the Downes Family records (CRO) from 1 December 1544 refers to 'a house with three stalls or bays for horses or cattle and a building called A Smythe, newly built, and a garden, in the township of Pottshrigley'. It is impossible to know where its location was; none of the surviving buildings contain any obvious sixteenth century building material, but seven buildings were demolished by 1848, and it may have been one of these.

4.4 Homestead Farm was formerly the site of a water driven corn mill. The Mill belonged to the Shrigley Hall and is mentioned as such in a Court Roll of 1663 in the Downes Family records (CRO) where it is referred to as Pottshrigley Milne.

4.5 A mill is identified on Burdett's Map of 1775. The site is listed on the HER for Cheshire, 1584/1. On site there is evidence of culverts; there may be further evidence of a mill building incorporated in the core of buildings on site. The mill was sold off by the Estate in the 1930s.



P4.2 Homestead Farm, site of the former Corn Mill

4.6 Pott Shrigley was important from the eighteenth century onwards for its coal-mining and brick-making industries. The Carboniferous coal measures were worked by shafts and 'day-eye' pits (entered horizontally from the hillside) in the Bakestonedale and Spuley Lane areas. There were also pits along Long Lane, Shrigley Road, Berristal and at Redacre.

4.7 Fireclay, described as 'bastard silica', was extracted from the hillsides of Bakestonedale from about 1820. In around 1820 George Lambert and Abraham Bury started a small brickworks near Brink Farm with one kiln to fire the bricks. When they needed to expand they moved to the site in Bakestonedale. By 1848 George Lambert was operating a coal and fireclay mine with associated Pott Brickworks on the south side of the road at Bakestonedale, Pott Shrigley. Lambert was still working the Pott Shrigley coal mine in 1884 but had relinquished the firebrick works to James Hall before 1878.

4.8 In 1870 William Hammond went into partnership with his brother-in-law, Robert Gardiner to work fireclay in Pott Shrigley and they established their brickworks on the north side of the Bakestonedale Road opposite that of George Lambert. In 1875 Mr Lawrence Gardiner succeeded his brother in the business. When he died in 1886 Hammond took over the works entirely. Messrs William Hammond Ltd continued production of firebricks until 1967.

(David Kitching, www.penforma.com).



P4.3 A William Hammond brick ©David Kitching



P4.4 A Gardiner and Hammond brick ©David Kitching

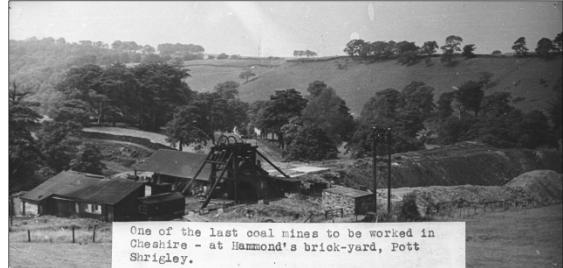
4.9 The workshops in Bakestonedale are now used by various trades unconnected with the original industry. The area is of considerable industrial archaeological interest but is outside the Conservation Area.



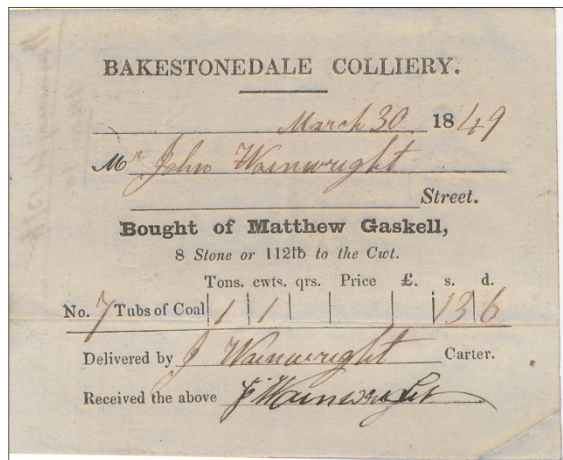
P4.5 The Old Brickworks is now an industrial estate

4.10 Peak District Mines Historical Society has compiled a list of coal mines worked under the Coal Mines Regulation Act, in Cheshire during the year 1896. This lists three mines in Pott Shrigley all in the ownership of William Hammond. These were described as 'Bakestonedale (Clay Pit) which was worked for fireclay, it employed 7 underground workers and 1 surface worker. Bakestonedale (Clay Level) which worked fireclay and ganister and employed 8 underground workers

and 1 surface worker; and Bakestonedale (Coal Pit) which mined manufacturing coal and employed 15 underground workers and 4 surface workers. This indicates that the pits were a comparatively large employer for the hamlet in the nineteenth century.



P4.6 Colliery at Hammonds brick yard ©Bollington Discovery Centre



P4.7 Receipt from Bakestonedale Colliery ©David Kitching

4.11 We do know that colliers were living in Pott Shrigley village in the early nineteenth century. The Downes Family records (CRO) contain a questionnaire of 13 April 1818 completed for the House of Commons Committee on education. It refers to the inhabitants of Shrigley as being comprised chiefly of tenants and cottagers, by the most part colliers.

4.12 Coal mining in the Pott Shrigley area largely ceased round about 1930, however coal mining continued alongside fireclay mining at Hammond's Moorside Mine until 1956.

4.13 By 1881, the census (Vision of Britain through time) shows that the main occupations of males in the parish (which includes outlying hamlets) was 33 in agriculture and 37 in mineral substances. Amongst women, most were in unspecified occupations or domestic service with the former being most prevalent.

4.14 Quarrying was another local industry. The local sandstone (see Section 5) was used for building, walling, slating and paving. The thin laminated gritstone was commonly used for potstones or bakestones which were used domestically for making oatcakes. These were either thin round stones suspended from a pothook over an open fire, or were larger, squarer stones placed on top of a stove. Bakestonedale probably takes its name from these.

4.15 A few properties in the village are known to have had previous uses.

4.16 The village school was originally built as a Sunday school. (see Section 3). The relationship between church and school in the village has remained strong. The school is now also used as a community centre.

4.17 Pott Hall Farm was The Lowther Arms public house in the nineteenth century. It was reputedly closed by Mrs Lowther of Shrigley Hall in the 1920s as she felt her estate workers were spending too much time in there. (Notes on Pott Shrigley; no name, no date). It is likely to have been a farm originally as it has a barn and a pig sty in its grounds. These are now converted to a dwelling and a garage respectively.



P4.8 Pott Hall Farm, formerly the Lowther Arms

4.18 Shrigley Hall, outside the Conservation Area, was a private residence which became a school in the 1920s and is currently a hotel and country club.



P4.9 Shrigley Hall is now a Hotel and Country Club

4.19 There do not appear to have been any other services provided within the village probably due to its proximity to Bollington which expanded rapidly from the late eighteenth century to support a thriving cotton industry. In addition the village was on Estate land and development may have been discouraged.

5.0 ARCHITECTURAL AND HISTORIC QUALITIES

5.1 The historic buildings within Pott Shrigley contribute significantly to the character of the Conservation Area. The majority of are of local vernacular construction and their simple, utilitarian form gives the buildings a solid, robust appearance.

5.2 Dwellings tend to be 2 storeys high and ancillary buildings are generally single storey. The exception is the southern end of Pott Hall which is 3 storey (P5.2). Properties within the Conservation Area also have a high solid to void ratio with few window openings in the walls. Chimney stacks are positioned at ridges, on gable end of dwellings or mid-roof, breaking up the 30°- 40° roof pitches.

5.3 Architectural unity in the Conservation Area is achieved through a similarity of scale, so that whether a building has one or two storeys it relates well in terms of proportion to its neighbours. Another unifying feature is the use of local materials, in particular gritstone, which has been used in the construction of buildings and boundary walls. There are however exceptions:

(i) Harrop Close, the former vicarage is built from local brick and is rendered to the rear. As this is well screened behind trees and below road level it doesn't impact significantly on the Conservation Area.



P5.1 Harrop Close

(ii) Pott Hall was partially rebuilt in the mid-nineteenth century resulting in the Hall having two distinct styles, one polite and one vernacular. However, there is still a degree of harmony between the two.



P5.2 Pott Hall, the right hand side is three storey

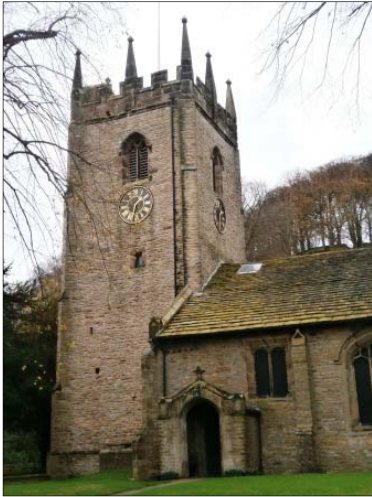
(iii) The School which is in a prominent location and is a larger scale than other buildings in the hamlet; it is not typical of the vernacular style. Barge boards on the gable ends and large window openings are not typical of Pott Shrigley. As the school is low in height and is built of local stone its visual impact is reduced.



P5.3 The style of the school is not typical of buildings in the area

5.4 Pott Shrigley has never developed beyond a cluster of dwellings with ancillary buildings focused on St Christopher's church. There has been little new development in the Conservation Area in either the twentieth or twenty-first centuries beyond conversion or alteration of existing buildings. Going on external evidence, most of the properties appear to be of nineteenth century.

5.5 The earliest building in the Conservation Area is St Christopher's Church which contains some fifteenth century fabric. Pevsner mentions that 'Perp(pendicular) work on the south aisle and tower maybe connected with the foundation of a chantry in 1492' (Pevsner 1971).



P5.4 St Christopher's Church, the tower and south aisle may date from 1492

5.6 St Christopher's Church has some impressive stone gargoyles along the eaves. Internally there is a carving of a cat which was possibly the inspiration for the Cheshire Cat in Lewis Carroll's 'Alice in Wonderland'.



P5.5 Smiling cat carving located near the pulpit in St Christopher's Church

5.7 The preaching cross in the churchyard is thought to pre-date the Church. The list description is vague and calls it medieval which could place it anytime between 1066 and 1500. The transom of the cross is a later addition, and it is has a different finish to the stone and the carving has a crisper appearance than the shaft.



P5.6 The Cross transom is a later addition

5.8 The earliest secular building in the Conservation Area is Pott Hall which dates back to the seventeenth century and is described in Kelly's Directory of 1896 as 'an ancient house, restored about 1878, is the chief residence of George Swindells esq'. (See Section 4)

5.9 Shrigley Hall, which is outside both the Conservation Area boundary and the National Park boundary, may well have older material in its core as the Estate dates back to the fourteenth century and was rebuilt in the nineteenth (see P5.2).

5.10 It is possible that there are buildings in the village with internal evidence of earlier origins; but based on external appearances the majority were constructed or remodelled in the nineteenth century.

5.11 Dating buildings can be problematic as inevitably over time they are altered by successive owners; extensions and other changes mask or destroy historic fabric. Windows and their surrounds are generally good indicators of a building's age, but it is noticeable in Pott Shrigley that few early examples survive.



P5.7 Evidence of a blocked doorway

5.12 The majority of dwellings in the Conservation Area are quite similar in appearance. They are simple two storey cottages, often in pairs.

5.13 They have casement windows in sets of two or three with flush lintels and projecting sills. Most of the casements are modern timber replacements which copy a nineteenth century style. There are few full surrounds and little ornamentation.



P5.8 Woodbine Cottage (above) Walkers Green (below)

5.14 Most window openings have flush lintels and projecting sills which are indicative of the nineteenth century.

5.15 Where surrounds are full, they are plain. The most elaborate window surrounds, excluding the Church, are in the school building. These have lintels with hoodmoulds over. On the ground floor of the School, facing Shrigley Road, windows have square sectioned stone mullions, these too are nineteenth century.



P5.9 Nineteenth century mullion window with hoodmould over

5.16 There are few sash windows. The School, Ivy Cottage and Church View are the only properties which do and again these appear to date from the nineteenth century (the latter two are outside the National Park boundary). The School's sliding sash windows are nineteenth century with a coloured glass margin pane.



P5.10 Nineteenth century sash window with hoodmould at the school

5.17 Few original doors and doorways survive. The one at Pott Hall in the earlier section of the building is eighteenth century. It has a six panel door with a fanlight over and a neo-classical door surround.



P5.11 Eighteenth century doorway at Pott Hall

5.18 Pott Hall Farm has a nineteenth century Gothic door surround and fanlight. It has a five panel door of a nineteenth century style.



P5.12 Nineteenth century style door at Pott Hall Farm

5.19 Pott Hall Farm and Church Cottages have Gothic style windows. Possibly inspiration was taken from St Christopher's Church which is nearby. These windows are likely to have been inserted in the second half of the nineteenth century when the properties appear to have been remodelled. The 1848 Tithe map shows the cottages occupied a different footprint to the one they have today.



P5.13 Pott Hall Farm (left) and Church Cottages (right) both have Gothic windows

5.20 It is possible that other properties were re-fronted by the Estate in the nineteenth century which may explain the similarity of style and lack of evidence of earlier buildings. (see P5.8).

5.21 The houses at Jackson's Brow are impressively sited on top of the hillside. Although the buildings appear on the 1848 Tithe Map, they have been subsequently altered. They are located adjacent to the footpath to Charles Head which leads up a long flight of well-worn steps from Spuley Lane.



P5.14 Dwellings at Jackson Brow



P5.15 Jackson Brow Steps

5.22 Pott Mill Cottages on Bakestonedale Road were constructed in the nineteenth century presumably for workers in Bakestonedale. This is the only formal terrace within the Conservation Area.



P5.16 Pott Mill Cottages

5.23 The listed building description says that the existing school dates from 1861. It must however be earlier than this as it is known to have been used as a Sunday school until 1853. It cannot, however, be much earlier than 1848 as it does not appear on the Tithe map of that year.

5.24 There were two historic parish boundary stones within the Conservation Area. These were on the boundary of the National Park and the Conservation Area on the edge of Nab Wood. These fell into disrepair and were replaced with copies in 2002. These stones defined the boundary between Bollington and Shrigley. Both places were originally in the Parish of Prestbury becoming parishes in their own right in 1866. The stones must, therefore, date from mid-nineteenth century.



P5.17 One of the historic boundary stones in 2001 before damage and replacement

5.25 There is little twentieth or twenty first century development in the Conservation Area. This is mainly confined to extensions and remodeling works.

5.26 A photo from around 1910 shows that the Vicarage has changed significantly. Originally it appears to have been fully rendered. It has had a large gabled extension added to the front of the property. The window design has also changed and now it has a horizontal rather than vertical emphasis (compare P5.1 and P5.18).



P5.18 The Vicarage in 1910

5.27 A new vicarage gained planning permission in 1951. The architectural style is not typical of Pott Shrigley. The chimney at eaves level, the long run of first floor casements and stair window are not typical features found in the hamlet. The use of local stone helps the property blend in and it is partially screened by trees and hedging.



P.5.19 The Twentieth Century Vicarage has features which are not typical of Pott Shrigley

5.28 The Cricket Pavilion is a simple, single storey structure which first opened in 1958. It was remodelled and extended in 2012. It is a functional building but is not in the vernacular style. It is however distant from the main hamlet and has little visual impact on the conservation area.



P5.20 The rebuilt Cricket Pavilion

5.29 There is a Grade II listed K6 phonebox outside St Christopher's churchyard and a twentieth century wall mounted letter box which is outside the National Park boundary. These add interest to the street-scene.



P5.21 The K6 Phone Box

5.31 There are 8 list descriptions covering the 9 buildings in the part of Pott Shrigley which lies within the National Park's Conservation Area. A list of these buildings can be found in Section 13. It should be noted that the majority of the unlisted buildings are significant buildings within the Conservation Area. Most have some historic and architectural merit and provide a positive contribution to the appearance of the place (see Fig 9).

5.32 There are other listed buildings in Pott Shrigley parish which are either outside the Conservation Area and/or outside the National Park.

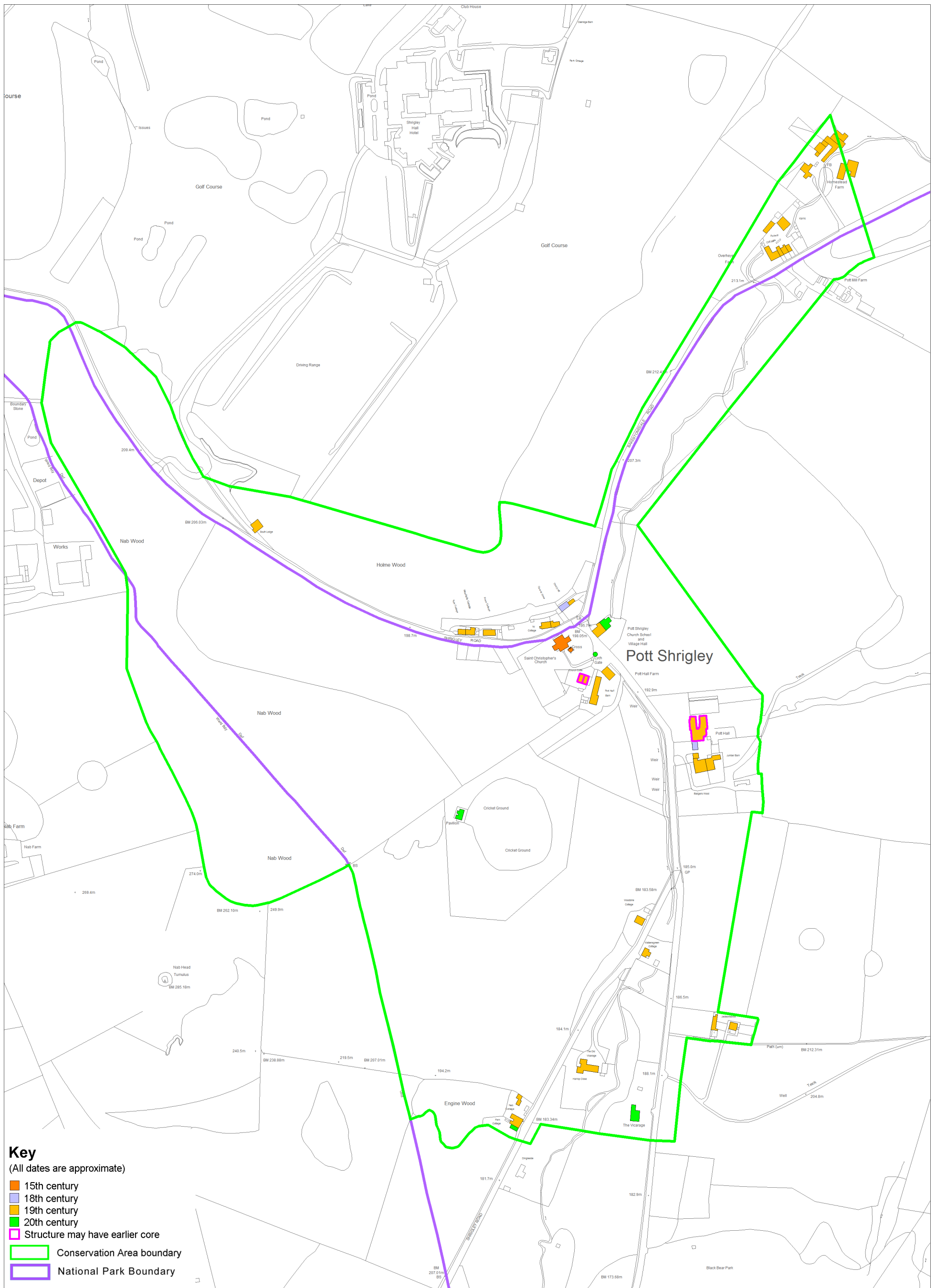


P5.22 The Letter Box

5.30 The lychgate to St Christopher's Church is also the village war memorial. It was constructed in the 1920s and belongs to the Parish Council.



P5.23 The Lychgate is also the War Memorial



Key
 (All dates are approximate)

- 15th century
- 18th century
- 19th century
- 20th century
- Structure may have earlier core
- Conservation Area boundary
- National Park Boundary



N

 Scale 1:4000

Fig. 9. Architectural Development within Pott Shrigley Conservation Area

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6.0 PREVALENT AND TRADITIONAL BUILDING MATERIALS

6.1 The predominant building material in the Conservation Area and its immediate setting is stone. This stone was locally sourced, as there were/are several small stone quarries in the locality. P6.1 Shows the local stone used in buildings and walling.



P6.1 Local stone has been extensively used for construction in Pott Shrigley.

6.2 The stone type, Kerridge stone, is a Milnrow Sandstone from the Carboniferous era. The colour is mainly buff with some grey. The two phases of development at Pott Hall clearly show the two stone colours. The nineteenth century section is grey and the eighteenth century section buff. The prolific use of local stone throughout the Conservation Area has provided a strong unifying element.



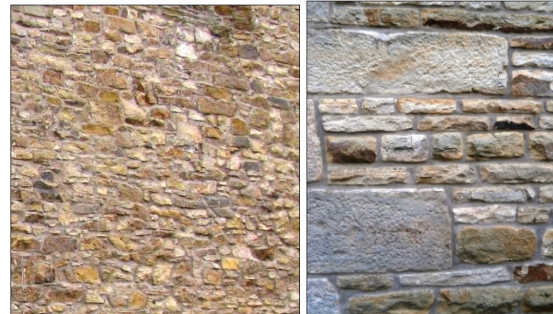
P6.2 Pott Hall, grey stone on the left and buff on the right

6.3 The stonework in Pott Shrigley is normally brought to courses and is paint-free, the exception being The Croft which is stone-built and painted black and white (this is outside the National Park).



P6.3 The Croft is painted to resemble a timber frame building.

6.4 There is some limited use of render and random stonework and random stone brought to courses. Stone has also been used for external architectural details such as copings and quoins. Window and door surrounds are also constructed from dressed stone. Some chimneys are stone-built although many have been rebuilt in brick.



P6.4 Random stone at Walker's Green (left)
P6.5 Coursed stone with quoins at Pott Hall (right)

6.5 Kerridge stone slate is the predominant roofing material but there is also limited use of concrete tile within the Conservation Area. Concrete tile is a modern material and alien to the Conservation Area. There is little use of blue slate.



P6.6 Stone slate roofs at Pott Hall



P6.7 Stone slate roof, St Christopher's Church

6.6 Brick is not commonly used as a building material in Pott Shrigley which is surprising given the close proximity of the (former) brick works at Bakestonedale. The Old Vicarage, Harrop Close, is the only example in the Conservation Area of an entire building constructed from local brick (see P5.1). However many properties have had chimneys rebuilt in the local red brick (see section 4).

6.7 Render is not widely used in the Conservation Area. Photos from around 1910 however show that some buildings appear white, this could either be render or limewash. The old Vicarage and the cottages on the north side of Shrigley Road (outside the National Park) are examples of buildings that appear white in the early twentieth century (see P5.1 and P6.8).



P6.8 Cottages on Shrigley Road circa 1910 ©Bollington Discovery Centre

6.8 P6.9 shows what appears to be remnants of limewash to the surface of the front elevation of Church View. (This is the property to the right in P6.8). The Vicarage may have been rendered originally to disguise the fact that it was brick built and not stone.



P6.9 Possible limewash remnants on Church View

6.9 The former Vicarage (Harrop Close) demonstrates the use of several building materials. Brick-built with rendered walls to the rear elevation and a stone slate roof; it also has a large stone stack as well as several brick chimneys.



P6.10 Stone slate roof and brick chimneys at Harrop Close, the brick gable, rendered rear

6.10 All stacks in the Conservation Area, stone or brick, tend to be simply detailed. Few have banding and drip courses. Originally stacks appear to have been over-sized in relation to buildings (P6.8) and they tend to have large pots. Buff and red can be found but buff predominates. In some cases the height of stacks has been reduced.



P6.11 Brick and stone stacks with red and buff pots

6.11 Traditional rainwater goods are either timber box gutters or cast iron with half-round or ogee profiles. These are normally fixed to metal rise and fall brackets.

6.12 A variety of window styles are evident in the Conservation Area and these are timber. (see section 5 for information on window styles).

6.13 Stone boundary walls in and around Pott Shrigley significantly contribute to the character of the Conservation Area. All the walls are built from Kerridge stone. There are a variety of walling types in the Conservation Area and examples of both drystone and mortared walls can be found. There are also a variety of coping details. The use of local stone is a unifying feature.



P6.12-15 A variety of boundary walls with different coping details.

6.14 Various types of gates, gritstone gateposts and piers punctuate the walls.



P6.16 Boarded door into the grounds of Pott Hall.



P6.17-20 A variety of styles of gates and piers can be found in the Conservation Area

6.15 With regard to floorscape there are some stone kerbs and some areas of stone setts and paving. The largest area of stone setts in the public domain is outside St Christopher's Church (see Section 11).



P6.21 Stone steps and setts in front of St Christopher's Church.



P6.22 (left) Setts at the entrance to Walkers Green and P6.23 (right) setts and flags in front of Pott Hall Farm.

6.16 Prior to the early twentieth century, Pott Shrigley's roads would have been unmetalled tracks. P6.24 below, taken around 1910, of Spuley Lane illustrates this point. The track to the cricket ground was surfaced as far as Pott Hall barn in the late twentieth century. P6.25



P6.24 Spuley Lane was unmetalled in 1910 ©Bollington Discovery Centre



P6.25 The track to the cricket ground is partially surfaced

6.17 Pott Shrigley Conservation Area does not have much street lighting. There are two historic lamps and a reproduction historic lamp in St Christopher's Churchyard. There is a gas-powered historic lamp at the road junction by the Croft (this is outside the National Park).



P6.26-27 Historic Lamps in the Churchyard



P6.28 Historic lamp at The Croft (left) P6.29 Reproduction lamp in the churchyard (right)

6.18 There were two historic parish boundary stones within the conservation area but these fell into disrepair and were replaced with copies in 2002. (See P5.16)

6.19 At the junction of Spuley Lane and Shrigley Road (south), there is a good example of an early twentieth century finger signpost.



P6.30 Early twentieth century finger signpost

6.20 Other signs are typical twentieth century metal direction boards and street-name signs.



P6.31 Late twentieth century sign posts



P6.32 Street name sign

Miscellaneous items

6.21 There is a utilitarian plastic bin on Shrigley Road near the bus stop opposite the Church.



P6.33 Litter bin on Shrigley Road

6.22 There are some twentieth century benches within St Christopher's Churchyard, and one near the phone box, again utilitarian.



P6.34 and P6.35 wooden benches in the churchyard

6.19 Just outside St Christopher's churchyard is a twentieth century parish noticeboard. This is constructed of timber with metal legs.



P6.36 Parish Noticeboard outside the lychgate entrance to St Christopher's Church

7.0 THE RELATIONSHIP OF STRUCTURES AND SPACES

7.1 The relationship between the buildings within the village, how they are laid out and the spaces between them, helps to create a sense of place and makes a key contribution to the special character of Pott Shrigley Conservation Area.

7.2 The main focus of Pott Shrigley is the T-junction formed by the meeting of Shrigley Road (north and south) and Bakestonedale Road. This is where the majority of dwellings can be found clustered around St Christopher's Church. This can clearly be seen on the aerial photograph (Fig 3). From the historic maps (Figs 6 - 8) it appears that this has always been the case.

7.3 The feeling of centrality is reinforced by the school building opposite the church. These two buildings mark this out as the functional centre of the Conservation Area and signify arrival into Pott Shrigley.

7.4 Visually the T-junction provides a striking stop point in the Conservation Area. Looking north, the view ahead is blocked by The Croft; accentuated by a dense backdrop of trees on a sharply rising slope immediately behind the building.



P7.1 Views north are blocked by The Croft and trees

7.5 St Christopher's Church, the School and The Croft are key buildings because they form the visual centre of Pott Shrigley and create a focus when entering the village centre from any direction (see P7.1-3). The church tower in particular is key as it dominates many views within the centre of the Conservation Area. It is also visible from some vantage points outside the village.



P7.2 Entering Pott Shrigley from the north-west

7.6 Development from the centre is linear along Shrigley Road (north and south). Buildings to the north are clustered together, some adjoining. To the south they are more dispersed. From the centre of the village, north along Bakestonedale Road, there is no development until Pott Mill is reached.

7.7 Pott Mill is located at the north-eastern edge of the Conservation Area. It is comprised of a cluster of buildings near the site of the former mill. Although these buildings are within the Conservation Area they are outside the National Park boundary. Conversely, on the opposite side of Bakestonedale Road, Pott Mill Farm is within the National Park but just outside the Conservation Area boundary.

7.8 The land at the north-eastern edge of the Conservation Area falls sharply away to the east into a clough which contains the stream. As the stream approaches the village centre the land rises up again.



P7.3 On Bakestonedale Road, the stream is at the bottom of a clough.

7.9 Arrival into the village from Bakestonedale Road is marked by the Church straight ahead and the school on the left.



P7.4 Entering Pott Shrigley from the north-east

7.10 Heading south along Shrigley Road towards Bollington is Walker's Green. This is at the junction of Spuley Lane and Shrigley Road. Cottages are well-spaced along the road and no dwelling is built directly opposite another.



P7.5 Dispersed properties at Walker's Green

7.11 Generally in the Conservation Area properties address the road, and the exceptions to this are at Walker's Green. Harrop Close, the former Vicarage is set in a large garden below road level and built at right angles to Shrigley Road. Pott Hall, although facing onto the road is set well back from it.

7.12 The principal entrances to Fern and Woodbine Cottages are at the rear. This may not have always been the case however, as both properties have been altered and Woodbine Cottage has a central blocked doorway visible on its roadside elevation.

7.13 Pott Shrigley is in a thickly wooded setting and views in and out of the hamlet are dominated by the mature plantations of Nab, Holme and Engine Woods. These create a sense of enclosure and a feeling of being within a bowl (see P7.6)



P7.6 The village is enclosed by trees

7.14 Within the village views between and around buildings are dominated by the presence of trees and slopes.



P7.7 above and P7.8 below, views around buildings are dominated by trees and slopes



7.15 Steep hills, particularly those in Holme Wood behind The Croft and at the north-western edge of the Conservation Area near Nab Wood are particularly significant as they provide a back-drop to many views within the village.

7.16 Tree-lined roads with straight stretches and bends are characteristic of the Conservation Area. These have the effect of making the village feel secluded. They restrict views into and out of the village and create a sense of anticipation when approaching it. There are, however, some short- and long-

ranging views across the landscape to either side of Shrigley Road (south), to the east of Bakestonedale Road and the south of Shrigley Road (north).



P7.9 Tree-lined roads like Spuley Lane are a feature of the Conservation Area

7.15 Boundary walls and hedges are important within the Conservation Area providing visual links between buildings and spaces.



P7.10 Boundary walls provide a visual link between buildings and spaces

7.16 Harrop Brook is not always visually apparent within the Conservation Area. It is most noticeable if walking along Shrigley Road (south) and Spuley Lane. It is the sound of running water which draws attention to its presence.



P7.11 Harrop Brook runs alongside Shrigley Road (south)

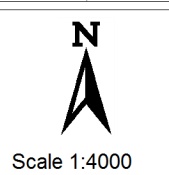
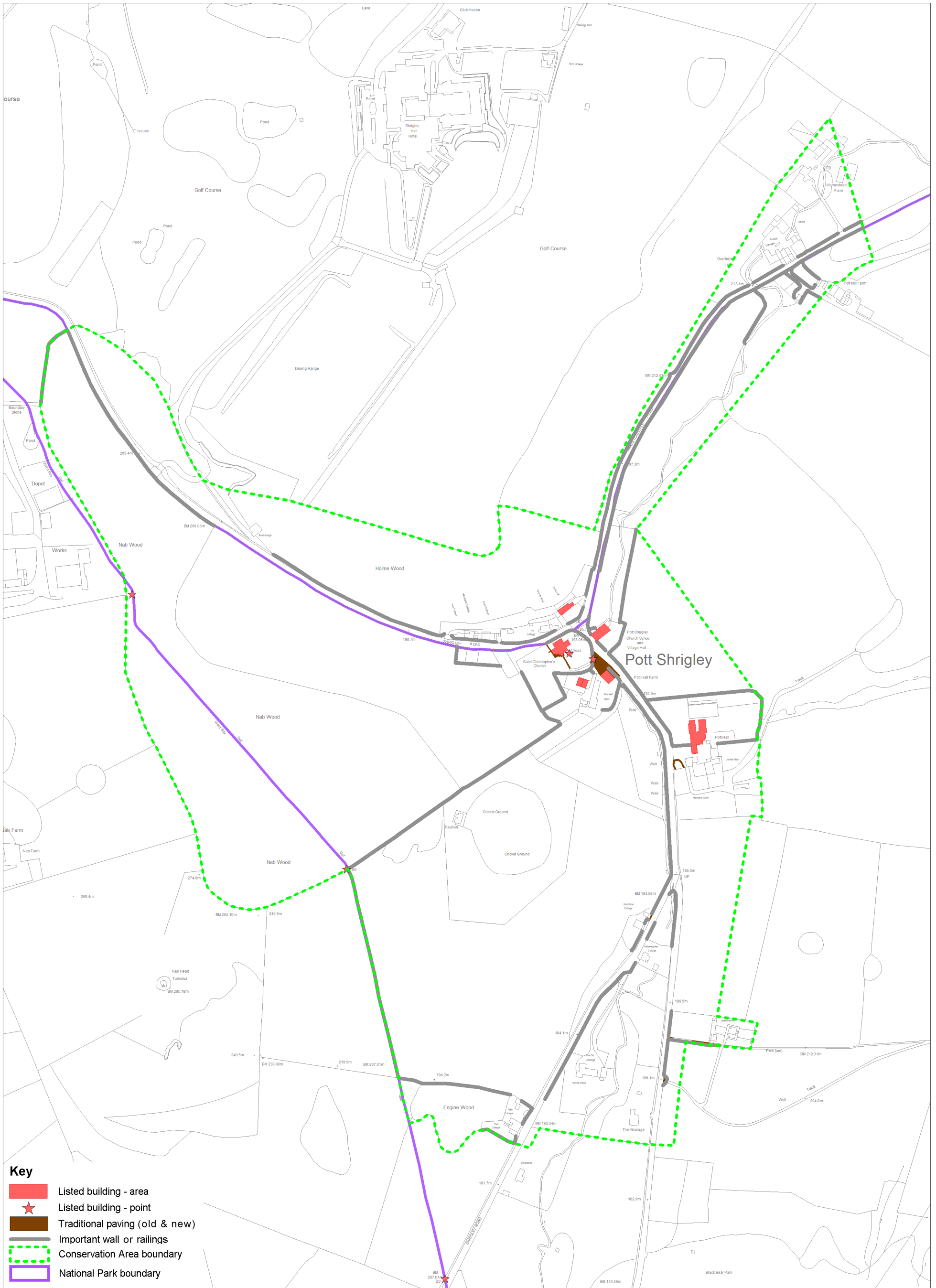


Fig. 10. Streetscape Features within Pott Shrigley Conservation Area

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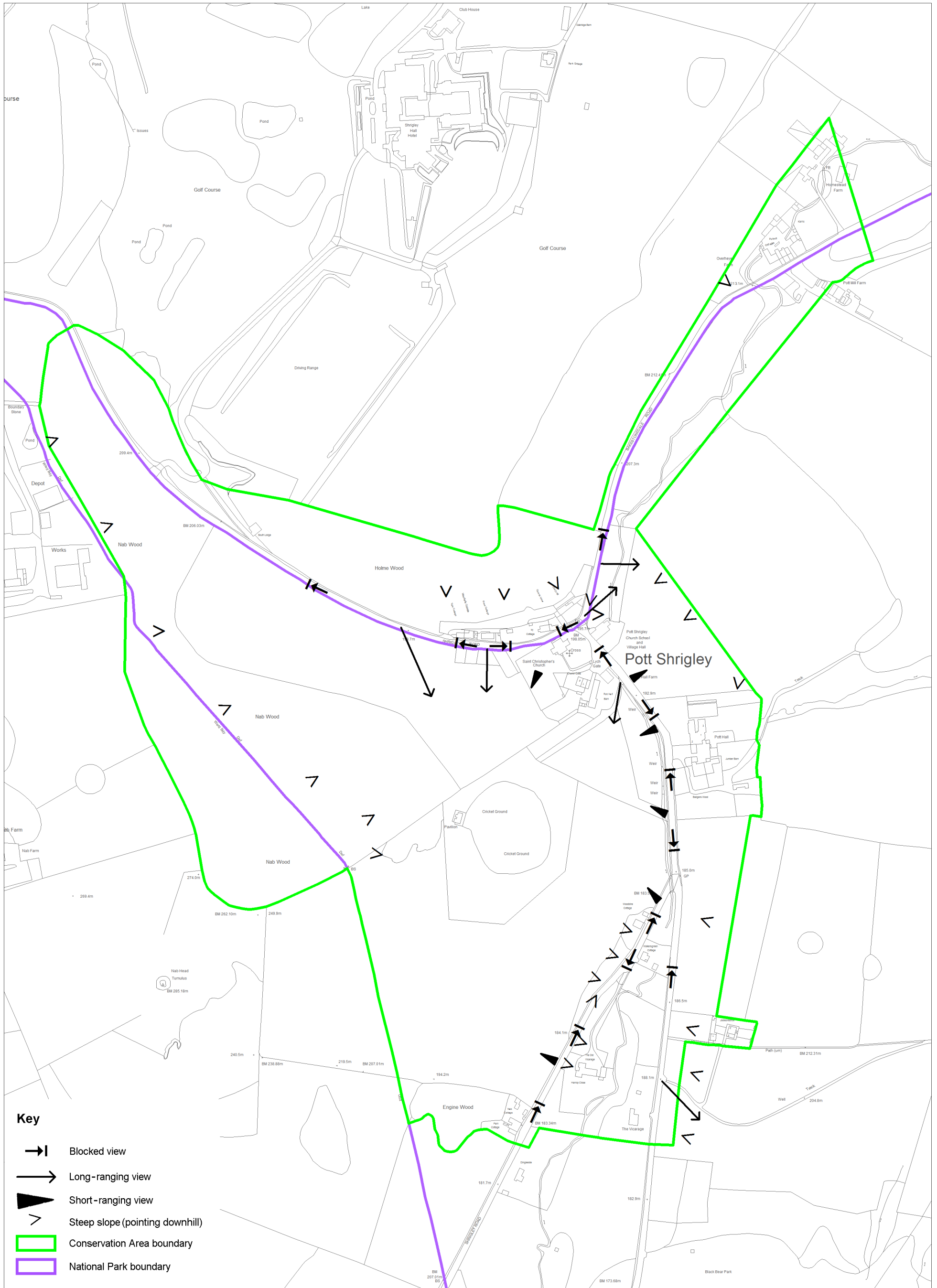
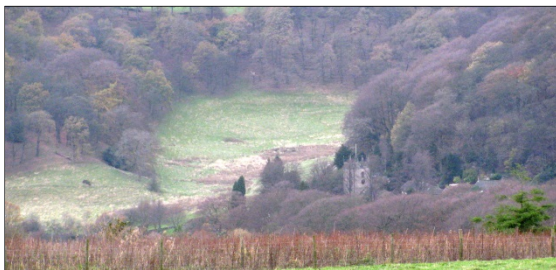


Fig. 11. Views within Pott Shrigley Conservation Area

8.0 GREEN AND OTHER NATURAL LANDSCAPE ELEMENTS

8.1 Pott Shrigley's distinctive character is not solely derived from its buildings. Trees, hedges, gardens, enclosed fields and other green spaces make an important contribution to the historic and aesthetic qualities of the place. Generally speaking, trees and hedgerows are integral to rural Conservation Areas as they form enclosures, screen structures and are part of an historic landscape. They also help maintain rural character and provide a harmonious transition from open countryside to built environment (P8.1).



P8.1 Trees provide a harmonious transition between countryside and the built environment

8.2 The Authority's 'Landscape Strategy and Action Plan' (LSAP 2009) locates Pott Shrigley in the South West Peak and, more specifically, in the Slopes and Valleys with Woodland landscape type. 'This landscape has a strongly wooded character, defined by hillside trees, wooded cloughs and scattered trees along field boundaries and watercourse trees. Tree groups exist around settlements and associated with the steeply sloping topography, create a series of framed and enclosed views.' (P8.1, P8.2).

8.3 The LSAP describes the key characteristics of this landscape type as having: undulating topography with incised valleys and rounded summits; patches of acid grassland on steeper slopes. Irregular blocks of ancient woodland along cloughs and valley sides; permanent pasture in fields enclosed by hedgerows and trees; narrow winding, often sunken lanes; scattered farms and loose clusters of dwellings; variable shaped, small to medium sized fields of various dates; and, coal-mining remains. The landscape within Pott Shrigley Conservation Area exhibits many of these characteristics; some of these can be seen on the aerial photograph (Fig 3) and, P8.1- P8.3)



P8.2 Fields bounded by hedgerows and trees and narrow lanes are characteristic of 'Slopes and Valleys with Woodland'...



P8.3 ...as are undulating ground and blocks of woodland

8.4 The Conservation Area contains a significant amount of open green space which contributes significantly to the character of Pott Shrigley. The valley-bottom setting surrounded by woodlands on hillsides gives a sense of a bowl-like location (see P8.1).

8.5 To the south and west of Shrigley Road there is an open area containing the village green and the cricket ground. This area is prominent in the centre of the hamlet and is an important focal point. Containing scattered clumps and individual mature trees, it has the appearance of parkland; almost providing a continuation to the grounds of Shrigley Hall. The Tithe Map apportionment of 1848 describes this area as Church Meadow and field. Any similarity to parkland is likely to be co- incidental.



P8.4 Scattered trees give the impression of parkland

8.6 Fields to the east of Shrigley Road provide a significant open space and contribute to the open feel of the immediate setting of the Conservation Area by providing short-ranging views. Although there is a large amount of green space, the overall feeling is one of enclosure given the gradient of the surrounding land and the density of woodland (P8.1).



P8.5 Large field opposite the church

8.7 Pott Shrigley village green is located to the west of St Christopher's Church on land purchased by the Parish Council in the 1990s. The aim was to benefit residents by fostering community spirit providing a range of recreational facilities, now and in the future. (www.fieldsintrust.org). Planning permission was obtained from the National Park Authority in 1999 for change of use from agricultural land to village green.



P8.6 The Village Green is just beyond the church boundary wall

8.8 St Christopher's churchyard is a semi-public space. It contains some good examples of mature trees including Yew and Lime.



P8.7 Mature trees in the churchyard, Yews (above), P8.8 mature Limes (below)



8.9 Pott Shrigley is surrounded by woodlands of mixed age and species, some of which are semi-natural. These provide vistas and backdrops from many points in the hamlet. They include Nab, Holme and Engine Woods.



P8.9 Woodlands provide backdrops to views



P8.10 Trees add to the scenic quality of views

8.10 The LSAP for the South West Peak, page 15, notes that species associated with the Slopes and Valleys with Woodland landscape type 'tend to be Oak dominated, with some Downy Birch, Silver Birch and Rowan....In the mineral-rich lower slopes, a more diverse flora is found with Ash in the canopy and a rich ground flora including Ramsons, Wood Anemone and Bluebell'.

8.11 There is a watercolour painting dated 1890 by William Robinson the English landscape painter (1835-1895). This depicts Bluebell woods at Pott Shrigley; demonstrating that historically the bluebell has grown in abundance locally and is a valued characteristic of the woodlands in spring.

8.12 There is some specimen planting in gardens, particularly around Pott Hall and the Old Vicarage (Harrop Close) notably conifers. Many mature specimens date back to the eighteenth and nineteenth centuries. Specimen planting was typical of Victorian taste and species would have been chosen for their picturesque qualities.



P8.11 Specimen Planting at Pott Hall

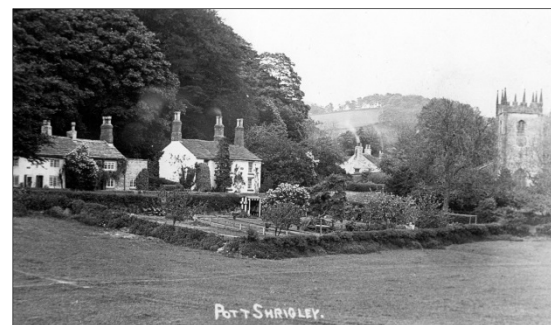
8.13 Conifers were particularly popular and many varieties were newly introduced to this country from about 1840 onwards. They would have been considered both exotic and fashionable at the time of their planting. This

timescale corresponds to the building of the Old Vicarage and remodelling of Pott Hall.



P8.12 Specimen Conifer at the Old Vicarage (Harrop Close)

8.14 A photograph from circa 1910 shows the gardens opposite the cottages on Shrigley Road (P8.14). This shows gardens bounded by hedges and containing small trees or shrubs. Some of the hedge is still extant (P8.15).



P8.13 Gardens to Cottages on Shrigley Road c1910 ©Bollington Discovery Centre



P8.14 Gardens on Shrigley Road, much of the boundary hedge remains

8.15 Planting in private gardens can contribute positively to the character of a Conservation Area.



P8.15 Planting at Pott Hall Farm contributes to the Conservation Area

8.16 Hedges are often used as boundaries in Pott Shrigley, often in conjunction with stone walls to add privacy to dwellings. (See P8.12 and P8.15 above). P8.17 below shows a mature Yew hedge on Shrigley Road, this also contains Hawthorn and Holly. The hedge to the gardens in P8.15 can be seen in the distance. (The Yew hedge is in the Conservation Area but outside the National Park).



P8.16 Yew hedge on Shrigley Road

8.17 There is quite a lot of ivy in the conservation area, growing over walls and under and up trees. Ivy and other climbing plants soften the appearance of walls.



P8.17 Climbing plants help soften the appearance of walls

8.18 It is important to note that some plant and tree species are under threat from disease such as the various forms of Phytophthora and Ash Die Back. If these were to reach Pott Shrigley, they could have a significant impact on the appearance of the village. Some mature trees are reaching the end of their lives and their loss will have an impact on the appearance of Pott Shrigley Conservation Area. (See Section 11 paragraphs 11.18-11.20).

8.19 There are some sites of ecological interest within the Conservation Area boundary. Two are noted as Cheshire SBIs (Sites of Biological Importance). These are Holme Wood, which is an area of ancient woodland, and Lower Harrop Brook meadows. In addition, Nab Wood is an area of ancient woodland and Jumber Clough an area of semi-natural woodland.

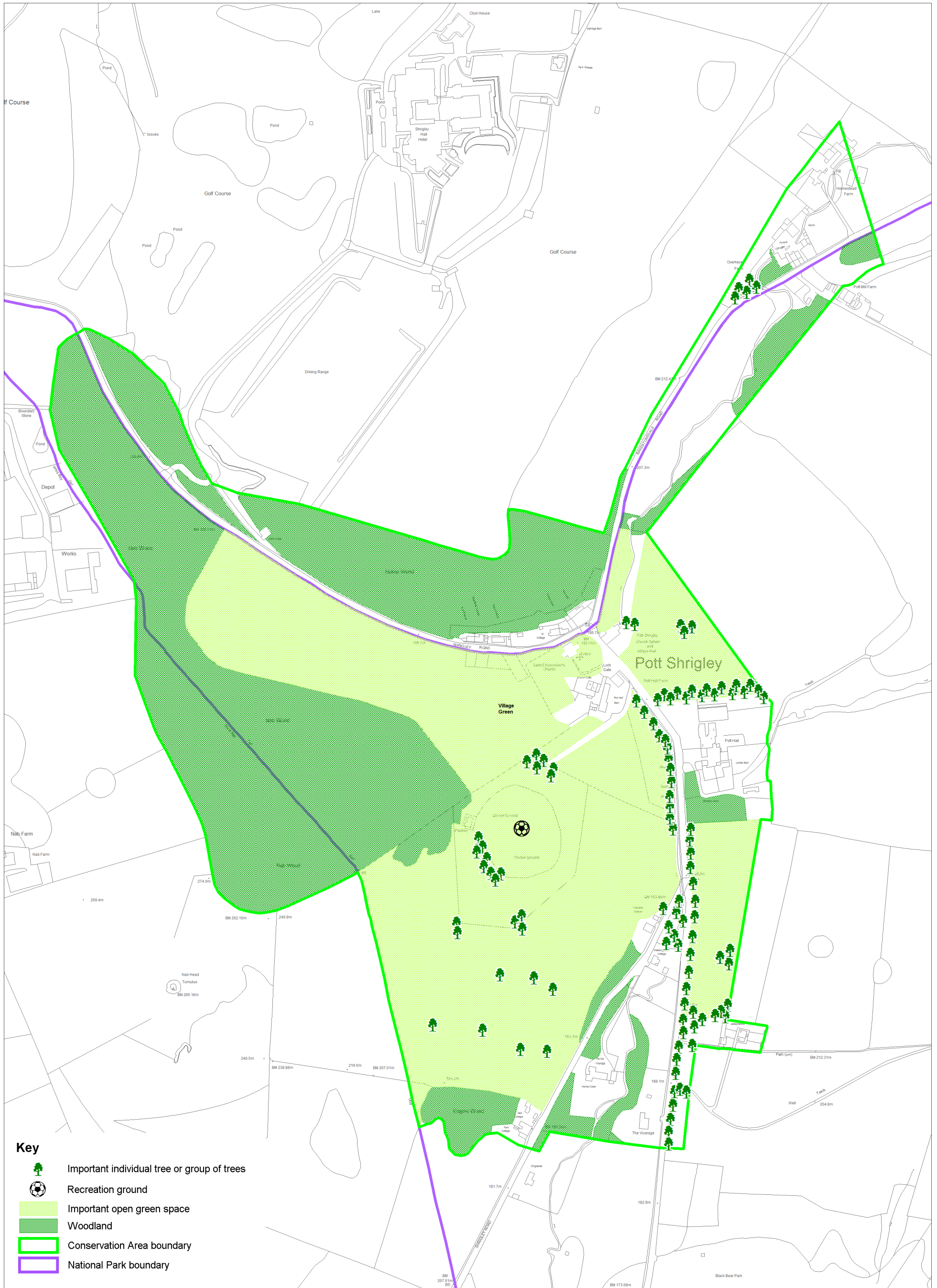


Fig. 12. Landscape Features within Pott Shrigley Conservation Area

9.0 CONSERVATION AREA SETTING

9.1 Considering the rural location of Pott Shrigley within the Peak District National Park, it is surprising to note how close the village is to the conurbation of Manchester. The city centre is approximately 13 miles, 20.9 km away to the north-west. The hamlet is also close to the towns of Bollington (1 mile, 1.6 km) south, Macclesfield (3.5 miles, 5.6 km) south-west, Poynton (approximately 4.3 miles, 6.9 km) north-west and Buxton (7.9 miles, 12.7 km) south-east.



P9.1 Manchester and the Cheshire Plain are just visible in the distance

9.2 The Peak District Landscape Strategy and Action Plan 2009 for the South West Peak states (page 2) that Pott Shrigley is located within the South-West Peak. 'This is an area of upland and associated foothills in the south-west part of the Peak District National Park'. It goes on to say that this area is bounded to the west (beyond Pott Shrigley) by the extensive lowlands of the Cheshire (and Staffordshire) Plain.

9.3 Close to the Conservation Area border are some small pockets of development and industry. Two of these can be clearly seen on the aerial photograph (Fig 3). One is to the north around Shrigley Hall Hotel and Country Club; another is to the north-east around Bakestonedale and another to the west at Nab Quarry and Works. These three sites are all located outside the Peak District National Park.



P9.2 The Old Brickworks Industrial Estate

9.4 Approaching Pott Shrigley from the north-west, from the Adlington direction, the route is comparatively flat, the road bends as it enters the Conservation Area and from this point there is woodland on either side. Beyond Shrigley Lodge (outside the National Park) trees on the south side of the road are replaced by hedges. This allows long-ranging views over the undulating landscape characteristic of the South-West Peak (see Fig 3 and P9.3).



P9.3 Long- ranging views south from Shrigley Road

9.5 Approaching Pott Shrigley from the north-east, from the Kettlethume direction, the landscape is more noticeably hilly and open. There is still dense tree cover, much of it along the roadside, but not the large blocks of woodland found on the north-eastern approach to the hamlet.



P9.4 Tree-lined road near Pott Mill Cottages



P9.5 The north-east end of the Conservation Area is more noticeably hilly with scattered trees

9.6 Approaching the village from the south-west along Shrigley Road from the Bollington direction the road is tree-lined on both sides. Glimpses of undulating hills can be gained through the trees, especially in the winter months.



P9.6 The tree-lined road from Bollington

9.7 Heading out of the Conservation Area by Fern Cottage, the road towards Bollington is long and straight with views interrupted by overhanging trees. Properties in Bollington can be seen in the distance, particular in the winter months when the trees are bare.



P9.7 Looking towards Bollington from the southern edge of the Conservation Area

9.8 Approaching Pott Shrigley from the south along Spuley Lane from Rainow, trees are again a dominant feature.



P9.8 Spuley lane, looking towards the junction with Shrigley Road



P9.9 Looking in the opposite direction along Spuley Lane

10.0 AMENDMENTS TO THE BOUNDARY

10.1 No changes to the existing Conservation Area boundary within the National Park are proposed.

10.2 The boundary for Pott Shrigley Conservation Area was approved on 20 July 1979. The boundary was drawn quite widely to encompass some woodlands and green open space which significantly contribute to the character and setting of the Conservation Area. For this reason it is not felt necessary to amend the boundary within the National Park.

10.3 Buildings excluded from the Conservation Area are either outside the National Park boundary; or do not have sufficient architectural or historic merit to warrant inclusion.

10.4 Shrigley Hall is outside the National Park and it is totally concealed from the village behind Holmewood. South Lodge to Shrigley Hall is within the Conservation Area boundary and there may be an argument for extending it to take in the Hall and designed parkland as there is an obvious historic link with the settlement. However, the visual link is weak and the area is outside the jurisdiction of the National Park so any such consideration will need to be made by Cheshire East Council.

10.5 Since the Conservation Area boundary was first designated in 1979, some development has taken place at Homestead Farm and the boundary now cuts through buildings. It is desirable to amend the boundary so that this is regularised however Homestead Farm is outside the National Park so any amendment in this area will need to be made by Cheshire East Council.

11.0 POTENTIAL FOR IMPROVEMENT

11.1 The purpose of this Section is to examine the special character and appearance of the Conservation Area and identify opportunities for improvements.

11.2 The Pott Shrigley Conservation Area Report (September 1979) identified a number of potential improvements to the proposed Conservation Area, including street improvement schemes and building refurbishments. One of the projects identified was re-surfacing the car park in front of St Christopher's Church and this was carried out with assistance from the National Park Authority. Pott Shrigley Parish Council paid for substantial repairs to the setts in this area in 2013.



P1.1 The car park before re-surfacing (above)

P1.2 ... and after (below).



New development

11.3 Any new development needs to be designed with care to ensure that it preserves

and enhances the character of the Conservation Area.

11.4 The use of construction materials that are not in keeping with the local traditions or are of poor design can have a detrimental impact on the character of the Conservation Area.

Repairing historic buildings and structures

11.5 Most buildings within Pott Shrigley Conservation Area are in relatively good condition. Buildings need continual maintenance and repair; poorly maintained buildings can have a negative impact on the character of the Conservation Area.

11.6 Unsympathetic alterations, additions and repairs can have a detrimental impact on the appearance and structural performance of a building. Minor works, such as the installation of windows and doors that are inappropriate in design and/or materials (e.g. upvc), the replacement of traditional roof coverings with artificial products, the removal of chimneys and the use of cement-based mortars and/or strap pointing, soon accumulate and erode the special character of a place.



P11.3 and P11.4 Examples of strap pointing

11.7 Unsympathetic extensions and additions to a traditional building may not only have a negative impact on the historic quality of the building, but can also detract from the character of the Conservation Area.

11.8 The use of non-traditional materials (such as cement renders and imported and/or artificial materials, such as concrete roofing tiles and upvc) should be avoided on historic buildings, as these detract from their architectural and historic significance. The use of modern materials in new developments within the Conservation Area will only be considered in exceptional circumstances. In these instances, the materials and detailing should be the highest quality.

11.9 Traditional stone boundary walls should be retained and where necessary repaired. The use of alternative boundary treatments, particularly timber boarding, concrete posts and timber post and rail fencing, should be avoided as they are alien to the area and likely to have a negative effect on the character of the Conservation Area.



P11.5 and P11.6 Modern boundary treatments are alien to the area

11.10 Unsympathetically located modern fixtures on prominent elevations and roofs, such as satellite dishes, roof-lights, solar panels and wind turbines, can quickly accumulate and have a detrimental impact on the character of the Conservation Area. Please check with the Authority's Planning Service (on 01629 816200), before installing any such item, as permission may be required.

11.11 Owners seeking advice on alterations and/or extensions to their property should contact the Authority's Planning Service. The Authority's Design Guide (2007) also contains general advice on extensions, alterations and new development. See the Authority's website (www.peakdistrict.gov.uk) for further details.

Maintaining spaces and streetscape

Street furniture

11.12 There is little street furniture within Pott Shrigley Conservation Area, There are some bins, benches, street-signs and so on. Not all of the existing examples are fit for purpose and some are sited inappropriately. Together these factors create a fragmentary appearance within the Conservation Area.

11.13 All lighting, including street lighting and exterior lighting on residential and business properties should minimise, where possible, the impact of light pollution, as this can detract from the Conservation Area.

11.14 Better quality street furniture, reduced signage and better co-ordination of all street furniture would significantly enhance the appearance of the Conservation Area. Historic street furniture should be retained wherever possible.



P11.7 A collection of street furniture on Shrigley Road

Conserving traditional paving

11.15 There are a variety of ground surfaces, old and new, in the Conservation Area. Roads are predominantly covered with tarmac. Traditional treatments such as stone kerbs survive in places and a variety of materials are used for paving.

11.16 Wherever possible traditional gritstone surfaces should be retained. Where there is evidence of historic kerbs and paving their reinstatement should be encouraged.

11.17 Some of the tarmac surfaces have a patchy appearance due to roadworks and, although serviceable, they detract from the quality of the street-scene.



P11.8 and P11.9 Examples of patchy tarmac

11.18 Road markings have been used for parking restriction and traffic calming purposes, this too detracts from the Conservation Area street-scene.



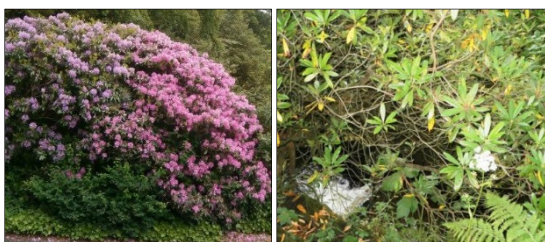
P11.10 Road markings and signs on Bakestone Road (left) and P11.11 markings on Shrigley Road (right)

Protecting trees and shrubs

11.19 Trees and shrubs make an essential contribution to the character of Pott Shrigley and their removal would have a negative impact on the Conservation Area. Some hedgerows are protected from destruction or damage under the Hedgerows Regulations 1997. The Town and Country Planning Act 1990 makes special provision for trees in Conservation Areas which are not the subject of Tree Preservation Orders: anyone proposing to cut down or carry out work to a tree, is required by law to give the Planning Authority six weeks' notice of their intention to do so. The Authority's Tree Conservation Officers should be contacted (on 01629 816200) before any lopping or felling of trees, shrubs or hedges takes place, and before carrying out any other work to hedges.

11.20 There are several diseases, including Phytophthora and Ash Die-Back Disease which are currently affecting broadleaf tree species in this country. These diseases could potentially have a significant impact on the appearance of the National Park. The main species at risk are Horse Chestnut, Oak and Ash. The loss of these species could have a dramatic effect on the character and appearance of Pott Shrigley Conservation Area and its setting.

11.21 There are some Rhododendron Pontificum in the Conservation Area which need to be managed to prevent the spread of this non-native species. The plant can also spread the disease Phytopthera Ramorum to a variety of plants and trees.



P11.7 Left, healthy Rhododendron. P11.8 Diseased specimen

11.22 Steps can be taken to help reduce the spread of plant disease. Ensure any new trees and plants are purchased from a reputable nursery which can guarantee that its stock is disease free. Ensure any work to trees is carried out by a competent tree surgeon operating to BS 3998. Look after existing trees, for example, avoid depositing garden refuse beneath them and seek early assistance if they appear diseased. The

Authority's Tree Conservation Officers can offer advice.

Sustainability

11.23 Conservation Areas are inherently supportive of sustainability, as they promote the re-use of traditional buildings, encourage the use of local materials and repair over replacement, and ensure the protection of trees. There is always potential to improve sustainability within a Conservation Area. This can be achieved by improving the energy efficiency of buildings and reducing their energy consumption and carbon footprint. These issues shall be considered in more detail in any future Conservation Area Management Plan.

12.0 PLANNING POLICY

12.1 The planning policy outlined below underpins the National Park Authority's purposes and its approach to sustainability. This information was applicable when Pott Shrigley Conservation Area Appraisal was drafted. Always check with the Authority's Planning Service to ensure that the information in this section is still current.

12.2 The Authority's Development Plan is the starting point for making decisions on development affecting the Conservation Area. At the time of writing, 2015, this comprises the Authority's Core Strategy (2011) and saved policies from the Authority's Local Plan (2001). The development plan is supplemented by the Authority's Supplementary Planning Guides (SPG) and Supplementary Planning Documents (SPD). These include the Design Guide (2007), Building Design Guide (1987) (a technical supplement to the 2007 Design Guide), Meeting the Need for Affordable Housing (2003), Agricultural Developments (2003) and Climate Change and Sustainable Building (2013), Alterations and Extensions (2014) and Shop Fronts (2014). Other specific guidance that has been adopted by the Authority includes, the Landscape Strategy and Action Plan (LSAP 2009) and Conservation Area Appraisals. The Landscape Strategy in particular, provides the wider landscape context to Pott Shrigley.

12.3 The Authority aims to preserve and where possible enhance the character or appearance of Conservation Areas, by preventing harmful development in accordance with Local Plan Policy LC5.

12.4 There are currently no Article 4 Directions, removing specific permitted development rights, in Pott Shrigley Conservation Area. Assessment of any development proposals will take place within the context of approved development plan policies and this Conservation Area Appraisal. Details of works that require Conservation Area Consent can be found in the introduction to this document or alternatively, contact the Authority's Planning Service.

12.5 The Core Strategy policies GSP 1 to 4 apply to Pott Shrigley Conservation Area as they set out the Authority's general principles governing all development. Other key policies in the Core Strategy that relate to any proposed new development in Pott Shrigley Conservation Area include DS1: development strategy; L1: landscape character and valued characteristics; and L3: cultural heritage

assets of archaeological, architectural, artistic or historic significance.

12.6 A range of saved Local Plan (2001) policies continue to apply to Pott Shrigley.

12.7 The Core Strategy will be supplemented in 2016 by a Development Management Policies document. (Consultation on the Development Management Policies ended on 7 December 2014). This will replace the remaining policies of the Local Plan (2001). Where any conflict exists between the Core Strategy and any remaining Local Plan policies the Core Strategy will take precedence.

12.8 When drawing up policies for Conservation Areas, the Authority is informed by the Planning (Listed Buildings and Conservation Areas) Act 1990 and the National Planning Policy Framework (NPPF). Paragraph 14 and 115 of the NPPF are of particular relevance. The NPPF states that planning authorities should set out a positive strategy for the conservation and enhancement of the historic environment. The Authority considers that the strategic principles of the Core Strategy remain consistent with the NPPF.

12.9 Development within Conservation Areas is controlled by the Town and Country Planning Act 1990, Planning (Listed Buildings and Conservation Areas) Act 1990, the Town and Country Planning (General Permitted Development) Order 1995 and the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008. Circular 01/01 also relates to the identification and protection of historic buildings, conservation areas and other aspects of the historic environment (DCLG).

12.10 There are no Scheduled Monuments in Pott Shrigley Conservation Area. There are no Scheduled Monuments within the Conservation Area boundary but four sites appear on the Cheshire Heritage Environment Record, (HER). Development affecting these sites or any other areas of archaeological potential, will only be permitted if in line with Local Plan policies LC15 and LC16. Where development has been permitted, the developer will be required to minimise its impact and, as appropriate, to record, safeguard and enhance the sites or features of special importance. Appropriate schemes for archaeological investigation, prior to and during development, will also normally be required.

12.11 There are 8 list descriptions covering the 9 buildings in the part of Pott Shrigley which lies within the National Park's Conservation Area. (see Section 13). Development that affects the character of these designated historic assets shall be assessed against national guidance and Local Plan policies LC6 and LC7. There are also a number of unlisted buildings in Pott Shrigley, of historic and/or architectural merit that contribute positively to the character of the Conservation Area. These structures will normally be considered non-designated heritage assets and will be a material consideration when development is proposed. The proposed conversion of any building of historic or vernacular merit within the Conservation Area will have to take into consideration the points set out in Local Plan policy LC8.

12.12 Buildings, watercourses, hedgerows and trees, particularly mature trees, in Pott Shrigley Conservation Area possibly contain protected species as identified in the Wildlife and Countryside Act 1981 (as amended). These protected species may include bats, barn owls, white-clawed crayfish and water voles. Development proposals for areas where protected species exist should include, and implement, a scheme for safeguarding the future survival of the protected species and their habitat. This will be a requisite condition of any relevant planning permission. For further information see the Authority's Planning Practice Note: Protected Species and Development in the Peak District National Park. Alternatively see the Authority's website, www.peakdistrict.gov.uk or contact the Authority's Natural Environment Team.

12.13 Some land in the Conservation Area has been identified as being within a flood risk area. Policy CC5 of the Authority's Core Strategy will apply to these areas. Proposals which may have a harmful impact upon these areas will not be permitted unless net benefits can be secured for increased floodwater storage and surface water management from compensatory measures. In addition, where flood management schemes are proposed to reduce the risk of flooding to established material assets, they should wherever possible secure wider benefits for the natural environment, such as habitat creation or landscape enhancement.

12.14 In the Conservation Area, trees with a trunk 7.5cm or more in diameter are protected, and the felling, lopping or topping of these trees may not be permitted without prior agreement from the Authority. Some

hedgerows are protected from destruction or damage under the Hedgerows Regulations of 1997. Anyone considering work to trees and/or hedgerows should contact the National Park Authority for advice.

12.15 All wild birds, with the exception of those defined as game or pest species, are also protected under the Wildlife & Countryside Act 1981 (as amended). Natural England therefore recommends that, 'No tree or scrub clearance works shall be undertaken during the main bird breeding season (mid March to July inclusive)'. This condition will normally be attached to planning permissions that include tree, scrub and hedgerow removal. Development proposals for areas where protected bird species exist must include, and implement, a scheme for safeguarding the future survival of the protected bird species and their habitat. This will also be a requisite condition of any relevant planning permission and may require a specialist survey. Development proposals affecting habitats of importance are covered by Local Plan Policies LC17 to LC20, consecutively.

12.16 None of the roads in Pott Shrigley Conservation Area are part of the strategic road network. Core Strategy policy T7 and Local Plan Policy LT14, relating to car parking provision will also apply.

12.17 Although not classed as policy the Authority has published a number of documents that recommend, directly or indirectly, actions to safeguard the character of the Conservation Area and its setting. These include the 'Lead Legacy: The Prospects for the Peak District's Lead Mining Heritage' (2004), the Cultural Heritage Strategy (2005) and Landscape Strategy and Action Plan (2009). These documents can be viewed on the Authority's webpage, www.peakdistrict.gov.uk or obtained on request.

12.18 The above information is an overview of planning policies that relate to the Pott Shrigley Conservation Area. Other policies may also apply and if a particular policy is not referred to in this Section, this does not mean that it is of no relevance.

13.0 DESIGNATED HERITAGE ASSETS IN POTT SHRIGLEY CONSERVATION AREA

With the exception of the Pott Shrigley Conservation Area, all designated assets within the Conservation Area boundary are listed buildings or scheduled monuments. These are as follows:

No.	Address	Grade	List Entry No.	Date
1	Parish boundary stone at SJ 9422 7897	II	407432	C18/C19
2	Pott Hall Farmhouse, Shrigley Road	II	407433	Early C19
3	1 and 2 Church Cottages, Shrigley Road	II	407434	Mid C19
4	Church of St Christopher, Shrigley Road	I	407435	Mainly C15
5	Cross in St Christopher's Churchyard	II	407436	Medieval with later repairs
6	Pott Hall	II	407437	Late C16 origins, later alterations
7	The School, Shrigley Road	II	407438	1861 restored and extended 1967.
8	K6 Telephone Box	II	407795	c1935

The Croft
Grade II
Shrigley Road, Pott Shrigley, Cheshire
East

Is inside the Conservation Area but outside the National Park Boundary. For any queries regarding this property please contact the Conservation Team at Cheshire East District Council

14.0 GLOSSARY

- Agrarian** Of the land or its cultivation.
- Ancillary** In architectural terms this usually refers to a secondary structure, for instance stables or outbuilding.
- Ancient Monument** Ancient monuments are legally protected archaeological sites and buildings designated under the Ancient Monuments and Archaeological Areas Act 1979. It is an offence to carry out works to them without the written consent of the Secretary of State.
- Ashlar** Masonry that has been carefully cut, dressed and squared, to be employed as facing stone in finely jointed level courses.
- Bargeboards** Projecting decorated boards placed against the incline of the gable of a building and hiding the horizontal roof timbers (Pevsner, 1986).
- Bronze Age** The prehistoric period which comes between the Neolithic and the Iron Age, dating roughly from 2000 to 800 BC. This was the time of the introduction of metals and more importantly of permanently laid out field systems used by sedentary farmers. In the first half of the period people continued to use ceremonial sites such as barrows and stone circles. Few if any monuments were built after about 1500 BC.
- Chapel of Ease** An Anglican chapel situated for the convenience of parishioners living a long distance from the parish church).
- Classical Architecture** The elements and rules of proportion of Classical architecture are derived directly or indirectly from the architecture of ancient Greece and Rome. Classical forms were introduced into England in the early sixteenth century, with the Renaissance, and Classical architecture was established from the early seventeenth century. There was a revival of Classical styles of architecture in the Victorian period.
- Coped gables** Gable walls that have a course of flat stone laid on top.
- Curtilage** Area/land attached to a house and forming one enclosure with it.
- Drip moulds** A horizontal moulding for throwing water off and so protecting the windows immediately below. Drip moulds are also used on chimneys.
- Early medieval** From 410 AD to 1065 AD. A term often used for the Anglo-Saxon period, i.e. from the collapse of the Roman occupation during the 5th century AD until the Norman Conquest. However, only the later Anglo-Saxon period can be strictly called "Medieval", a period distinguished by the development of towns, nucleated settlements and an organised agrarian landscape.
- Eaves** Overhanging edge of a roof (Pevsner, 1986).
- Gothic Architecture** A style of architecture which developed from the middle of the twelfth century, characterised by the pointed arch, the rib-vault and the flying buttress. There are several distinct phases in the development of Gothic architecture in England: **Early English** (1150-1300), characterised by high, narrow, pointed 'Lancet windows'; **Decorated** (1250-1400) including an early, 'Geometrical', phase in which window tracery is characterised by trefoils, quatrefoils and ogees, followed by a 'Curvilinear' period of flowing tracery patterns and surface decoration; **Perpendicular** (1350-1500), characterised by strong vertical lines with the rigid lines of window mullions often continuing upwards to the top of the arch itself, and with flatter, four-centred arches and pierced and battlemented parapets. **Tudor Architecture** (1485-1558): The Tudor period of architecture partly overlapped the late Perpendicular Gothic style, with an increasing use of Renaissance influence in ornament. The Perpendicular Gothic style was adapted for use on more domestic buildings, with pointed arches often replaced by bays, oriels and square-headed windows.
- Gothic Revival** The Gothic Revival in England lasted for about 150 years through the 18th and 19th centuries and saw the return of pointed casement windows, together with battlements and drip- and label-mouldings. The Revival passed through a number of different stages, reflected in varying interpretations of Gothic architecture, based on the different phases of its early development. The earlier phases of the Gothic Revival aimed to capture the picturesque composition, decoration and atmosphere of medieval architecture.

HER	Historic Environment Record (HER) sometimes also called Sites and Monuments Record (SMR).
Hood mouldings	Projecting moulding above an arch or a lintel to throw-off water (Pevsner, 1986).
Hopper	Small cistern or tank of lead, cast-iron etc. frequently ornamented, to collect rainwater from a rainwater gutter before it is discharged to a down-pipe.
Iron Age	The prehistoric period which comes between the Bronze Age and the coming of the Romans, in the Peak District dating roughly from 800 BC to the 70s AD. This was a time of settled farming communities living in scattered farms and hamlets, overlooked by hillforts. In the Peak District, there is little direct evidence for Iron Age occupation.
KEA	A Key Ecological Area is a non-statutory site containing species
Kneeler	Horizontal decorative projection at the base of a gable (Pevsner, 1986).
Lintel	Horizontal beam or stone bridging an opening (Pevsner, 1986).
Medieval	The period which dates from the Norman Conquest of 1066 AD to approximately 1500 AD. Also known as the Middle Ages.
Mullion	Vertical posts or uprights dividing a window into 'lights' (Pevsner, 1986). Mullions can be shaped or chamfered which can give an indication as to age.
Neolithic	The prehistoric period which comes between the Mesolithic (Middle Stone Age) and the Bronze Age, dating roughly from 4000 to 2000 BC. This was the time of the adoption of the first agricultural practices, including cereal cultivation, but more importantly the rearing of domesticated animals, including herds of cattle and flocks of sheep. In the beginning, farmers moved around the landscape with their herds, much as they had in the Mesolithic (except they took animals with them rather than following wild game). It was only after more than a thousand years that they settled in more 'permanent' farms which they surrounded by bounded fields. They built impressive ceremonial monuments, often used to establish traditional right to the use of land, by burying the bones of the ancestors to overlook the landscape.
Palatine	A county in which the earl or other lord exercised many royal powers, in particular judicial matters.
Parish	The smallest unit of local government is the civil parish. In some areas this covers the same area as an ecclesiastical parish which is the area of jurisdiction covered by the parish church. Ecclesiastical parishes are almost always the remains of Medieval manors especially in rural areas and many have remained unaltered in their boundaries since the Medieval period. However, in the Peak District many parishes became defined by the boundaries of Townships.
Pediment	The Classical equivalent of a gable, often used without any relation to a roof. Often used over an opening, particularly doorways.
Pinch point	A visual effect which suggests a narrowing of the street scene. It is typically caused by a bend in a road and the proximity of buildings on either side.
Polite	The ultimate in polite architecture will have been designed by a professional architect or one who acted as such though under some other title – surveyor or master mason; It will have been designed to follow a national or international fashion/style or set of conventions; towards an aesthetically satisfying result; and aesthetic considerations will have dominated the designer's thoughts rather than functional demands. (Brunskill 2000).
Post-medieval	The period after the Medieval, beginning at approximately 1500 AD and continuing up to the present day. Distinct from the Medieval because of the change from a feudal to capitalist society and the rapid development of industrialisation.
Quoins	Dressed stones at the (exterior) angles of a building.
SBI	Site of Biological Importance (SBI) is the name given to the most important non-statutory sites for nature conservation and provides a means of protecting sites that are of local interest and importance.
Tithe map	Shows the boundaries of land and property within the Tithe area. Usually refers to a map prepared following the Tithe Commutation Act 1836 which allowed tithes to be paid in cash rather than kind. A tithe was a tenth of a person's produce or income

given voluntarily or as a tax to the church or, following the dissolution of the monasteries, to a number of private landlords.

Verge

The edge of the sloping part of a pitched roof.

Vernacular

An indigenous building constructed of locally available materials, to local detail, without the benefit of an architect. Vernacular architecture can be defined as dwellings and 'all other buildings of the people' (Oliver, 2003).

15.0 REFERENCES

- Banks, F. R. (1975) **The Peak District.** Robert Hale & Co., London.
- Barnatt, J. & Smith, K. (2004) **The Peak District: Landscapes Through Time.** Windgather Press Ltd., Cheshire.
- Brunskill, R. W. (2000) **Vernacular Architecture.** Faber and Faber Limited, London.
- Clark, J (2003) **Cheshire Historic Towns Survey, Bollington** (Cheshire County Council and English Heritage)
- Clifton-Taylor, A. (1987) **The Pattern of English Building.** (4th edition) Faber and Faber Limited, London.
- Cunnington, P. (2008) **How Old is Your House?** Stenlake Publishing Limited.
- Curl, J. S. (2006) **A Dictionary of Architecture and Landscape Architecture** (2nd Edition) Oxford University Press.
- Curl, J. S. (1990) **Victorian Architecture.** David & Charles, Newton Abbot, London.
- Dodd, A. E. and Dodd, E. M. (1990) **Peakland Roads and Trackways.** Ashbourne: Moorland Publishing Co. Ltd.
- Dodgson J. McN. (1970) **The Place Names of Cheshire.** Cambridge University Press.
- Fleming, J., Honour, H. & Pevsner, N. (1991) **Dictionary of Architecture and Landscape Architecture.** Penguin Books.
- Hey, D. (2001) **Packmen, Carriers and Packhorse Roads.** Landmark Publishing Ltd., Derbyshire.
- Kelly & Co (1896) **Kellys Directory of Cheshire**
- Lysons, D (1822) **Magna Britannia for the County Palatine of Chester,** England
- Mercer, E. (1975) **English Vernacular Houses.** Royal Commission on Historic Monuments 21.
- Pevsner, N, Hubbard, E (1971) **The Buildings of England: Cheshire.** Penguin.
- Spray, M. (1989) **Peak District Names.** J.N.M. Publication.
- Tarn, J. N. (1971) **The Peak District and its Architecture.** R.B. Macmillan Ltd, Derby.

Other Sources

Cheshire County Council
Cheshire Archives and Local Studies,
Department of the Environment

English Heritage, Brock, D.
English Heritage

Peak District National Park Authority
Peak District National Park Authority
Peak District National Park Authority
Peak District National Park Authority
Notes from Ian Clarke, Pott Shrigley School
Notes on Pott Shrigley, no date, no name

Maps

1686 Map of the Survey of Lands belonging to Edward Downes of Shrigley (Cheshire Record Office)
1775 Burdett's Map of Cheshire

Heritage Environment Record for Cheshire.

Downes Family Records

List of Buildings of Special Architectural or Historic Interest Vol. 60. Borough of Macclesfield. 1983

Architectural Glossary, 1984.

Strategic Stone Study: A Building Stone Atlas of Derbyshire and the Peak National Park. Stone Study 19, Derbyshire. September 2011.

Local Plan, 2001.

Design Guide, 2007.

Historic Landscape Characterisation, 1996

Landscape Strategy and Action Plan, 2009

1848 Tithe Map of Pott Shrigley (Cheshire Record Office)

1871 First Edition Ordnance Survey Map

1897 Second Edition Ordnance Survey map

Ordnance Survey Outdoor Leisure 24, The Peak District, White Peak Area 1:25 000, 2008

Internet Sites

www.bbc.co.uk/history

www.fieldsintrust.org

www.genuki.org.uk

www.happy-valley.org.uk

www.Papillion Graphics' Virtual Encyclopaedia and Guide to Greater Manchester UK

www.Peak District Mines Historical Society

www.penforma.com/bricks of england14

www.A Vision of Britain Through Time

www.Whaley Bridge History, Goyt Valley Roads, Tracks and Trails

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14. DESIGNATION OF LEEKFRITH NEIGHBOURHOOD AREA (AM)

Purpose of the report

1. To designate that part of Leekfrith parish that is within the National Park as part of the Leekfrith Neighbourhood Area, under the Localism Act 2011 Schedule 9.

Key issue

Under Schedule 9, section 61-I of the Localism Act, the power to designate an area as a neighbourhood area is exercisable by 2 or more local planning authorities if the area falls within the area of those authorities. Leekfrith parish council is a qualifying body for the purpose of designating a neighbourhood area, and has applied to the Authority and to Staffordshire Moorlands District Council.

2. **Recommendation:**

That part of Leekfrith parish that is within the National Park is designated as part of the Leekfrith Neighbourhood Area (the shaded area within the parish boundary on the map in Appendix 1), under the Localism Act 2011 Schedule 9, section 61G.

How does this contribute to our policies and legal obligations?

3. This is a legal obligation under the Localism Act.

This proposal contributes to corporate objectives 3 and 5.

3: Provide a high quality planning service to the community of the National Park that achieves national park purposes and that is responsive to and contributes to the debate on planning reform nationally and locally.

5: Work with others in an integrated way to support local people to develop community facilities, local needs housing and services in ways that are sustainable and contribute to national park purposes.

A measure of success for this objective is working with communities/ parishes/villages to support their plans, including neighbourhood plans. If adopted, a neighbourhood plan forms part of the Local Development Plan for the National Park.

Background

4. The Authority Meeting on 5th October 2012 approved procedures for processing notifications under the Localism Act 2011. For notifications to designate neighbourhood areas it was resolved that these be determined by Planning Committee (Minute 72/12).
5. On 21 October 2014, Leekfrith Parish Council applied to the Authority and to Staffordshire Moorlands District Council to designate the whole of Leekfrith parish as a neighbourhood area. The letter of application (see Appendix 2) meets the statutory requirements that it must contain:
 - a map which identifies the area to which the area application relates;
 - a statement explaining why this area is considered appropriate to be designated as a neighbourhood area; and

- a statement that the organisation or body making the area application is a relevant body for the purposes of section 61G of the 1990 Act.

Designation of a neighbourhood area is necessary for parish councils wishing to undertake neighbourhood development plans or orders.

6. In accordance with the Neighbourhood Planning Regulations, the application was publicised for a period of 6 weeks from 12 January 2014 – 24 February 2015. The following publicity was undertaken:

- The letter of application and a map of the neighbourhood area was on the Authority's and Staffordshire Moorlands District Council's websites
- Direct email (or letter where no email address available) to Staffordshire County Council and the following parishes: Horton, Leek, Tittesworth, Heathylee, Quarnford, Wincle, Macclesfield & Wildbourclough
- Posters on Meerbrook and Heathylee notice boards
- Direct mail and hand delivered notices to business at Upper Hulme industrial area
- Presentation to village hall committee
- Poster at Tittesworth visitor centre
- News release
- Article in Staffordshire Moorlands Parish newsletter

No representations have been received either by the Authority or by Staffordshire Moorlands District Council.

Proposal

7. In determining the application the Authority must have regard to the 1990 Town and Country Planning Act 61G(4)(7) and H(1), and consider the following issues:

(1) The desirability of designating the whole of the area of a parish council.

In the letter of application, the Parish Council states: "Leekfrith Parish Council would like to designate the whole of Leekfrith Parish as a Neighbourhood Area within which we will develop a Neighbourhood Development Plan for completion by approximately Sept 2016. We consider Leekfrith Parish to be suitable for a Plan because it is the area for which the Parish Council is responsible and therefore logical, recognisable and inclusive. We decided not to act in collaboration with other Parish Councils because of the unusual nature of the Parish being partly in the Peak District National Park and partly in the Staffordshire Moorlands District."

There are no reasons why the whole of the parish should not be designated.

(2) The desirability of maintaining the existing boundaries of areas already designated as neighbourhood areas, and ensuring areas do not overlap.

There are no adjacent neighbourhood designations.

(3) Consideration of whether the area should be designated as a business area.

Designation of a business area would only apply if the area is wholly or predominantly business in nature. This is not the case.

Are there any corporate implications members should be concerned about?

Financial

8. There have been costs incurred in undertaking the publicity. DCLG grant of £5k is available on designation of a neighbourhood area and this will be shared between the Authority and Staffordshire Moorlands District Council.

Risk Management

9. The steps that the Authority is taking, as described, to respond to the Localism Act, means that the risk around failing to meet government standards or legal obligations is low.

Sustainability

- 10.
- Environmental Management – there is no impact at this stage. These matters will be considered as part of the Authority's assessment of the plan itself.
 - Equalities – all work on community planning takes into account equalities issues.

Background papers (not previously published)

11. None.

Appendices

Appendix 1: Map of proposed Leekfrith Neighbourhood Area
Appendix 2: Letter of application

Report Author, Job Title and Publication Date

Adele Metcalfe, Villages and Communities Officer, 5 March 2015

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Leekfrith parish boundary and neighbourhood area

-  Leekfrith parish boundary and neighbourhood area
-  Peak District National Park

Scale 1:50,000



**PEAK
DISTRICT
NATIONAL
PARK**

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LEEKFRITH PARISH COUNCIL

Staffordshire Moorlands District
Clerk of the Council Mrs. R. J. S. Sherratt, Lea Farm, Meerbrook, Leek, Staffordshire,
ST13 8SR Telephone: 01538 300229

Staffordshire County

Date : 21 Oct 2014

Adele Metcalfe
Peak District National Park Authority
Aldern House
Baslow Rd
Bakewell

DE45 1AE

Application to Designate a Neighbourhood Plan

Dear Adele,

In accordance with Schedule 9, Part 1 61G (2) of the Town and Country Planning Act 1990, Leekfrith Parish Council is a relevant body to make the neighbourhood area application.

Leekfrith Parish Council would like to designate the whole of Leekfrith Parish as a Neighbourhood Area within which we will develop a Neighbourhood Development Plan for completion by approximately Sept 2016.

We consider Leekfrith Parish to be suitable for a Plan because it is the area for which the Parish Council is responsible and therefore logical, recognisable and inclusive. We decided not to act in collaboration with other Parish Councils because of the unusual nature of the Parish being partly in the Peak District National Park and partly in the Staffordshire Moorlands District.

The main contact for Neighbourhood Planning will be ..

Robert Foster
Banktop Farm
Upper Hulme
Leek
ST13 8UB

Tele : 01538 300321
Email : bobfoster4722@gmail.com

Yours sincerely

R Foster

Chair of Leekfrith Parish Council

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15. APPROVAL OF CHAPEL-EN-LE-FRITH NEIGHBOURHOOD DEVELOPMENT PLAN FOR REFERENDUM (AM)

Purpose of the report

1. To consider the recommendations set out in the Report by the Independent Examiner of the Chapel-en-le-Frith Neighbourhood Development Plan 2013 – 2028 and to decide how to proceed.

Key issue

2. On Monday 2 February, the Authority received the Examiner's report on the Chapel-en-le-Frith Neighbourhood Development Plan 2013 - 2028 (Appendix 1). The Examiner recommended that the Neighbourhood Plan, as modified by her recommendations, should proceed to Referendum.
3. A full list of the modifications to the Plan that were recommended by the Examiner is at Appendix 2.
4. Subject to the modifications at Appendix 2, the Neighbourhood Plan is considered to meet the "Basic Conditions" and other legal and procedural requirements set out in regulations (see paragraph 17-20 of this report). It can now proceed to referendum.

It is proposed to hold a referendum in July 2015.

5. **Recommendation:**

That the Authority:

- (1) **Accepts the Examiner's recommendations to make modifications to the Neighbourhood Plan, and the reasons for the recommendations, as set out in the Examiner's report and listed in Appendix 2; and**
- (2) **Agrees that the Chapel-en-le-Frith Neighbourhood Plan, as modified according to the Examiner's report, meets the Basic Conditions, is compatible with the Convention rights and complies with the definition of a Neighbourhood Development Plan and the provisions that can be made by a Neighbourhood Plan; and**
- (3) **Agrees that a Referendum is now held on the adoption (making) of the Neighbourhood Plan, subject to further comments from High Peak Borough Council and Chapel-en-le-Frith Parish Council. If either High Peak Borough Council or Chapel-en-le-Frith Parish Council decline to accept the modifications, a further report will be presented to the Authority.**
- (4) **Agrees to issue a Decision Statement in accordance with the Neighbourhood Planning Regulations (subject to recommendations 1 and 2 above) setting out the Authority's decision to take the Neighbourhood Plan forward for Referendum, being satisfied that the modifications and the reasons for them ensure that the Chapel-en-le-Frith Neighbourhood Development Plan is robust and meets the Basic Conditions.**

How does this contribute to our policies and legal obligations?

6. This is a legal obligation under the Localism Act 2011.

7. This proposal contributes to corporate objectives 3 and 5:

3: Provide a high quality planning service to the community of the National Park that achieves national park purposes and that is responsive to and contributes to the debate on planning reform nationally and locally.

5: Work with others in an integrated way to support local people to develop community facilities, local needs housing and services in ways that are sustainable and contribute to national park purposes.

A measure of success for this objective is working with communities/ parishes/villages to support their plans, including neighbourhood plans. If adopted, a neighbourhood plan forms part of the Local Development Plan for the National Park.

Background

8. Chapel-en-le-Frith Neighbourhood Plan has been prepared with the participation of hundreds of residents of Chapel-en-le-Frith parish and progressed by effective cooperation between High Peak Borough Council, Chapel-en-le-Frith Parish Council and the Authority.
9. High Peak Borough Council publicised the submission plan for comment during the publicity period held between 2 October and 13 November 2014. Over 300 responses were received, including a number of very detailed representations.
10. Members of the Authority (on 8 August 2014) & High Peak Borough Council (on 17 December 2014) determined that Chapel-en-le-Frith Neighbourhood Plan meets the criteria for a neighbourhood plan and that proper legal processes were followed.
11. High Peak Borough Council, Peak District National Park Authority and Chapel-en-le-Frith Parish Council appointed Janet Cheesley as the independent examiner of the Plan. The Examiner's Report was received on 2 February 2015 (Appendix 1).
12. The Examiner's report concludes that Chapel-en-le-Frith Neighbourhood Development Plan, as modified by the Examiner's recommendations, should proceed to Referendum. The list of proposed modifications to be made to the Plan is set out in Appendix 2.
13. Should the Authority accept the recommendations set out in the Examiner's report, members can be satisfied that Chapel-en-le-Frith Neighbourhood Development Plan meets the 'basic conditions' and other legal tests and should therefore proceed to referendum (see **Proposal** for details).
14. At a meeting of the Chapel-en-le-Frith Parish Council on 3 March 2015, the Parish Council approved Chapel-en-le-Frith Neighbourhood Plan as modified according to the Examiner's report. At a Special Council meeting to be held on 9 March 2015 High Peak Borough Council will be recommended to approve Chapel-en-le-Frith Neighbourhood Plan as modified according to the examiner's report.

Proposal

15. Under Schedule 4B para 12 (1) of the Town and Country Planning Act 1990, if an examiner has made a report, the Authority must:
- (i) Consider each of the recommendations made by the report, and
 - (ii) Decide what action to take in response to each recommendation

Each of the recommendations in the report (Appendix 1) has been considered and it is proposed that Chapel-en-le-Frith Neighbourhood Plan is modified according to these recommendations, as set out in the list of proposed modifications (Appendix 2).

16. Under Schedule 4B para 12 (4) of the Town and Country Planning Act 1990 the Authority must also be satisfied that Chapel-en-le-Frith Neighbourhood Plan meets the basic conditions and is compatible with 'Convention Rights' (derived from the Human Rights Act 1998).

Basic conditions (Schedule 4B para 8 (1)(a)(2)) of the Town and Country Planning Act 1990 are that a plan must:

- Have regard to national policies and advice contained in guidance issued by the Secretary of State
- Contribute to the achievement of sustainable development
- Be in general conformity with the strategic policies contained in the development plan for the area
- Not breach or be otherwise compatible with EU and human rights obligations

Para 10 of the examiner's report states "*My recommendations ensure that the Plan meets the basic conditions. Subject to my recommendations being accepted, I consider that Chapel-en-le-Frith Neighbourhood Plan will provide a strong practical framework against which decisions on development can be made*". Para 201 states "*I am pleased to recommend that Chapel-en-le-Frith Neighbourhood Plan, as modified by my recommendations, should proceed to referendum.*"

Para 21 of the examiner's report states "*I am satisfied that the Plan . . . does not breach the European convention on Human rights obligations.*"

The Authority can therefore be satisfied that Chapel-en-le-Frith Neighbourhood Plan, as modified according to the Examiner's recommendations, meets basic conditions and is compatible with convention rights.

17. Under Schedule 4B para 12 (6) of the Town and Country Planning Act 1990 the Authority can make modifications to Chapel-en-le-Frith Neighbourhood Plan to correct errors, to meet basic conditions or to make the plan compatible with convention rights.

It is proposed that Chapel-en-le-Frith Neighbourhood Plan is modified according to the recommendations in the examiner's report (Appendix 1), and as set out in the list of modifications (Appendix 2).

18. Under Schedule 4B para 12 (8) of the Town and Country Planning Act 1990 the Authority must also consider whether it is appropriate to extend the area where the referendum is to take place.

Para 202 of the examiner's report states "I see no reason to alter or extend the neighbourhood development plan area for the purpose of holding a referendum."

Are there any corporate implications members should be concerned about?

Financial

19. All costs and income (DCLG grant) are shared between the Authority and High Peak Borough Council at a ratio of 20:80.

-
20. The cost of the independent examination was £8,000. The cost of the referendum is estimated to be £15,000.
21. High Peak Borough Council has claimed neighbourhood planning grant from DCLG for supporting progression of the Chapel-en-le-Frith Neighbourhood Plan. Grants claimed to date have been £5,000 for designation of the Neighbourhood Area and £5,000 for publicising the Plan prior to examination. A further grant of £20,000 for successful completion of the examination will be claimed in the next grant claim window (March).

Risk Management:

22. The steps that the Authority is taking, as described, to respond to the Localism Act, means that the risk around failing to meet government standards or legal obligations is low.

Sustainability:

23. Sustainability issues are considered and tested throughout the plan process

Background papers (not previously published)

24. None.

Appendices

Appendix 1: Examiner's report

Appendix 2: list of modification

Report Author, Job Title and Publication Date

Adele Metcalfe, Villages and Communities Officer, 5 March 2015

Chapel-en-le-Frith Neighbourhood Development Plan 2013-2028

Report by Independent Examiner

Janet L Cheesley BA (Hons) DipTP MRTPI

CHEC Planning Ltd

January 2015

Contents	Page
Summary and Conclusion	3
Introduction	4
Legislative Background	4
Policy Background	6
The Neighbourhood Development Plan Preparation	6
The Chapel-en-le Frith Neighbourhood Development Plan	7
Section 1: Housing	8
Section 2: Employment, Tourism and Community Land Development	19
Section 3: Town Centre	22
Section 4: Sustainable Transport and Movement	29
Section 5: Countryside	26
Referendum & the Chapel-en-le Frith Neighbourhood Development Plan Area	34
Appendix 1 Background Documents	36

Summary and Conclusion

1. The Chapel-en-le-Frith Neighbourhood Development Plan has a clear community vision.
2. As there are a considerable number of policies in the Plan, I have confined the summary to my main findings. I have found that the housing allocations will contribute towards the achievement of sustainable development and that there are no adopted strategic policies to justify a more significant growth strategy.
3. I have recommended the deletion of the Affordable Housing Requirement Policy, as I see no reasoned justification to seek provision at different percentages to that sought in the whole Borough or to distinguish between different types of site in this respect.
4. The approach to employment land provision in the Plan has regard to the National Planning Policy Framework, where it recognises the building of a strong and competitive economy as being central to sustainable development.
5. Reinvigorating the Town Centre is a major aim of the Plan. This has regard to the National Planning Policy Framework, where it seeks to support the viability and vitality of town centres.
6. I have recommended the deletion of the definition of small shops as under 280m² in Dove Holes and under 150m² in the other settlements. There is no robust evidence to justify either of these figures.
7. Section 4 of the Plan seeks to promote sustainable travel. In this respect, Policy TR1 has regard to National Policy to promote sustainable transport. Whilst Policies TR2 and TR3 contribute towards this objective, they are objectives and projects rather than land use and development policies. Therefore, I have recommended the deletion of these two policies.
8. I do not consider that the proposed extension to the Special Landscape Area is supported by a robust evidence base required to justify this designation. This policy approach to extending the Special Landscape Area does not have regard to the National Planning Policy Framework. In particular, it does not have regard to the requirement for a distinction between the hierarchy of designated landscape areas, so that protection is commensurate with their status.
9. I have found that the following sites do not meet the criteria for Local Green Space designation.

Site 7. Target Wall Field and woodland adjacent to Warmbrook.

Site 11. Spring Meadow, Whitehough.

Site 13. Fields between Homestead Way and Ashbourne Lane.

Site 14. Land approaching Chapel-en-le-Frith South Station, between railways and Bank Hall Drive.

Site 17. North and South of Manchester Road.

Site 19. Fields around Black Brook, alongside tramway, between Longson's and Kelsa Trucks and land on the north side of Bowden Lane.

Site 24. Land South of Manchester Road.

10. I realise that some of my recommendations will not be popular with some people in the local community and some with developer interests. My recommendations ensure that the Plan meets the Basic Conditions. Subject to my recommendations being accepted, I consider that the Chapel-en-le-Frith Neighbourhood Development Plan will provide a strong practical framework against which decisions on development can be made.

Introduction

11. I was appointed as an independent Examiner for the Chapel-en-le Frith Neighbourhood Development Plan 2013 - 2028 in December 2014.
12. On 11 April 2013 High Peak Borough Council (HPBC) approved that the Chapel-en-le Frith Neighbourhood Development Plan Area be designated in accordance with the Neighbourhood Planning (General) Regulations 2012. The Area covers the whole of the parish of Chapel-en-le Frith.
13. The qualifying body is Chapel-en-le Frith Parish Council. The plan has been prepared by Chapel Vision working in partnership with Chapel-en-le Frith Parish Council.
14. The plan covers the period from 2013 to 2028. Whilst this time period does not equate to that of the emerging High Peak Local Plan, a neighbourhood plan is only required to specify the period within which it is to have effect. Thus, the Plan accords with this requirement.

Legislative Background

15. As an independent Examiner, I am required to determine, under Paragraph 8(1) of Schedule 4B to the Town and Country Planning Act 1990, whether:
- the policies in the Plan relate to the development and use of land for a designated Neighbourhood Area in line with the requirements of Section 38A of the Planning and Compulsory Purchase Act (PCPA) 2004;
 - the Plan meets the requirements of Section 38B of the 2004 PCPA where the plan must specify the period to which it has effect, must not include provision about development that is excluded development, and must not relate to more than one Neighbourhood Area; and

- that the Plan has been prepared for an area that has been designated under the Localism Act 2011 and has been developed and submitted for examination by a qualifying body.
16. Subject to the modifications I have recommended in this report, I am content that these requirements have been satisfied.
17. I am obliged to determine whether the plan complies with the Basic Conditions. These are that the Plan is required to:
- have regard to national policies and advice contained in guidance issued by the Secretary of State;
 - contribute to the achievement of sustainable development;
 - be in general conformity with the strategic policies contained in the Development Plan for the area; and
 - not breach, and is otherwise compatible with, EU obligations and human rights requirements.

EU Obligations

18. Chapel-en-le-Frith Parish is within the authority areas of High Peak Borough Council and the Peak District National Park Authority, with over half of the Parish being within the Peak District National Park.
19. A Strategic Environmental Assessment (SEA) screening was undertaken by HPBC and agreed with the Peak District National Park Authority (PDNPA). The screening confirmed that a Strategic Environmental Assessment was not required for this Plan. The screening was submitted to the statutory environmental bodies (English Heritage, Natural England and the Environment Agency). The responses confirmed that the Plan will not result in significant environmental effects and thus a SEA is not required. In particular, an email dated 8 July 2014 from Natural England to HPBC confirmed that there are no likely significant effects on the natural environment from the Neighbourhood Plan.
20. A Habitat Regulation's Assessment screening has been undertaken by HPBC and agreed with the PDNPA. The screening exercise concluded that there were no European sites that would be affected by the proposals within the Plan. Natural England confirmed that there are unlikely to be any significant effects on any European Sites from the Plan.
21. I am satisfied that the Plan is compatible with EU obligations and does not breach the European Convention on Human Rights obligations.

Policy Background

22. *The National Planning Policy Framework 2012 (NPPF)* sets out the Government's planning policies for England and how these are expected to be applied. The *Planning Practice Guidance* provides Government guidance on planning policy.
23. The development plan for the Chapel-en-le-Frith Neighbourhood Development Plan Area comprises the Peak District National Park Authority's Core Strategy 2011, saved policies in the Peak District National Park Local Plan 2001 and Saved policies in the High Peak Local Plan (2005). The strategic policies in the PDNPA Core Strategy include policies regarding the conservation and enhancement of the national park. The strategic policies in the HPBC saved Local Plan Policies include policies regarding the countryside, Green Belt and Special Landscape Areas, although the Plan covered the period up to 2011.
24. The Chapel-en-le-Frith Neighbourhood Development Plan has been produced alongside the emerging High Peak Local Plan. The examination of the submission Version has commenced during my examination of the Neighbourhood Development Plan.

The Neighbourhood Plan Preparation

25. I am required under The Localism Act 2011 to check the consultation process that has led to the production of the Plan. The requirements are set out in Regulation 14 in The Neighbourhood Planning (General) Regulations 2012.
26. The initial consultation process started in 2011 and included four public meetings, resident's survey, questionnaires to retailers and businesses and open days. The responses were developed into policies for inclusion in the pre-submission Plan.
27. The Consultation period on the pre-submission draft of the Plan ran from 16 December 2013 to 31 January 2014. The plan was available on a dedicated web site with links from both the Parish Councils web site and that of HPBC. Copies were available in the Parish Office and Library. Four open days were held during the consultation period and publicity of the plan included local press and radio coverage and a newsletter delivered to all households. The 172 responses received were considered and addressed. Some of these representations resulted in amendments to the Plan.
28. I am satisfied that the pre-submission consultation and publicity has met the requirements of Regulation 14 in The Neighbourhood Planning (General) Regulations 2012. The consultation and publicity went well beyond the requirements and it is clear that the qualifying body went to considerable lengths to ensure that local residents, retailers and businesses and other interested parties were able to engage in the production of the Plan. I suspect that numerous hours have been spent on the production of this Plan by many people. I congratulate them on their efforts.

29. HPBC publicised the submission Plan for comment during the publicity period between 2 October and 13 November 2014 in line with Regulation 16 in The Neighbourhood Planning (General) Regulations 2012. A considerable number of responses were received, including a number of very detailed representations. I am satisfied that all these responses can be assessed without the need for a public hearing. I am satisfied that the extensive details provided in many of the representations have enabled me to ensure an adequate examination of the issues and have given each person making representations a fair chance to put their case.
30. Some representations suggest additions and amendments to policies. My remit is to determine whether the Plan meets the Basic Conditions. Where I find that policies do meet the Basic Conditions, it is not necessary for me to consider if further suggested additions or amendments are required. Whilst I have not made reference to all the responses in my report, I have taken them into consideration.
31. In the interest of fairness, I have accepted 50 late representations from local residents submitted following a public meeting on the last day of the publicity period, but see no reason to accept the three late representations from authorities.
32. I have been provided with evidence base in the Neighbourhood Plan background supporting documents. This has provided a useful and easily accessible source of background information.
33. As part of my examination of the Plan I have spent two days in the Parish looking at all the sites identified in the Plan and the sites suggested by landowners and developers for inclusion.

The Chapel-en-le Frith Neighbourhood Development Plan

Vision and Status of the Neighbourhood Plan

34. The plan includes a clear community Vision Statement as follows:
affordable, quality homes to provide for local needs;
ample, well-paid jobs for local people;
re-invigorated town and village centres;
excellent facilities for all ages;
safe, convenient and sustainable transport links;
access to, and protection of, countryside recognised as *special*.
35. On page 2 reference is made to the status of the plan. For clarity, it is necessary to amend this paragraph to include reference to the plan becoming part of the development plan for the area, rather than forming 'all planning and development in the Parish'.
36. **Recommendation: modification to the first paragraph on page 2 to refer to the plan becoming part of the development plan for the area.**

37. It is necessary for Neighbourhood Plans to provide ‘a *practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency*’ as stated in the core planning principles in paragraph 17 in the NPPF. I do refer to clarity with regard to a number of recommendations to modifications to the Plan. Where I do so, I have in mind the need to provide a practical framework in accordance with the core principles in the NPPF.

Section 1: Housing

H1 Housing Allocation

38. I note that the minimum figure of 454 new homes in Policy H1 takes account of planning permissions granted during 2013 and is based on the development strategy set out in the emerging High Peak Local Plan. The Neighbourhood Plan does not identify or allocate housing sites in the Peak District National Park, in line with National Park Policy.
39. Policy S3 in the High Peak Local Plan – Preferred Options (February 2013) states a required 400 new dwellings in the Chapel Neighbourhood Plan area as part of the emerging Local Plan. The Neighbourhood Plan has based its allocation of a minimum of 454 dwellings on this emerging Local Plan figure. This figure includes planning permissions granted post February 2013.
40. It is not in dispute that HPBC cannot demonstrate a five year supply of housing land. Policy S3 in the Submission Local Plan (April 2014) sets a requirement of a minimum of 850 new dwellings in the Neighbourhood Plan in addition to a small site allowance of 100 dwellings. The Local Plan does not allocate housing development sites in the Neighbourhood Plan Area, leaving the choice of site specific allocations to the Neighbourhood Plan.
41. Policy H1 in the Neighbourhood Plan allocates a minimum of 42 dwellings on sites at Pickford Meadow and Park Road Factory. Together with commitments for 813 dwellings on other sites, this equates to a minimum of 855 dwellings. The small site allowance is alluded to in Policy H3 where it allows smaller sites in appropriate locations. In the interest of clarity, a map showing the locations of the allocated housing sites should be included in the Plan.
42. The emerging Local Plan seeks a target of 360 dwellings per annum for the whole Borough. This is less than the objectively assessed housing need range of between 420 and 470 new dwellings per year, which HPBC considers is not deliverable due to identified infrastructure and environmental constraints. I realise there is objection to this approach. The Neighbourhood Plan Examination process does not require a rigorous examination of borough wide housing land requirements. This is the role of the Examination of the emerging Local Plan.
43. I have considered detailed representations from a number of interested parties seeking further residential development in the Parish, including

representations on behalf of landowners and developers, including Bloors Homes North West Ltd, Dr and Mrs Bartholomew, Gladman Developments Ltd, Seddon Homes, Innovation Forge Ltd and consultants Emery Planning and a considerable number of representations from local people on this matter. There are no adopted strategic policies upon which to base a more significant growth strategy.

44. The housing allocations in the Neighbourhood Plan meet the requirements of Policy S3 in the emerging Local Plan. In the absence of adopted strategic housing policies, it is not my role to determine whether the Neighbourhood Plan would be inconsistent with the adopted version of the emerging Local Plan if it were to be subject to future amendments to accommodate further growth.
45. National policy emphasises that development means growth. The Neighbourhood Plan has sought to provide for sustainable growth, with the aim to ensuring housing is located on the most sustainable sites that are accessible to local facilities and services.
46. The Chapel Vision Housing Group undertook a Sustainability Appraisal of a number of sites. The sites at Pickford Meadow and Park Road Factory gained the highest ranking for sustainability. Whilst the site selection process has been criticised, the chosen sites received the most local support during a robust consultation process. Any assessment of land availability in the production of Neighbourhood Plans needs to be proportionate. Subject to my detailed comments below, I am satisfied that these sites are deliverable and together with the overall housing strategy in the Neighbourhood Plan will contribute towards the achievement of sustainable development by the provision of sustainable growth.
47. Representations have stated that the Neighbourhood Plan is unsound. Soundness is not a relevant test, although I am satisfied that the Neighbourhood Plan has undergone considerable robust consultation and is the result of collaborative working with the local authorities.
48. Representations have urged that the Neighbourhood Plan does not proceed until the emerging High Peak Local Plan has been adopted. There is no legal requirement to test the Neighbourhood Development Plan against emerging policy although Planning Policy Guidance advises that the reasoning and evidence informing the Local Plan process may be relevant to the consideration of the basic conditions against which the neighbourhood development plan is tested. The qualifying body and the local planning authority should aim to agree the relationship between policies in the emerging Neighbourhood Plan, the emerging Local Plan and the adopted development plan, with appropriate regard to national policy and guidance.
49. The Consultation Statement accompanying the Neighbourhood Plan acknowledges that there has been a proactive and positive working relationship between the Parish Council, HPBC and PDNPA. Collaborative working has sought to share evidence and minimise any conflicts between policies in both emerging plans.

50. For the above reasons, I consider that it is not appropriate to halt the process of the Neighbourhood Plan even though there might, in future, be a need for further growth.
51. In reaching my conclusion, I consider it relevant to refer to the recent High Court Judgement of *Gladman Developments Limited v Aylesbury Vale District Council & Winslow Town Council [2014] EWHC 4323 (Admin)* on 18 December 2014.
52. The following is an extract of paragraph 58 of that judgement: *In my judgment, a neighbourhood development plan may include policies dealing with the use and development of land for housing, including policies dealing with the location of a proposed number of new dwellings, even where there is at present no development plan document setting out strategic policies for housing. The examiner was therefore entitled in the present case to conclude that the Neighbourhood Plan satisfied basic condition 8(2)(e) of Schedule 4B to the 1990 Act as it was in conformity with such strategic policies as were contained in development plan documents notwithstanding the fact that the local planning authority had not yet adopted a development plan document containing strategic policies for housing. Further, the examiner was entitled to conclude that condition 8(2)(d) of Schedule 4B to the 1990 Act was satisfied. That condition requires that the making of the neighbourhood development plan “will contribute to the achievement of sustainable development”. The examiner was entitled to conclude that a neighbourhood plan that would provide for an additional 455 dwellings, in locations considered to be consistent with sustainable development, did contribute to the achievement of sustainable development notwithstanding that others wanted more growth and development plan documents in future might provide for additional growth. Similarly, the examiner was entitled to conclude that having regard to national guidance and advice, including the Framework, it was appropriate to make the neighbourhood plan even though there might, in future, be a need for further growth.*
53. **Recommendation: in the interest of clarity, include a map in the Plan to identify the allocated housing sites.**

H2 Housing Site Design Briefs

54. This policy seeks design briefs to accompany all planning applications for housing. Those over 6 dwellings are required to be agreed with the Parish Council. These are onerous requirements that go beyond that required for design and access statements. I see no justified evidence base to support this approach.
55. Policy H2 does not have regard to paragraph 17 in the NPPF, particularly in that it would not provide a practical framework within which planning applications could be made with a high degree of efficiency. Therefore, I recommend the deletion of Policy H2.

56. **Recommendation: to meet the Basic Conditions, I recommend that Policy H2 is deleted.**

H3 Smaller Sites

57. This policy only relates to small housing sites in accordance with the title of the policy. Therefore, in my opinion, it does not preclude otherwise sustainable development from going ahead on larger sites. Such larger sites would have to be considered on their individual merits in accordance with national and development plan policy.
58. The second paragraph refers to single dwellings in the rural area. The categories do not all correspond to those identified in paragraph 55 in the NPPF. It is not necessary to repeat national policy. However, to have regard to national policy, it must be clear that other proposals for single dwellings in the countryside, which are in accordance with paragraph 55 in the NPPF, will be supported.
59. I see no robust evidence to justify the provision of a home for carers and see such a policy requirement to be unworkable. Such proposals for homes for relatives would be determined on their individual merits. In the interest of clarity, I recommend the deletion of this part of the policy.
60. In the interest of clarity, I recommend modification to the policy to show support for single dwellings in the second paragraph.
61. **Recommendation: in the interest of clarity, to meet the Basic Conditions , I recommend modification to the second paragraph of Policy H3 to read as follows:**

Proposals for single dwellings outside the Peak District National Park and outside the built-up area boundary will be supported where they provide homes for key workers in agricultural, forestry or other rural enterprises or accord with other special circumstances in paragraph 55 in the NPPF, subject to the policies of this Plan, as well as other national and local policy requirements.

H4 Housing Mix

H5 Housing Density

H8 Design

H9 Design Criteria

62. Policies H4, H5, H8 and H9 provide a detailed list of requirements for housing mix, housing density, high quality design and design criteria. There is some repetitiveness between these policies. In the interest of clarity, I recommend that they are amalgamated into one design policy, subject to my recommendations regarding the detailed wording.

63. Paragraph 59 in the NPPF states that *design policies should avoid unnecessary prescription or detail and should concentrate on guiding the overall scale, density, massing, height, landscape, layout, materials and access of new development in relation to neighbouring buildings and the local area more generally.*
64. Policy H4 refers to the needs of current and future households. It is not clear how these needs will be defined or assessed. I therefore recommend that this is deleted.
65. The second part of Policy H4 is unduly prescriptive where it refers to uniform housing types. In Policy H9 reference is made to a mix of housing types and tenures that suit local requirements. To avoid contradiction and unnecessary prescription, I recommend the deletion of Policy H4 and reliance on Policy H9 with regard to housing mix.
66. Policy H5 is a prescriptive policy with no robust evidence for justification of all the detail. In particular, a density of around 30 dwellings per hectare and a requirement for mainly one and two bedroom accessible dwellings are not supported by sufficient evidence. It must be remembered that the Plan will cover the period to 2028. These detailed requirements would not necessarily optimise the potential of sites to accommodate development, which is a requirement of paragraph 58 in the NPPF.
67. It does appear that one of the aims of Policy H5 is for new development to reflect existing density and ensure the provision of adequate private and public open space. Reference to reflecting local character is raised in Policy H8. In the interest of clarity, I recommend amalgamating reference to local character into the one new policy.
68. The 'integration of sites' in Policy H8 and 'connections' in Policy H9 are similar requirements. Car parking and open spaces are repeated in both policies. The 'forgotten elements' in Policy H8 are over prescriptive and a number, such as telephone lines and satellite dishes, may be added after the initial development. Therefore, I recommend the amalgamation of Policies H8 and H9 into one new policy and the deletion of the 'forgotten elements' criterion. For ease, I make comment on the sub headings in Policy H9, with cross reference to Policy H8 where appropriate.
69. Not every design criterion will be relevant to all new housing development. This should be made clear in the policy. In addition, the requirements listed should be subject to viability, in accordance with paragraph 173 in the NPPF.
70. *Sustainable development.* The Housing Standards Review (March 2014) and a Ministerial Statement on Building Regulations (12 September 2014) indicate that it is unlikely for it to be appropriate to refer to the Code for Sustainable Homes in Neighbourhood Plans once a statement of policy has been produced in early 2015. As this is a clear indication of the direction and intentions of National Policy, I recommend deletion of this section in Policy H9.

71. *Connections.* For clarity, I recommend the amalgamation of both sections from Policies H8 and H9.
72. *Facilities and Services.* The Plan is seeking to concentrate development within the built up area where facilities and services are already concentrated. Thus, I see no need for this criterion.
73. *Public and Private Spaces.* Policy H8 requires private outdoor amenity space for all new dwellings. This may not be appropriate or achievable for high density town centre developments. To ensure the viability of development, I recommend that this criterion is modified to seek 'suitable private outdoor amenity space for new dwellings'.
74. *External storage and amenity space.* Whilst this criterion refers to amenity space in the heading, it only relates to external storage and thus, in the interest of clarity, amenity space should be deleted from the heading. Vehicles are referred to in the car parking sub-section and thus reference to vehicles is not necessary in this section.
75. **Recommendation: to meet the Basic Conditions I recommend the deletion of Policies H4, H5, H8 and H9 and their amalgamation into one new policy to read as follows:**

Design Criteria

New housing development in the Neighbourhood Plan Area must be of a high quality. The design and density should seek to reflect and distinguish the attractive characteristics of Chapel-en-le-Frith and other settlements within the Parish. Proposals must demonstrate how they have taken into account the following where appropriate and subject to viability:

Connections

Development should integrate into its surroundings by reinforcing existing connections and creating new ones; whilst also respecting existing buildings and land uses along the boundaries of the development site. Developers must demonstrate how they have had regard to movement (vehicular, pedestrian and cycle).

Public transport

Good access to public transport to help reduce car dependency and support public transport use.

Meeting local housing requirements

Development should provide a mix of housing types and tenures that suit local requirements.

Character

Development should seek to create a place with a locally inspired or otherwise distinctive character.

Working with the site and its context

Development should take advantage of existing topography, landscape features (including water courses), wildlife habitats, existing buildings, site orientation and microclimates.

Creating well defined streets and spaces

Buildings should be designed and positioned, with landscaping, to define and enhance streets and spaces. Buildings should be designed to turn street corners well.

Easy for people to find way around (legibility)

Development should be designed to make it easy for people to find their way around and to recognise distinctive places.

Streets for all

Streets should be designed in a way that encourages low vehicle speeds and allows the streets to function as social spaces.

Car parking

Resident and visitor parking should be sufficient and well integrated so that it does not dominate the street. Car parking must meet minimum standards, as set out by Derbyshire County Council. In addition, frontages must not be entirely dedicated to car parking, but should provide for appropriate and significant public and private open space and landscaping, reflective of the Parish's character and countryside setting.

Public and private spaces

Public and private spaces should be clearly defined and designed to be attractive, well managed and safe. There should be suitable private outdoor amenity space for new dwellings.

External storage

There should be adequate external storage space for bins and recycling facilities as well as for cycles.

H6 Affordable Housing Requirement

76. Saved Policy H9 in the High Peak Local Plan (2005) seeks an element of affordable housing on new housing sites, subject to site size, various criteria and viability. The supporting text states that it is recommended that at least 30% of units on such sites throughout the Borough be provided as affordable homes. There is no differentiation between brownfield and greenfield provision of affordable housing, although saved Local Plan Policy H9 does recognise site development constraints need to be taken into consideration.
77. Emerging High Peak Local Plan Policy H5 seeks 30% affordable housing on sites of 25 dwellings or more and 20% affordable housing on sites of

between 5-24 units. A financial appraisal is required to justify a lower provision. Whilst supporting guidance includes The Strategic Housing Market Assessment 2014, I note that there are objections to this emerging policy to be considered as part of the Examination of that Local Plan.

78. In Policy H6 in the Neighbourhood Plan, the justification for distinguishing between the percentage of affordable housing sought from brownfield of greenfield sites is explained as being due to the additional costs of development of brownfield sites. Neither the existing Local Plan nor emerging Local Plan takes this stance. In addition, the 50% requirement for greenfield sites is based on this provision on the greenfield site at Long Lane in Policy H1.
79. I consider the approach taken to justify the different percentages of affordable housing in Policy H6 is not justified by a robust evidence base. In particular it does not take into consideration the varying infrastructure requirements and wide range of development costs for both brownfield and greenfield sites. I refer to paragraph 173 in the NPPF where it states that *'the sites and the scale of development identified in the plan should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened'*.
80. From the evidence before me, I see no reasoned justification to seek affordable housing provision in the Parish at a different percentage or percentages to that sought in the whole Borough or to distinguish between brownfield and greenfield sites in this respect.
81. For the above reason, I consider that Policy H6 does not meet the Basic Conditions. A Neighbourhood Plan is not required to have affordable housing policies. Affordable housing can still be sought in accordance with policy in the development plan. To meet the Basic Conditions, I recommend that Policy H6 is deleted.
82. **Recommendation: to meet the Basic Conditions, I recommend that Policy H6 is deleted.**

H7 Affordable Housing Criteria

83. This policy requires *the type and size of affordable homes to meet the specified and up-to-date needs of the Neighbourhood Plan Area* and requires an affordable housing strategy to be agreed prior to a planning application.
84. The policy and supporting evidence do not clearly indicate how the specified and up-to-date needs are to be defined and it is not clear what is required in an affordable housing strategy. As such Policy H7 does not provide a practical framework for decision making in accordance with the requirements of paragraph 17 in the NPPF. Thus, Policy H7 does not have regard to National Policy in this respect. Therefore, I recommend the deletion of all but the first sentence in Policy H7.

85. **Recommendation: to meet the Basic Conditions, I recommend that Policy H7 is modified to read as follows:**

Affordable homes should be designed to be well integrated with existing and other new housing development.

H10 Site Specific Policies

86. To ensure deliverability of the housing sites in Policy H10, the list of requirements in this and other policies can only be met if viable. Therefore, it is necessary to ensure that the list of requirements in this policy does not prevent development of these housing sites.
87. HPBC has commented that the requirements related to affordable housing provision, sustainable development, number of bedrooms and accessibility requirements in the consultation version of the Plan may require a greater degree of flexibility to ensure deliverability of these sites. Part of this assessment has been based on a proposed Community Infrastructure Levy (CIL) charging rate of £45 per sq m for private market houses. I note that the proposed CIL charging is not part of adopted policy.
88. I have already commented on some of these matters under previous policies and consider that my suggested modifications, particularly with regard to the size of dwellings and the Code for Sustainable Homes, will go some way towards achieving viability and deliverability of the allocated sites in Policy H10. In addition, I consider it necessary for the list of requirements in Policy H10 to be subject to viability and deliverability in accordance with paragraph 173 in the NPPF, rather than simply being accompanied by a viability appraisal.
89. English Heritage has raised concern regarding the development of the Pickford Meadow site as it lies within the Conservation Area and states that it is within the setting of St Thomas's Church, which is a Grade II* listed building.
90. The *Planning (Listed Buildings and Conservation Areas) Act 1990* imposes duties requiring special regard to be had to the desirability: firstly at Section 16(2), of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses; and secondly, at Section 72(1), of preserving or enhancing the character or appearance of a Conservation Area.
91. Having viewed the site at Pickford Meadows and the proximity of St Thomas's Church, I consider it necessary to include a requirement in Policy H10 for development of this site to take into consideration statutory requirements to preserve the setting of the Church and to preserve or enhance the character or appearance of the Conservation Area.

92. I recommend modification to Policy H10 by the deletion of reference to one and two bedrooms, for the same reasons as I have outlined under my comments on Policy H5 above.
93. **Recommendation: to meet the Basic Conditions, I recommend modification to Policy H10 to read as follows:**

Pickford Meadow (behind Pickford Place)

Proposals should demonstrate how they have taken into account the statutory requirements to preserve the setting of St Thomas's Church and to preserve or enhance the character or appearance of the Conservation Area.

Subject to viability and deliverability in accordance with paragraph 173 in the NPPF, proposals should demonstrate how they have taken into account the following:

**Accessibility for wheelchairs or those with impaired mobility.
A high quality design approach to the provision of a higher density scheme.**

Provision of appropriate public and private open space, including an area comprising approximately the north western half of the site, incorporating the pond and ample green space around it to protect wildlife.

Arboriculture – Retention of all mature trees worthy of retention and, where trees are, removed the appropriate planting of replacement tree of native species.

As a town centre site, the development should demonstrate how it contributes towards town centre improvements in accordance with Policy CNP1.

Access should be via Miry Meadow Car Park, and the approach route leading to the site from Eccles Road should be made up and adopted.

Park Road – Bungalow and Factory

Subject to viability and deliverability in accordance with paragraph 173 in the NPPF, proposals should demonstrate how they have taken into account the following:

**Accessibility for wheelchairs or those with impaired mobility.
A high quality design approach to the provision of a higher density scheme.**

The relevant part of Park Road between Market Street and Grange Park Road should be made up and adopted.

Vehicular access to the site is to be from Park Road only. Pedestrian access is to be from both Park Road and Sunday School Lane.

CNP1 Provision of Infrastructure and Facilities and Developer Contributions

94. This Policy cross refers to emerging High Peak Local Plan Policy CF7 with regard to developer contributions. As Policy CF7 is emerging and may be subject to future amendment, in the interest of clarity, I recommend modification to Policy CNP1 by deleting this reference.

95. Planning Policy Guidance was revised on 28 November 2014 stating at paragraph 012 (Reference ID: 23b-012-20141128) that:

There are specific circumstances where contributions for affordable housing and tariff style planning obligations (section 106 planning obligations) should not be sought from small scale and self-build development.

Contributions should not be sought from developments of 10-units or less, and which have a maximum combined gross floorspace of no more than 1000sqm.

In designated rural areas, local planning authorities may choose to apply a lower threshold of 5-units or less. No affordable housing or tariff-style contributions should then be sought from these developments. In addition, in a rural area where the lower 5-unit or less threshold is applied, affordable housing and tariff style contributions should be sought from developments of between 6 and 10-units in the form of cash payments which are commuted until after completion of units within the development. This applies to rural areas described under section 157(1) of the Housing Act 1985, which includes National Parks and Areas of Outstanding Natural Beauty.

Affordable housing and tariff-style contributions should not be sought from any development consisting only of the construction of a residential annex or extension to an existing home.

96. HPBC has confirmed that only the areas of Chapel-en-le Frith Parish that lie within the National Park are within a rural area described under section 157(1) of the Housing Act 1985.

97. To have regard to Planning Policy Guidance, I recommend the inclusion of the wording 'were applicable' in Policy CNP1.

98. **Recommendation: to meet the Basic Conditions, I recommend modification to Policy CNP1 to read as follows:**

New residential development should, where applicable and where possible, provide appropriate and proportionate new facilities and infrastructure on site, and make appropriate and proportionate contributions to related off-site facilities and infrastructure.

Section 2: Employment, Tourism and Community Land Development.

EP1 New Employment Land

99. This policy explains the objectives of the employment section, primarily to grow employment from new and existing industrial sites. As such, it is not a land use and development policy in itself as it simply sets out the objectives. Therefore, I recommend deletion of this policy and incorporation of the text into the preceding explanatory paragraphs taking into consideration my comments regarding Policy EP3 below.
100. **Recommendation: in the interest of clarity, to meet the Basic Conditions, I recommend the deletion of Policy EP1 and the incorporation of the wording of this policy into the preceding text.**

EP2 Design of Employment Sites

101. This policy seeks to ensure that new employment development is designed to be compatible with the area and does not have an adverse effect on residential amenity. This policy meets the Basic Conditions.

EP3 Existing Employment Sites

102. The NPPF states at paragraph 22 that planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose. Whilst support for existing employment sites in Policy EP3 has regard to national policy in respect to supporting economic growth, I consider that the first sentence stating that existing employment sites should remain in employment use does not have regard to paragraph 22 in the NPPF. Thus, I recommend the deletion of this first sentence in Policy EP3.
103. **Recommendation: to meet the Basic Conditions, I recommend modification to Policy EP3 by deleting the first sentence.**

EP4 New Development Employment Sites

104. This policy seeks to encourage the provision of a significant number of jobs. This has regard to the national policy commitment to securing economic growth. This policy meets the Basic Conditions.

EP5 Employment Land Allocation

EP6 Site Specific Requirements for Allocated Employment Land

105. Policy EP5 allocates approximately 9.44 hectares of land for employment use. This includes site ES3, where only a small area is still available for development.
106. Policy EP6 lists site specific requirements for the allocated sites. These requirements include suitable access arrangements to the sites, the protection of the amenities of neighbours and site specific design constraints.
107. Representations have referred to an inadequate amount of employment land provision in the Plan. A representation has requested the reintroduction of site ES2 previously allocated in the Consultation Version of the Plan. I understand this was removed primarily for landscape reasons. In addition, a considerable number of representations have requested the allocation of the Old Mill Tip adjacent to Bridgeholme Industrial Estate.
108. There has been objection to site ES5 on the grounds that it would eventually encroach onto the historical High Peak Tramway and destroy a public footpath. I consider this is a matter to be considered in detail at a planning application stage and does not undermine the deliverability of the site. In addition, there is objection to some of the other employment site allocations, particularly to the financial viability of the allocation of land at Bowden Hay Farm. One representation suggests the extension of the boundaries of sites ES4 and ES5 to include all the land up to the A6.
109. The emerging Local Plan does not specify employment land sites for the Chapel-en-le frith Neighbourhood Plan Area. It does state that a minimum of 7.7 hectares of employment land is available within proposed allocations in the Neighbourhood Plan. I have been referred to emerging Local Plan supporting evidence in the Employment Land Requirement Study High Peak and Staffordshire Moorlands ELR Demand Update 2014.
110. The employment policies in the emerging Local Plan are yet to be examined and may be subject to future amendment. In the absence of strategic policy quantifying the amount of employment land, there are no adopted strategic policies upon which to base a more significant growth strategy.
111. Whilst the site selection has been criticised, the chosen sites have been subject to a robust consultation process. The employment land allocation policies together with the other employment policies in the Plan, as modified by my recommendations, are proactive policies which will contribute towards the achievement of sustainable development. The approach to employment land provision has regard to the NPPF where it recognises the building of a strong and competitive economy as being central to sustainable development. Thus, Policies EP5 and EP6 meet the Basic Conditions.

EP7 Bridgeholme Industrial Estate

112. This policy supports improvement to the Bridgeholme Industrial Estate, subject to Green Belt constraints. It specifies that no extension into the Green belt will be permitted.
113. Many local people have objected to this policy with respect to it not allowing further extension of the industrial estate into the Old Mill Tip, which is within the Green Belt.
114. It is important to recognise that a Neighbourhood Plan cannot alter Green Belt boundaries. Green Belt policy in the NPPF at paragraph 87 states that *'inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances'*. Whilst this is very restrictive policy, it does not preclude all development in the Green Belt. Therefore, I recommend the deletion of the last sentence of Policy EP7 which states that *'No extension into the Green Belt will be permitted'*. If any future proposal to expand the site met the stringent tests in Green Belt policy, alongside other national policy and development plan policy, there would be no reason to prevent an expansion of the site.
115. In the interest of precision, 'Green Belt requirements' should be replaced with 'Green Belt policy requirements' at the end of the second sentence.
116. **Recommendation: to meet the Basic Conditions with respect to having regard to national policy I recommend modification to Policy EP7 by the deletion of the last sentence and the policy to read as follows:**

This site comprises a developed site within the Green Belt. Proposals which lead to the improvement, modernisation or upgrading of the buildings on the site will be welcomed and supported, subject to their meeting Green Belt policy requirements.

TM1 Promoting Tourism

TM2 Touring Caravan and Camping Sites

117. These policies seek to encourage visitors to stay overnight and these policies support touring caravan and camping sites for this purpose rather than static caravan or lodge sites. I consider that this balance between the economic and social benefits of tourist accommodation and environmental protection will contribute towards the achievement of sustainable development.
118. In the interest of precision, I recommend that development that would improve the quality of existing sites is 'supported', rather than 'encouraged'.
119. **Recommendation: to meet the Basic Conditions, In the interest of precision, I recommend that 'encouraged' is substituted by 'supported' at the end of Policy TM2.**

TM3 Development for Community Use

120. This policy seeks the provision of community facilities. In the interest of precision, I recommend that 'encouraged' is substituted by 'supported'.
121. The second sentence is a statement rather than a land use and development policy. Therefore, I recommend deletion of this sentence. It can be included as explanatory text accompanying the policy.
122. The Theatres Trust has suggested amendments to the wording of this policy. Particularly the inclusion of support for the retention of existing community facilities. Whilst such support would be in keeping with the Plan's Vision Statement, it is not necessary for it to be included in the policy in order for the policy to meet the Basic Conditions.
123. **Recommendation: to meet the Basic Conditions, I recommend modification to Policy TM3 to read as follows:**

Proposals for community facilities, especially within existing settlement boundaries, will be supported. In the Peak District National Park area community facilities are only permitted through the conversion or change of use of existing buildings or by new build to replace an unsuitable facility, in which case it may be on the same site or another site by agreement with the planning authority taking all relevant planning considerations into account.

Section 3: Town Centre

TC1 Extent of Chapel-en-le-Frith Town Centre

124. Reinvigorating the Town Centre is a major aim of the Plan. This has regard to the NPPF where it seeks to support the viability and vitality of town centres.
125. Policy TC1 identifies the extent of the Town Centre. This Policy is a statement rather than a land use and development policy. As such, I recommend the deletion of Policy TC1 and the incorporation of the wording of this policy into the preceding text.
126. This Policy refers to a map of the Town Centre, which has been included in the evidence base, but not in the Plan. In the interest of clarity, the map needs to be incorporated into the Plan. This map differs slightly to that recommended as the town centre boundary in a report commissioned by HPBC: *Quantitative Retail Study Update, High Peak Borough Council and Staffordshire Moorlands District Council, October 2013*. However, the differences are primarily due to the Neighbourhood Plan including areas for proposed car parks. As such, I see no problem with this approach.

127. Representations on behalf of WM Morrisons Supermarkets Plc have requested that the Neighbourhood Plan defines the primary shopping area and has referred to the NPPF requirement for the definition of such area in local plans.
128. Whilst there is no reason why a primary shopping area cannot be included in a Neighbourhood Plan, this is not a requirement of a Neighbourhood Plan. Thus, the inclusion of a defined primary shopping area in this Plan is not necessary to meet the Basic Conditions.
129. **Recommendation: in the interest of clarity, to meet the Basic Conditions, I recommend the deletion of Policy TC1 and the incorporation of the wording of this policy into the preceding text. In addition, I recommend the Town Centre map in the evidence base is included in the Plan.**

TC2 New Retail Developments in Chapel-en-le-Frith Town Centre

130. This policy seeks to encourage new retail development in the town centre. Large parts of the town centre are within Conservation Areas and English Heritage has expressed concern regarding possible conflict between new development and the protection of the historic environment. However, Policy TC6 seeks development in the Conservation Areas in the Town Centre to have regard to High Peak Local Plan conservation and heritage policies. Thus, I do not consider that modification is required to Policy TC2 in this respect.

TC3 Mixed Use in the Town Centre

131. The Theatres Trust has requested reference to the protection of existing community assets and facilities within this policy.
132. Policy TC3 is a proactive policy underlying the aim to reinvigorate the town centre. Whilst the inclusion of the Theatres Trust suggestion would align with these aims, specific reference is not necessary for this Policy to meet the Basic Conditions.

TC4 Use of Redundant Buildings in Chapel-en-le-Frith Town Centre

TC5 Use of Shop Upper Floors in Chapel-en-le-Frith Town Centre

TC6 High Quality Town Centre Design

133. These policies seek to reinvigorate the town centre. As such, they meet the Basic Conditions.

TC7 Small Local Shops

134. Saved Policy TC5 in the High Peak Local Plan defines a small shop as being under 500m².
135. Policy TC7 seeks to encourage small shops. It defines a small shop as under 280m² in Dove Holes and under 150m² in the other settlements. There is no robust evidence to justify either of these figures. The deletion of these arbitrary figures would ensure that this policy has regard to national policy, where it is committed to securing economic growth.
136. **Recommendation: To meet the Basic Conditions, I recommend modification to Policy TC7 by the deletion of the first sentence of the second paragraph - 'A small shop is defined as under 280m² in Dove Holes and under 150m² in the other settlements'.**

TC8 Partnership Working for Town Centre Developments

137. Whilst this policy seeks to promote the future vitality of the town centre, it is not a land use and development policy. Therefore, I recommend the deletion of Policy TC8 and the incorporation of the wording of this policy into the preceding text.
138. **Recommendation: in the interest of clarity, to meet the Basic Conditions, I recommend the deletion of Policy TC8 and the incorporation of the wording of this policy into the preceding text.**

TC9 Regeneration of Chapel-en-le-Frith Market Place

TC10 Car Parking Reserved Sites

139. I note that a study of existing parking patterns is due to be undertaken to inform a future parking strategy. The principle aim being to provide convenient parking space. Policy TC9 proposes the relocation of some parking spaces in Market Place, but only if there is suitable nearby replacement parking.
140. There has been considerable opposition to Policy TC9 from local people with regard to the impact of removing parking from the Market Place on the nearby retail and service businesses in the area.
141. A representation requests the reinstatement of the car parking proposal on Pickford Meadow previously proposed in the Neighbourhood Plan to help towards resolving the identified parking problem.
142. Identified parking problems are clearly going to be difficult to resolve. However, I consider that Policies TC9 and TC10, subject to detailed modifications as outlined below, will make a significant contribution towards maintaining the vitality and viability of the town centre. In the interest of

clarity, the Plan should include a map showing the locations of the sites allocated for additional car parking.

143. As regards the detailed wording of these policies, the first and last sentences in Policy TC9 are not land use and development policy. Thus, I recommend their deletion and incorporation into the preceding text. Likewise, sub-section f) in Policy TC10 is not a land use and development policy.
144. The High Peak Access Group has requested reference in Policy TC10 to the provision of accessible parking spaces to assist disabled people. I am satisfied that this can be considered as part of the detailed design of the proposed car parks.
145. **Recommendation: in the interest of clarity, to meet the Basic Conditions, I recommend the following:**

modification to Policy TC9 to read: The redevelopment of Chapel-en-le-Frith Market Place, comprising the relocation of some parking spaces, restoration of the surfacing and the provision of seating and other street furniture, and high quality landscaping, will be supported. This will be subject to the provision of suitable nearby replacement car parking spaces elsewhere.

Delete sub-section f) in Policy TC10.

Include a map in the Plan indicating the locations of the sites allocated for additional car parking.

Section 4: Sustainable Transport and Movement

TR1 Information Required to Support Planning Applications

TR2 Partnership Working to Achieve Objectives

TR3 Transport Infrastructure Projects

146. Section 4 of the Plan seeks to promote sustainable travel. In this respect, Policy TR1 has regard to National Policy to promote sustainable transport. Whilst Policies TR2 and TR3 contribute towards this objective, they are objectives and projects rather than land use and development policies. Therefore, I recommend these two policies are deleted and incorporated into the supporting text.
147. A representation has suggested additional detailed wording in Policy TR1, particularly with regard to the cumulative impact of traffic arising from development and a request for plans to show safe walking and cycle routes. Whilst these additions would be in accordance with the promotion of sustainable travel, I am only required to consider if the policy as it stands meets the Basic Conditions. As outlined above, I am satisfied that Policy TR1 meets the objective of promoting sustainable travel.

148. **Recommendation: in the interest of clarity, to meet the Basic Conditions, I recommend the deletion of Policies TR2 and TR3 as they are not land use and development policies and the incorporation of the wording of these policies into the supporting text on sustainable transport.**

Section 5: Countryside

C1 Chapel-en-le-Frith Parish Special Landscape Area

149. The adopted Local Plan includes a Special Landscape Area which lies partly within Chapel-en-le-Frith Parish. The extension to the Special Landscape Area in the Neighbourhood Plan has been derived from a combination of three sources. Firstly the Special Landscape Area previously established by HPBC. Secondly, the area of Primary Sensitivity in the Parish identified in Derbyshire County *Council's Areas of Multiple Environmental Sensitivity (AMES) Study*, as part of a landscape characterisation of the County. Thirdly, an area defined as 'Special Countryside' as a result of local public consultation. The combination has resulted in most of the countryside outside the built up area and outside the National Park as being designated as a Special Landscape Area, with a sub-category of areas identified by local people as being particularly special.
150. I have been referred to the *HPBC High Peak Local Plan Landscape Impact Assessment (January 2014)* prepared by Consultants Wardell Armstrong. I note this assessment is yet to be considered as part of the Examination of the emerging High Peak Local Plan. It does not recommend the extension of the Special Landscape Area to that proposed in the Neighbourhood Plan.
151. Consultants FPRC on behalf of Bloor Homes North West Ltd have indicated that the proposed Special Landscape Area in Policy C1 is not supported by either the Ames Study or the Peak District Landscape Strategy as they are looking at too large a strategic area and not intended to be used in specific allocations or do not undertake qualitative analysis of character areas to be used as a measure of the sensitivity or quality of a landscape. In addition, the consultants conclude that the local survey of residents is not a professionally informed assessment nor representative of the population. I concur with this view. For these reasons, I do not consider that the proposed extension to the Special Landscape Area is supported by a robust evidence base required to justify this designation.
152. Without the evidence base required, this policy approach to extending the Special Landscape Area does not have regard to the NPPF. In particular, it does not have regard to paragraph 113 in the NPPF which requires distinction between the hierarchy of designated landscape areas, so that protection is commensurate with their status. Therefore, to meet the Basic Conditions, I recommend the deletion of the extended Special Landscape Area from Figure 3.

153. I am only required to recommend the minimum modifications necessary to ensure that the Plan meets the Basic Conditions. Sometimes, there is more than one way for a Policy to be modified to meet the Basic Conditions. In this particular instance, I consider that there are two options and I leave the choice to the local community.
154. The deletion of the extension to the Special Landscape Area would still leave in place the designation of a Special Landscape Area as defined in the saved policies in the High Peak Local Plan. The Neighbourhood Plan is not required to include a policy for that existing Special Landscape Area, or indeed to make any reference to it on an accompanying map. As such, Policy C1 can be deleted from the Neighbourhood Plan in its entirety. However, if the local community would prefer to retain Policy C1 to apply to the existing Special Landscape Area as defined in the saved policies in the High Peak Local Plan, then subject to my detailed recommendations below, this would meet the Basic Conditions.
155. On the assumption that Policy C1 is retained to apply to the existing Special Landscape Area in the saved policies in the adopted High Peak Local Plan, I recommend revision to the wording in the first paragraph to accord with saved Policy OC3 in the High Peak Local Plan. The term ‘inappropriate development’ is not clearly defined in Policy C1. In the interest of clarity, I recommend the use of the wording in saved Local Plan Policy OC3, with regard to the need to protect the Special Landscape Area *from development that would detract from the special qualities and character of the area*.
156. In accordance with my recommended modifications to Policy H3, I recommend the deletion of reference to that policy.
157. **Recommendations: Option 1. To meet the Basic Conditions I recommend modification to Figure 3 to remove the extension to the Special Landscape Area and modification to the accompanying text to clarify that Policy C1 only applies to the existing Special Landscape Area in the adopted High Peak Local Plan.**

Sub-section a) of Policy C1 to be modified to read as follows: In order to complement the conservation-focussed policies both in the plan and as set out in the adopted Local Development plan for the nationally-valued landscape of the Peak District National Park the Chapel-en-le-Frith Parish Special Landscape Area’s distinctive landscape character and key features will be protected from development that would detract from the special qualities and character of the Special Landscape Area and, where possible, enhanced for their environmental value and amenity use.

In addition, I recommend the deletion of the last sentence in sub-section b).

Option 2. As there is no requirement for a Neighbourhood Plan to include a Policy regarding an existing Special Landscape Area, if the local community does not wish to retain Policy C1 as modified above,

the deletion of Policy C1 in its entirety and the deletion of Figure 3 would meet the Basic Conditions.

C2 Local Green Spaces

158. Paragraph 77 in the NPPF states that: *The Local Green Space designation will not be appropriate for most green areas or open space. The designation should only be used:*

where the green space is in reasonably close proximity to the community it serves;

where the green area is demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and

where the green area concerned is local in character and is not an extensive tract of land.

159. I must emphasise that in order for an area to be designated as a Local Green Space, it has to meet all the criteria for designation. I realise that footpaths dissect some of the parcels of land. This is not in itself a reason to designate a parcel of land as a Local Green Space.
160. The Planning Practice Guidance advises that: *some areas that may be considered for designation as Local Green Space may already have largely unrestricted public access, though even in places like parks there may be some restrictions. However, other land could be considered for designation even if there is no public access (e.g. green areas which are valued because of their wildlife, historic significance and/or beauty). Designation does not in itself confer any rights of public access over what exists at present.*
161. I have spent a considerable amount of time looking at the areas proposed to be designated as Local Green Spaces. As there are a considerable number of proposed Local Green Spaces, for ease of reference, I refer to each parcel in accordance with the numbering on Figures 4 and 5 and the addresses in Table 1. Whilst this has resulted in a certain amount of repetition, it does make it easier for the local community to understand my views with regard to each individual site.

1. Small grass area between Primary School and Methodist Churchyard.

162. Whilst I understand this land is owned by the Church, it appears to be used for some community events. Clearly it is close to the community, is demonstrably special and holds a particular local significance with regard to its use by the community, is local in character and is not an extensive tract of land. I am satisfied that it meets the criteria for designation as a Local Green Space.

2. Warmbrook area behind primary school.

163. There is objection to this designation on behalf of HD Sharman Limited. It appears that the objection is to the extent of the site in a previous version of the Plan. The Examination Version excludes the fenced off land associated with that business.
164. The remaining area currently proposed to be designated as a Local Green Space comprises a green space with footpaths, weirs and trees. It is situated between dwellings with direct access from a number of residential properties. Clearly it is close to the community, is demonstrably special and holds a particular local significance with regard to its use by the community and its beauty, is local in character and is not an extensive tract of land. I am satisfied that it meets the criteria for designation as a Local Green Space.

3. Tramps' Garden.

165. This is a small community park with historic interest. Clearly it is close to the community, is demonstrably special and holds a particular local significance with regard to its use by the community and its historic interest, is local in character and is not an extensive tract of land. I am satisfied that it meets the criteria for designation as a Local Green Space.

4. Orchard, Bowden Lane, between footpath to Bowden Hall and Kelsa Trucks.

166. This is a small green space with mature trees within the built up area. Public view is obtained from Bowden Land and the footpath alongside the site. Clearly it is close to the community, is demonstrably special and holds a particular local significance with regard to its tranquillity in the built up area, is local in character and is not an extensive tract of land. I am satisfied that it meets the criteria for designation as a Local Green Space.

6. Land behind Dove Holes community land.

167. This area includes a children's playground and playing fields. In addition it includes the Bull Ring Henge and Tumulus. Whilst it is a large site, I am satisfied that it is local in character and is not an extensive tract of land. In particular, it is contained to a considerable extent by development on three sides. Clearly it is close to the community of Dove Holes and is demonstrably special and holds a particular local significance with regard to its use by the community and its historic interest. I am satisfied that it meets the criteria for designation as a Local Green Space.

7. Target Wall Field and woodland adjacent to Warmbrook.

168. There have been numerous representations regarding this site, both for and against the designation as a Local Green Space. I note the historical significance with regard to the former target wall, which was demolished in 1991.

169. The site is in a countryside location on the outskirts of the settlement, projecting into the wider countryside. As such, the character of the site is as part of the surrounding countryside, rather than local in character. Whilst there is public access along the footpaths, and these footpaths appear to be well used by the local community, there are many areas of countryside where footpaths allow public access.
170. It is not the purpose of the Local Green Space designations to include countryside land that provides wider views of the countryside. In my view, the site is a large area which projects into the open countryside and is part of the wider countryside rather than local in character. Thus, even with the historical significance and possible wildlife significance, I do not consider that this site meets the criteria for designation as Local Green Space.
171. There is objection to the designation of the area as Local Green Space on behalf of developers wishing to develop the site. My recommendation to delete the designation does not in any way suggest that the site is suitable for development. This is not something for my consideration under the Local Green Space criteria.

8. Land around Combs Reservoir.

172. These parcels of land border the reservoir. In this particular location, against the backdrop of the reservoir, I can see how they are demonstrably special to the local community and hold a particular local significance and I note the recreational value and wildlife value of these sites. They are local to the communities of Combs and Tunstead Milton. They are local in character in the context of the setting of the reservoir and are not extensive tracts of land. I am satisfied that they meet the criteria for designation as Local Green Space.

9. Field adjacent to Combs School.

173. This parcel of land on the edge of the village of Combs is used for local community events. Clearly it is close to the community, is demonstrably special and holds a particular local significance with regard to its use for community events is local in character and is not an extensive tract of land. I am satisfied that it meets the criteria for designation as a Local Green Space.

10. Field in centre of Combs village.

174. This small parcel of land in the centre of Combs makes a significant contribution to the tranquil and rural character of the village. Clearly it is close to the community, is demonstrably special with regard to its tranquillity, is local in character and is not an extensive tract of land. I am satisfied that it meets the criteria for designation as a Local Green Space.

11. Spring Meadow, Whitehough.

175. This site is visible from adjacent public rights of way. The site appears to have some ecological value, but otherwise, it is only a field adjacent to the

built up boundary to Chinley and adjacent to a development site. The location as a buffer between the proposed development and the Whitehough Conservation Area is not sufficient reason for designation.

176. From my observations at my site visit and having considered the evidence base and representations made both for and against this proposed designation, I do not consider there to be robust justifiable evidence to show that this site is demonstrably special to a local community or holds a particular local significance. Thus, I do not consider that this site meets the criteria for designation as Local Green Space.
177. There is objection to the designation of the area as Local Green Space on behalf of developers wishing to develop the site. My recommendation to delete the designation does not in any way suggest that the site is suitable for development. This is not something for my consideration under the Local Green Space criteria.

13. Fields between Homestead Way and Ashbourne Lane.

178. These are fields on the edge of the built up area with public access via a footpath. I realise that they provide a green backdrop. However, so does a considerable amount of the surrounding countryside. I realise that the footpath is used by local residents. However, I do not consider there to be robust justifiable evidence to show that this site is demonstrably special to a local community or holds a particular local significance. Thus, I do not consider that this site meets the criteria for designation as Local Green Space.
179. There is objection to the designation of the area as Local Green Space on behalf of developers wishing to develop the site. My recommendation to delete the designation does not in any way suggest that the site is suitable for development. This is not something for my consideration under the Local Green Space criteria.

14. Land approaching Chapel-en-le-Frith South Station, between railways and Bank Hall Drive.

180. This site is not local in character. It is countryside which provides a rural setting to Chapel-en-le-Frith when viewed from the Station. Footpaths around and across the site provide some public access. I do not consider there to be robust justifiable evidence to show that this site is demonstrably special to a local community or holds a particular local significance and the site is not local in character. Thus, I do not consider that this site meets the criteria for designation as Local Green Space.

16. High School Fields.

181. These school playing fields are used by both the school and the local community. The playing fields are close to the community, are demonstrably special and holds a particular local significance with regard to their recreational value, are local in character and do not comprise an extensive

tract of land. I am satisfied that these fields meet the criteria for designation as Local Green Space.

17. North and South of Manchester Road.

182. These two fields are situated between Chapel-en-le-Frith and Cockyard and I note that one of the reasons in the evidence base for their designation is to provide a green buffer. This is not a reason for Local Green Space designation. I realise that there are open panoramic views out of and across the fields. However, from the evidence base, there is no robust justifiable evidence to support these fields as being demonstrably special and hold a particular local significance. In addition, they are not local in character as they are part of the wider countryside. Thus, I do not consider that these fields meet the criteria for designation as Local Green Space.

18. Bowden Lane, between the Lodge Nursing Home and A624.

183. This site is an area of considerably mature woodland. I note the historical significance of the historic tramway tunnel within the site. The site is close to the community, is demonstrably special and holds a particular local significance with regard to its historic interest, is local in character and is not an extensive tract of land. I am satisfied that it meets the criteria for designation as a Local Green Space.

19. Fields around Black Brook, alongside tramway, between Longson's and Kelsa Trucks and land on the north side of Bowden Lane.

184. This area of land is not local in character but instead has a wider open countryside character. I realise that it is situated within the built up area boundary and that the land further east is allocated for employment use. It may be that once the employment land is developed, the character of this site would alter to being contained within the developed area. At the present time, I see no robust justifiable evidence to support the designation of this land as Local Green Space.

20. Field behind Morton's Yard, Tunstead Milton, between Randall Carr Brook and canal feeder.

185. This is a contained area of open space on the edge of Tunstead Milton, which forms a tranquil riverside area. The site is close to the community, is demonstrably special and holds a particular local significance with regard to its tranquillity, is local in character and is not an extensive tract of land. I am satisfied that it meets the criteria for designation as a Local Green Space.

21. Burnside Avenue, public green space.

186. This is a small area of public open space on the edge of a modern housing estate. The area is on the edge of a brook and includes mature trees. It is used for informal play and social gatherings. The site is close to the community, is demonstrably special and holds a particular local significance with regard to its informal recreational use, is local in character and is not an

extensive tract of land. I am satisfied that it meets the criteria for designation as a Local Green Space.

22. South Head Drive, small green space.

187. This is a small green space used for informal recreation by local residents in the surrounding residential area. The site is close to the community, is demonstrably special and holds a particular local significance with regard to its informal recreational use, is local in character and is not an extensive tract of land. I am satisfied that it meets the criteria for designation as a Local Green Space.

23. Bank Hall Drive entrance.

188. This site lies between two sites in the process of being developed as residential sites. The dense mature trees provide a tranquil verdant setting between the residential areas and for existing residents in Long Lane. The site is close to the community, is demonstrably special and holds a particular local significance with regard to its tranquillity, is local in character and is not an extensive tract of land. I am satisfied that it meets the criteria for designation as a Local Green Space.

24. Land South of Manchester Road.

189. This site includes domestic garden areas and land on the periphery of Chapel-en-le-Frith between development along Manchester Road and the golf course. It is not usually appropriate to include domestic gardens as Local Green Space and, in this particular instance, I see no exceptional reason to include the domestic gardens.
190. The site is either domestic garden or countryside. As such it is either domestic or rural in character. I have no robust justifiable evidence to clearly indicate that the site is demonstrably special and holds a particular local significance. For these reasons, I do not consider this area meets the criteria for designation as Local Green Space.
191. **Recommendation: to meet the Basic Conditions, I recommend modification to Figures 4 and 5 and Table 1 to remove the Local Green Space Designations on sites 7, 11, 13, 14, 17, 19 and 24.**

C3 Biodiversity

192. The NPPF requires the planning system to contribute to and enhance the natural and local environment. Within the list of criteria in paragraph 109 is the requirement to *minimise impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity...*
193. Policy C3 has regard to the NPPF and thus meets the Basic Conditions.

C4 Walking, Footpaths and Public Rights of Way

194. The High Peak Access Group has requested that this policy refers to accommodating the needs of visually impaired people and disabled people in general. The policy does refer to *accommodating people of all ages and abilities*, which I feel covers this concern.
195. This policy has regard to the NPPF where it seeks to encourage new development to give priority to pedestrian and cycle movements where practical. Thus, this policy meets the Basic Conditions.

C5 Protection of Local Valued Areas

196. This policy refers to 'valued local assets' and refers to examples of harm to such assets. I have not been provided with a precise definition of, or a list of, valued local assets. In the interest of precision and enforceability, in the absence of such a definition or list as part of a justified evidence base, I do not consider this to be a land use policy for development control purposes.
197. **Recommendation: in the interest of precision and enforceability, to meet the Basic Conditions, I recommend the deletion of Policy C5.**

Additional Policies

198. Natural England has requested reference in the Plan to the importance of the Dark Peak Nature Improvement Area (NIA) and the South West Peak National Character Area (NCA) and Dark Peak NCA profiles. In addition, Natural England has requested that reference to the opportunities for Green Infrastructure is incorporated into the Plan.
199. I am only required to consider whether the Plan meets the Basic Conditions. Subject to the modifications I recommend above, I am satisfied that the Plan meets the Basic Conditions without these suggested additions.

Referendum and the Chapel-en-le-Frith Neighbourhood Development Plan Area

200. I am required to make one of the following recommendations:
- the Plan should proceed to Referendum, on the basis that it meets all legal requirements; or
 - the Plan as modified by my recommendations should proceed to Referendum; or

- the Plan does not proceed to Referendum, on the basis that it does not meet the relevant legal requirements.
201. **I am pleased to recommend that the Chapel-en-le-Frith Neighbourhood Development Plan, as modified by my recommendations, should proceed to Referendum.**
202. I am required to consider whether or not the Referendum Area should extend beyond the Chapel-en-le-Frith Neighbourhood Development Plan Area. I see no reason to alter or extend the Neighbourhood Development Plan Area for the purpose of holding a referendum.

Janet Cheesley

Date 30 January 2015

Appendix 1 Background Documents

The background documents include

The National Planning Policy Framework (The Framework) (2012)

The Planning and Compulsory Purchase Act 2004

The Localism Act (2011)

The Neighbourhood Planning Regulations (2012)

The Planning Practice Guidance (2014)

Regulation 14 representations

Regulation 16 Representations

Supporting Documentation:

Consultation Statement

Basic Conditions Statement

SEA Screening Statement

HRA Screening Statement

Three files containing-

General Evidence

Countryside Evidence

Housing, Infrastructure/Economic and Transport Evidence

Appendix 2

List of modifications proposed to be made to the Examination Version of the Chapel-en-le-Frith Neighbourhood Plan

In the table below, modifications are expressed by showing deleted text with strike-through, new text as underlined and specifying modifications using words in *italics*.

Where recommendations have been made to delete or amalgamate policies, should these recommendations be agreed, the final version of the Neighbourhood Plan will show remaining policies numbered consecutively.

Where recommendations have been made to delete proposed Local Green Spaces, should these recommendations be agreed, the final version of the Neighbourhood Plan will show remaining Local Green Spaces numbered consecutively. Map numbers and references to them will also be updated as appropriate.

Modification No. & Para. No. in Examiner's report	Plan page & para. or Policy No.	Modification	Reason
M1 Para. 36	Page 2, para. 1	<i>Amend last sentence as follows:</i> When it is adopted, the Neighbourhood Plan will be the Planning Policy document and will form all planning and development in the Parish <u>become part of the development plan for the area.</u>	For clarity
M2 Para. 53	Page 10 Policy H1	<i>Following policy H1 insert a map to identify the allocated housing sites.</i>	For clarity
M3 Para. 56	Page 11 Policy H2	<i>Delete Policy H2.</i>	To meet the Basic Conditions
M4 Para 61	Page 11 Policy H3	<i>Amend second paragraph of Policy H3 as follows:</i> An exception will apply to proposals for that area of the Parish <u>Proposals for single dwellings</u> outside the Peak District National Park, <u>and outside the built-up-area boundary will be supported for single dwellings outside the built-up area boundary that provide a home for a relative who requires care from a member of the existing household, or where they provide homes for key workers in agricultural, forestry or other</u>	For clarity and to meet the Basic Conditions

Modification No. & Para. No. in Examiner's report	Plan page & para. or Policy No.	Modification	Reason
		rural enterprises <u>or accord with other special circumstances in paragraph 55 in the NPPF</u> , subject to the policies of this Plan, as well as other national and local policy requirements.	
M5 Para 75	Pages 11, 13 & 14 Policies H4, H5, H8 and H9	<i>Delete Policies H4, H5, H8 and H9.</i>	To meet the Basic Conditions
M6 Para 75	Page 11	<p><i>Following the supporting text on page 11, insert new Policy as follows:</i></p> <p><u>Policy H : Design Criteria</u></p> <p><u>New housing development in the Neighbourhood Plan Area must be of a high quality. The design and density should seek to reflect and distinguish the attractive characteristics of Chapel-en-le-Frith and other settlements within the Parish. Proposals must demonstrate how they have taken into account the following where appropriate and subject to viability:</u></p> <p><u>Connections</u> <u>Development should integrate into its surroundings by reinforcing existing connections and creating new ones; whilst also respecting existing buildings and land uses along the boundaries of the development site. Developers must demonstrate how they have had regard to movement (vehicular, pedestrian and cycle).</u></p> <p><u>Public transport</u> <u>Good access to public transport to help reduce car dependency and support public transport use.</u></p>	To meet the Basic Conditions

Modification No. & Para. No. in Examiner's report	Plan page & para. or Policy No.	Modification	Reason
		<p><u>Meeting local housing requirements</u> Development should provide a mix of housing types and tenures that suit local requirements.</p> <p><u>Character</u> Development should seek to create a place with a locally inspired or otherwise distinctive character.</p> <p><u>Working with the site and its context</u> Development should take advantage of existing topography, landscape features (including water courses), wildlife habitats, existing buildings, site orientation and microclimates.</p> <p><u>Creating well defined streets and spaces</u> Buildings should be designed and positioned, with landscaping, to define and enhance streets and spaces. Buildings should be designed to turn street corners well.</p> <p><u>Easy for people to find way around (legibility)</u> Development should be designed to make it easy for people to find their way around and to recognise distinctive places.</p> <p><u>Streets for all</u> Streets should be designed in a way that encourages low vehicle speeds and allows the streets to function as social spaces.</p> <p><u>Car parking</u> Resident and visitor parking should be sufficient and well integrated so that it does not dominate the street. Car parking must meet minimum standards,</p>	

Modification No. & Para. No. in Examiner's report	Plan page & para. or Policy No.	Modification	Reason
		<p>as set out by <u>Derbyshire County Council</u>. In addition, frontages must not be entirely dedicated to car parking, but should provide for appropriate and significant public and private open space and landscaping, reflective of the Parish's character and countryside setting.</p> <p><u>Public and private spaces</u> Public and private spaces should be clearly defined and designed to be attractive, well managed and safe. There should be suitable private outdoor amenity space for new dwellings.</p> <p><u>External storage</u> There should be adequate external storage space for bins and recycling facilities as well as for cycles.</p>	
M7 Para 82	Page 12 Policy H6	<i>Delete Policy H6 and its supporting text (paragraphs 3 and 4 on page 12).</i>	To meet the Basic Conditions
M8 Para 85	Page 12 Policy H7	<p><i>Amend Policy H7 as follows:</i> Affordable homes should be designed to be well integrated with existing and other new housing development. The type and size of affordable homes should meet the specified and up-to-date needs of the Neighbourhood Plan Area. Applications for more than 6 homes should therefore be accompanied by an affordable housing strategy. This should be produced in consultation with an appropriate Registered Social Landlord and be discussed and agreed with Chapel-en-le-Frith Parish Council in advance of any planning application.</p>	To meet the Basic Conditions
M9 Para 93	Page 15 Policy H10	<p><i>Amend Policy H10 as follows:</i> Pickford Meadow (behind Pickford Place)</p>	To meet the Basic Conditions

Modification No. & Para. No. in Examiner's report	Plan page & para. or Policy No.	Modification	Reason
		<p><u>Proposals should demonstrate how they have taken into account the statutory requirements to preserve the setting of St Thomas's Church and to preserve or enhance the character or appearance of the Conservation Area.</u></p> <p><u>Subject to viability and deliverability in accordance with paragraph 173 in the NPPF, proposals should demonstrate how they have taken into account the following:</u></p> <p>Applications for this development of the site should be accompanied by a viability appraisal. The majority of homes should have one or two bedrooms. Proposals should demonstrate how they have taken into account:</p> <ul style="list-style-type: none"> • Accessibility for wheelchairs or those with impaired mobility. • A high quality design approach to the provision of a higher density scheme. • Provision of appropriate public and private open space, including an area comprising approximately the north western half of the site, incorporating the pond and ample green space around it to protect wildlife. • Arboriculture – Retention of all mature trees worthy of retention and, where trees are removed, the appropriate planting of replacement trees of native species. • As a town centre site, the development should demonstrate how it contributes towards town centre improvements in accordance with Policy CNP1. 	

Modification No. & Para. No. in Examiner's report	Plan page & para. or Policy No.	Modification	Reason
		<ul style="list-style-type: none"> • Access should be via Miry Meadow Car Park, and the approach route leading to the site from Eccles Road should be made up and adopted. <p>Park Road – Bungalow and Factory</p> <p><u>Subject to viability and deliverability in accordance with paragraph 173 in the NPPF, proposals should demonstrate how they have taken into account the following:</u></p> <p>Applications for this development of the site should be accompanied by a viability appraisal. The majority of homes should have one or two bedrooms. Proposals should demonstrate how they have taken into account.</p> <ul style="list-style-type: none"> • Accessibility for wheelchairs or those with impaired mobility. • A high quality design approach to the provision of a higher density scheme. • The relevant part of Park Road between Market Street and Grange Park Road should be made up and adopted. • Vehicular access to the site is to be from Park Road only. Pedestrian access is to be from both Park Road and Sunday School Lane. 	
<p>M10 Para 98</p>	<p>Page 15 Policy CNP1</p>	<p><i>Amend Policy CNP1 as follows:</i> New <u>residential</u> development should, <u>where applicable and where possible,</u> provide appropriate and proportionate new facilities and infrastructure on site, and make appropriate and proportionate contributions to related off-site facilities and infrastructure in accordance with</p>	<p>To meet the Basic Conditions.</p>

Modification No. & Para. No. in Examiner's report	Plan page & para. or Policy No.	Modification	Reason
		High Peak Local Plan Policy CF7.	
M11 Para 100	Page 16 Para. 1	<i>Following paragraph 1, insert new paragraph as follows:</i> <u>Growing employment from new and existing industrial sites is a key factor in the prosperity of a community. For this reason new employment land should be made available for continual growth and existing employment land should, wherever possible, be preserved for the continuing prosperity of the community, particularly where it will not interfere with residential amenity.</u>	For clarity and to meet the Basic Conditions.
M12 Para 100	Page 16 Policy EP1	<i>Delete Policy EP1.</i>	For clarity and to meet the Basic Conditions.
M13 Para 103	Page 17 Policy EP3	<i>Amend Policy EP3 as follows:</i> Existing employment sites should remain in employment use. Proposals which lead to the improvement, modernisation or upgrading of current employment sites will be welcomed and supported, subject to there being no adverse impacts on the amenity of neighbours.	To meet the Basic Conditions.
M14 Para 116	Page 19 Policy EP7	<i>Amend Policy EP7 as follows:</i> This site comprises a developed site within the Green Belt. Proposals which lead to the improvement, modernisation or upgrading of the buildings on the site will be welcomed and supported, subject to their meeting Green Belt policy requirements. No extension into the Green Belt will be permitted.	To meet the Basic Conditions.
M15 Para 119	Page 21 Policy TM2	<i>Amend third bullet point as follows:</i> <ul style="list-style-type: none"> • Development that would improve the quality of the existing sites, including improvements to upgrade facilities, access, landscaping, or the appearance of existing static caravans, will be encouraged 	To meet the Basic Conditions and in the interest of precision.

Modification No. & Para. No. in Examiner's report	Plan page & para. or Policy No.	Modification	Reason
		<u>supported.</u>	
M16 Para 121	Page 22	<i>Before Policy TM3 insert the following:</i> <u>Development which enhances the quality of life in Chapel-en-le-Frith can only be to the benefit of the community as a whole.</u>	To meet the Basic Conditions.
M17 Para 123	Page 22 Policy TM3	<i>Amend Policy TM3 as follows:</i> Proposals for community facilities, especially within existing settlement boundaries, will be <u>encouraged supported.</u> Development which enhances the quality of life in Chapel-en-le-Frith can only be to the benefit of the community as a whole. In the Peak District National Park area community facilities are only permitted through the conversion or change of use of existing buildings or by new build to replace an unsuitable facility, in which case it may be on the same site or another site by agreement with the planning authority taking all relevant planning considerations into account.	To meet the Basic Conditions.
M18 Para 129	Page 23	<i>After the fifth paragraph insert the following:</i> <u>Extent of Chapel-en-le-Frith Town Centre</u> <u>Chapel-en-le-Frith Town Centre will cover the area defined on the map below. The defined area covers:</u> <ul style="list-style-type: none"> • <u>The length of High Street / Market Street between Cross Street and Hayfield Road;</u> • <u>Market Place, Church Brow, Cross Street, Morrison's, the shopping lengths of Thornbrook Road and Eccles Road;</u> • <u>Existing and proposed town centre car parks.</u> 	In the interest of clarity and to meet the Basic Conditions.

Modification No. & Para. No. in Examiner's report	Plan page & para. or Policy No.	Modification	Reason
M19 Para 129	Page 23	<i>Delete Policy TC1.</i>	In the interest of clarity and to meet the Basic Conditions.
M20 Para 129	Page 23	<i>Before Policy TC2, insert the Town Centre Map that is currently included in the evidence base.</i>	In the interest of clarity and to meet the Basic Conditions.
M21 Para 136	Page 25 Policy TC7	<p><i>Amend Policy TC7 as follows:</i> Planning Permission will be granted for small shops, including new build, extensions, alterations and changes of use, in the following locations and subject to other provisions of this Plan:</p> <ul style="list-style-type: none"> • Outside Chapel-en-le-Frith town centre but within the Chapel-en-le-Frith built-up area boundary, with the exception of the employment sites allocated within this Plan; • Within the built-up area boundaries of Dove Holes, Combs, Tunstead Milton, Whitehough and Sparrowpit; • In the Peak District National Park area, shops can only be provided by conversion or change of use of existing buildings. <p>A small shop is defined as under 280m² in Dove Holes and under 150m² in the other settlements. Where appropriate, conditions will be imposed to control operating arrangements and / or opening hours to mitigate the environmental impacts of the development</p>	To meet the Basic Conditions.
M22 Para 138	Page 25	<p><i>Following Policy TC7 insert the following text:</i> Partnership Working for Town Centre</p>	In the interest of clarity and

Modification No. & Para. No. in Examiner's report	Plan page & para. or Policy No.	Modification	Reason
		<p><u>Development</u> <u>Chapel-en-le-Frith Parish Council will work in partnership with High Peak Borough Council, Derbyshire County Council, local businesses, the voluntary sector and others to develop and secure improvements to Chapel-en-le-Frith Town Centre to promote its future viability.</u></p>	to meet the Basic Conditions.
<p>M23 Para 138</p>	<p>Page 25 Policy TC8</p>	<p><i>Delete Policy TC8.</i></p>	<p>In the interest of clarity and to meet the Basic Conditions.</p>
<p>M24 Para 143</p>	<p>Page 25</p>	<p><i>Following the third paragraph of the supporting text section headed Regeneration of Chapel-en-le-Frith Market Place, insert the following text: Chapel-en-le-Frith Parish Council will work in partnership with High Peak Borough Council and Derbyshire County Council to develop and approve proposals for the regeneration of the Chapel-en-le-Frith Market Place. Proposals will be set out in a Design Brief and will undergo public consultation prior to any planning application.</i></p>	<p>In the interest of clarity and to meet the Basic Conditions.</p>
<p>M25 Para 145</p>	<p>Page 26 Policy TC9</p>	<p><i>Amend Policy TC9 as follows:</i></p> <ul style="list-style-type: none"> • Chapel-en-le-Frith Parish Council will work in partnership with High Peak Borough Council and Derbyshire County Council to develop and approve proposals for the regeneration of the Chapel-en-le-Frith Market Place. • The redevelopment of Chapel-en-le-Frith Market Place, comprising the relocation of some parking spaces, restoration of the surfacing and the provision of seating and other street furniture, and high quality 	<p>In the interest of clarity and to meet the Basic Conditions.</p>

Modification No. & Para. No. in Examiner's report	Plan page & para. or Policy No.	Modification	Reason
		landscaping, will be supported. This will be subject to the provision of suitable nearby replacement car parking spaces elsewhere. Proposals will be set out in a Design Brief and will undergo public consultation prior to any planning application.	
M26 Para 145	Page 27 Policy TC10	<i>Amend Policy TC10 as follows:</i> f Proposals will be set out in Design Briefs and will undergo public consultation prior to any planning application.	In the interest of clarity and to meet the Basic Conditions.
M27 Para 145	Page 27	<i>Following Policy TC10 insert a map indicating the locations of the sites allocated for additional car parking.</i>	In the interest of clarity and to meet the Basic Conditions.
M28 Para 148	Page 28	<i>Following the final paragraph on page 28, insert the following supporting text:</i> <u>Partnership Working to Achieve Objectives</u> <u>Chapel-en-le-Frith Parish Council will work in partnership with Derbyshire County Council (DCC), High Peak Borough Council (HPBC), Network Rail (NR) and public transport operators (PT), as appropriate, in pursuit of the following aims:</u> <ul style="list-style-type: none"> • <u>To develop a high-quality integrated transport system for the movement of residents, workers and visitors by public transport, walking, cycling and private vehicles, so facilitating access to jobs and services, and for the local movement of goods;</u> • <u>To initiate and promote schemes and projects to improve highway safety;</u> • <u>To positively consider the needs of those with disabilities, and provide</u> 	In the interest of clarity and to meet the Basic Conditions.

Modification No. & Para. No. in Examiner's report	Plan page & para. or Policy No.	Modification	Reason
		<p><u>appropriate facilities in the transport infrastructure to assist them;</u></p> <ul style="list-style-type: none"> • <u>To positively encourage walking, cycling and the use of public transport, including initiating and developing infrastructure improvements which assist and safely promote these sustainable means of travel;</u> • <u>To minimise the length and number of motorised journeys, so reducing travel demand, congestion, road accidents and greenhouse gas emissions;</u> • <u>To promote efficient and timely repairs and resurfacing of roads, footways and other public areas.</u> 	
<p>M29 Para 148</p>	<p>Page 29</p>	<p><i>Amend supporting text as follows:</i> This Neighbourhood Plan has considered movement around the Parish and also the impact of proposed development during the Plan period on it, in the light of residents' views. In order to deliver the aims in Policy TR2, <u>set out above</u>, the major transport infrastructure projects are proposed in TR3 below, together with a number of smaller proposals which are integral to the overall Plan, and preliminary studies will need to be undertaken before some of the projects can commence.</p> <p>The references to Chapel-en-le-Frith Central Station and for a local bus route serving Chapel-en-le-Frith and Chinley concern matters strongly supported by the community, but cannot be delivered by the Neighbourhood Plan, so the policy promotes them as they are recognised <u>as</u> long-term aspirations.</p> <p><u>Transport Infrastructure Projects</u> <u>Chapel-en-le-Frith Parish Council will</u></p>	<p>In the interest of clarity and to meet the Basic Conditions.</p>

Modification No. & Para. No. in Examiner's report	Plan page & para. or Policy No.	Modification	Reason
		<p><u>work in partnership with Derbyshire County Council, High Peak Borough Council, the Peak District National Park Authority, Network Rail, public transport operators and the voluntary sector, as appropriate, to develop and promote the following projects:</u></p> <ul style="list-style-type: none"> • <u>Protecting, Enhancing and Developing the Urban and Rural Footpath and Walking Routes Network;</u> • <u>Chapel-en-le-Frith (South) Rail Station Approach Improvements;</u> • <u>Promotion of Chapel-en-le-Frith and Chinley Local Bus Service;</u> • <u>Long-Term Promotion of Re-opening of Chapel-en-le-Frith Central Rail Station;</u> • <u>Preliminary studies where required and smaller projects over the duration of the Plan;</u> • <u>Protecting, enhancing and developing the Peak Forest Tramway Trail and extending the Warmbrook Trail.</u> 	
M30 Para 148	Page 29	<i>Delete Policy TR2.</i>	In the interest of clarity and to meet the Basic Conditions.
M31 Para 148	Page 29	<i>Delete Policy TR3.</i>	In the interest of clarity and to meet the Basic Conditions.
M32 Para 157	Page 30	<i>Amend ninth paragraph as follows: Consideration of the above areas, along with the area of Primary Sensitivity identified by the AMES study and the</i>	To meet the Basic Conditions.

Modification No. & Para. No. in Examiner's report	Plan page & para. or Policy No.	Modification	Reason
		<p>Special Landscape Areas previously established by High Peak Borough Council, shows that virtually all of the countryside in the Parish outside the built-up areas and outside the Peak District National Park has been specifically identified as special by local people or by independent expert opinion. This is shown in the Special Landscape Area Map Figure 3, page 32. This is consistent with the views of the very large proportion (83%) of local people who indicated that they wanted to protect the whole of the area outside the built-up area from development. The hatched area on the Special Landscape plan indicates areas that residents would like to be given enhanced protection within the Special Landscape Area.</p>	
<p>M33 Para 157</p>	<p>Page 31</p>	<p><i>Amend third paragraph as follows:</i> For the purposes of this Plan the whole of the area within the Parish which is outside the current built-up area and outside the Peak District National Park is defined here as Chapel-en-le-Frith Parish Special Landscape Area (see Figure 3).</p>	<p>To meet the Basic Conditions.</p>
<p>M34 Para 157</p>	<p>Page 31</p>	<p><i>Delete Policy C1 including footnotes.</i></p>	<p>To meet the Basic Conditions.</p>
<p>M35 Para 157</p>	<p>Page 32</p>	<p><i>Delete Figure 3.</i></p>	<p>To meet the Basic Conditions.</p>
<p>M36 Para 191</p>	<p>Page 32</p>	<p><i>Amend Policy C2 as follows:</i> This Plan identifies and allocates 24 <u>14</u> areas of Local Green Space, as listed in Table 1 and accompanying maps Figures 4 and 5. Site boundaries of the individual Local Green Spaces are shown in the Appendices document supporting the Neighbourhood Plan. These spaces, in close proximity to the</p>	<p>In the interest of clarity and to meet the Basic Conditions.</p>

Modification No. & Para. No. in Examiner's report	Plan page & para. or Policy No.	Modification	Reason																		
		people they serve, are demonstrably special and hold particular local significance. The individual reasons for proposing each site are also listed in Table 1. Development of these sites will not be allowed, except in very special circumstances.																			
M37 Para 191	Page 33 Table 1	<p><i>Delete rows as follows:</i></p> <table border="1" data-bbox="616 786 1190 2020"> <tbody> <tr> <td data-bbox="616 786 699 913">7</td> <td data-bbox="699 786 916 913">Target wall field and woodland adjacent to Warmbrook</td> <td data-bbox="916 786 1190 913">Historic interest; wildlife; walking</td> </tr> <tr> <td data-bbox="616 949 699 1070">11</td> <td data-bbox="699 949 916 1070">Spring Meadow, Whitehough</td> <td data-bbox="916 949 1190 1070">Countryside buffer for Conservation area next to tramway.</td> </tr> <tr> <td data-bbox="616 1106 699 1294">13</td> <td data-bbox="699 1106 916 1294">Fields between Homestead Way and Ashbourne Lane</td> <td data-bbox="916 1106 1190 1294">Walking and sledging; iconic open countryside; view from Church Brow; wildlife.</td> </tr> <tr> <td data-bbox="616 1330 699 1581">14</td> <td data-bbox="699 1330 916 1581">Land approaching Chapel-en-le-Frith South Station, between railways and Bank Hall Drive</td> <td data-bbox="916 1330 1190 1581">Countryside setting for popular local walk; approach to the town by rail; wildlife habitat.</td> </tr> <tr> <td data-bbox="616 1617 699 1738">17</td> <td data-bbox="699 1617 916 1738">North and South of Manchester Road</td> <td data-bbox="916 1617 1190 1738">Visual approach to Chapel-en-le-Frith.</td> </tr> <tr> <td data-bbox="616 1774 699 2020">19</td> <td data-bbox="699 1774 916 2020">Fields around Black Brook, alongside tramway, between Longson's and Kelsa Trucks and land on the</td> <td data-bbox="916 1774 1190 2020">Tranquil; wildlife; setting for tramway; to provide a buffer between proposed industrial area and residential.</td> </tr> </tbody> </table>	7	Target wall field and woodland adjacent to Warmbrook	Historic interest; wildlife; walking	11	Spring Meadow, Whitehough	Countryside buffer for Conservation area next to tramway.	13	Fields between Homestead Way and Ashbourne Lane	Walking and sledging; iconic open countryside; view from Church Brow; wildlife.	14	Land approaching Chapel-en-le-Frith South Station, between railways and Bank Hall Drive	Countryside setting for popular local walk; approach to the town by rail; wildlife habitat.	17	North and South of Manchester Road	Visual approach to Chapel-en-le-Frith.	19	Fields around Black Brook, alongside tramway, between Longson's and Kelsa Trucks and land on the	Tranquil; wildlife; setting for tramway; to provide a buffer between proposed industrial area and residential.	To meet the Basic Conditions.
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Modification No. & Para. No. in Examiner's report	Plan page & para. or Policy No.	Modification			Reason
			north side of Bowden Lane		
		24	Land South of Manchester Road	Character and views from Manchester Road and important footpaths to the south; wildlife buffer.	
M38 Para 191	Page 34	<p><i>Amend paragraphs one and two as follows:</i></p> <p>The proposed Local Green Spaces are shown in the maps, Figure 4 and Figure 5.</p> <p>The numbering of the proposed Local Green Spaces is no longer sequenced. This is due to some sites having to be removed from the list as the result of planning permissions for development granted since work on the Neighbourhood Plan began.</p>			For clarity.
M39 Para 191	Page 35 Figure 4	<p><i>Delete Local Green Spaces 7, 11, 13, 14, 17 and 24.</i></p> <p><i>Amend legend as follows:</i></p> <p>Proposed Local Green Space</p>			To meet the Basic Conditions.
M40 Para 191	Page 36 Figure 5	<p><i>Delete Local Green Space 19.</i></p> <p><i>Amend legend as follows:</i></p> <p>Proposed Local Green Space</p>			To meet the Basic Conditions
M41		<p><i>Insert Appendix 3 to the Plan showing site boundaries of the Local Green Spaces.</i></p>			For clarity and consistency with Policy C2.
M42 Para 197	Page 37 Policy C5	<p><i>Delete Policy C5.</i></p>			In the interest of precision and enforceability and to meet the Basic Conditions
M43	Page 40	<p><i>Amend list of Policies to be consistent</i></p>			For clarity.

Modification No. & Para. No. in Examiner's report	Plan page & para. or Policy No.	Modification	Reason
	Appendix 1	<i>with final version of the Plan.</i>	
M44	Page 41 Appendix 2	<i>Delete Appendix 2. Insert new Appendix 2 with maps showing changes to the built-up-area boundary to reflect planning permissions.</i>	For clarity.
		Any additional minor modifications necessary in order to correct typographical or other errors (eg updated page and other references).	To correct errors

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16. PLANNING APPEALS (A.1536/AMC)

1. APPEALS LODGED

The following appeals have been lodged during this month.

<u>Reference</u>	<u>Details</u>	<u>Method of Appeal</u>	<u>Committee/ Delegated</u>
NP/DDD/0214/0131 3004872	Construction of saw shed for two stone cutting wires saws, crane and water recycling system (part retrospective) at Dale View Quarry, Lees Road, Stanton-in-Peak, Derbyshire	Informal Hearing	Committee

2. APPEALS WITHDRAWN

There have been no appeals withdrawn during this month.

3. APPEALS DECIDED

The following appeals have been decided during this month.

<u>Reference</u>	<u>Details</u>	<u>Method of Appeal</u>	<u>Decision</u>	<u>Committee/ Delegated</u>
NP/DDD/1014/1051 2229724	Ground floor and first floor extension at The Sycamores, Main Street, Winster	Householder appeal	Dismissed	Delegated

It was considered that the main issue was the effect of the proposed development on the character and appearance of the host property and the surrounding area. The Inspector concluded that this appeal scheme should fail because the proposed development would adversely harm the character and appearance of the host property and the surrounding area and, as such, it would conflict with CS Policy GSP3, LP Policies LC4, LC8 and LH4, the Design Guide and the Framework.

NP/HPK/0214/0204 2219873	Demolition of 2 storey side extension and erection of 2 storey side extension. Replacement of porch on south elevation. Change of Use of barn to domestic accommodation to east of property at Glebe Farm, Wormhill, SK17 8SL	Written Representations	Dismissed	Delegated
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It was considered that although the proposed development would not cause unacceptable harm to the living conditions of the occupiers of the neighbouring property, by reason of overlooking or loss of privacy, it would fail to preserve the character and appearance of the Wormhill and Hargatewall Conservation Area, and as such, it conflicted with CS Policies GSP1, GSP3 and L3 and LP Policies LC4, LC5, LC8 and LH4 and the Design Guidance, so therefore the Inspector concluded that the Appeal should fail.

4. RECOMMENDATION:

That the report be received.

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