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Peak District National Park Authority

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



Our Ref: A.1142/1443

Date: 3 March 2016



NOTICE OF MEETING

Meeting: **Planning Committee**

Date: **Friday 11 March 2016**

Time: **10.00 am**

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

SARAH FOWLER
CHIEF EXECUTIVE

AGENDA

- 1. Apologies for Absence**
- 2. Minutes of previous meeting of 12/02/2016** (*Pages 1 - 16*)
- 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 - Conversion of Barn to Residential Dwelling at Highlow Farm House, Highlow, Hathersage (NP/DDD/1015/0969, P.6190, 421958 / 380117, 26/02/2016/AM)** (*Pages 17 - 30*)
Site Plan
- 7. Listed Building Consent - Conversion of Barn to Residential Dwelling at Highlow Farm House, Highlow, Hathersage (NP/DDD/1115/1050, P.6190, 421958 / 380117, 26/02/2016/AM)** (*Pages 31 - 42*)
Site Plan

8. **Householder Application - Installation of Rooflights and Window of Rear Gable of Property - Bethlehem Chapel, Hugh Lane, Bradwell (NP/DDD/1115/1108, P.3754, 20/11/2015, 417282 / 381213, MN) (Pages 43 - 50)**
Site Plan
9. **Full Application - Construction of Two Local Needs Dwellings, Hey Farm, Wardlow (NP/DDD/0915/0881, P.790, 418085/374258, 23/02/2016/AM) (Pages 51 - 64)**
Site Plan
10. **Full Application - Replacement Dwelling - St Marys Bungalow, Queen Street, Tideswell (NP/DDD/0116/0065, P.1976, 26/01/2016, 415198 / 375505, MN) (Pages 65 - 74)**
Site Plan
11. **Full Application - Demolition of the Existing House and Garage and Replacement with a New Dwelling and New Double Garage with Ancillary Accommodation above at Riverdale, Edale Road, Hope (NP/HPK/1215/1221, P.6636, 417035 / 384137, 29/02/2016/AM) (Pages 75 - 84)**
Site Plan
12. **Householder Application - Construction of Rear and Side Extensions, Field View, Eyam (NP/DDD/1115/1057, P.2152, 06/11/2015, 421296 / 376727, MN) (Pages 85 - 90)**
Site Plan
13. **Planning Appeals- Head of Law Report (A.1536/AMC) (Pages 91 - 92)**

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.

Written Representations

Other written representations on items on the agenda, except those from formal consultees, will not be reported to the meeting if received after 12noon on the Wednesday preceding the Friday meeting.

Recording of Meetings

In accordance with the Local Audit and Accountability Act 2014 members of the public may record and report on our open meetings using sound, video, film, photograph or any other means this includes blogging or tweeting, posts on social media sites or publishing on video sharing sites. If you intend to record or report on one of our meetings you are asked to contact the Democratic and Legal Support Team in advance of the meeting so we can make sure it will not disrupt the meeting and is carried out in accordance with any published protocols and guidance.

The Authority uses an audio sound system to make it easier to hear public speakers and discussions during the meeting and to make a digital sound recording available after the meeting. The recordings will usually be retained only until the minutes of this meeting have been confirmed.

General Information for Members of the Public Attending Meetings

Aldern House is situated on the A619 Bakewell to Baslow Road, the entrance to the drive is opposite the Ambulance Station. Car parking is available. Local Bus Services from Bakewell centre and from Chesterfield and Sheffield pick up and set down near Aldern House. Further information on Public transport from surrounding areas can be obtained from Traveline on 0871 200 2233 or on the Traveline website at www.travelineeastmidlands.co.uk.

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 Mrs N Hawkins
Mr R Helliwell	Cllr Mrs C Howe
Cllr H Laws	Ms S McGuire
Cllr J Macrae	Cllr Mrs K Potter
Cllr Mrs J A Twigg	Cllr G Weatherall
Vacant	

Other invited Members: (May speak but not vote)

Cllr Mrs L C Roberts	Cllr A McCloy
Cllr C Furness	

Constituent Authorities
Secretary of State for the Environment
Natural England

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



MINUTES

Meeting: **Planning Committee**

Date: Friday 12 February 2016 at 10.00 am

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

Chair: Cllr D Birkinshaw

Present: Cllr P Brady, Cllr C Carr, Cllr D Chapman, Mr R Helliwell,
Cllr Mrs C Howe, Cllr H Laws, Ms S McGuire, Cllr J Macrae,
Cllr Mrs K Potter, Cllr Mrs J A Twigg and Cllr G Weatherall

Cllr Mrs L C Roberts and Cllr A McCloy attended to observe and speak but not vote.

Apologies for absence: Mr P Ancell and Cllr Mrs N Hawkins.

19/16 MINUTES OF PREVIOUS MEETING

The minutes of the last meeting of the Planning Committee held on 15 January 2016 were approved as a correct record.

20/16 MEMBERS DECLARATIONS OF INTEREST

Item 6

Cllr D Chapman declared a prejudicial interest as the applicant was a friend and he would leave the room during consideration of the item.

John Scott, Director of Conservation and Planning, declared a prejudicial interest as he had previously worked for the applicant in previous, private employment and he would leave the room during consideration of the item.

Item 7

It was noted that Members had received correspondence from Sir Hugh Sykes.

Mr R Helliwell declared a personal interest as he knew Andy Tickle, one of the public speakers.

Ms S McGuire declared a personal interest as she had previously met the applicant due to his involvement in Stanage/North Lees issues but she had not discussed this application with him.

Item 13

Cllr D Chapman declared a personal interest as Chair of the Moors for the Future Partnership.

Item 14

Ms S McGuire declared a personal interest due to her close involvement in the issue of the Stanage Pole history and plans for its replacement as a member of the Stanage Forum Steering Group. She stated that she would not take part in any discussion or voting on the item.

Item 20

Mr R Helliwell declared a personal interest as the applicant was known to him.

Item 23

Ms S McGuire declared a personal interest as co-author of the 2007 Stanton Moor Conservation Plan.

21/16 PUBLIC PARTICIPATION

Fourteen members of the public had given notice to speak under the Public Participation at Meetings scheme.

Cllr D Chapman and the Director of Conservation and Planning left the room.

22/16 FULL APPLICATION - ERECTION OF STEEL FABRICATION WORKSHOP ON PREVIOUSLY DEVELOPED LAND, PITTMERE LANE, TIDESWELL MOOR, TIDESWELL

This application was considered at the meeting of the Planning Committee in January 2016 and deferred under standing order 1.48. Members felt that a landscaping scheme could mitigate the landscape and visual impact of the proposed development.

The following spoke under the Public Participation at Meetings scheme:

- Mr A Bettney, Applicant

A recommendation to approve the application subject to the suggested conditions set out in the report was moved and seconded. It was noted that the applicant had stated that he would need a skip to be situated outside on the site and that officers felt this could be covered by the landscaping scheme. It was also noted that the applicant had his own heavy goods vehicle which would need to be parked at the site, therefore it was agreed to delete condition 11. The motion for approval subject to the amended conditions was voted on and carried.

Cllr P Brady requested that his vote against the motion be recorded.

RESOLVED:

That the application be APPROVED subject to the following conditions:

- 1. Statutory time limit for implementation.**

2. **Development to be carried out in accordance with specified approved plans.**
3. **No development shall commence until a scheme of landscaping has been submitted to and approved in writing by the Authority. The approved landscaping scheme shall then be implemented.**
4. **No development shall commence until details of foul sewerage showing a package treatment plant has been submitted and approved in writing. The development shall then be carried out in accordance with the approved details.**
5. **Prior approval of scheme of noise attenuation measures prior to the first use of the development.**
6. **Prior approval of scheme of external lighting prior to the first use of the development.**
7. **Hours of operation to be limited to between 07:00 and 17:00 Monday to Friday and not at all at weekends or bank holidays.**
8. **Restrict delivery hours to between 07:00 and 17:00 Monday to Friday and not at all at weekends or bank holidays.**
9. **No outside storage unless in accordance with a scheme which shall have first been submitted to and approved in writing by the National Park Authority.**
10. **No industrial processes, plant or machinery shall be carried out / installed outside any building at the site at any time.**
11. **Specification of design and architectural details including dark green colour finish for the wall and roof sheeting and external surfaces of the doors. Lower sections of the walls to be clad with natural randomly coursed limestone.**
12. **Restrict the use of the building to B2 general industry and remove permitted development rights for changes of use.**
13. **Parking and turning areas to be laid out in accordance with approved plans prior to occupation and thereafter maintained throughout the lifetime of the development.**

Cllr D Chapman and the Director of Conservation and Planning returned to the room.

23/16

FULL APPLICATION - CONVERSION OF BARN TO DWELLING AND CHANGE OF USE OF FARMHOUSE AND COTTAGE TO CREATE SINGLE DWELLING AT COW CLOSE FARM, HATHERSAGE

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

The following spoke under the public participation at meetings scheme:

- Mr F Humphries, on behalf of Derek Latham, Objector
- Mr A Tickle, Friends of the Peak District, Objector
- Mr C Nickolls, on behalf of Sir Hugh and Lady Sykes, Objectors
- Mr J Summerlin, Applicant

Members debated the application and the recommendation for approval subject to conditions was moved and seconded. It was agreed to amend condition 4 to state 'no development on the conversion of the barn hereby approved shall take place until the timber clad structure in the yard has been completely removed from the site'. The motion was then voted on and carried.

RESOLVED:

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

- 1. Statutory three year time limit for implementation.**
- 2. Agricultural occupancy condition in relation to the farmhouse.**
- 3. In accordance with specified approved plans.**
- 4. No development on the conversion of the barn hereby approved shall take place until the timber clad structure within the yard has been completely removed from the site .**
- 5. Prior to the occupation of the barn as a dwelling hereby approved the white metal 'portacabin' type structure immediately to the west of the barn to be converted to a dwelling shall be removed from the site.**
- 6. Submission, approval and implementation of details of how foul sewage is to be disposed of to a package treatment plant.**
- 7. Submission, approval and implementation of scheme of mitigation for bats and birds prior to the commencement of any development to convert the barn to a dwelling hereby approved.**
- 8. Submission, approval and implementation of scheme of external lighting prior to the commencement of any development to convert the barn to a dwelling hereby approved.**
- 9. Submission, approval and implementation of scheme of landscaping prior to the commencement of any development to convert the barn to a dwelling hereby approved.**
- 10. Submission, approval and implementation of parking and turning areas prior to the first occupation of the converted barn.**
- 11. The lean-to roof structure attached to the east facing gable of the barn to be converted shall be completely removed prior to the first occupation of the converted barn as a dwelling hereby approved.**
- 12. Restrict domestic curtilage of farmhouse and converted barn in accordance with amended plans.**

13. Change of use of farmhouse and cottage and the conversion of the barn to a dwelling hereby approved shall take place within the shell of the existing buildings with no re-building or extensions.

14. Omission of both proposed roof lights from the north facing roof slope.

15. Submission, approval and / or specification or design details and architectural specifications including window and door frames and finish, roof verges, rainwater goods, metre boxes and new stonework and pointing.

16. All utilities infrastructure to be underground.

17. Removal of permitted development rights for domestic development from converted barn including alterations, extensions, porches, walls, fences, gates and other forms of boundary enclosure, satellite dishes, solar and photovoltaic panels and outbuildings.

The meeting was adjourned at 11.45 for a short break and reconvened at 11.58.

24/16 FULL APPLICATION – EXTENSIONS AND ALTERATIONS TO EXISTING DWELLING AT 2 BOOTHS EDGE COTTAGES, SHEFFIELD ROAD, HATHERSAGE

The Planning officer reported that amended plans had been received and these had taken account of the amenity impacts. He also reported a letter from the neighbour's structural engineer pointing out the different sections of party wall/private wall and the presence of a ventilation extractor on the gable wall abutting the site.

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

The following spoke under the public participation at meetings scheme:

- Mr Barratt, neighbour and Objector
- Mr V Atkins, Objector
- Mr M Bailey, Agent

The recommendation for approval subject to conditions was moved and seconded. It was agreed to amend condition 5 to state that the existing brick quoins must be removed and replaced with gritstone. The motion was then voted on and carried.

RESOLVED:

That the application be APPROVED subject to the following conditions / modifications:

- 1. Statutory three year time limit for implementation.**
- 2. In accordance with specified amended plans.**
- 3. No development shall commence until details of construction compound (including and storage and parking areas) have been submitted and approved in writing by the Authority prior to the commencement of the development.**

4. **No development shall take place until a construction management plan has been submitted to and approved in writing by the Authority. The plan shall be adhered to throughout the construction period and shall provide for:**
 - **Parking of vehicles and site operatives.**
 - **Routes for construction traffic.**
 - **Hours of operation**
 - **Pedestrian and cyclist protection**
 - **Areas of excavation within the fronting lane**
5. **Conditions to stipulate architectural and design specifications including natural stone walls, replacement of brick quoins with gritstone quoins, natural blue slate roof, stone chimney, timber windows and doors, roof lights, pipework, roof verges and natural stone retaining walls.**

25/16 FULL APPLICATION - CHANGE OF USE AND INTERNAL REFURBISHMENT OF THE FIRST AND SECOND FLOORS OF AN EXISTING MILL BUILDING TO CREATE A TWO BEDROOM DWELLING WITH DEDICATED GROUND FLOOR ACCESS AT THE MILL, SOFTWATER LANE, BRADWELL

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

The recommendation for approval subject to conditions was moved and seconded. The motion was then voted on and carried.

RESOLVED:

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. **The existing joinery workshop shall be retained ancillary to the dwelling hereby approved and the approved dwelling and existing workshop shall be retained within a single planning unit.**
4. **Development to be carried out in accordance with approved Flood Risk Assessment and specified mitigation measures.**
5. **The dwelling shall not be occupied until two dedicated off street parking spaces have been provided and maintained thereafter free from any impediment to their designated use throughout the lifetime of the development.**
6. **Removal of permitted development rights for domestic extensions and alterations.**
7. **Conversion to be within the shell of the building only with no rebuilding.**
8. **Prior to the first occupation of the dwelling hereby approved, or in accordance with an alternative timescale which shall have first been submitted to and approved in writing by the Authority, a superfast**

broadband (fibre optic) connection shall be installed and made available for use by the occupants of the dwelling.

- 9. Architectural specifications and design details including approval of window design, black metal rainwater goods on brackets, no external meter boxes.**

26/16 HOUSEHOLDER APPLICATION - INSTALLATION OF ROOFLIGHTS AND WINDOW OF REAR GABLE OF PROPERTY - BETHLEHEM CHAPEL, HUGH LANE, BRADWELL

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

The following spoke under the public participation at meetings scheme:

- Ms L Grainger, Bradwell Parish Council, Objector
- Mr J Darwent, Agent

Members were concerned about the design and impact of the roof lights and the gable end window, parking issues and the planning history in respect of any restrictions upon the use of the ground floor accommodation in the original conversion consent.

In accordance with Standing Orders, a motion to continue the meeting beyond three hours was moved, seconded, voted upon and carried.

A motion for deferral to allow for further discussion with the applicant on these issues was moved and seconded, voted on and carried.

RESOLVED:

That consideration of the application be DEFERRED to allow for further consultation with the applicant regarding roof lights, gable end window along with an updated report on parking issues and the planning history regarding any restrictions upon the use of the ground floor of the premises.

27/16 FULL APPLICATION - REPLACEMENT DWELLING AT HURLINGHAM, BAMFORD

Cllr D Chapman declared a personal interest as he had known the applicant at school.

The following spoke under the public participation at meetings scheme:

- Mr P Cook, Applicant

The recommendation for approval subject to conditions was moved, seconded, voted on and carried.

RESOLVED:

That the application be APPROVED subject to the following conditions:

- 1. Statutory 3 year time limit for implementation.**
- 2. Development not to be carried out otherwise than in accordance with specified plans.**

3. **Removal of permitted development rights for external alterations, extensions outbuildings, hard standing, walls, fences and other means of enclosure to approved dwelling.**
4. **Conditions to specify or require prior approval of architectural and design details for the dwelling including, stonework, roof materials, windows and door design and finish and rainwater goods.**
5. **Prior approval of space within the site for accommodation, storage of plant, materials and parking for site operative's vehicles during construction works.**
6. **Prior approval of environmental management measures prior to commencement.**
7. **Parking to be provided prior to occupation.**

The meeting was adjourned at 13.15 for a lunch break and reconvened at 13.45.

Chair: Cllr D Birkinshaw

Present: Cllr P Brady, Cllr C Carr, Cllr D Chapman, Mr R Helliwell, Cllr Mrs C Howe, Cllr H Laws, Cllr J Macrae, Cllr Mrs K Potter and Cllr Mrs J A Twigg.

Cllr Mrs L C Roberts attended to observe and speak but not vote.

28/16 FULL APPLICATION - PROPOSED STABLE BLOCK AND ASSOCIATED HARDSTANDING IN FIELD OFF TRACK OFF WASTE LANE, BUTTERTON

The recommendation for approval subject to conditions was moved and seconded. It was agreed that retention of the stone wall should be included in condition 6 regarding landscaping details. The motion was then voted on and carried.

RESOLVED:

That the revised application be APPROVED subject to the following conditions:

1. **3 year time limit**
2. **Amended Plans**
3. **Design and materials**
4. **Stable building remains ancillary to applicants only**
5. **No external lighting to illuminate highway**
6. **Landscape details, including retention of stone wall**

29/16 FULL APPLICATION - PROPOSED DETACHED HOUSE (EXISTING DWELLING ON ADJOINING SITE TO BE REMOVED) AT THORNEYCROFT STABLES, NEIGHBOUR WAY, KETTLESHULME

The recommendation for approval subject to conditions was moved and seconded. It was agreed to add a footnote regarding the public footpath as requested in the consultation response by Cheshire East Rights of Way Team. The motion was then voted on and carried.

RESOLVED:

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

- 1. Statutory three year time limit for implementation.**
- 2. Development not to be carried out otherwise than in accordance with specified approved plans.**
- 3. No development shall commence until full details of foul drainage to a package treatment plant have been submitted to and approved in writing by the Authority.**
- 4. Within two months of the date of first occupation of the new dwelling hereby approved the existing twin unit caravan shall be removed from the site and any adjacent structures including the raised patio area shall be demolished and removed from the site.**
- 5. Prior approval of detailed scheme of landscaping (including restoration of the site of the caravan, planting, earth mounding, re-seeding, walls, gates and hard standing) to be implemented as part of the development.**
- 6. Conditions to specify or require prior approval of architectural and design details for the dwelling including, stonework sample panel, window and door details, roof verge and rainwater goods.**
- 7. Prior approval of a scheme of energy saving measures to be incorporated into the approved development to be submitted to and agreed in writing by the Authority.**
- 8. Removal of permitted development rights for external alterations, extensions outbuildings, hard standing, walls, fences and other means of enclosure to approved dwelling.**
- 9. Underground service lines only on land under the applicant's ownership and control.**
- 10. Parking and turning areas to be laid and constructed prior to occupation and maintained in perpetuity.**

Footnote re public footpath.

30/16 FULL APPLICATION - ADDITION OF TWO EXTENSIONS TO THE PROPERTY. EXTERNAL ALTERATIONS INCLUDING SURFACING OF CAR PARK. CHANGE OF

USE OF PART OF THE CENTRE TO OFFICE ACCOMMODATION AT FIELD HEAD INFORMATION CENTRE, EDALE

The recommendation for approval subject to conditions was moved, seconded, voted on and carried.

RESOLVED:

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 complete accordance with specified approved plans.**
- 3. Prior to the erection of the shed, full elevation drawings of the shed and proposed finish for the timberwork shall be submitted to and agreed in writing by the National Park Authority.**
- 4. The additional parking area shall be provided prior to the occupation of the offices and laboratory hereby approved. The parking areas shall thereafter be maintained throughout the lifetime of the development hereby approved.**
- 5. Conditions to secure architectural specifications and design details of window and door details, stone work, roof materials, fencing, timber bollards and surfacing.**

31/16 FULL APPLICATION - ERECTION OF A NEW STANAGE POLE AT GRID REFERENCE 424664, 384413

The following spoke under the public participation at meetings scheme:

- Ms R Newman, Property Manager (North Lees), for the Applicant

In response to Members' queries the Planning officer stated that the Authority's Archaeology Team were happy with the proposals, including the use of concrete to set the pole in as it would be capped with a metal plate.

The recommendation for approval subject to conditions was moved, seconded, voted on and carried.

Members thanked Rebekah Newman for her work on involving the community in this project.

RESOLVED:

That the application be APPROVED subject to the following conditions and subject to the receipt of no further representations before the expiry of the consultation period that are substantially contrary to the recommendation, with any that are received being considered by the Director of Conservation and Planning in consultation with the Chair and Vice Chair of Planning Committee:

- 1. Standard time limit.**

2. Development in complete accordance with the submitted plans 'Proposed Pole 2016', 'Diagram 2' and specifications.

32/16 FULL APPLICATION - ALTER THE LOCATION OF A PEDESTRIAN GATE AND THE LOCATION AND DESIGN OF EXTERIOR LIGHTS AT THE FARMHOUSE ADJACENT TO NORTH LEES HALL, HATHERSAGE. 423536, 383448

The recommendation for approval subject to conditions was moved, seconded, voted on and carried.

RESOLVED:

That the application be **APPROVED** subject to the following conditions and subject to the receipt of no further representations before the expiry of the consultation period that are substantially contrary to the recommendation with any that are received being considered by the Director of Conservation and Planning in consultation with the Chair and Vice Chair of Planning Committee:

1. Development in complete accordance with the submitted plans and specifications subject to the following conditions or modifications.
2. Prior to commencing works for the proposed new gateway full details shall be provided of the new gate, gate posts, gate furniture and the finish to the gate (which should be a dark, recessive paint) for approval in writing. Once agreed in writing the development shall not be carried out otherwise than in complete accordance with the agreed details.
3. Prior to commencing use of the proposed new gateway, the existing gateway shall be blocked up with stonework to match the existing wall. The stone shall be reclaimed from the works to create the new gateway.

33/16 LISTED BUILDING APPLICATION - ALTER THE LOCATION OF A PEDESTRIAN GATE AND THE LOCATION AND DESIGN OF EXTERIOR LIGHTS AT THE FARMHOUSE ADJACENT TO NORTH LEES HALL, HATHERSAGE. 423536, 383448

The recommendation for approval subject to conditions was moved, seconded, voted on and carried.

RESOLVED:

That the application be **APPROVED** subject to the following conditions and subject to the receipt of no further representations before the expiry of the consultation period that are substantially contrary to the recommendation with any that are received being considered by the Director of Conservation and Planning in consultation with the Chair and Vice Chair of Planning Committee:

1. Development in complete accordance with the submitted plans and specifications subject to the following conditions or modifications.
2. Prior to commencing works for the proposed new gateway full details shall be provided of the new gate, gate posts, gate furniture and the finish to the gate (which should be a dark, recessive paint) for approval in writing. Once agreed in writing the development shall not be carried out otherwise than in complete accordance with the agreed details.

3. Prior to commencing use of the proposed new gateway, the existing gateway shall be blocked up with stonework to match the existing wall. The stone shall be reclaimed from the works to create the new gateway.

34/16 FULL APPLICATION - NEW ACCESS, PARKING AND GARDEN AND DEMOLITION OF BLOCKWORK OUTBUILDING AND EXTENSION TO EXISTING FARMHOUSE AT KILNHILL FARM, EDALE ROAD, HOPE. 417161, 383887

The recommendation for approval subject to conditions was moved and seconded. It was agreed to add an extra condition to define the enlarged residential curtilage. The motion was then voted on and carried.

RESOLVED:

That the application be APPROVED subject to the following conditions of modifications:

1. **Standard time limit**
2. **Development in complete accordance with the amended plans 'L(01)10 P1', 'L(02)01 P1', 'L(03)01 P1', 'L(03)02' and specifications. Subject to the following conditions or modifications.**
3. **Full details to be submitted and agreed in writing of all new facing materials for the new extension, stonework including dressings, roof lights, windows, doors and rainwater goods. Once agreed the development shall not be carried out otherwise than in complete accordance with the agreed details.**
4. **Submit and agree in writing a sample of slate for roof material which shall be either natural Derbyshire stone slate or blue slate, once agreed the development shall be carried out in complete accordance with the agreed details.**
5. **Permanently close existing access within 1 month of commencing use of the new access hereby approved. This shall be finished with a dry stone wall made of natural gritstone to match the existing, the existing stone gate posts shall remain in situ.**
6. **Before commencing the development hereby approved a detailed scheme for landscaping (including tree and shrub planting seeding or turfing, earth mounding, terracing, walling (including heights), gates, fencing or ground surfacing as necessary) shall be submitted to and approved in writing by the National Park Authority. Once approved, the planting or seeding shall be carried out to the reasonable satisfaction of the Authority within the first planting seasons following completion or occupation of the development. Any walling, gates or surfacing shown on the approved plan shall be completed before the extension hereby approved is first occupied. Any trees dying, being severely damaged or becoming seriously diseased shall be replaced within the next planting season with trees of an equivalent size and species or in accordance with an alternative scheme agreed in writing by the Authority before any trees are removed.**

7. Gate for the new access shall be a timber 5 bar gate with natural gritstone gate piers, full details to be submitted for approval in writing, once agreed the development shall not be carried out otherwise than in complete accordance with the agreed details.
8. Full details of the proposed internal door, including new lintel and architraving, between the house and proposed extension shall be submitted to the Authority for approval in writing. Once agreed the development shall not be carried out otherwise than in complete accordance with the agreed details.
9. Before any operations are commenced, space shall be provided within the site curtilage for site accommodation, storage of plant and materials, laid out and constructed all as may be agreed with the Local Planning Authority in advance of construction work commencing and maintained free from impediment throughout the duration of construction works.
10. Before any other operations are commenced a new vehicular access shall be created to Edale Road in accordance with the application drawings, laid out, constructed and provided with visibility sightlines extending from a point 2.4m from the carriageway edge, measured along the centre line of the access, to the extremities of the site frontage abutting the highway to the north and to the dwelling in the south as per the application drawings. The land in advance of the sightlines shall be maintained in perpetuity clear of any object greater than 1m in height (0.6m in the case of vegetation) relative to the adjoining nearside carriageway edge.
11. The premises, the subject of the application, shall not be occupied until the on-site parking spaces and turning have been provided for in accordance with the application drawings laid out and constructed as may be agreed with the Local Planning Authority and maintained thereafter free from any impediment to designated use.
12. Definition of extent of residential curtilage .

35/16 LISTED BUILDING APPLICATION - NEW ACCESS, PARKING AND GARDEN AND DEMOLITION OF BLOCKWORK OUTBUILDING AND EXTENSION TO EXISTING FARMHOUSE AT KILNHILL FARM, EDAL ROAD, HOPE 417161, 383887

The recommendation for approval subject to conditions was moved, seconded, voted on and carried.

RESOLVED:

That the application be APPROVED subject the following conditions of modifications:

1. Standard time limit
2. Development in complete accordance with the amended plans 'L(01)10 P1', 'L(02)01 P1', 'L(03)01 P1', 'L(03)02' and specifications. Subject to the following conditions or modifications.

3. Full details of all new facing materials for the new extension, stonework including dressings, roof lights, windows, doors and rainwater goods. Once agreed the development shall not be carried out otherwise than in complete accordance with the agreed details.
4. Submit sample of slate for roof material, once agreed the development shall be carried out in complete accordance with the agreed details.
5. Permanently close existing access within 1 month of commencing use of the new access hereby approved. This shall be finished with a dry stone wall made of natural gritstone to match the existing, the existing stone gate posts shall remain in situ.
6. Before commencing the development hereby approved a detailed scheme for landscaping (including tree and shrub planting seeding or turfing, earthmounding, terracing, walling (including heights), gates, fencing or ground surfacing as necessary) shall be submitted to and approved in writing by the National Park Authority. Once approved, the planting or seeding shall be carried out to the reasonable satisfaction of the Authority within the first planting seasons following completion or occupation of the development. Any walling, gates or surfacing shown on the approved plan shall be completed before the extension hereby approved is first occupied. Any trees dying, being severely damaged or becoming seriously diseased shall be replaced within the next planting season with trees of an equivalent size and species or in accordance with an alternative scheme agreed in writing by the Authority before any trees are removed.
7. Gate for the new access shall be a timber 5 bar gate with natural gritstone gate piers, full details to be submitted for approval in writing, once agreed the development shall not be carried out otherwise than in complete accordance with the agreed details.
8. Full details of the proposed internal door, including new lintel and architraving, between the house and proposed extension shall be submitted to the Authority for approval in writing. Once agreed the development shall not be carried out otherwise than in complete accordance with the agreed details.

36/16 FULL APPLICATION - REPLACEMENT OF AGRICULTURAL BUILDING (RETROSPECTIVE), BUILDINGS AT CROSSLAND SIDE, HARTINGTON

The recommendation for refusal was moved, seconded, voted on and carried.

RESOLVED:

That the application be REFUSED for the following reasons:

1. By virtue of the siting and design of the proposed building, it would have an unduly harmful visual impact on the character of the surrounding landscape. Therefore, the current application is contrary to saved Local Plan policies LC4 and LC13, contrary to policies GSP1, GSP2, GSP3 and L1 of the Core Strategy, and contrary to national planning policies in the Framework.

2. **In the absence of an appropriate agricultural appraisal to support this application, and in the absence of any other evidence that demonstrates the building is reasonably required for farming, it cannot be demonstrated that the benefits of approving this application would outweigh or offset the identified and demonstrable harm to the valued characteristics of the National Park that would result from granting planning permission for the current application. Therefore, granting planning permission for the current application would be contrary to the principles of sustainable development set out in national planning policies in the Framework and policy GSP1 of the Authority's Core Strategy.**

37/16 FULL APPLICATION - ERECTION OF A GARDEN SHED (RETROSPECTIVE) AND FENCING AROUND GARDEN OF ROSEDENE COTTAGE, WOODHOUSE LANE, WINSTER

Members were concerned about the proposed fencing therefore a motion for deferral to allow for further consultation with the applicant on the fencing was moved and seconded. The motion was then voted on and carried.

RESOLVED:

That consideration of the application be DEFERRED to allow for further consultation with the applicant regarding the proposed fencing.

38/16 FULL APPLICATION - SINGLE STOREY REAR EXTENSION (AMENDMENT TO EXTENSION APPROVED UNDER NP/DDD/0615/0558) - IONA, LONGREAVE LANE, ROWLAND

The recommendation for approval subject to conditions was moved, seconded, voted on and carried.

RESOLVED:

That the application be APPROVED subject to the following conditions:

1. **3 year implementation time limit.**
2. **Adopt submitted plans.**
3. **Minor design details.**

39/16 STANTON MOOR MINERAL LIAISON GROUP

The Director of Conservation and Planning reported that Professor Crook, Chair of the Stanton Moor Mineral Liaison Group, had recently resigned. This was following an Authority decision regarding his own planning application and he felt that he should not be involved with the Liaison Group whilst he was in conflict with the Authority.

It was noted that the Authority hoped to appoint a new Chair within the next 3 months but that John Scott would chair the next meeting on 22 February.

RESOLVED:

That the minutes of the Stanton Moor Minerals Liaison Group of October 2015 are noted.

40/16 PLANNING APPEALS - HEAD OF LAW REPORT

Members noted the planning appeals lodged and decided during the month.

RESOLVED:

That the report be received.

The meeting ended at Time Not Specified

6. FULL APPLICATION – CONVERSION OF BARN TO RESIDENTIAL DWELLING AT HIGHLOW FARM HOUSE, HIGHLOW, HATHERSAGE (NP/DDD/1015/0969, P.6190, 421958 / 380117, 26/02/2016/AM)

APPLICANT: MR JC WAIN

Site and Surroundings

Highlow Hall is a grade II* listed building situated in open countryside between Abney and Hathersage. Between the Hall and the road stand a range of impressive gritstone barns, which are individually listed grade II. The red-edged application site includes the two grade II listed barns, their respective curtilage and a modern portal framed agricultural building to the north east.

The northernmost part of the listed barns has been converted to a four bedroom dwelling following the grant of planning permission and listed building consent (detailed in the history section of this report). Although the barns were originally built to serve Highlow Hall, they are now in separate ownership and known as Highlow Farm.

Access to the application site is via the adjacent highway which runs from Leadmill to Abney. The nearest neighbouring properties in this case are Highlow Hall, Highlow Cottage and Highlow Farm House all to the south of the site.

Proposal

This application seeks planning permission for the conversion of part of the listed barns on the application site to form a three bedroom dwelling. An application for Listed Building Consent has also been submitted.

The design and layout of the proposed conversion is the same as that refused planning permission and listed building consent by the Authority in 2014. Specifically, the application proposes the following:

- Stables and shippon on the ground floor converted to create sitting room, dining room and kitchen.
- New door formed in wall between shippon and stable at ground floor.
- Loft and store at first floor converted to create three bedrooms, each with an en-suite bathroom and landing.
- New door formed between loft and store at first floor and existing opening blocked up.
- Internal faces of the external walls would be lined.
- Existing single storey 'lean-to' store to be re-built to create utility room and toilet.
- Existing wall between shippon and barn to be re-built and new stair case installed to provide access to extended first floor which would be created by erecting a new cavity wall within the barn.
- Installation of new window to the proposed third bedroom.
- Installation of new window and door frames.

- Lowering of ground level outside the north east elevation of the building.

This application is also supported by a planning statement, heritage assessment and bat survey which seek to overcome the reasons for refusal given by the Authority in determining the previous applications in 2014.

RECOMMENDATION:

That the application be REFUSED for the following reason.

- 1. The proposed development would harm the significance of the grade II listed barn contrary to Core Strategy Policies GSP1, GSP3, L3 and HC1 and Local Plan policies LC4, LC6 and LC8. In the absence of any overriding public benefits it is considered that any approval would also be contrary to the National Planning Policy Framework.**

Key Issues

- Whether the proposed development is required to achieve the conservation or enhancement of the significance of the listed building in accordance with HC1.
- Whether the proposed development is acceptable in all other respects.

Relevant Planning History

There is a relatively long planning history related to various proposals and pre-application advice for the application building. The most relevant applications are listed below.

2006: NP/DDD/1204/1315: Planning permission granted conditionally for conversion of farm building into dwelling and holiday flat.

2008: NP/DDD/1207/1148: Listed building consent granted conditionally for restoration of barn and conversion to holiday flat and dwelling.

The northernmost barn has been converted to a dwelling in accordance with the above planning permission and listed building consent. Therefore these two permissions have been implemented and are extant. These permissions therefore represent a 'fall back' position which is available to the applicant which is a material consideration.

The approved plans show the stable and store at the ground floor unconverted and retained for their original use. A new utility room within the shippon was approved with the rest of the space retained for hay / tack storage. A new staircase was approved within the shippon to provide access to a two bedroom flat above.

The Authority's Historic Building's Architect undertook a site visit and gave detailed pre-application advice to the applicant and his former agent in 2012 in respect of a proposal to convert more of the building than was previously approved.

2014: NP/DDD/0214/0169 & 0170: Planning permission and listed building consent refused for conversion of existing agricultural building to form holiday accommodation. The reasons for refusal were:

- 1. The proposed development would substantially harm the architectural and historic significance of the listed building contrary to section 66 of the Town and Country Planning*

(Listed Building and Conservation Area) Act 1990, Core Strategy Policies GSP1, GSP3 and L3 and Local Plan policies LC4, LC6 and LC8. In the absence of exceptional circumstances outweighing the substantial harm that has been identified, any approval would also be contrary to the National Planning Policy Framework.

- 2. Insufficient evidence has been provided to allow the Authority to conclude that the proposed development would not harm local bat populations contrary to Core Strategy policy L2 and Local Plan policy LC17.*

Consultations

Highway Authority – No response to date.

District Council - The private water supply when risk assessed two years ago was very high risk and likely to be insufficient during drought periods. Even if improvements have been done, and there were a lot needed, the insufficiency will still be a problem.

Parish Meeting – Support the application. The parish meeting do not give any reasons why it supports the application, Officers have requested further comment by no response has been received to date.

Amenity Bodies – No response to date.

PDNPA Built Environment – Recommends refusal and makes the following comments:

This application is a resubmission of proposals which were refused consent in 2014, on the grounds that the proposed development would substantially harm the architectural and historic significance of the listed building (NP/DDD/0214/0169 and NP/DDD/0214/0170). The accompanying Structural Inspection Report was also as submitted with the 2014 application.

No alterations to the proposals have been made since the previous applications but a new Heritage Assessment, Rapid Building Appraisal produced by Archaeological Building Recording Services (ABRS) has been submitted. The aim of this report is to address the reasons for refusal in 2013. This concludes that later remodelling of the barn “has left little of the original plan form of the building” and the presumption is made that later additions are “of limited historical significance”. The Supporting Statement accompanying the application concludes that the proposed works will only impact on “non-original features” of the barn and that these works will therefore have a less than substantial impact on the building as a heritage asset.

There are a number of problems with both the ABRS heritage assessment and with the resultant conclusion. Firstly, the report does not provide an adequate assessment against the requirements of para 128 of the Framework: there is no clear statement of significance by which the key heritage value of the building can be understood, and against which the conversion proposals can be assessed. Secondly, the author appears to take a simplistic approach to understanding the building, in which ‘original’ fabric is assumed to be important but later additions and alterations are not. Thirdly, the report’s assessment of the building’s development and phasing, which is used to determine whether features are ‘original’ or ‘later’, is itself inaccurate.

The ABRS assessment directly contradicts a detailed archaeological assessment of Highlow Barn undertaken in 2002, “An Analysis and Assessment of The Threshing Barn and Neighbouring Outbuildings” by Historic Buildings Archaeologist Colin Briden. This earlier report was commissioned by the applicant on the recommendation of the Authority, English Heritage and the Council for British Archaeology: the purpose was to understand, in detail, the features which make up the special interest of the building and its development and phasing.

Inaccuracies in the ABRS assessment are as follows:

- 1. The report states that Highlow Barn has C17 origins and was originally built as a threshing barn with an attached cow shed to the north (now converted). However, the 'cow shed' is the earliest part of the range, its windows and symmetry of the elevations indicating an early mid C17 date; the threshing barn was added in the early C18, indicated by the plan of the barn and the detailing of the masonry of the openings, in particular that of the opposed wagon doors.*
- 2. The report states that the stable (south end of the range) and wall separating this from the rest of the building, and an overloft and granary above were added in the C19, whereas it is likely that the wall, stable and 3-bay first floor loft are contemporary with the construction of the threshing barn, despite the wall's butt joint with the east and west walls.*
- 3. The report states that the subdividing wall (to first floor only) between the threshing barn and later shippon (C18 to mid C19) is constructed from tooled stone window heads, an assertion taken from the submitted 2013 Structural Inspection Report. However, both Colin Briden and the Authority's Historic Buildings Architect agree that this wall is constructed from coursed, margin-tooled masonry typical of the period. Building internal cross-walls of large ashlar-sized blocks is a local tradition in the C19 according to the Authority's Historic Buildings Architect.*
- 4. The report states that the southernmost lean-to is a later addition with its C17 style windows likely to be re-used, and "lacks any significant historical or architectural features" internally. However, this is visible on the 1857 Chatsworth Estate map, the southernmost outshot is earlier (C18 – mid C19), and whilst this has windows that closely resemble those surviving in the C17 north range, the fixing of the window heads suggest that these were made to fit this structure rather than being re-used from elsewhere.*

Based on the above comments, it is considered that the combined impacts of the proposed development and the associated works would substantially harm the significance of the listed building, and I would reiterate the detailed reasons for refusal in 2014:

- 1. Converting the ground floor stable to create a domestic sitting room will harm the historic and architectural character of this part of the building, which should be retained for storage. John Sewell (NB. the then Historic Buildings Officer) noted that the stable retains a great deal of its original architectural and historic character, including an original stone flag floor and original massive beams supporting the first floor.*
- 2. A thorough assessment of what survives of historic significance in the feed passage and how it would be affected by the proposals is required: this has not been provided in the current application, which simply concludes that the feed passage is a "late insertion", the building of which "appears to have compromised" the "historic plan form of the building". Without this assessment, it is not possible to determine whether conversion of this part of the barn to create a dining room would harm the significance of the building.*
- 3. Erection of a new full height cavity wall closer to the threshing floor would fundamentally change the character of this space in a harmful manner, by significantly altering the plan form of the barn and reducing the size of the threshing barn. Colin Briden noted that original features remain within the barn, including the flagged threshing floor and some masons' marks.*

4. *Total rebuilding of the 'lean-to' would harm the significance of the building and would be unacceptable: the presumption should be that the walls and the historic C17 style openings need to be retained as they are, with localised repairs / strengthening as necessary. The Structural Inspection Report states that this structure is beyond repair but does not consider alternative repair strategies, nor whether the historic openings could be retained.*
5. *The subdivision of the upper floor into three bedrooms, each with an en-suite, would not reflect the open floor plan of the original building.*
6. *The replacement of an existing vent slot on the south-west elevation with a new window would further harm the existing architectural and historic character of the building, and would be unacceptable. Note, the ABRS report states that, "With the exception of renewing doors and windows...there will be no physical impact upon the external appearance of the barn": this is inaccurate.*
7. *The submitted plans show that the internal faces of the external walls would be lined: the lining of the external walls is unacceptable in a building of this quality.*

PDNPA Archaeology: Recommends refusal and makes the following comment:

The application is submitted with a heritage assessment by Archaeological Building Recording Services. With regard to built heritage significance I feel that this document does not provide an adequate assessment against the requirements of para 128 of the Framework. There is no clear 'statement of significance' by which the key heritage value of the building can be understood, and against which the conversion proposals can be assessed. The author appears to take a rather simplistic approach to understanding the building, in which the original 17th century fabric is assumed to be important but later additions and alterations are not. Although features like the 19th century feeding passage are acknowledged as 'interesting' there is no discussion of their significance with regard to local and regional comparators. If features are 'interesting' then presumably they are also significant. The document does not therefore clearly establish the significance of the heritage asset as required by the Framework, because of a lack of discussion of the later features and a lack of comparanda to provide context and justification for the conclusions drawn.

With regard to below-ground archaeology the heritage assessment does not contain an assessment of significance and impact and is therefore deficient against the Framework.

Because the application does not meet the heritage information requirements of the Framework I recommend that it should not be granted permission in its current form. To address these issues the applicant may wish to submit a fuller heritage assessment, to include:

- *A fuller consideration of built heritage significance, including fuller assessments of significance for later features, justified by reference to local and regional comparators, and leading to a clear 'statement of significance' against which the development proposals can be assessed and benefits harms quantified.*
- *An assessment of potential impacts to below-ground archaeology, including a digest of proposed below-ground impacts with detail of location, dimensions and depth.*

PDNPA Ecology: No response to date.

Representations

A total of four representations have been received to date. All four of the letters support the application. The reason for support given in all the letters is summarised below. The letters can be read in full on the Authority's website. The supporters consider that The proposed development will preserve the character of the farm buildings and will improve and help to preserve the existing buildings.

Main Policies

Relevant Core Strategy policies: GSP1, GSP3, DS1, L1, L2, L3 and HC1

Relevant Local Plan policies: LC4, LC6, LC8, LC17, LH1, LH2, LT11 and LT18

Policy

The National Planning Policy Framework (the Framework) is a material consideration in the determination of any planning application. Paragraph 115 within the framework says that great weight should be given to conserving landscape and scenic beauty in National Park which have the highest status of protection in relation to landscape and scenic beauty. The conservation of wildlife and cultural heritage should be given great weight in the National Park.

Paragraph 115 cross refers to the Government Vision and Circular for English National Parks and the Broads (2010) which states explicitly that the Government considers that it is inappropriate to set housing targets within the National Park and that the focus should be the provision of affordable housing to meet local need.

Paragraph 55 of the Framework says that to promote sustainable development local planning authorities should avoid isolated homes in the countryside unless there are special circumstances such as (inter alia) where such development would represent the optimal viable use of a heritage asset.

This is the same approach taken by policy HC1 C which says that provision will not be made for housing solely to meet open market demand and that exceptionally new housing can be accepted where in accordance with GSP1 and GSP2 it is required in order to achieve conservation and / or enhancement of a valued vernacular or listed buildings.

Paragraphs 128 – 134 in the Framework are relevant for considering development which affects heritage assets. Appropriate evidence to describe the significance of any affected heritage asset should be required to inform decision making and local planning authorities should identify and assess the particular significance of any affected heritage asset taking into account available evidence and necessary expertise. This assessment should be taken into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal.

Great weight should be given to the conservation of heritage assets within the National Park. The more important the asset, the greater the weight should be. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent unless there are exceptional circumstances. 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.

The Authority's conservation policies reflect the approach taken in the Framework. L3 and LC6 together says that development must conserve and where appropriate enhance or reveal the significance of heritage assets and their setting and that 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.

LC8 says that conversion of a historic or vernacular building will be permitted provided that it can accommodate the new use without changes that would adversely affect its character and that the new use does not lead to changes to the building's character or require new access or services that would adversely affect its character or have an adverse impact on its surroundings. GSP3 and LC4 require the detailed treatment of development to be of a high standard which respects, conserves and enhances the landscape, built environment and valued characteristics of the area, paying special attention to scale, form, mass and orientation in relation to existing buildings, the degree to which design details reflect or complement the style and traditions of local buildings, landscaping and the amenity, privacy and security of the development and nearby properties.

L2 and LC17 require all development to conserve or enhance the biodiversity of the National Park and require adequate information to be submitted to allow the Authority to assess the potential impact of development upon statutorily protected sites, features of species of biodiversity importance.

LT11 and LT18 require development to be served by a safe access and have adequate parking and turning space.

It is considered that the relevant policies in the development plan are generally in accordance with the Framework because taken together these policies restrict the creation of new housing within the National Park unless there are special circumstances such that the development is required to achieve the conservation or enhancement of the National Park's cultural heritage. Therefore the relevant development plan policies should be afforded full weight in any planning decision on this application.

Assessment

Principle

For the purposes of the development plan, the application site is considered to lie in open countryside because of the considerable distance between the application site and Hathersage which is the nearest named settlement. In common with the Framework, the Authority's housing policies do not set targets for the provision of market housing or permit new isolated homes in the countryside unless there are special circumstances.

The proposed house is intended to meet general demand rather than any functional need or local need. Therefore, the special circumstances in which permission could be granted for the current application are set out in policy HC1(C) I of the Core Strategy.

HC1 C says that in accordance with GSP1 and GSP2, exceptionally, new housing (whether newly built or from re-use of an existing building) can be accepted where (I) it is required in order to achieve conservation and/or enhancement of valued vernacular or listed buildings. The supporting text to policy HC1 explains that occasionally new housing may be the best way to achieve conservation and enhancement where this could only be reasonably achieved by the impetus provided by open market values.

The application building is grade II listed and therefore is of national significance. The buildings appear to be in use as general storage and therefore due to the poor condition of the buildings and the likely level of investment to repair / re-instate the structure of the buildings, the impetus

of value from conversion of part of the building to a residential use is considered likely to be required to achieve enhancement to the heritage asset.

Therefore in principle it is considered that the conversion of the building to a market dwelling would be acceptable and in accordance with HC1 C provided that it can be demonstrated that the development would achieve the conservation and/or enhancement of the building in accordance with HC1, L3 and LC6.

There are no concerns that the proposed development would be unneighbourly due to the distance and relationship between the application building, the adjacent dwellings and nearby neighbouring properties. The proposed development would not affect existing parking or access arrangements and there is ample space for parking in the yard area to the south of the building in accordance with parking standards set out in the Local Plan.

The key issue in this case is therefore whether the proposed development would conserve the significance of the listed building along with the National Park's biodiversity. These were the principle reasons why the Authority refused planning permission and listed building consent for the same development and works in 2014. In considering whether to grant planning permission or listed building consent for the conversion the Authority is obliged to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Impact upon the Listed Building

The design and layout of the proposed conversion is unchanged following the refusal of planning permission and listed building consent in 2014. A new planning and heritage statement have been submitted in support of the current application.

Concern has been raised by both the Authority's Conservation Officer and Conservation Archaeologist in regard to the assessment and conclusions within the submitted heritage assessment. Having had regard to their advice, it is considered that the submitted heritage statement does not provide an adequate assessment of the listed building because there is no clear statement of significance by which the value of the building can be understood, and against which the conversion proposals can be assessed.

The heritage statement asserts that the original fabric of the building is important but that later additions and alterations to the buildings are not. No detailed explanation is given to explain why the report has reached this conclusion. It is also noted that the assessment of the building's development in the heritage statement (and upon which its conclusions are based) is considered to be inaccurate and contradicts previous analysis and assessment of the buildings carried out in 2002 and used to inform the applications approved in 2006 and 2008.

Having had regard to the advice from the Authority's Conservation Officer and Archaeologist it is considered clear that the submitted heritage statement does not provide an adequate assessment of the significance of the listed building which is a requirement of paragraph 128 of the Framework. It is therefore considered that in these circumstances very little weight can be given to the conclusions of the planning and heritage statements that the proposed development would not have any substantial impact upon the listed building.

Concerns remain from the determination of the 2014 applications that the submitted drawings do not include details in regards to the detailed construction of new or replacement walls or how the new openings for internal doorways and the proposed external window are to be formed (or the existing openings blocked up). The submitted plans also indicate that the internal faces of the external walls of the barn are to be lined, but no detailed specification has been submitted.

It is therefore considered that insufficient detailed information has been submitted with the application to allow the Authority to assess the effect of the proposed development upon the significance of the listed building contrary to policy LC6 (b) and the Framework.

The Authority's Historic Buildings Architect visited the site before offering pre-application advice to the applicant and his previous agent in 2012. He considered that the ground floor stable retains a great deal of its original architectural and historic character, including an original stone flag floor and original massive beams supporting the first floor. There is a feed passage between the stable and shippon and ground floor which could date from the C19. The rear 'lean-to' has a number of C17 openings and was split into two storeys, with the upper floor possibly used as a hen house. Similarly the two storey threshing barn is not converted and retains a great deal of its original character.

The current application again proposes to convert the whole of the ground floor of this part of the building including the stable and feed passage and proposes to re-build the existing wall between the shippon and threshing barn and extend into the threshing barn by erecting a new wall to provide a hallway and access into the 'lean-to' store at the ground floor and to create a landing at first floor.

Having had regard to the Historic Building Architect's advice (which is supported by the Conservation Officer's comments) it is considered that converting the stable to create a domestic sitting room would harm the historic and architectural character of this part of the building. No further evidence in regard to the significance of the feed passage has been submitted with the application and in the absence of this information, the Authority is also unable to conclude that the conversion of this part of the shippon to create a dining room would not harm the significance of this part of the building.

The erection of a new full height cavity wall closer to the threshing floor would also fundamentally change the character of this space in a harmful manner by significantly altering the plan form of the barn and reducing the size of the threshing barn which would alter the space and internal character of this part of the building which is currently only separated from the loft by the existing wall which is only to first floor level.

The application also proposes to completely re-build the single storey 'lean-to' to create the proposed utility room. The submitted structural report concludes that this part of the building is unsafe and in danger of collapse and that re-building is required. The report also recommends consideration be given to reducing the number of openings on the south east flank wall.

Whilst officers accept that this part of the building is in poor condition and that some rebuilding works will be required to stabilise the structure, it is less clear whether the entire demolition of the lean-to is required to achieve this compared to retaining the existing structure with localised repairs and strengthening as necessary. The submitted structural survey states that the lean-to is beyond repair but does not consider or explain whether or not alternative repair strategies would be successful or whether the historic openings on the south east wall could be retained. In the absence of this information it is considered that the total loss of the existing lean-to along with its external stone steps and C17 openings would harm the significance of the building.

The submitted application also proposes to subdivide the upper floor into three bedrooms, each with an en-suite which would not reflect the open floor plan of the original building. The application also proposes to replace an existing vent slot on the south west elevation with a new window which would further harm the existing architectural and historic character of the building and the impact of this is not assessed in the submitted heritage statement. Finally, the submitted plans show that the internal faces of the external walls would be lined. No details have been submitted of what lining is proposed, but creating a smooth lined surface on the walls would further domesticate the agricultural character of the building.

For the above reasons it is considered that the combined impacts of the proposed development and the associated works would harm the significance of the listed building. Approval of the proposals would therefore be contrary to policies GSP3, L3 and HC1 and policies LC4 and LC6. This is the same conclusion reached by the Authority in determining the previous applications in 2014 and the evidence submitted with this application does not indicate that a different decision should be taken now.

It is acknowledged that conversion of a larger part of the barn (that previously approved in 2006 and 2008) to create visitor accommodation would benefit the applicant. It is also accepted that there may be further benefits to creating additional accommodation to local communities and the local economy. However, there remains extant planning permission and listed building consent for a scheme to convert the building in a manner which would not harm the listed building and in this case the Authority's Historic Buildings Architect has provided further advice for an alternative scheme which would better conserve the building. Unfortunately the applicant has not followed this advice or sought additional pre-application advice and requires that this application be determined as submitted.

There is no evidence from any consultees or in representations which would override these conclusions and in this case Historic England advises the Authority to determine the accompanying listed building consent application on the basis of its expert conservation advice. In coming to these conclusions Officers have also taken into account additional supporting information submitted by the agent, but this information provides no substantive evidence to which indicates a different decision should be taken.

It has been concluded that the proposed development would harm the significance of the listed building. Having had regard to recent guidance within the National Planning Practice Guidance it is considered that the development would not lead to the total or substantial loss of the heritage asset and therefore the harm that has been identified cannot be described as substantial, but even less than substantial harm is sufficient to warrant refusal of an application.

Local and national planning policy makes it clear that any harm or loss to a grade II listed building should be exceptional. In this case, it is considered that there are no exceptional reasons or justification for the proposed development which would harm the significance of the listed building. There would be very limited public benefits associated with the proposed development especially as Officers have previously advised upon an alternative scheme to convert the building in an appropriate manor. Therefore it is considered that any public benefits of approving the development would be clearly outweighed by the harm to the listed building that has been identified.

Ecology

A bat survey of the barn has been carried out and the report submitted in support of this application. The report concludes that the barn was not found to support roosting bats but there was some evidence that common pipistrelle bats forage around the farmyard and on one recorded occasion within the barn accessed through a ventilation slot. No evidence of barn owls were identified but two active wren nests along with disused swallow nests were identified within the main central barn.

Having had regard to the evidence within the survey it is considered that the proposed development would be unlikely to harm any identified protected species or their habitat provided that conditions were imposed upon any permission to secure the retention of features within the building to maintain roosting and foraging opportunities for bats and nesting opportunities for birds within the main central barn which the majority of which is the remain unconverted.

It is therefore considered that if the proposed development was considered to be acceptable in all other respects, the proposal would meet the requirements of regulation 53 of the Habitats Directive because the development would secure the conservation of the listed barn in the long term, there would be no satisfactory alternative to secure this outcome and because the development would maintain the favourable conservation status of the identified protected species in accordance with L2 and LC17.

Conclusion

It is considered that the proposed development and associated works would harm the significance of this Grade II listed barn contrary to Core Strategy policies GSP1, GSP3 and L3, Local Plan policies LC4, LC6 and LC8, and guidance in the National Planning Policy Framework.

The proposed development would not harm the amenity of any neighbouring properties or adversely affect protected species or highway safety. However, these issues do not add any significant weight either for or against the proposal and do not otherwise overcome concerns in regard to the impact of the proposed development on the listed building.

Therefore, it is considered that the proposal is contrary to the Development Plan and the Framework. In the absence of further material considerations indicating otherwise, the proposal is therefore recommended for refusal.

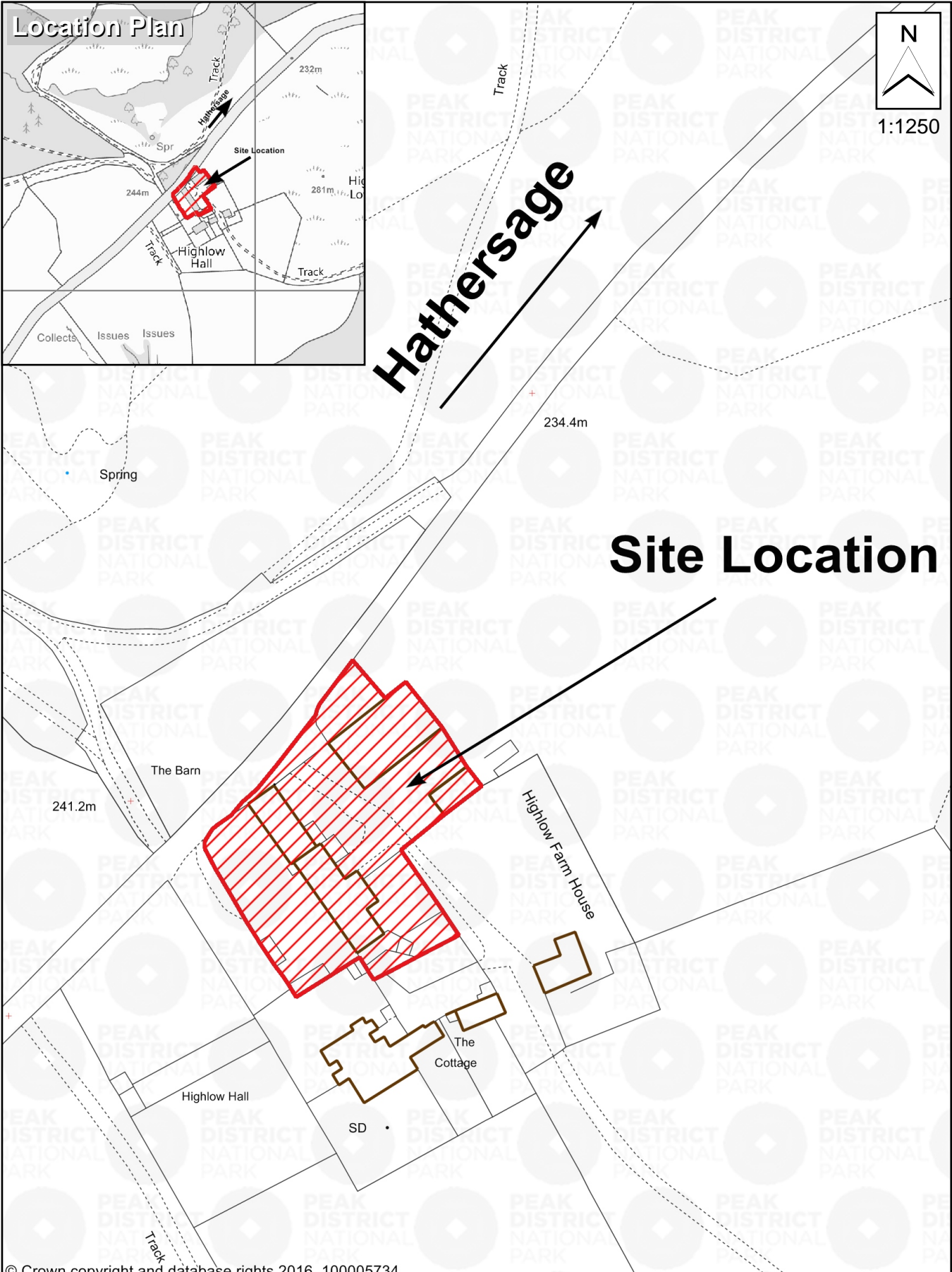
Human Rights

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


List of Background Papers (not previously published)

Nil

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Committee Date:	11/03/2016	Title: Highlow Farm House Highlow Hathersage	 PEAK DISTRICT NATIONAL PARK
Item Number:	6		
Application No:	NP/DDD/1015/0969		
Grid Reference:	421958, 380117		

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7. LISTED BUILDING CONSENT - CONVERSION OF BARN TO RESIDENTIAL DWELLING AT HIGHLOW FARM HOUSE, HIGHLOW, HATHERSAGE (NP/DDD/1115/1050, P.6190, 421958 / 380117, 26/02/2016/AM)

APPLICANT: MR JC WAIN

Site and Surroundings

Highlow Hall is a grade II* listed building situated in open countryside between Abney and Hathersage. Between the Hall and the road stand a range of impressive gritstone barns, which are individually listed grade II. The red-edged application site includes the two grade II listed barns, their respective curtilage and a modern portal framed agricultural building to the north east.

The northernmost part of the listed barns has been converted to a four bedroom dwelling following the grant of planning permission and listed building consent (detailed in the history section of this report). Although the barns were originally built to serve Highlow Hall, the barns are now in separate ownership and known as Highlow Farm.

Access to the application site is via the adjacent highway which runs from Leadmill to Abney. The nearest neighbouring properties in this case are Highlow Hall, Highlow Cottage and Highlow Farm House all to the south of the site.

Proposal

This application seeks listed building consent for works required to facilitate the conversion of part of the listed barns on the application site to form a three bedroom dwelling. An application for Planning Permission for the development has also been submitted. The design and layout of the proposed conversion is the same as that refused planning permission and listed building consent by the Authority in 2014.

Specifically, the application proposes the following:

- Stables and shippon on the ground floor converted to create sitting room, dining room and kitchen.
- New door formed in wall between shippon and stable at ground floor.
- Loft and store at first floor converted to create three bedrooms, each with an en-suite bathroom and landing.
- New door formed between loft and store at first floor and existing opening blocked up.
- Internal faces of the external walls would be lined.
- Existing single storey 'lean-to' store to be re-built to create utility room and toilet.
- Existing wall between shippon and barn to be re-built and new stair case installed to provide access to extended first floor which would be created by erecting a new cavity wall within the barn.
- Installation of new window to the proposed third bedroom.
- Installation of new window and door frames.

- Lowering of ground level outside the north east elevation of the building.

This application is also supported by a planning statement, heritage assessment and bat survey which seek to overcome the reasons for refusal given by the Authority in determining the previous applications in 2014.

RECOMMENDATION:

That the application be REFUSED for the following reason.

- 1. The proposed works would harm the significance of the grade II listed barn contrary to Core Strategy Policy L3 and Local Plan policy LC6. In the absence of any overriding public benefits it is considered that any approval would also be contrary to the National Planning Policy Framework.**

Key Issues

- Whether the proposed works would preserve the building or its setting or any features of special architectural or historic interest which it possesses.

Relevant Planning History

There is a relatively long planning history related to various proposals and pre-application advice for the application building. The most relevant applications are listed below.

2006: NP/DDD/1204/1315: Planning permission granted conditionally for conversion of farm building into dwelling and holiday flat.

2008: NP/DDD/1207/1148: Listed building consent granted conditionally for restoration of barn and conversion to holiday flat and dwelling.

The northernmost barn has been converted to a dwelling in accordance with the above planning permission and listed building consent. Therefore these two permissions have been implemented and are extant. These permissions therefore represent a 'fall back' position which is available to the applicant which is a material consideration.

The approved plans show the stable and store at the ground floor un-converted and retained for their original use. A new utility room within the shippon was approved with the rest of the space retained for hay / tack storage. A new staircase was approved within the shippon to provide access to a two bedroom flat above.

The Authority's Historic Building's Architect undertook a site visit and gave detailed pre-application advice to the applicant and his former agent in 2012 in respect of a proposal to convert more of the building than was previously approved.

2014: NP/DDD/0214/0169 & 0170: Planning permission and listed building consent refused for conversion of existing agricultural building to form holiday accommodation. The reasons for refusal were:

- 1. The proposed development would substantially harm the architectural and historic significance of the listed building contrary to section 66 of the Town and Country Planning (Listed Building and Conservation Area) Act 1990, Core Strategy Policies GSP1, GSP3 and L3 and Local Plan policies LC4, LC6 and LC8. In the absence of exceptional circumstances outweighing the substantial harm that has been identified, any approval*

would also be contrary to the National Planning Policy Framework.

2. *Insufficient evidence has been provided to allow the Authority to conclude that the proposed development would not harm local bat populations contrary to Core Strategy policy L2 and Local Plan policy LC17.*

Consultations

Highway Authority – No response to date.

District Council – No response to date.

Parish Meeting – Support the application. The parish meeting do not give any reasons why it supports the application, Officers have requested further comment by no response has been received to date.

Historic England – Make the following comment.

The proposal envisages the conversion of a Grade II listed barn to residential use and its subdivision to form one unit. The conversion of traditional farm buildings to a residential use does result in a change in character and, if not carefully considered, this change can be harmful. As a matter of principle your authority should robustly consider if the conversion to a new use represents a use consistent with the conservation of the heritage asset (paragraph 131 of the NPPF)? If the proposed conversion involves some degree of harm to the special interest of the building that must be weighed against the public benefits associated with identifying a viable new use for the building and be accompanied by a clear and convincing justification (paragraphs 131-134 of the Framework).

*We have produced useful guidance on this topic *The Conversion of Traditional Farm Buildings: A guide to good practice* (Historic England 2006). This is complemented by our recent guidance on *Energy Efficiency and Historic Buildings* (Historic England 2013) which provides detailed technical advice on improving the thermal performance of historic buildings - a subject which will generally be integral to a proposed change of use. It is for your authority to determine if the principle of conversion to residential use is the optimum viable use as detailed in the NPPF in this case and, if so, we would refer you to these documents for useful examples of other successful conversions and detailed technical advice.*

We urge you to address the above issues, and recommend that this application be determined in accordance with national and local policy guidance, and on the basis of your expert conservation advice.

Amenity Bodies – No response to date.

PDNPA Built Environment – Recommends refusal and makes the following comments:

This application is a resubmission of proposals which were refused consent in 2014, on the grounds that the proposed development would substantially harm the architectural and historic significance of the listed building (NP/DDD/0214/0169 and NP/DDD/0214/0170). The accompanying Structural Inspection Report was also as submitted with the 2014 application.

No alterations to the proposals have been made since the previous applications but a new Heritage Assessment, Rapid Building Appraisal produced by Archaeological Building Recording Services (ABRS) has been submitted. The aim of this report is to address the reasons for refusal in 2013. This concludes that later remodelling of the barn “has left little of the original plan form of the building” and the presumption is made that later additions are “of limited historical

significance". The Supporting Statement accompanying the application concludes that the proposed works will only impact on "non-original features" of the barn and that these works will therefore have a less than substantial impact on the building as a heritage asset.

There are a number of problems with both the ABRS heritage assessment and with the resultant conclusion. Firstly, the report does not provide an adequate assessment against the requirements of para 128 of the Framework: there is no clear statement of significance by which the key heritage value of the building can be understood, and against which the conversion proposals can be assessed. Secondly, the author appears to take a simplistic approach to understanding the building, in which 'original' fabric is assumed to be important but later additions and alterations are not. And thirdly, the report's assessment of the building's development and phasing, which is used to determine whether features are 'original' or 'later', is itself inaccurate.

The ABRS assessment directly contradicts a detailed archaeological assessment of Highlow Barn undertaken in 2002, "An Analysis and Assessment of The Threshing Barn and Neighbouring Outbuildings" by Historic Buildings Archaeologist Colin Briden. This earlier report was commissioned by the applicant on the recommendation of the Authority, English Heritage and the Council for British Archaeology: the purpose was to understand, in detail, the features which make up the special interest of the building and its development and phasing.

Inaccuracies in the ABRS assessment are as follows:

1. The report states that Highlow Barn has C17 origins and was originally built as a threshing barn with an attached cow shed to the north (now converted). However, the 'cow shed' is the earliest part of the range, its windows and symmetry of the elevations indicating an early mid C17 date; the threshing barn was added in the early C18, indicated by the plan of the barn and the detailing of the masonry of the openings, in particular that of the opposed wagon doors.
2. The report states that the stable (south end of the range) and wall separating this from the rest of the building, and an overloft and granary above were added in the C19, whereas it is likely that the wall, stable and 3-bay first floor loft are contemporary with the construction of the threshing barn, despite the wall's butt joint with the east and west walls.
3. The report states that the subdividing wall (to first floor only) between the threshing barn and later shippon (C18 to mid C19) is constructed from tooled stone window heads, an assertion taken from the submitted 2013 Structural Inspection Report. However, both Colin Briden and the Authority's Historic Buildings Architect agree that this wall is constructed from coursed, margin-tooled masonry typical of the period. Building internal cross-walls of large ashlar-sized blocks is a local tradition in the C19 according to the Authority's Historic Buildings Architect.
4. The report states that the southernmost lean-to is a later addition with its C17 style windows likely to be re-used, and "lacks any significant historical or architectural features" internally. However, this is visible on the 1857 Chatsworth Estate map, the southernmost outshot is earlier (C18 – mid C19), and whilst this has windows that closely resemble those surviving in the C17 north range, the fixing of the window heads suggest that these were made to fit this structure rather than being re-used from elsewhere.

Based on the above comments, it is considered that the combined impacts of the proposed development and the associated works would substantially harm the significance of the listed building, and I would reiterate the detailed reasons for refusal in 2014:

1. Converting the ground floor stable to create a domestic sitting room will harm the historic

and architectural character of this part of the building, which should be retained for storage. John Sewell (NB. The then Historic Buildings Officer) noted that the stable retains a great deal of its original architectural and historic character, including an original stone flag floor and original massive beams supporting the first floor.

2. A thorough assessment of what survives of historic significance in the feed passage and how it would be affected by the proposals is required: this has not been provided in the current application, which simply concludes that the feed passage is a “late insertion”, the building of which “appears to have compromised” the “historic plan form of the building”. Without this assessment, it is not possible to determine whether conversion of this part of the barn to create a dining room would harm the significance of the building.
3. Erection of a new full height cavity wall closer to the threshing floor would fundamentally change the character of this space in a harmful manner, by significantly altering the plan form of the barn and reducing the size of the threshing barn. Colin Briden noted that original features remain within the barn, including the flagged threshing floor and some masons’ marks.
4. Total rebuilding of the ‘lean-to’ would harm the significance of the building and would be unacceptable: the presumption should be that the walls and the historic C17 style openings need to be retained as they are, with localised repairs / strengthening as necessary. The Structural Inspection Report states that this structure is beyond repair but does not consider alternative repair strategies, nor whether the historic openings could be retained.
5. The subdivision of the upper floor into three bedrooms, each with an en-suite, would not reflect the open floor plan of the original building.
6. The replacement of an existing vent slot on the south-west elevation with a new window would further harm the existing architectural and historic character of the building, and would be unacceptable. Note, the ABRS report states that, “With the exception of renewing doors and windows...there will be no physical impact upon the external appearance of the barn”: this is inaccurate.
7. The submitted plans show that the internal faces of the external walls would be lined: the lining of the external walls is unacceptable in a building of this quality.

PDNPA Archaeology: Recommends refusal and makes the following comment:

The application is submitted with a heritage assessment by Archaeological Building Recording Services. With regard to built heritage significance I feel that this document does not provide an adequate assessment against the requirements of para 128 of the Framework. There is no clear ‘statement of significance’ by which the key heritage value of the building can be understood, and against which the conversion proposals can be assessed. The author appears to take a rather simplistic approach to understanding the building, in which the original 17th century fabric is assumed to be important but later additions and alterations are not. Although features like the 19th century feeding passage are acknowledged as ‘interesting’ there is no discussion of their significance with regard to local and regional comparators. If features are ‘interesting’ then presumably they are also significant. The document does not therefore clearly establish the significance of the heritage asset as required by the Framework, because of a lack of discussion of the later features and a lack of comparanda to provide context and justification for the conclusions drawn.

With regard to below-ground archaeology the heritage assessment does not contain an assessment of significance and impact and is therefore deficient against the Framework.

Because the application does not meet the heritage information requirements of the Framework I recommend that it should not be granted permission in its current form. To address these issues the applicant may wish to submit a fuller heritage assessment, to include:

- *A fuller consideration of built heritage significance, including fuller assessments of significance for later features, justified by reference to local and regional comparators, and leading to a clear ‘statement of significance’ against which the development proposals can be assessed and benefits harms quantified.*
- *An assessment of potential impacts to below-ground archaeology, including a digest of proposed below-ground impacts with detail of location, dimensions and depth.*

PDNPA Ecology: No response to date.

Representations

A total of four representations have been received to date. All four of the letters support the application. The reason for support given in all the letters is summarised below. The letters can be read in full on the Authority’s website. The supporters consider that The proposed development will preserve the character of the farm buildings and will improve and help to preserve the existing buildings.

Main Policies

Relevant Core Strategy policies: L3

Relevant Local Plan policies: LC6

Policy

The National Planning Policy Framework (the Framework) is a material consideration in the determination of any planning application. Paragraph 115 within the framework says that great weight should be given to conserving landscape and scenic beauty in National Park which have the highest status of protection in relation to landscape and scenic beauty. The conservation of wildlife and cultural heritage should be given great weight in the National Park.

Paragraphs 128 – 134 in the Framework are relevant for considering development which affects heritage assets. Appropriate evidence to describe the significance of any affected heritage asset should be required to inform decision making and local planning authorities should identify and assess the particular significance of any affected heritage asset taking into account available evidence and necessary expertise. This assessment should be taken into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset’s conservation and any aspect of the proposal.

Great weight should be given to the conservation of heritage assets within the National Park. The more important the asset, the greater the weight should be. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent unless there are exceptional circumstances. 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.

The Authority's conservation policies reflect the approach taken in the Framework. L3 and LC6 together says that development must conserve and where appropriate enhance or reveal the significance of heritage assets and their setting and that 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.

Assessment

The design and layout of the proposed conversion is unchanged following the refusal of planning permission and listed building consent in 2014. A new planning and heritage statement have been submitted in support of the current application.

Concern has been raised by both the Authority's Conservation Officer and Conservation Archaeologist in regard to the assessment and conclusions within the submitted heritage assessment. Having had regard to their advice it is considered that the submitted heritage statement does not provide an adequate assessment of the listed building because there is no clear statement of significance by which the value of the building can be understood, and against which the conversion proposals can be assessed.

The heritage statement asserts that the original fabric of the building is important but that later additions and alterations to the buildings are not. No detailed explanation is given to explain why the report has reached this conclusion. It is also noted that the assessment of the buildings development in the heritage statement (and upon which its conclusions are based) is considered to be inaccurate and contradicts previous analysis and assessment of the buildings carried out in 2002 and used to inform the applications approved in 2006 and 2008.

Having had regard to the advice from the Authority's Conservation Officer and Archaeologist it is considered clear that the submitted heritage statement does not provide an adequate assessment of the significance of the listed building which is a requirement of paragraph 128 of the Framework. It is therefore considered that in these circumstances very little weight can be given to the conclusions of the planning and heritage statements that the proposed works would not have any substantial impact upon the listed building.

Concerns remain from the determination of the 2014 applications that the submitted drawings do not include details in regards to the detailed construction of new or replacement walls or how the new openings for internal doorways and the proposed external window are to be formed (or the existing openings blocked up). The submitted plans also indicate that the internal faces of the external walls of the barn are to be lined, but no detailed specification has been submitted.

It is therefore considered that insufficient detailed information has been submitted with the application to allow the Authority to assess the effect of the proposed works upon the significance of the listed building contrary to policy LC6 (b) and the Framework.

The Authority's Historic Buildings Architect visited the site before offering pre-application advice to the applicant and his previous agent in 2012. He considered that the ground floor stable retains a great deal of its original architectural and historic character, including an original stone flag floor and original massive beams supporting the first floor. There is a feed passage between the stable and shippon and ground floor which could date from the C19. The rear 'lean-to' has a number of C17 openings and was split into two storeys, with the upper floor possibly used as a hen house. Similarly the two storey threshing barn is not converted and retains a great deal of its original character.

The current application again proposes to convert the whole of the ground floor of this part of the building including the stable and feed passage and proposes to re-build the existing wall between

the shippon and threshing barn and extend into the threshing barn by erecting a new wall to provide a hallway and access into the 'lean-to' store at the ground floor and to create a landing at first floor.

Having had regard to the Historic Building Architect's advice (which is supported by the Conservation Officer's comments) it is considered that converting the stable to create a domestic sitting room would harm the historic and architectural character of this part of the building. No further evidence in regard to the significance of the feed passage has been submitted with the application and in the absence of this information, the Authority is also unable to conclude that the conversion of this part of the shippon to create a dining room would not harm the significance of this part of the building.

The erection of a new full height cavity wall closer to the threshing floor would also fundamentally change the character of this space in a harmful manner by significantly altering the plan form of the barn and reducing the size of the threshing barn which would alter the space and internal character of this part of the building which is currently only separated from the loft by the existing wall which is only to first floor level.

The submitted application also proposes to completely re-build the single storey 'lean-to' to create the proposed utility room. The submitted structural report concludes that this part of the building is unsafe and in danger of collapse and therefore that re-building is required. The report also recommends consideration be given to reducing the number of openings on the south east flank wall.

While the Authority accepts that this part of the building is in poor condition and that some rebuilding works will be required to stabilise the structure; it is considered less clear whether the entire demolition of the lean-to is required to achieve this compared to retaining the existing structure with localised repairs and strengthening as necessary. The submitted structural survey states that the lean-to is beyond repair but does not consider or explain whether or not alternative repair strategies would be successful or whether the historic openings on the south east wall could be retained. In the absence of this information it is considered that the total loss of the existing lean-to along with its external stone steps and C17 openings would harm the significance of the building.

The submitted application also proposes to subdivide the upper floor into three bedrooms, each with an en-suite which would not reflect the open floor plan of the original building. The application also proposes to replace an existing vent slot on the south west elevation with a new window which would further harm the existing architectural and historic character of the building and the impact of this is not assessed in the submitted heritage statement. Finally, the submitted plans show that the internal faces of the external walls would be lined. No details have been submitted of what lining is proposed, but creating a smooth lined surface on the walls would further domesticate the agricultural character of the building.

For the above reasons it is considered that the impacts of the proposed works would harm the significance of the listed building. Approval of the proposals would therefore be contrary to policies GSP3, L3 and HC1 and policies LC4 and LC6. This is the same conclusion reached by the Authority in determining the previous applications in 2014 and the evidence submitted with this application does not indicate that a different decision should be taken now.

It is acknowledged that conversion of a larger part of the barn (than previously approved in 2006 and 2008) to create visitor accommodation would benefit the applicant. It is also accepted that there may be further benefits to creating additional accommodation to local communities and the local economy. However, there remains extant planning permission and listed building consent for a scheme to convert the building in a manner which would not harm the listed building and in this case the Authority's Historic Buildings Architect has provided further advice for an alternative

scheme which would better conserve the building. Unfortunately the applicant has not followed this advice or sought additional pre-application advice and requires that this application be determined as submitted.

There is no evidence from any consultees or in representations which would override these conclusions and in this case Historic England advises the Authority to determine the application on the basis of its expert conservation advice. In coming to these conclusions Officers have also taken into account additional supporting information submitted by the agent, but this information provides no substantive evidence to which indicates a different decision should be taken.

It has been concluded that the proposed works would harm the significance of the listed building. Having had regard to recent guidance within the National Planning Practice Guidance it is considered that the development would not lead to the total or substantial loss of the heritage asset and therefore the harm that has been identified cannot be described as substantial, but even less than substantial harm is sufficient to warrant refusal of an application.

Local and national planning policy makes it clear that any harm or loss to a grade II listed building should be exceptional. In this case, it is considered that there are no exceptional reasons or justification for the proposed development which would harm the significance of the listed building. There would be very limited public benefits associated with the proposed development especially as Officers have previously advised upon an alternative scheme to convert the building in an appropriate manor. Therefore it is considered that any public benefits of approving the proposed works would be clearly outweighed by the harm to the listed building that has been identified.

Conclusion

It is considered that the proposed works would harm the significance of this Grade II listed barn contrary to Core Strategy policy L3, Local Plan policy LC6 and guidance in the Framework.

Therefore, it is considered that the proposal works would not preserve the building or its setting or the affected features of special architectural or historic interest which it possesses. The proposed works would also be contrary to relevant development plan policies and the Framework. In the absence of further material considerations indicating otherwise, the proposal is therefore recommended for refusal.

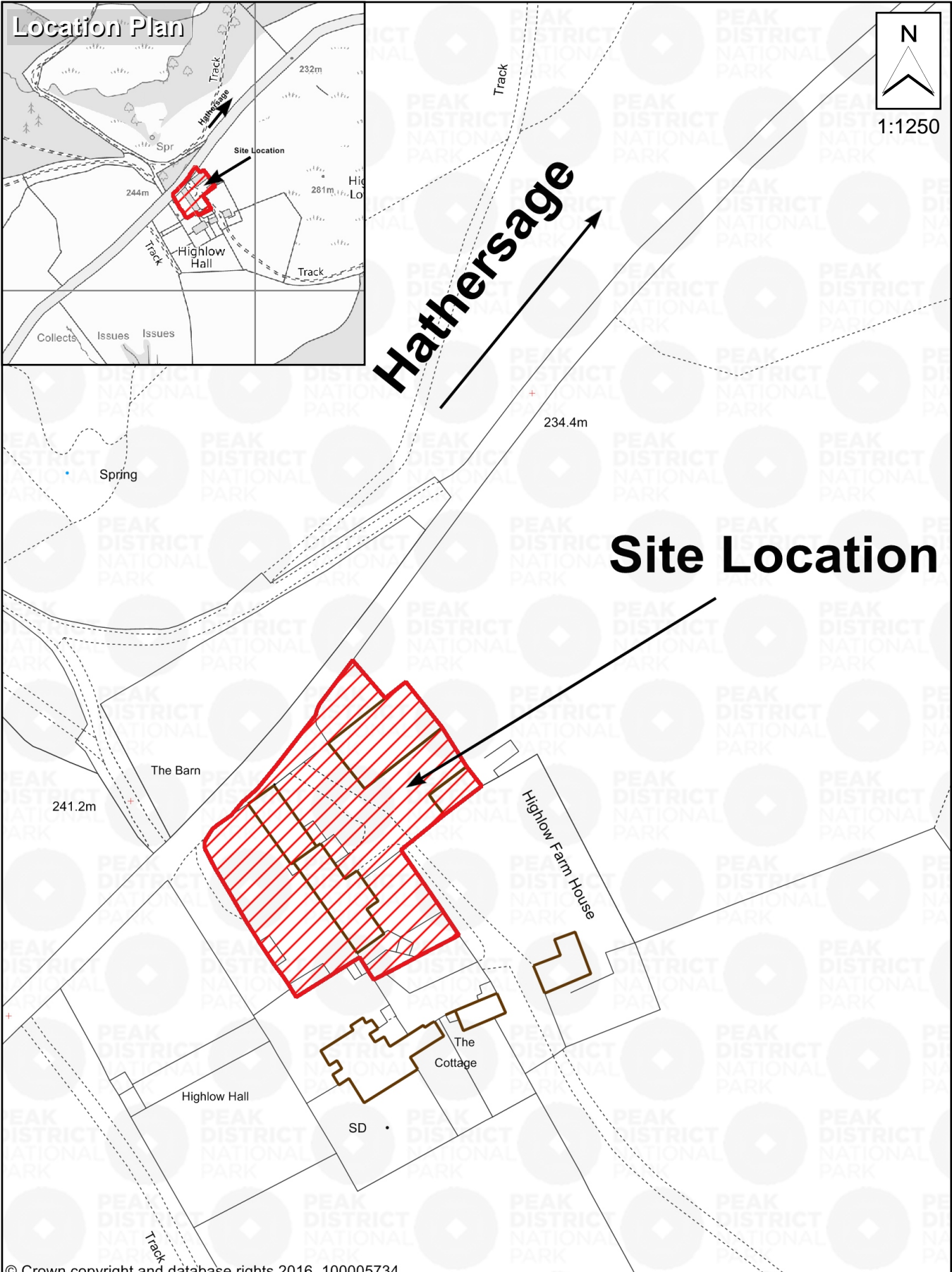
Human Rights

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


List of Background Papers (not previously published)

Nil

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Committee Date:	11/03/2016	Title: Highlow Farm House Highlow Hathersage	 PEAK DISTRICT NATIONAL PARK
Item Number:	7		
Application No:	NP/DDD/1115/1050		
Grid Reference:	421958, 380117		

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8. HOUSEHOLDER APPLICATION – INSTALLATION OF ROOFLIGHTS AND WINDOW OF REAR GABLE OF PROPERTY – BETHLEHEM CHAPEL, HUGH LANE, BRADWELL (NP/DDD/1115/1108, P.3754, 20/11/2015, 417282 / 381213, MN)

This application was deferred by Members of the Planning Committee in February in order that design alterations to the gable window and rooflights could be negotiated by Officers, and so that the planning history and lawful use of the site could be clarified.

APPLICANT: MR AND MRS KERN-LOWE

Proposal

The addition of five double roof lights (reduced from six since the application was last considered by Members) and a gable window to the rear of the property to facilitate conversion of the loft space. The gable window has been reduced in scale and has an altered design to that considered by Members at February's committee meeting.

Site and Surroundings

Bethlehem Chapel is a former church, constructed in the 19th century. It is sited adjacent to Hugh Lane. The church graveyard lies to the immediate north whilst a small garden is situated to the south. Hardstanding for the parking of two vehicles (in parallel) is alongside the northern side of the building.

The property is now occupied as a single dwelling, and the building has rendered walls –most being dashed but with the principle elevation having a smooth rendered finish. To the rear is tall lean-to extension with external chimney stack projecting from it. A further subsidiary lean-to is built to the side of this. The building has a blue slate roof. It was recognised that it contributed to the character of the conservation area when permission was granted for its conversion in 1999.

The property is heavily windowed and retains traditional leaded windows to the principle elevation. The windows to other elevations have been replaced with ones of treated timber and a different subdivision to the previous windows. These windows are currently unauthorised due the permission permitting the conversion to a dwelling having removed permitted development rights and no planning permission having been granted for their replacement. An unauthorised flue has also been fitted to the north wall of the building.

Being within the core of the village there are neighbouring properties to all sides of the dwelling.

The property is within the Bradwell Conservation Area.

RECOMMENDATION:

That the application be APPROVED subject to the following conditions:

- 1. Statutory time limit**
- 2. Completion in accordance with the revised plans**
- 3. Rooflights to be conservation type, fitted flush with roofslope**

Key Issues

- 1. Whether the development has an acceptable impact on the character and appearance of the dwelling**

2. Whether the development has an acceptable impact on the character and appearance of the conservation area
3. Whether the development necessitates further off-road parking provision

History

2014 – Enforcement case opened relating to unauthorised replacement of windows and installation of flue

1999 – Planning permission granted for conversion of the former church to a single dwellinghouse with studio.

At the last committee meeting the lawful use of part of the building was queried by the Parish Council and Members, as when this permission was granted in 1999 a condition stated that the ground floor shall be used only as a studio/office ancillary to Bethlehem Chapel and only used by the owner at that time. The owner had requested such provision within the house and correspondence shows that the purpose of the condition was to ensure the use remained ancillary to the house rather than leading to a commercial use of the site. The decision notice stated that the studio/office use shall be discontinued when the then occupier ceased to occupy the building. Whilst not explicit in the condition it is interpreted that at this point it was expected that the use of the studio/office space would return to residential use as part of the house, as has happened since the property was purchased by the current owners.

1999 – Advice given to owners at that time that openings similar to those now proposed would be likely to be acceptable

Consultations

Derbyshire County Council – Highways – No objection subject to all use remaining private and ancillary and no loss of off-street parking

Derbyshire Dales District Council – No response at time of writing.

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

- The provision of the rooflights and gable window would adversely affect the appearance of the building
- The provision of additional bedrooms without additional parking spaces is contrary to intent of Neighbourhood Plan policy T2, and would further increase the on road parking pressures on a narrow section of road
- As a number of recent developments have been made to the building which are contrary to the 1999 planning consent for this building, the granting of permission for this application could be seen as endorsing these developments

Main Policies

Core Strategy: GSP1, GSP3, DS1, L3

Policy DS1 allows for the extension of existing buildings in all settlements in the National Park.

Policy GSP1 requires all new development in the National Park to respect and reflect the conservation purpose of the National Park's statutory designation.

GSP3 states amongst other things that development must respect, conserve and enhance all valued characteristics of the site and buildings that are subject to the development proposals.

Core Strategy policy L3 seeks to conserve and enhance archaeological, architectural, artistic and historic assets.

Local Plan: LH4, LC4, LC5 and LT11

The policies of the development plan are generally permissive of householder development provided it will not harm the character and appearance of the original building or its setting and will not harm the amenities of the site, neighbouring properties or the area (policies LC4 and LH4).

These policies are consistent with the wider range of conservation and design policies in the Development Plan, which promote high standards of design and support development proposals that would be sensitive to the locally distinctive character of the site and its setting and the valued characteristics of the National Park.

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.

Policy LT11 Residential parking states that 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.

Neighbourhood Plan

Policy T2 of the Bradwell Neighbourhood Plan states that the removal of any current car parking facilities, both public and private, will be strongly opposed.

National Planning Policy Framework

Policies in the Development Plan provide a clear starting point consistent with the National Park's statutory purposes for the determination of this application. It is considered that these policies detailed 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 secure high quality design, and promote the importance of landscape protection within the National Park.

Assessment

Impact on character and appearance of building

The property's main interest lies in its architectural frontage due to its leaded windows, large date stone, arched doorway, unusual smooth render, and verge detailing. This would be unaffected by the development.

The rear elevation, which would accommodate the new window, has less significance. The tall, narrow, and perpendicular lean-to extensions, external chimney, and uncharacteristically squat windows at ground floor level all detract from its character.

The proposed window, which has been revised in size and design since Members considered the application in February, reflects the style of the windows in the property's principle elevation. It is simply detailed with an arched top, vertical proportions, and a cill. This is considered to be more in keeping with the building's character and is less dominating than the window previously proposed.

On the basis of the current appearance of this face of the building, the fact that the more traditional elevations would not be read in conjunction with the window in most views, and the more sympathetic approach proposed, the window is considered to conserve the character and appearance of the building.

The design of the rooflights has been clarified since the application was last presented to the committee. They would be single units with central glazing bar, of a conservation style and fitted flush to the roof slope. One has been removed from the southern slope since Members last considered the application, to reduce their impact on this more prominent elevation. Due to their modest size and the relatively large area roof of the building, their impact on the roofslope and on the character of the building as a whole is considered to be low and acceptable.

Overall, the development is considered to conserve the character and appearance of the building, as required by policy LC4.

Impact on character and appearance of conservation area

The building is visible from several points within the conservation area – most notably from the adjacent Hugh Lane and Smithy Hill to the west, and from Netherside (the main road through Bradwell) to the east.

From Hugh Lane and Smithy Hill, the rooflights would be visible but the gable window would not as this faces in the opposite direction. The rooflights would not be unique to the area, with several other nearby buildings having one or more. Given this and their modest size relative to the roof it is considered that subject to being fitted flush with the roofslope they would conserve the character and appearance of the conservation area.

The gable window would only be seen in public views from the east at a distance of 70m or more. These views would be limited by the properties fronting much of Netherside, which screen the application from view in many locations from this road. Given the distances involved and the limited nature of views of the building the impact of the window on the appearance of the conservation area is not considered to be significant.

As discussed above, the development is also not considered to have a significant impact on the character of the building in its own right as an important building within the conservation area.

Parking

The Parish Council considers the development to be contrary to neighbourhood plan T2, as it provides additional bedrooms without providing additional parking. However, T2 only specifies that the removal of any current car parking facilities will be strongly opposed, and in this case no parking spaces will be lost and so officers consider that the development is not in conflict with this policy. The policy pre-amble does however state that there is strong concern in the village that there is congestion caused by excessive on-street parking, which inhibits the free flow of traffic and impedes access for emergency services.

The Highway Authority has raised no objections to the proposal subject to no loss of parking. Additionally, the locally adopted parking standards require a maximum of 3 spaces for both 4 and 5 bedroom properties. Whilst the property already has less than this, an increase in bedrooms from 4 to 5 would not normally necessitate an additional parking space.

Having considered the above Officers are of the view that an objection on grounds of insufficient parking provision is not sustainable.

Other matters

Due to the relatively large and numerous windows to both sides of the building, it is not considered that the rooflights would lead to any significant increase in overlooking of nearby properties. The gable window is also not considered to affect neighbouring privacy due to the distance from the nearest neighbour in this direction – over 30m to the end of the nearest facing garden.

Conclusion

The form, design and size of the rooflights and window are all considered to conserve the character and appearance of the built environment and conservation area as required by the policies of the Development Plan. Officers also consider that as proposed the application would not result in a need for further parking provision having considered the advice of the Highway Authority and adopted parking standards.

Given these considerations, and having taken account of all other material matters, the application is recommended for approval.

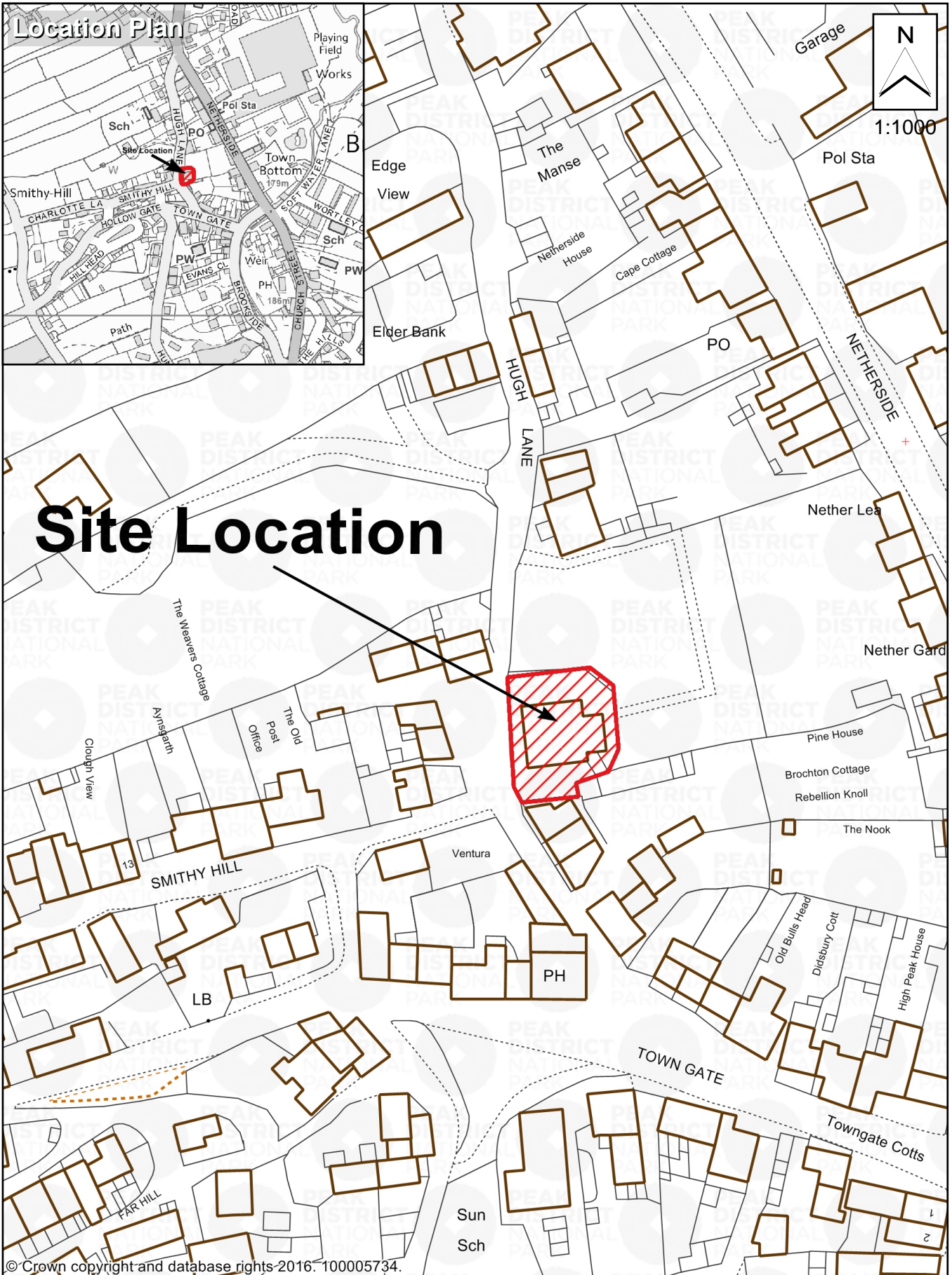
Human Rights


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

List of Background Papers (not previously published)

Nil

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Committee Date:	11/03/2016	Title: Bethlehem Chapel Hugh Lane Bradwell	 PEAK DISTRICT NATIONAL PARK
Item Number:	8		
Application No:	NP/DDD/1115/1108		
Grid Reference:	417287, 381215		

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9. FULL APPLICATION – CONSTRUCTION OF TWO LOCAL NEEDS DWELLINGS, HEY FARM, WARDLOW (NP/DDD/0915/0881, P.790, 418085/374258, 23/02/2016/AM)

APPLICANT: MR & MRS FEWINGS

Site and Surroundings

The application site is located within the easternmost part of a strip field on the west side of the B6465 as it passes through the centre of Wardlow and within the designated Conservation Area. The land within the application site rises gently upwards away from the highway to the west.

There is an existing field gate which provides access into the field. A public footpath runs along the northern boundary of the field to the west of the site. The nearest neighbouring properties are Birley Farm to the north and Robin Hey to the south.

Proposal

This application seeks planning permission for the erection of two affordable local needs dwellings on the site.

The submitted drawings show that the houses would be a pair of two storey semi-detached dwellings built from natural limestone with gritstone detailing under a pitched roof clad with natural slate. Windows and doors would be timber. The two properties would be served by a single access from the highway with a shared parking area to the front of the properties with a total of four parking spaces. The land to the rear of the buildings would be sub-divided to create two separate garden areas bounded by dry stone walls.

Each of the proposed dwellings would have three bedrooms on the first floor with living accommodation below and would have a total floor area of 87m². The submitted application states that the proposed dwellings are intended to be first occupied by the applicant's daughters.

RECOMMENDATION:

That the application be REFUSED for the following reason.

- 1. The pattern of medieval field systems which surround Wardlow make a significant positive contribution to the historic and architectural significance of the Conservation Area and are important because they are an integral part of the close interrelationship between the built up frontage within the village and the surrounding landscape.**

The proposed development would result in the erection of two dwellings which would infill the majority of the frontage of the strip field in which they would be sited which would result in the loss of one of Wardlow's characteristic open frontages because the buildings would interrupt important, wide, long-ranging views out to and in from the surrounding countryside.

It is therefore considered that the proposed development would have a harmful impact upon the significance of the designated Wardlow Conservation Area. The harm would be less than substantial harm because the development would not undermine or result in the total loss of the significance of the Conservation Area when taken as a whole.

It is recognised that the proposed development would result in some public benefit because the development would result in the provision of two units of intermediate or 'more affordable' housing which would be available to local communities in perpetuity. However, it is considered that these benefits would not outweigh the harm that has been identified.

It is therefore considered that any approval of the proposed development would represent unsustainable development contrary to Core Strategy policies GSP1, GSP3, L1 and L3, saved Local Plan policies LC4 and LC5 and the National Planning Policy Framework.

Key Issues

- Whether the proposed development would conserve the designated Wardlow Conservation Area and the Landscape character of the National Park.
- Whether there is a justification for the proposed affordable housing and whether the proposed housing would be of a size or type which would be likely to remain more affordable in perpetuity.

History

2014: Planning application for construction of two local needs dwellings withdrawn prior to determination.

2014: Pre-application advice given that the proposal would be acceptable in principle subject to the applicants meeting local need and siting, design and landscaping.

Consultations

Highway Authority – No objections subject to conditions to require satisfactory access, parking and turning areas to be provided and maintained throughout the development along with a bin storage and dwell area.

District Council – No response to date.

Parish Meeting – Make the following comments.

The Parish Meeting comments that the village is in a conservation area and as part of this remit infill of new properties is not permitted. It would change the linear style and layout of the village.

However, at the meeting, the Parish Meeting reports that the majority vote was to support the planning application.

PDNPA Built Environment - Object to the application and make the following comments.

“One of the most significant historic features of Wardlow Conservation Area is the distinctive and extensive medieval open field system which surrounds the village, with the medieval strip fields defined by later drystone boundary walls. These fields extend right into the centre of the linear settlement, creating large open frontages between the buildings, which are arranged singly or in loose groupings, and allowing open, long-ranging views to the countryside beyond. The Wardlow Conservation Area Appraisal highlights the special relationship between the surrounding landscape and the village: “The openness of the settlement combines with the terrain to give an almost constant awareness of the surrounding landscape. Consequently the field system is much more obviously an integral part of the visual character of the village.” The open fields and the

countryside that surround them, therefore, make a significant contribution to the historic character and appearance of the Conservation Area. The Appraisal concludes that further infilling of the existing open frontages would not be appropriate.”

“The proposals, at a location where the fossilised medieval strip fields extend out to both east and west on either side of the road, would result in the loss of one of the settlement’s uniquely characteristic open frontages and would remove an important open, wide, long-ranging view to the surrounding countryside. This would adversely affect the significance of the Wardlow Conservation Area, negatively impacting on the characteristically loose form and open character of the village, and on its close interrelationship with the surrounding landscape. Approval of development on this site could also set a precedent for future infill developments of the settlement’s important open frontages.”

The Authority’s Conservation Officer then goes on to make specific comments in relation to the design and siting of the proposed dwelling and makes recommendations for amendments in the event that planning permission is granted for the development.

PDNPA Archaeology – Make the following comments.

“The above planning proposal is accompanied by the results of an archaeological evaluation, carried out by Archaeological Research Services; this follows a survey of the earthworks within the proposal area which is reproduced as an appendix to the evaluation report.

The site is within the Wardlow Conservation Area, and forms the eastern part of a long narrow field likely to represent fossilisation of the medieval strip fields to the west of the village. The rear part of the site falls within an entry on SHINE (Natural England’s heritage inventory) for the medieval strip field system and post-medieval lead mining remains (White Rake West) of ‘medium’ significance.

Earthworks visible within the site include an east-west trackway probably associated with lead mining remains further west, a dew pond visible on late 19th century mapping. Other features thought to be possible house platforms were examined during evaluation trenching and found to be level platforms naturally occurring in the landscape and possibly accentuated by the adjacent trackway; another feature was found to be material relating to the construction of a septic tank for an adjacent property. No archaeologically significant finds or features were identified.

The site does not therefore appear to contain below-ground archaeology significant enough to preclude development, although the development will certainly cut across the east-west trackway and dewpond, and may also encounter unrecorded evidence associated with lead mining and/or settlement. In the event that the proposal gains planning consent, these remains should be recorded through a conditioned scheme of archaeological monitoring during the development groundworks and in line with para 141 of the Framework.

The proposal will also cause a degree of harm to historic landscape and consequently to the significance of the Conservation Area - through the conversion of the eastern part of the long narrow strip field to housing and domestic curtilage. Infill development here will contribute to erosion of the discontinuous nature of the settlement along both sides of the village by which the historic landscape can be glimpsed between the existing houses and farms. In granting consent for the proposals the local planning authority must therefore be satisfied that these harms are outweighed by public benefits paras 132, 134 and 135 of the Framework.”

Representations

Four representations have been received from local residents (along with updates based upon amended plans and information submitted by the agent). All four letters object to the proposed

development. The reasons given are summarised below, the letters can be read in full on the Authority's website.

- The site lies within the Conservation Area and previous planning applications have been refused on infill impact. If this application is approved then this will set a precedent for further applications for infill within the village, which the National Park Authority would find difficulty in refusing.
- Reference should be given to the Authority's decision to refuse application NP/DDD/1004/1080 (a development on a different site within the village). The application site is as, if not more important than that site.
- Consideration should be given to alternative sites which would not have a harmful impact upon the Conservation Area such as whether or not there would be scope to convert any existing buildings at Hey Farm to affordable housing.
- Question the accuracy of submitted plans and information.
- Question discrepancies between the original case made for the proposed affordable housing and amended information.
- Question whether students should be considered as having a need for affordable housing given this is a temporary situation where income will be artificially low for this period.
- Consider that the proposed dwellings are too luxurious to be considered to be affordable local need housing.
- The position of the building as shown on the amended plan would result in the gable of the building facing directly towards the gable end of Robin Hey. This would have a serious overbearing impact upon the main kitchen window of that property.
- Due to the levels of the site, the northern gable of the proposed dwellings would be raised excessively and will appear too tall and be overbearing to Birley Farm which is a one and a half storey dwelling.
- The drive and side windows of Robin Hey will overlook and overbear the front gardens of the proposed dwellings.
- The proposed dwellings would be located over Robin Hey's septic tank. No information has been submitted to illustrate whether or not the land would be classified as contaminated.
- Proposed reed bed soak away may result in potential air pollution, excessive insect activity and freezing and flooding in winter months,
- No detailed information has been submitted in regard to foul and surface water drainage and treatment.
- No information has been provided in regard to the power lines which pass over the site and any requirements to alter this line as part of the development.
- Lack of information provided on proposed materials and architectural design details.

- Potential impact of proposed parking area, septic tank and soakaways upon the root protection area of the mature ash tree and cherry tree located on the southern boundary of the site within the curtilage of Robin Hey.

Main Policies

National Planning Policy Framework

In the National Park the development plan comprises the Authority's Core Strategy 2011 and saved policies in the Peak District National Park Local Plan 2001. It is considered Policy LH1 of the Local Plan and Policy HC1 of the Core Strategy provide a clear starting point consistent with the National Park's statutory purposes for the determination of this application. This is because policies HC1 and LH1 set out the relevant criteria for assessing proposals for newly built houses to meet local need.

There is no conflict between prevailing policies in the Development Plan and the more recently published National Planning Policy Framework (the Framework) with regard to the issues that are raised. This is because the Framework supports the use of rural exception for affordable housing in small rural communities that would not normally be made available for the provision of open market housing.

The conservation of heritage assets in a manner appropriate to their significance forms one of the 12 core planning principles within the Framework. Paragraph 132 states that great weight should be given to the conservation of a designated heritage asset and that the more important the asset, the greater the weight should be. Paragraph 115 in 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.

Development Plan Policies

Relevant Core Strategy policies: GSP3, HC1, L1 and L3

Relevant Local Plan policies: LC4, LC5, LC15, LC16, LH1, LH2, LT11 and LT18

HC1 says that exceptionally, new housing can be accepted where the proposals would address eligible local needs and would be for homes that remain affordable with occupation restricted to local people in perpetuity. The provisions of HC1 are supported by policy LH1 of the Local Plan, which gives more detailed criteria to assess an application for a newly-built housing, which is intended to be affordable and meet local need.

LH1 states exceptionally residential development will be permitted either as a newly built dwelling in or on the edge of Local Plan settlements provided:

- i. there is a proven need for the dwelling; and
- ii. the need cannot be met within the existing housing stock; and
- iii. the intended occupants meet the requirements of the National Park Authority's local occupancy criteria (policy LH2); and
- iv. the dwelling will be affordable by size and type to local people on low or moderate incomes and will remain so in perpetuity; and
- v. the requirements of Policy LC4 are complied with.

Local Plan policy LC4(a) says where development is acceptable in principle, it will be permitted provided that its detailed treatment is of a high standard that respects, conserves and where possible it enhances the landscape, built environment and other valued characteristics of the area. Local Plan policy LC4(b) goes on to say, particular attention will be paid to scale, form, mass and orientation in relation to existing buildings, settlement form and character, landscape features and the wider landscape setting.

Local Plan policy LC4 is now also supported by the more recently adopted policy GSP3 in the Core Strategy which says development must respect, conserve and enhance all valued characteristics of the site and buildings that are subject to the development proposal. GSP3 goes on to say, amongst other things, particular attention will be paid to:

- A. impact on the character and setting of buildings
- B. scale of development appropriate to the character and appearance of the National Park
- C. siting, landscaping and building materials
- D. design in accordance with the National Park Authority Design Guide

In determining this case, it is highly relevant to the application of LC4 and GSP3 that the application site is within the Wardlow Conservation Area. In these respects, policies LC5 and LC6 of the Local Plan, and policy L3 of the Core Strategy are relevant.

LC5 seeks to ensure that development conserves and enhances the National Park's historic built environment and address development that would affect the special qualities of a designated Conservation Area and its setting. L3 also seeks to ensure the National Park's historic built environment is conserved and enhanced for future generations and says that 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.

Wider Policy Context

The Authority's adopted Supplementary Planning Document entitled 'Meeting the local need for affordable housing in the Peak District National Park (July 2003) is relevant and provides more detailed policy in regard to affordable housing within the National Park. The Authority's adopted design guide is also relevant in regard to detailed design guidance.

The adopted Wardlow Conservation Area appraisal is also a relevant material consideration.

Assessment

Need and Affordability

The application proposes two affordable houses to meet a local need which would be sited within Wardlow which is a named settlement in the Core Strategy (DS1). It is therefore considered that the proposals are acceptable in principle and would warrant approval if the application met the requirements of the five criteria set out in LH1 first taking account of whether there is a proof of need.

The application proposes two dwelling. In these circumstances LH1 (i) says that the need for the dwelling will be judged by reference to an up to date housing needs survey prepared by or in consultation with the district council as housing authority. However the agent has submitted detailed information related to the circumstances of both named first occupants

The two named occupants are the applicant's daughters, both of whom are currently students due to finish their education in the near future. Both of the named occupants have lived in Wardlow for at least ten years out of the previous twenty and both occupants are intending to form separate households for the first time. The applicant has undertaken a property search, which indicates that there are no suitable affordable or market properties on the market or available through home options either within the parish or within adjoining parishes.

Given the detailed search evidence that has been provided and further searches by Officers it is considered that there is sufficient proof to evidence the need for the proposed dwellings and that both of the dwellings would be occupied by a person with a local qualification. The lack of an up-to-date housing need survey in these circumstances is not considered to present sufficient reason to refuse the application. It is therefore considered that there is sufficient proof of need to allow the application to be considered in compliance with the first three criteria of LH1 and LH2.

The application proposes a pair of semi-detached houses, with a shared access, parking and turning area to the front and separate gardens to the rear. Both of the dwellings would have three bedrooms and a total floor space of 87m² which is within what the Authority's guidelines allow for an affordable dwelling for five people. Estimated build costs have been submitted which are also within the parameters the Authority sets for affordable homes. The completed value of each house, subject to an occupancy restriction, is estimated to be approximately £135,000. Officers do question whether this estimate is too low, however it is clear that the value of the houses would be substantially lower than average house prices in the village and within the surrounding area.

The applicant has indicated a willingness to enter into the Authority's standard legal agreement, which would mean that the named first occupants would occupy the houses for at least the first three years following completion. The legal agreement would also mean that subsequent occupants would also have to be from the local area, or have strong local connections. Each time the property is sold or let to a new occupant, the value of the property would be assessed independently, taking into account the restriction to ensure that the property is offered at an appropriate discount compared to its value on the open market.

It is therefore concluded that because the proposed dwellings would be more affordable and occupancy of the dwelling would be prioritised for people with a local qualification, the current application does not conflict with the fourth criteria of LH1.

Therefore the key issue in this case is considered to be whether the proposed development complies with the fifth criteria of LH1, and therefore also complies with LC4 and GSP3 and whether the development would conserve the Conservation Area and the National Park's Landscape in accordance with policies LC5, L1 and L3.

Impact of the proposed development

The siting of the proposed development is a key issue raised by the Authority's Conservation Officer and Archaeologist and also by the Parish Council and in letters of representation.

The application site is located within the designated Wardlow Conservation Area where the Authority must pay special regard to the desirability of preserving or enhancing the area when making planning decisions. The proposed dwellings would be sited adjacent to the highway within the lower part of a medieval strip field which runs away from the highway to the west.

Concerns have been raised that the siting of the proposed dwellings would result in the loss of one of the villages characteristic open frontages and would remove an important, wide, long-ranging view out into the surrounding countryside and that this change would have an adverse impact upon the significance of the Wardlow Conservation Area, negatively impacting upon the

loose form and open character of the village and its close interrelationship with the surrounding landscape.

The Wardlow Conservation Area appraisal (the appraisal) is a material consideration in the assessment of these concerns. The appraisal says that *“the Old Portway, an ancient trackway that ran through the Peak District, passed through Wardlow and that the present day B6465 follows part of its length. Portway tracks are thought to have been routes linking areas of principal settlement so the presence of the Portway suggests that the Wardlow area was important in the early medieval and perhaps prehistoric period, if only as a through route. It is thought to have continued in use as a pack horse route through the Medieval period when it was known as Castlegate or Derbygate, a major route from Hope to Bakewell.”*

“The fields around the village indicate the location of the large infields of the Medieval period. The date of origin of the ridge and furrow in the area could be as early as the 8th or 9th century AD, which would give a potentially early date of origin for the village. The precise date of enclosure of the fields and access tracks around Wardlow is unknown but evidence elsewhere in the Peak would suggest that it probably started in the 14th or 15th centuries. the last of the open Medieval strips were enclosed by the Great and Little Longstone Enclosure Award in 1824.”

The appraisal goes on to characterise the landscape setting of Wardlow and makes the following summary:

- *“that the surviving medieval field system and access tracks that surround the village are an important part of the history of its development and contribute significantly to its character.”*
- *“The built environment of Wardlow and Wardlow Mires is characterised by a mixture of farmsteads, detached dwellings in generous curtilages and small groups of cottages. Although there is a broad range of building types, the consistent feature is the use of limestone as the main building material. In 17th and early 18th century buildings the limestone is rock faced rubble and in later buildings of the 18th and 19th centuries it is squared and brought to courses. Flush gritstone dressings to openings are common throughout all periods. Welsh blue slate and Derbyshire stone slates are the traditional roof coverings.”*
- *“The linear form of Wardlow and the open frontages within the village are important aspects of its character.”*
- *“Trees and walls make a significant contribution to the character of the village”*

Following on from this summary the appraisal concludes with guiding principles and says (amongst other things) that *“further infilling along existing frontages would not be appropriate because open frontages are an important part of the character and are necessary to maintain the loose form of the village and its close interrelationship with the surrounding landscape. Equally any increase in the density of development to extend the built area behind the existing built up frontage would not be appropriate as it would alter the historic form of the settlement in the context of the wider landscape setting. Any such development may also require the alteration of the historic field boundaries. Such boundaries make a strong visual contribution to the character of the village and are a significant element in the history of the settlement.”*

Having assessed the Conservation Area appraisal it is considered clear that the pattern of medieval field systems which surround Wardlow make a significant positive contribution to the historic and architectural significance of the Conservation Area. It is also clear that the strip fields which run up to the main road are also important because they are an integral part of the close interrelationship between the built up frontage within the village and the surrounding landscape

because the fields allow views out from the village which are framed by built development along with allowing views in and through the village from the surrounding landscape.

The proposed development would result in the erection of two dwellings which would infill the majority of frontage of the strip field in which they would be sited. Officers consider that the proposed dwellings would result in the loss of one of Wardlow's characteristic open frontages and that the mass of the buildings would interrupt important, wide, long-ranging views out to and in from the surrounding countryside.

Having had regard to the views raised in consultation responses and representations along with the Conservation Area appraisal which explicitly states that further infilling along existing frontages within the village would not be appropriate it is considered that the proposed development would have an adverse impact upon the historic and aesthetic significance of the Wardlow Conservation Area by negatively impacting upon the characteristically loose form and open character of the village and its close relationship with the surrounding landscape.

In coming to this conclusion Officers have taken into account that the development would leave some of the frontage open and that there would be glimpsed views from the footpath and the highway within the village up and out to the west through this gap. However it is noted that the existing frontage combined with an adjacent frontage on the east side of the highway form a significant open break which allows views not only out but through the village which can be fully appreciated approaching the village on the footpaths. The proposed development would result in the closure of these open views.

The appraisal also identifies that it is likely that the fields around Wardlow will have archaeological significance which could be affected by development. The application is supported by report following an archaeological survey of the site. Earthworks visible within the site include an east-west trackway probably associated with lead mining remains further west, a dew pond visible on late 19th century mapping. Other features thought to be possible house platforms were examined during evaluation trenching and found to be level platforms naturally occurring in the landscape and possibly accentuated by the adjacent trackway; another feature was found to be material relating to the construction of a septic tank for an adjacent property. No archaeologically significant finds or features were identified in the survey.

Officers therefore agree with the Authority's Archaeologist that the site does not therefore appear to contain significant. However the development will cut across the east-west trackway and dewpond, and may also encounter unrecorded evidence associated with lead mining and/or settlement. Officers therefore consider that if permission is granted that a condition should be imposed to require a scheme of archaeological monitoring during the development groundworks and in accordance with LC15 and LC16 and paragraph 141 of the Framework.

Design

Despite the concerns that have been raised above in regard to the siting of the proposed dwelling, the Authority's Conservation Officer has made recommendations for amendments to the design of the dwelling in the event that planning permission is granted. Officers have sought amendments which have now been submitted.

The design of the proposed dwellings is considered to be in accordance with the local characteristics identified in the Conservation Area appraisal and the Authority's design guide. The proposed dwellings would have a traditional massing and horizontal form under pitched roofs. The walls of the building would be clad with random limestone with gritstone quoins, surrounds and lintels and the roof would be clad with natural slate. The window and door fenestration would generally reflect the local vernacular and the frames would be painted timber.

The siting of the buildings have been brought forward to better reflect the frontage plots of the adjacent buildings, Robin Hey and Burley Farm and the northernmost dwelling has been set down into the site by 1.5m to allow a break in the roof and to reduce the prominence of the northern gable of the building. The fenestration detailing and parking layout has also been amended to provide a more appropriate urban character rather than suburban.

It is therefore considered that subject to appropriate conditions to secure landscaping details and architectural details that the detailed design of the buildings themselves is of a high standard which reflects and respects locally distinctive character within the Conservation Area in accordance with the design guide.

Public Benefits

Officers have identified that the proposed development would have a harmful impact upon the historic significance and landscape setting of the Wardlow Conservation Area. Policies in the development plan make clear that development which would have a harmful impact upon the significant of the National Park's heritage assets will not be approved other than in exceptional circumstances and that where harm is identified the Sandford principle will be applied. The Framework says that great weight should be given to the conservation of designated heritage assets and this makes a presumption against harmful development in decision taking.

In this case the harm to the Conservation Area would be less than substantial because the proposed development would not result in the substantial or total loss of significance which contributes to the Conservation Area. In these circumstances the Framework says that the Authority must weigh any public benefits of the development against the harm that has been identified.

The proposed development would provide private benefits for the named first occupants by providing housing which has been demonstrated would not otherwise be affordable to them. If built the housing would be restricted to eligible local need in perpetuity and would provide two units of intermediate or 'more affordable' housing to local people and this would represent a modest but important public benefit to the communities within the Parish and surrounding Parish. The proposed development would not provide any other enhancement or benefit to the Conservation Area or the wider landscape.

It is acknowledged that there are public benefits associated with the development and that these are an important consideration. However in the context of the Authority's housing and conservation policies that make clear that affordable housing is only acceptable in principle where it would not harm the valued characteristics of the National Park it is considered that these benefits would not outweigh or over-ride the harm that has been identified.

The proposed site is located in an area where the Conservation Area appraisal explicitly says that new infill development would not be appropriate. Therefore while the Authority's policies offer support in principle to proposals for affordable housing it is clear that these developments should be directed to sites which can accommodate development without a harmful impact. It is also noted that representations indicate that existing buildings at Hey Farm may be able to accommodate the development; however, in the absence of any detailed appraisal of the potential or availability of these buildings it is considered that this issue should not be given significant weight either for or against the development.

Other Issues

Concerns have been raised that the development would have an adverse impact upon the residential amenity of the occupants of the neighbouring properties to the north and south of the proposed development. Given the distance from the northern gable of the proposed dwellings to

Birley Farm and intervening planting there are no concerns that the mass of the building would be overbearing or result in any significant loss of sunlight or day light to the occupants of that property.

The southern gable would be closer to the facing wall of Robin Hey to the south within which is a main window to the kitchen of that property. The proposed southern gable would be sited approximately 12m from the facing wall and kitchen window, given that distance, orientation of the buildings and the fact that the proposed dwellings would be set at a lower level than Robin Hey it is considered that the proposed development would not be over-bearing or result in any significant loss of sunlight or daylight to the occupants of that property.

It is considered that the proposed development can be provided with satisfactory access with clear visibility in both directions onto the highway. The submitted plans also show that the development would be served with adequate parking and turning areas for both properties. Therefore Officers agree with the Highway Authority that subject to the imposition of appropriate planning conditions that the development would not harm highway safety or the amenity of road users.

The application site is improved grassland and there is no evidence that the proposed development would harm any protected species or habitat. Concern has been raised that the development would adversely affect mature trees along the southern boundary of the site within the curtilage of Robin Hey. The proposed building would be sited outside of the likely root protection areas of these trees, however, the proposed parking areas could potentially intrude into the root protection area where excavations and compaction related to the creation of hardstanding could have a harmful impact.

If permission is granted planning conditions could be imposed to required either the parking areas to be revised away from the trees or to require the submission of an appropriate tree survey and methodology statement to protect the trees to be submitted and approved by the Authority. This would allow the Authority to ensure that the development does not have a harmful impact upon the trees which are an important feature of the Conservation Area.

Concern has been raised in regard to the proposed surface and foul drainage, particularly in regard to the proposed reed bed system. Given that the development would be served by a package treatment plant there are no concerns that water discharged from the proposed foul drainage system would be likely to pollute the water environment or give rise to smell issues or flooding. However officers are concerned about the visual impact of the proposed reed bed system within the field, particularly if the reed bed would be enclosed by fencing. If permission is granted then Officers would recommend a condition to ensure that details of foul and surface drainage were submitted and approved.

Finally, the submitted application states that the proposed dwellings will meet a minimum of the equivalent of Code Level 3 through the use of high performing insulation. Officers consider that there is limited scope for the installation of renewable energy technology given the prominence of the buildings in the Conservation Area and the potential additional impact that a ground source heat pump could have archaeology. It is therefore considered that the proposed energy saving measures would be in accordance with CC1.

Conclusion

The submitted application has demonstrated that the first occupants of the proposed affordable housing have a local qualification in accordance with LH2 and that they are in need of affordable housing which is not available to them within the existing housing stock. The proposed dwellings are of a size and type which would be affordable in perpetuity in accordance with LH1 (i) – (iv). There are no objections to the design of the building itself or its architectural detailing.

However, it is considered that the proposed development would have a harmful impact upon the significance of the designated Wardlow Conservation Area.

The pattern of medieval field systems which surround Wardlow make a significant positive contribution to the historic and architectural significance of the Conservation Area and are important because they are an integral part of the close interrelationship between the built up frontage within the village and the surrounding landscape.

The proposed development would result in the erection of two dwellings which would infill the majority of the frontage of the strip field in which they would be sited which would result in the loss of one of Wardlow's characteristic open frontages because the buildings would interrupt important, wide, long-ranging views out to and in from the surrounding countryside.

It is acknowledged that the proposed development would result in some public benefit because the development would result in the provision of two units of intermediate or 'more affordable' housing which would be available to local communities in perpetuity. However, it is considered that these benefits would not outweigh the harm that has been identified.

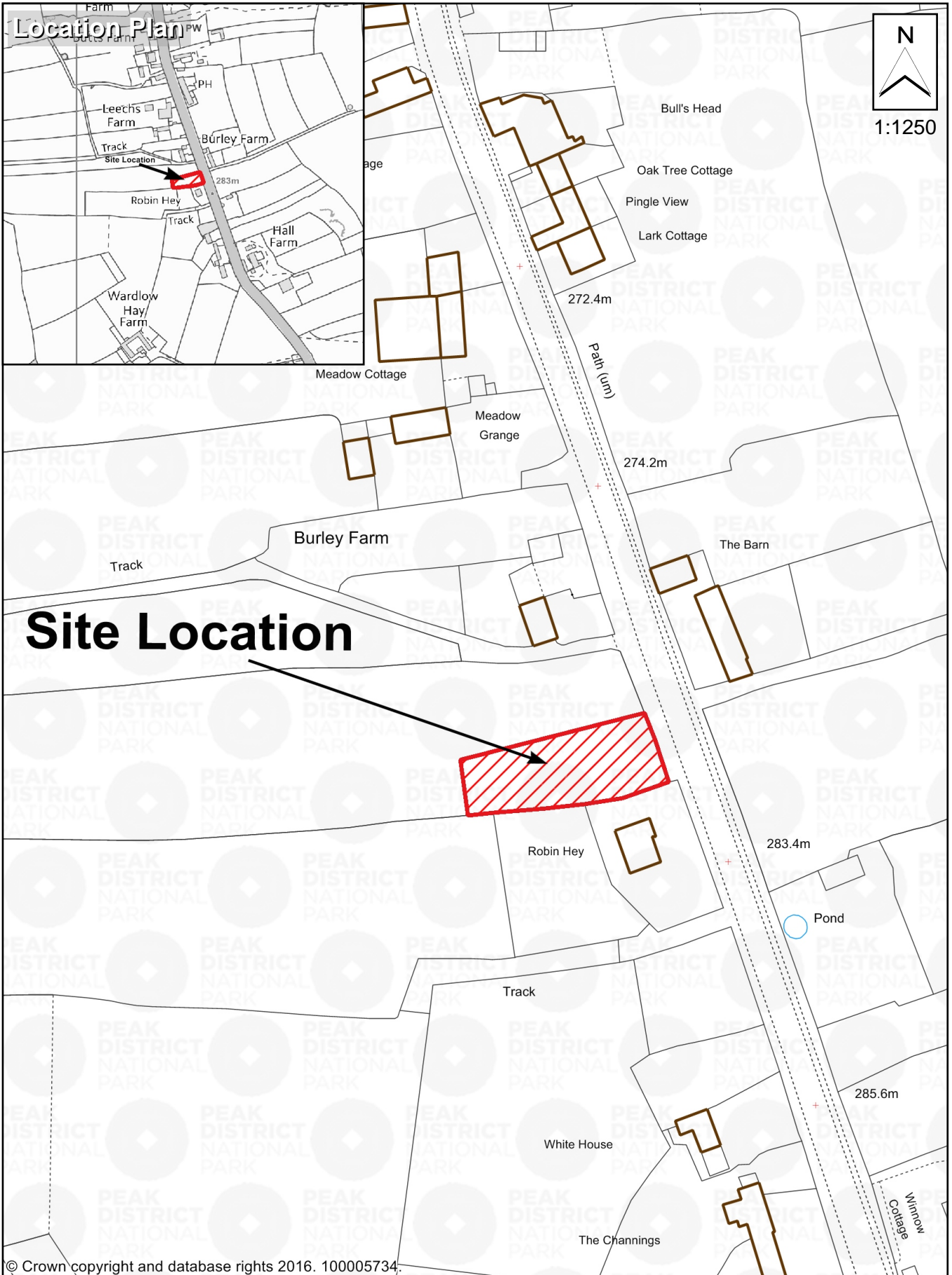
It is therefore concluded that the proposed development would not be in accordance with Core Strategy policies GSP1, GSP3, L1 and L3, saved Local Plan policies LC4 and LC5 or the National Planning Policy Framework which makes a strong presumption against development which has a harmful impact upon the National Park and its heritage assets. In the absence of any other material considerations it is considered that the development is contrary to the development plan and is accordingly 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



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Committee Date:	11/03/2016	Title: Hey Farm Wardlow	 PEAK DISTRICT NATIONAL PARK
Item Number:	9		
Application No:	NP/DDD/0915/0881		
Grid Reference:	418085, 374258		

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10. FULL APPLICATION – REPLACEMENT DWELLING – ST MARYS BUNGALOW, QUEEN STREET, TIDESWELL (NP/DDD/0116/0065, P.1976, 26/01/2016, 415198 / 375505, MN)

APPLICANT: MRS RITA CARVILL

Site and Surroundings

St Marys Bungalow is located to the eastern edge of Tideswell village, on the eastern side of Queen Street. The property is set back from the road and adjacent properties, and occupies a position part way up the hillside that rises from west to east away from the road. The site is within the Tideswell Conservation Area.

The house has a deep plan layout with hipped roof, and is constructed from artificial stone under a concrete roof, with large timber windows. The property has gardens to the front, rear, and side – although these have apparently been unmanaged for a number of years.

The site is accessed along a driveway off Queen Street. After entering the site this turns right where a prefabricated garage is sited before turning left and rising steeply up to the house.

Due to the dwelling's hillside position, neighbouring houses are over 30m away, mostly lining Queen Street. One further neighbour occupies a site further up the hillside to the east, around 40m from the application building.

The first 8m of the driveway are within flood zones 2 and 3, which represent a medium and high risk of flooding respectively.

Proposal

This application seeks planning permission for the demolition of the existing bungalow and the construction of a replacement dwelling.

The application proposes a detached two storey three bedroom dwelling built from natural limestone under a pitched blue slate roof. It would have UPVC windows and door frames with stone surrounds. A projecting two storey gable is proposed to the rear.

The existing access would be retained, with the prefabricated garage demolished and a new garage built in front of and downhill from the house, partially set in to the hillside. The garden would be reinstated and a yard area is proposed to the side and rear of the house.

A number of energy management measures have been tentatively proposed, including a biomass boiler, equipment for grey water re-use, and a ground source heat pump. Further details and plans showing which of these are to be taken forward have not been included with the application however.

RECOMMENDATION:

That the application be APPROVED subject to the following conditions:

- 1. Statutory 3 year time limit for implementation.**
- 2. Development not to be carried out otherwise than in accordance with specified plans.**

3. **Removal of permitted development rights for external alterations, extensions outbuildings, hard standing, walls, fences and other means of enclosure to approved dwelling.**
4. **Conditions to specify or require prior approval of architectural and design details for the dwelling including, stonework, roof materials, windows and door design and finish and rainwater goods.**
5. **Prior approval of space within the site for accommodation, storage of plant, materials and parking for site operative's vehicles during construction works.**
6. **Prior approval of environmental management measures prior to commencement.**
7. **Prior approval of landscaping, including extent of garden reinstatement, boundary treatments, profiling of ground, hard landscaping , and tree retention and planting.**
7. **Parking to be provided prior to occupation.**

Key Issues

1. Whether the principle of the replacement dwelling meets the requirements of saved Local Policy LH5.
2. Whether the proposed development would otherwise conserve or enhance the valued characteristics of the National Park and the conservation area in all other respects.

Consultations

Derbyshire County Council – Highways – No response at time of writing.

Derbyshire Dales District Council – No response at time of writing.

Tideswell Parish Council – Support the proposal as it is felt to represent an improvement over the existing building.

Main Policies

Core Strategy: GSP3, L1 and CC1

Policy GSP3 states amongst other things that development must respect, conserve and enhance all valued characteristics of the site and buildings that are subject to the development proposals.

Policy L1 requires that development must conserve and enhance valued landscape character, as identified in the Landscape Strategy and Action Plan, and other valued characteristics. Valued characteristics specifically identified in the pre amble to L1 include amongst other things – trees, woodlands, hedgerows, stone walls, field barns and other landscape features.

Policy CC1 requires development to take account of the energy hierarchy, to achieve the highest possible standards of carbon reductions and water efficiency, whilst CC2 encourages low carbon and renewable energy development where they can be acceptably accommodated.

Local Plan: LC4 and LH5

Policy LC4 of the Local Plan states that where development is acceptable in principle it will be permitted provided that its detailed treatment is of a high standard that respects, conserves and where possible enhances the landscape, built environment and other valued characteristics of the area.

Local Plan policy LH5 Replacement Dwellings states that the replacement of unlisted dwellings will be permitted provided that:

- i. the replacement contributes to the character or appearance of the area.
- ii. it is not preferable to repair the existing dwelling.
- iii. the proposed dwelling will be a similar size to the dwelling it will replace.
- iv. it will not have an adverse effect on neighbouring properties.
- v. it will not be more intrusive in the landscape, either through increased building mass or the greater activity created.

At the October 2015 Authority Meeting members agreed that from this stage, some limited weight may be attached to the emerging DPD as a material planning consideration as an agreed statement of the Authority's intended position on development management policy. Policy DMH9 of the emerging DPD is of particular relevance to this application. This specifically relates to Replacement Dwellings and states that these will be permitted provided that:

- (i) the dwelling to be replaced is not listed individually or as part of a group listing, and
- (ii) the dwelling to be replaced is not considered to have cultural heritage significance, and

Where the original dwelling complies with these principles development will only be permitted where:

- (iii) the proposed replacement dwelling demonstrates significant overall enhancement to the valued character and appearance of the site itself, and the surrounding built environment and landscape, and
- (iv) the replacement dwelling will not create an adverse impact on neighbours residential amenity, and
- (v) in the event that the replacement dwelling is on another footprint, the existing dwelling is removed from the site prior to the completion of the development, or within 3 months of the first occupation of the new dwelling where the existing dwelling is in residential use, and
- (vi) where there is specific evidence of general housing demand in the Parish for dwellings of the size proposed to be replaced, the replacement dwelling is restricted to that size and/or type.

Adopted design guidance within the 'Design Guide', the Climate Change and Sustainable Building Supplementary Planning Document (SPD), and the Authority's Landscape Strategy and Action Plan offer further guidance on the application of these policies. These policies and guidance are supported by a wider range of policies in the Development Plan listed below.

Wider Policy Context

Relevant Core Strategy (CS) policies: DS1, GSP1, GSP2, GSP4 and L2

Relevant Local Plan (LP) policies: LC17, LT11

National Planning Policy Framework

In the National Park the development plan comprises the Authority's Core Strategy 2011 and saved policies in the Peak District National Park Local Plan 2001. Policies in the Development Plan provide a clear starting point consistent with the National Park's statutory purposes for the determination of this application. It is considered that in this case there is no significant conflict between prevailing policies in the Development Plan and more recent Government guidance in the NPPF with regard to the issues that are raised.

Assessment

Whether the principle of the replacement dwelling meets the requirements of Local Plan policy LH5 (ii)

The existing dwelling has no particular architectural or historic merit and is built from non-traditional materials. The low massing and square form of the building and large window openings do not reflect the form or detailing of traditional vernacular buildings within surrounding settlements or in the National Park more widely.

In this case, it is considered that the principle of replacing the existing building with a more appropriate design which enhances the site and its surroundings and incorporates energy saving measures would be acceptable in principle and in accordance with LH5 (ii).

Whether the proposed dwelling is of a similar size to the dwelling it will replace (Local Plan policy LH5 criteria (iii))

This aspect of the policy uses the phrase 'similar size' as a means to control the size of replacement dwellings to protect the landscape, instead of insisting upon a simple like-for-like floor space or volume calculation. This enables a degree of flexibility to both achieve enhancement of the Park and to allow the scale of a replacement dwelling to respond to what is appropriate in the context of different sites and their setting.

The table below shows the difference in size between the existing dwelling and the proposed dwelling. Figures have been provided for both footprint and volume. However, members will be aware of officer advice in previous replacement dwelling applications that volume is considered to be a more reliable indicator of 'similar size' in relation to the key issue of landscape impact than either floorspace or footprint.

	Existing house	Proposed replacement house (percentage increase/decrease)
Footprint (m ²)	103m ²	73m ² (-29%)
Volume (m ³)	364m ³	397m ³ (9%)

Although the proposed two storey dwelling would actually have a smaller footprint than the existing bungalow as a result of providing accommodation over two floors, it would slightly increase the volume of the building.

The preamble to policy LH4 notes that extensions up to 25% are more likely to be acceptable than larger extensions. The proposed dwelling is only 9% larger so would therefore not result in a dwelling that is larger than what the Authority would be likely to consider acceptable were the existing house to be extended. It is therefore considered that the proposed building would be a similar size to the existing dwelling it will place, according with adopted policy.

Notwithstanding this view, the relative size of the proposed dwelling is only one criterion of the policy and should not be looked at in isolation from the context of the site or its setting within the landscape. In these respects criteria (i), (iv) and (v) of Local Plan policy LH5 are particularly relevant. These are discussed in detail below, and have led to the Officer conclusion that the increased scale is acceptable in this context.

Whether the proposed dwelling meets the requirements of Local Plan policies LC4, LC5, and LH5 (i), (iv) and (v)

The applicant has entered into pre-application discussions with the Authority's officers before making this planning application to try and develop an acceptably designed replacement building.

The existing dwelling does not reflect the building traditions of the area in terms of design or materials, and is at odds with the development lining Queen Street to the east in this regard. By contrast, the proposed house would reflect the two storey design and natural materials that these houses exhibit, making a positive contribution to the character of the area in this regard. Some revision to window proportions is considered necessary before the design would be considered acceptable; those at first floor level are too squat, and require more vertical proportions to better balance the building and to reflect the local building traditions that the building otherwise seeks to reflect. If permission was granted this could be controlled by planning conditions. Similarly, no lintels or surrounds are proposed to some of the doors; these would be necessary to satisfactorily detail the building and could be required by planning condition.

The proposed garage would be more in keeping than the existing pre-fabricated one, and would provide an additional parking space. Being of modest scale above ground and set below the house it does not compete with it and is considered acceptable. An underground corridor providing access in to the house from the garage is proposed. This would have no external impact and there are therefore no objections to it.

In terms of its wider impact, the new dwelling would be seen somewhat removed from the existing built development of the settlement, as is the existing building, and due to the hillside location and the topography of the land around Tideswell the house would also be visible from many vantage points within the village and conservation area to the west of the site. This increases the importance of ensuring it is well designed and does not have an increased impact in the landscape by virtue of its massing.

The design proposed has a traditional flat frontage, a low eaves height, and a two storey rear gable – an approach that minimises the apparent massing of the building in public views. The dwellinghouse would still be taller than the existing by virtue of having a two storey form, but this is offset by a reduction in length over the current building. It would not encroach into undeveloped land, skyline, or be significantly more visually obtrusive in wider views from the surrounding landscape than the existing building.

Given this, and the benefit of having a dwelling that better reflects the building traditions of the area and surrounding buildings, a two storey approach is considered to be acceptable. It is therefore considered that the proposed replacement dwelling would not be more intrusive in the landscape and that the proposal would conserve the character and appearance of the built environment and that of the surrounding landscape in accordance with Local Plan policies LH5 (v), LC4 and LC5.

The proposed reinstatement and landscaping of the garden is not covered in significant detail by the application. A plan has been submitted detailing the proposed boundary for the garden, a yard area, and noting that trees will be retained where possible. Detail of any hard landscaping – such as terracing, paving or paths – is absent. The enclosed yard to the side of the house would, as proposed, be likely to appear out of keeping by virtue of the tall timber fencing around it, which would be prominent and would not reflect the materials of the house or surrounding built

environment. The development of the garden to the side of the house also has the potential to have a significant visual impact if not properly controlled, particularly in views across the village from the west. Some indigenous planting to the western boundary of the garden is likely to be required to mitigate this, but none is currently proposed.

Due to the lack of details with regarding hard and soft landscaping details, the unacceptable impact of the proposed timber fencing, and the potential impact of reinstating the side garden, if permission is granted a condition is recommended requiring a landscaping scheme to be agreed with the Authority in writing prior to the development commencing. This would cover matters including surfacing, boundary treatments and planting as is considered necessary to make the development acceptable.

No arboricultural assessment has been undertaken, and the plan showing tree positions is not definitive regarding which would be retained. The replacement building itself would occupy a similar footprint to the existing however, and so it is considered that planning approval could be granted with assurances that the trees could be retained – where considered necessary – as part of the landscaping condition recommended above.

Overall, it is considered that the proposed replacement dwelling would make a positive contribution to the character and appearance of the area in accordance with saved Local Plan policies LH5 (i), LC4 and LC5.

If permission is granted, officers would recommend that architectural details and specifications are secured by condition and that a condition to remove permitted development rights for alterations and extensions is also necessary to ensure that the Authority retains control of domestic development which could undermine the character and appearance of the development and the amenity of the area, as well as the intent of LH5 (iii) in terms of the size of the dwelling.

Therefore it is considered that the proposed replacement dwelling would not have an adverse impact upon neighbouring properties in accordance with Local Plan policies LH5 (iv) and LC4.

In summary, it is considered that the proposed replacement dwelling is in accordance with Local Plan policies LH5 and LC4 and emerging DPD policy. Although the replacement dwelling is not a similar size to the existing dwelling, in the context of this site and its setting within the landscape, the proposed dwelling would make a positive contribution to the character and appearance of the area, would not have an adverse impact upon neighbours and would not be more intrusive in the landscape or street scene either through increased building mass or greater activity.

Environmental management

Core Strategy policy CC1 states that development must make the most efficient and sustainable use of land, buildings and resources and take account of the energy hierarchy.

The applicant has indicated that they are prepared to introduce renewable energy measures to accord with this policy, and are considering installing a biomass boiler, ground source heat pump, and grey water recycling – or a combination of these. It is considered that it would be possible to incorporate these without detracting from the appearance of the building, and that this would be sufficient to meet the requirements of CC1. However, as no firm details have been provided and no elevation or block plans incorporating the measures have been submitted it would be necessary to ensure that these details are secured by planning condition.

Other matters

Amenity

Despite the proposed increase in height, the proposed dwelling would not be overbearing and would not result in any significant loss of light to any neighbouring property due to its distance

from them. At two storeys in height the building will have the potential to further overlook neighbours. However, at over 30m from any facing windows and 20 from any formal gardens is not considered that this would significantly affect any neighbours' amenity.

Highways

The proposed dwelling would be served by the existing access which would be unaltered. There is ample space within the application site to park four vehicles clear of the highway and no changes to the site layout are proposed that would restrict onsite turning. The Highway Authority has not provided a consultation response at time of writing.

Subject to appropriate conditions to require the parking to be provided prior to occupation it is considered that the proposed development would be served by satisfactory parking and access arrangements in accordance with saved LP policies LT11 and LT18.

Drainage

Foul sewerage would be disposed of to the existing main sewer which is acceptable and in accordance with Government guidance within the National Planning Practice Guidance.

Protected species

The proposal falls outside of the Authority's requirement for a protected species survey because of the age of the building. The Authority is not aware of any protected species or habitat that could be affected by the proposal.

Flood risk

The only part of the site to be within a designated flood zone is the site access at the bottom of the hillside. This area is unaffected by the development proposals, and therefore no flood risk assessment is deemed necessary, and the impact of the development in relation to flood risk is considered acceptable.

Conclusion

It is concluded that the proposed development dwelling is in accordance with Local Plan policy LH5 because the replacement dwelling is a similar size to the existing dwelling and would not be more intrusive in the landscape either through increased building mass or greater activity. It would make a positive contribution to the character and appearance of the area in accordance with policies LH5, LC4 and LC5, and would not have an adverse impact upon neighbours. There are no objections to the access, parking and manoeuvring space.

The proposal would not harm the valued characteristics of the National Park including its landscape character and biodiversity. The proposed development is therefore considered to be in accordance with the development plan and accordingly is recommended for approval subject to conditions.

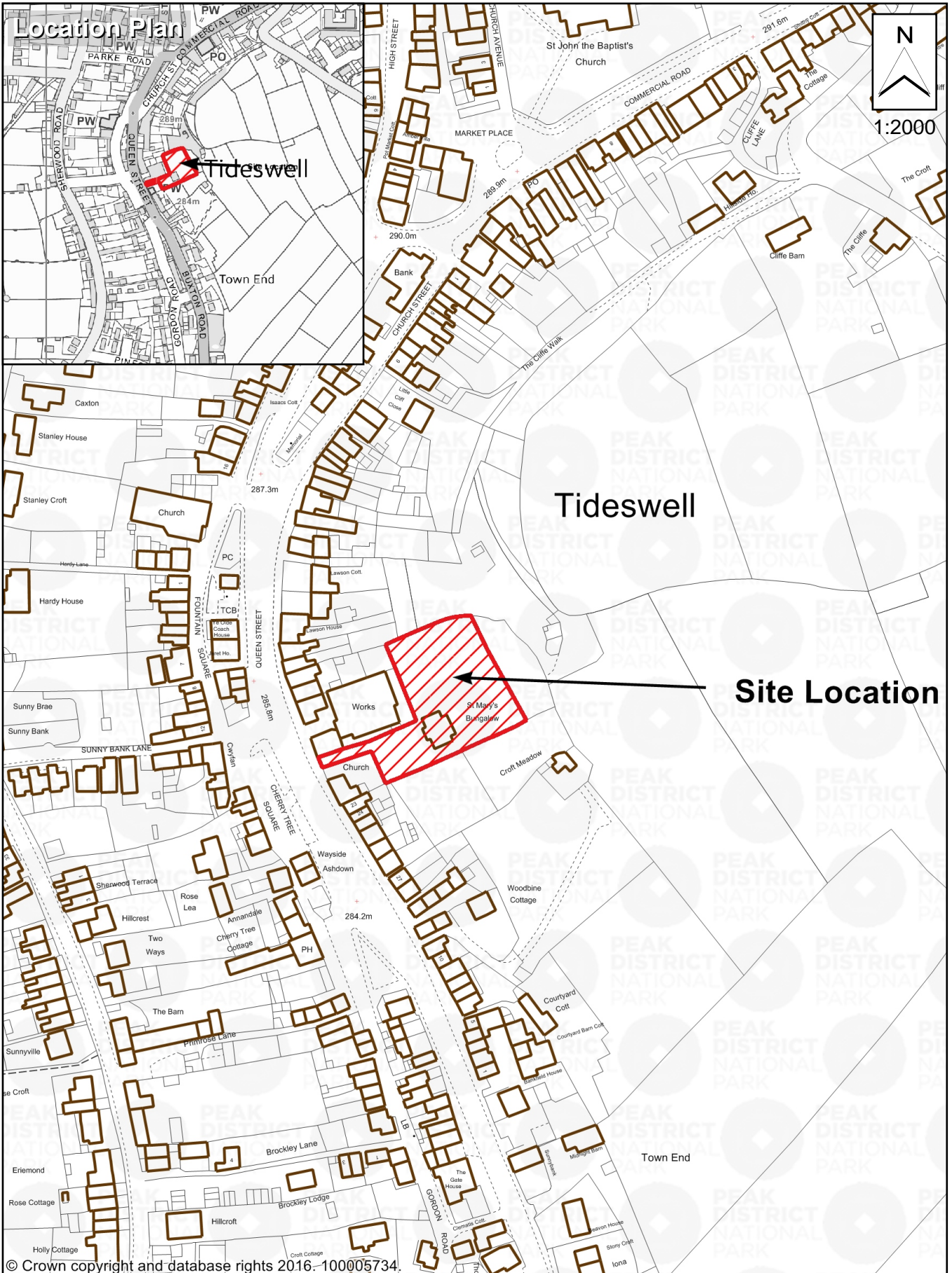
Human Rights

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:	11/03/2016	Title: St. Marys Bungalow Queen Street Tideswell	 PEAK DISTRICT NATIONAL PARK
Item Number:	10		
Application No:	NP/DDD/0116/0065		
Grid Reference:	415198, 375505		

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11. FULL APPLICATION – DEMOLITION OF THE EXISTING HOUSE AND GARAGE AND REPLACEMENT WITH A NEW DWELLING AND NEW DOUBLE GARAGE WITH ANCILLARY ACCOMMODATION ABOVE AT RIVERDALE, EDALE ROAD, HOPE (NP/HPK/1215/1221, P.6636, 417035 / 384137, 29/02/2016/AM)

APPLICANT: MR AND MRS J SHARP

Site and Surroundings

Riverdale is located on the northern edge of Hope on the eastern side of Edale Road and within the designated Hope Conservation Area. The property is a single storey modern bungalow set within a large domestic garden which drops from the level of Edale Road down to the River Noe which runs along the eastern boundary of the site.

Due to the proximity of the river the lower parts of the rear garden are located within Flood Zones 2 and 3. The bungalow is set at a higher level within Flood Zone 1. Access to the site is from Edale Road. The nearest neighbouring properties are dwellings known as 'The Barn' to the south and Greaves Cottage to the west. Both Greaves Cottage and Toll Cottage which is further to the south are Grade II listed buildings.

Proposal

This application seeks planning permission for the demolition of the existing bungalow and the construction of a replacement dwelling. The submitted plans show a detached two storey, four bedroom house built from natural gritstone under pitched roofs clad with blue slate. It would have painted timber windows and door frames. The plans show that the dwelling would be orientated to face south with the gable facing the road and set down into the level of the site. A detached double garage with an ancillary one bedroom annex is also proposed on the far side of the access which would be orientated to reflect the main house.

The four proposed bedrooms would be provided at ground floor and first floor. The kitchen, dining room and living accommodation would be provided at ground floor. The existing access will be retained and widened with parking and turning space provided between the house and garage (and within the garage).

Amended plans have been sought from the agent in regard to the proposed materials, fenestration detailing and landscaping. These are expected to be received in time for the meeting.

RECOMMENDATION:

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

- 1. Statutory three year time limit for implementation.**
- 2. Development not to be carried out otherwise than in accordance with specified approved plans.**
- 3. Prior approval of detailed scheme of landscaping (including planting, earth mounding, re-seeding, walls, gates and hard standing) to be implemented as part of the development.**

4. **Conditions to specify or require prior approval of architectural and design details for the dwelling including, stonework sample panel, window and door details and finish, roof materials, roof verge and rainwater goods.**
5. **Prior approval of a scheme of energy saving measures to be incorporated into the approved development to be submitted to and agreed in writing by the Authority.**
6. **Removal of permitted development rights for external alterations, extensions outbuildings, hard standing, walls, fences and other means of enclosure to approved dwelling.**
7. **Accommodation above the garage to be restricted to be ancillary to the existing dwelling only and retained within a single planning unit.**
8. **Access to be laid out prior to any other works commence and maintained in perpetuity.**
9. **Parking and turning areas (including garages) to be laid and constructed prior to occupation and maintained in perpetuity.**

Key Issues

- Whether the principle of the replacement dwelling meets the requirements of Policy LH5.
- Whether the proposed development would otherwise conserve or enhance Hope Conservation Area and the valued characteristics of the National Park and whether the development would be acceptable in all other respects.

Relevant Planning History

2015: NP/HPK/0915/0861: Demolition of existing dwelling. Erection of replacement dwelling and garage with ancillary accommodation over. Altered driveway and terraces. Withdrawn prior to determination.

Consultations

Highway Authority – Raise no objection subject to:

- Applicant notifying Highway Maintenance Manager at least 6 weeks prior to commencement of any Works on access widening.
- Applicant demonstrating & maintaining 3no. off street parking spaces of 2.4m x 5.5m min dimension (2.4m x 6.5m where located in front of garage doors) clear of adequate manoeuvring space to enable all vehicles to enter and exit the site in a forward gear.
- Accommodation above proposed garage to remain ancillary to main dwelling with no future sub-letting or selling-off.

Borough Council – No response to date.

Parish Council – Make the following comments.

The existing single storey bungalow and separate garage are to be replaced by a 2-storey, 4 bedroom house and a double storey bedroom with a self-contained apartment above. It seems almost inevitable that this will lead to an increase in vehicular traffic to and from the site out into a congested, narrow road with bends and opposite to a popular Public House. Members of Hope

with Aston Parish Council think this represents an increased likelihood of traffic incidents which must be some cause for concern.

Environment Agency – Make the following comment.

The proposed development sits mainly in Flood Zone 1, however a small part of the proposed development is situated within Flood Zone 2. We would suggest that the applicant considers the possibility of raising floor levels in this small section of the property to help mitigate against the increase in flood risk.

Representations

Three letters of representation have been received at the time this report was written. All three letters support the application and give for the following reason:

- The proposal is more in keeping with the area and an improvement on what is there at the moment and will enhance the surrounding area.

Main Policies

National Planning Policy Framework

In the National Park the development plan comprises the Authority's Core Strategy 2011 and saved policies in the Peak District National Park Local Plan 2001. Policies in the Development Plan provide a clear starting point consistent with the National Park's statutory purposes for the determination of this application. It is considered that in this case there is no significant conflict between prevailing policies in the Development Plan and more recent Government policy in the National Planning Policy Framework with regard to the issues that are raised.

Relevant Core Strategy policies: GSP1, GSP2, GSP3, DS1, L1, L3, CC1 and CC5

Relevant Local Plan policies: LC4, LC5, LH5, LT11 and LT18

Saved Local Plan policy LH5 is directly relevant for the current application and other key policies relate directly to landscape character, appropriate design and climate change mitigation and adaptation in the National Park.

Local Plan policy LH5 – Replacement Dwellings states that the replacement of unlisted dwellings will be permitted provided that:

- i. The replacement contributes to the character or appearance of the area.
- ii. It is not preferable to repair the existing dwelling.
- iii. The proposed dwelling will be a similar size to the dwelling it will replace.
- iv. It will not have an adverse effect on neighboring properties.
- v. It will not be more intrusive in the landscape, either through increased building mass or the greater activity created.

At the October 2015 Authority Meeting members agreed that from this stage, some limited weight may be attached to the emerging DPD as a material planning consideration as an agreed statement of the Authority's intended position on development management policy. Policy DMH9 of the emerging DPD is of particular relevance to this application. This specifically relates to Replacement Dwellings and states that these will be permitted provided that:

- (i) the dwelling to be replaced is not listed individually or as part of a group listing, and
- (ii) the dwelling to be replaced is not considered to have cultural heritage significance, and

Where the original dwelling complies with these principles development will only be permitted where:

- (iii) the proposed replacement dwelling demonstrates significant overall enhancement to the valued character and appearance of the site itself, and the surrounding built environment and landscape, and
- (iv) the replacement dwelling will not create an adverse impact on neighbours residential amenity, and
- (v) in the event that the replacement dwelling is on another footprint, the existing dwelling is removed from the site prior to the completion of the development, or within 3 months of the first occupation of the new dwelling where the existing dwelling is in residential use, and
- (vi) where there is specific evidence of general housing demand in the Parish for dwellings of the size proposed to be replaced, the replacement dwelling is restricted to that size and/or type.

Adopted design guidance within the 'Design Guide', the adopted Climate Change and Sustainable Building Supplementary Planning Document (SPD) and the Authority's Landscape Strategy and Action Plan offer further guidance on the application of these policies. These policies are supported by a wider range of policies in the Development Plan. The adopted Hope Conservation Area Appraisal is also a key material consideration.

The proposed house would have a larger footprint and as a consequence of providing accommodation over two floors the volume of the house would also increase. Therefore the proposed building would not be a similar size to the existing dwelling it would replace. Notwithstanding this point, the relative size of the proposed dwelling is only one criterion of the policy and should not be looked at in isolation from the context of the site or its setting within the landscape. In these respects criteria (i), (iv) and (v) of Local Plan policy LH5 are particularly relevant and have led to the Officer conclusion that the increased scale is acceptable in this context.

Whether the proposed dwelling meets the requirements of Local Plan policy LH5 (i), (iv) and (v)

The agent has entered into pre-application discussions with the Authority's Officers following the withdrawal of the last application and before making this planning application. Since the application was submitted further amendments have been sought to simplify window and door fenestration, modify the landscaping scheme and replace the proposed render with natural stone.

The siting, form and massing of the building has been informed by an assessment of nearby buildings within the Conservation Area which are identified in the Conservation Area Appraisal. A number of dwellings within this part of the Conservation Area are long buildings orientated south presenting blank gables towards the highway. The buildings around the site provide a 'tight knit' sense of enclosure which is an abrupt change in character from the open spaces to the north and south.

The orientation, form and massing of the dwelling and the proposed detached garage / ancillary accommodation reflects the identified character of the Conservation Area. The proposed dwelling is a two story house with long horizontal mass, orientated south with a plain black gable facing towards the road. The proposed house and garage buildings would reflect the close knit nature of buildings around the Cheshire Cheese pub and would act to frame the exit of this part of the Conservation Area before the railway viaduct.

In these respects it is considered that the proposed development would provide an enhancement to the identified character of the Conservation Area and the setting of nearby listed buildings compared to the existing bungalow which is a suburban form which fronts the road and is set back within its garden away from the road.

The fenestration of the proposed dwelling would have contemporary detailing rather than copy traditional window and door designs. The proposed design approach on the front rear and road facing gable nevertheless has a high solid to void ratio, simple rhythm and strong horizontal emphasis and therefore would complement local distinctiveness as encouraged by the design guide. The design of the proposed garage reflects design guidance as it would appear as a subordinate outbuilding with openings beneath the eaves.

The eastern gable of the dwelling which faces the dwelling would have a large two story glazed opening which is desirable to the applicant to provide views and a relationship with the rear garden and the river. The proposed fenestration is considered to be acceptable in this case as a good example of contemporary detailing which is not prominent from public vantage points and would not undermine the general design approach which is proposed.

The application originally proposed to render the rear elevation and road facing gable, however Officers have requested amendments to show natural gritstone which is considered to be more appropriate and reflective of nearby buildings rather than proposed a combination of render and stone. Officers have also sought minor amendments to the fenestration of both the proposed house and garage along with amendments to the landscaping to better integrate the building and into the landscape.

The proposed dwelling would be taller than the existing bungalow but in its proposed location it would be read with the existing nearby buildings. The site is not in an isolated position and therefore the proposed scale of the building would not be unduly prominent or harmful to landscape character.

Overall, it is considered that the proposed replacement dwelling would make a positive contribution to the character and appearance of the area and the Conservation Area in accordance with Core Strategy policies GSP3 and L3 and saved Local Plan policies LC5 and LH5 (i). If permission is granted, officers would recommend that the amended plans, architectural details and specifications are secured by condition and that a condition to remove permitted development rights for alterations and extensions is also necessary to ensure that the Authority retains control of domestic development which could undermine the character and appearance of the development and the amenity of the area.

It would also be essential to impose a condition to restrict the occupancy of the proposed ancillary accommodation to prevent its occupation as an independent dwelling which would be contrary to Core Strategy policy HC1.

The property is located within the Derwent Valley landscape character area identified within the Landscape Strategy and specifically within the riverside meadows landscape character type. The landscape around the application site is characterised by meandering river channels, waterlogged alluvial soils, grazing meadows, dense scattered hedgerow trees and regular patterns of small to medium sized fields. The landscape around the application site reflects a great deal of the identified landscape character.

In this case the application proposes a replacement dwelling which better reflects the local built vernacular and in these respects the proposal would make a positive contribution to identified landscape character. The proposal would not encroach into nearby fields, skyline or be more visually obtrusive in wider views from the surrounding landscape. Any increase in activity on the site from the proposed four bedroom dwelling would not be so significant to be any more intrusive in the landscape.

It is therefore considered that the proposed replacement dwelling would not be more intrusive in the landscape and that the proposal would conserve the character of the surrounding landscape in accordance with Local Plan policy LH5 (v). If permission is granted a condition would be recommended to require submission and agreement of a detailed scheme of landscaping including planting, walls and hard standing.

Given the distance from the site of the proposed dwelling to the nearest neighboring properties there are no concerns that the proposed dwelling would be overbearing or result in any loss of daylight or sunlight to habitable rooms or garden of any neighboring property. There are no facing windows between properties which could give rise to any issues of overlooking.

Therefore it is considered that the proposed replacement dwelling would not have an adverse impact upon neighboring properties in accordance with Local Plan policy LH5 (iv).

In summary, it is considered that the proposed replacement dwelling is in accordance with Local Plan policy LH5 and emerging DPD policy. Although the replacement dwelling is not a similar size to the existing bungalow, in the context of this site and its setting within the landscape, the proposed dwelling would make a positive contribution to the character and appearance of the area, would not have an adverse impact upon neighbors and would not be more intrusive in the landscape or street scene either through increased building mass or greater activity.

Environmental Management

Officers have discussed the potential to incorporate enhanced insulation, renewable energy technology and energy saving measures into the development. In particular the site may suit the inclusion of solar and / or photovoltaic panels, air source or ground source heat pumps into the development. The applicant and agent have indicated that the intention is to install renewable energy technologies following a feasibility study to ensure that the most efficient combination of technologies is utilized. The agent has requested that the Authority imposed a planning condition to require details to be submitted and approved in due course and it is recommended that any measures are secured by an appropriate planning condition to ensure compliance with Core Strategy policy CC1.

CC1 and the Authority's Climate Change and Sustainable Building SPD require all new housing (including agricultural workers dwellings) to be built to a minimum sustainability standard equivalent to that required by the government of affordable housing by Registered Social Landlords (RSLs).

A written statement to parliament from the Department for Communities and Local Government dated March 2015 is a material consideration in this respect. In the decision taking section of the written statement it says that Government Policy is that planning permissions should not be granted requiring or subject to conditions requiring compliance with any technical housing standards other than for those areas where there are existing policies on access, internal space or water efficiency.

CC1 requires development to meet an equivalent to that required by Government of affordable housing by Registered Social Landlords rather than a specific standard. The Government do not currently do not require RSLs to meet any specific standard. Therefore at this point in time it would be unnecessary to impose conditions requiring development to meet technical standards.

Other Issues

The proposed dwelling would be served by the existing access which would be widened. There is ample space within the application site to park three vehicles clear of the highway and the agent has submitted plans to show the proposed layout. The Highway Authority has been consulted and raises no objection to the proposals. Therefore subject to appropriate conditions to require the access to be provided and maintained and to ensure that parking and turning space is laid out and maintained in perpetuity it is considered that the proposed development would be served by satisfactory parking and access arrangements in accordance with saved Local Plan policies LT11 and LT18.

Officers have taken into account the concerns raised by the Parish Council but consider that the application has demonstrated that the access to the proposed dwelling would have sufficient visibility onto the adjacent highway to ensure that vehicles entering and exiting the site can do so in a forward gear with visibility of traffic on the highway. Therefore it is considered that the proposed development would be unlikely to give rise to highway safety issues.

The submitted plans show that foul sewerage would be disposed of to the main sewer which is acceptable. The application site is mainly within Flood Zone 1 with a small part within Flood Zone 2. Having had regard to the advice from the Environment Agency it is considered that the proposed development would not be at risk of flooding given the raised floor levels (relative to the river) and that the development would not increase the risk of flooding elsewhere or surface run-off given that permeable surfaces are proposed in the landscaping scheme.

The proposal falls outside of the Authority's requirement for a protected species survey because of the age and construction of the bungalow which is to be removed. The Authority is not aware of any protected species or habitat that could be affected by either the removal of the bungalow or the construction of the new dwelling on the site. Although it is considered that the proposed development would be unlikely to have an adverse impact upon any nature conservation interests an advisory footnote is recommended to remind the developer as a precautionary approach.

Conclusion

It is therefore concluded that the proposed development dwelling is in accordance with Local Plan policy LH5 because although the replacement dwelling is not a similar size to the existing dwelling, in the context of this site and its setting within the landscape, the proposed development would make a positive contribution to the character and appearance of the area and the Conservation Area, would not have an adverse impact upon neighbors and would not be more intrusive in the landscape either through increased building mass or greater activity.

There are no objections to the proposed access, parking and maneuvering space or garage and the proposals would not harm the valued characteristics of the National Park including its landscape character and biodiversity.

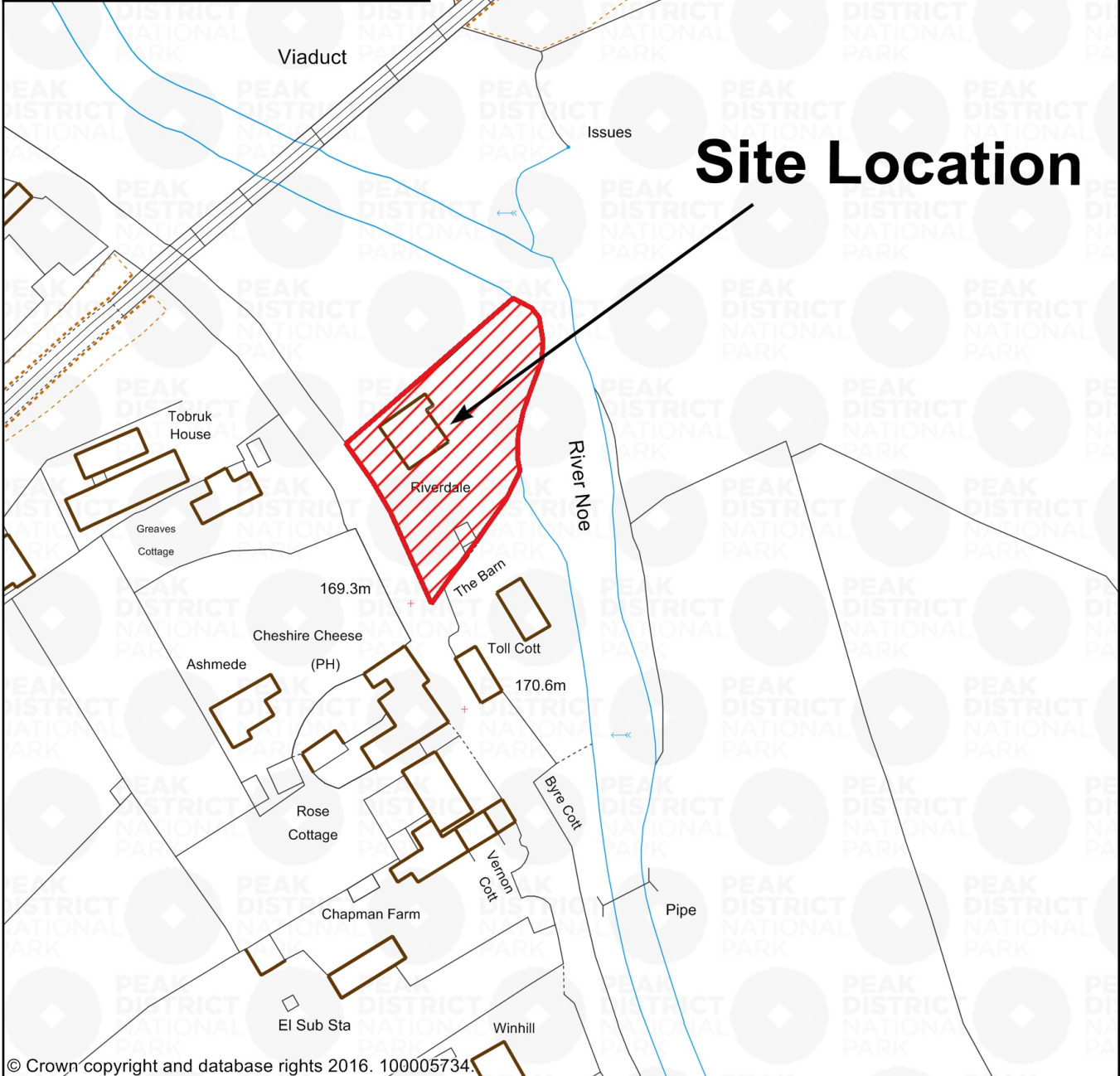
In the absence of further material considerations, the proposed development is considered to be in accordance with the development plan and accordingly is recommended for approval subject to conditions.

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:	11/03/2016	Title: Riverdale Edale Road Hope	 PEAK DISTRICT NATIONAL PARK
Item Number:	11		
Application No:	NP/HPK/1215/1221		
Grid Reference:	417035, 384137		

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12. HOUSEHOLDER APPLICATION – CONSTRUCTION OF REAR AND SIDE EXTENSIONS, FIELD VIEW, EYAM (NP/DDD/1115/1057, P.2152, 06/11/2015, 421296 / 376727, MN)

APPLICANT: MR JULIAN WRIGHT

Proposal

Construction of a single storey extension to the rear of the property, and an infill extension to the side of the property, replacing an existing car port.

Site and Surroundings

Field View is a semi-detached dwelling situated on the western outskirts of Eyam village. The property is within the Eyam Conservation Area. It fronts the southern side of the road known as Townhead, with the adjoining neighbour to the eastern side.

The property is of gritstone construction under a blue slate roof. To the western side is a narrow two storey side extension. The ground floor of this serves as an open carport leading through to the rear garden of the house. To the rear is a small glazed single storey extension with flat roof.

In addition to the adjoining neighbour, there are further neighbours to the west.

RECOMMENDATION:

That the application be APPROVED subject to the following conditions:

- 1. Statutory time limit**
- 2. Completion in accordance with the revised plans**
- 3. Conditions to specify architectural and design details including, stonework, roof materials, windows and door design and finish and rainwater goods**

Key Issues

1. Whether the development has an acceptable impact on the character and appearance of the dwelling
2. Whether the development has an acceptable impact on the character and appearance of the conservation area
3. Whether the development has an acceptable impact on the use and safety of the highway.

History

No relevant history.

Consultations

Derbyshire County Council – Highways – Recommend that the extension is set back at least 5m from the highway to provide a parking space or alternatively installs measures to prevent all parking onsite. Whilst this would result in a loss of all on-site parking it is not considered that a refusal based on the lack of parking would be sustainable at appeal. Additionally given the substandard exit visibility from the access, the Highway Authority considers that on balance, and

in this instance only, that there is a benefit of removing traffic movements to and from a substandard access onto a classified road.

Derbyshire Dales District Council – No response at time of writing.

Eyam Parish Council – Object to the proposal on the grounds that by adding the proposed extension to the property, it would infill more than half of the already available parking space, therefore only leaving one space remaining. This will put more vehicles on an already restricted highway sited in very close proximity to a blind bend, already made dangerous by on-street parking.

Main Policies

Core Strategy: GSP1, GSP3, DS1

Policy DS1 allows for the extension of existing buildings in all settlements in the National Park.

Policy GSP1 requires all new development in the National Park to respect and reflect the conservation purpose of the National Park's statutory designation.

GSP3 states amongst other things that development must respect, conserve and enhance all valued characteristics of the site and buildings that are subject to the development proposals.

Local Plan: LH4, LC4, LC5, LT11

The policies of the development plan are generally permissive of householder development provided it will not harm the character and appearance of the original building or its setting and will not harm the amenities of the site, neighbouring properties or the area (policies LC4 and LH4).

These policies are consistent with the wider range of conservation and design policies in the Development Plan, which promote high standards of design and support development proposals that would be sensitive to the locally distinctive character of the site and its setting and the valued characteristics of the National Park.

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.

Policy LT11 Residential parking states that 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.

National Planning Policy Framework

Policies in the Development Plan provide a clear starting point consistent with the National Park's statutory purposes for the determination of this application. It is considered that these policies detailed 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 secure high quality design, and promote the importance of landscape protection within the National Park.

Assessment

Revised plans have been submitted during the course of the application that adjust the size and position of the infill side extension. These have been submitted in an effort to address the highway matters raised by the Highway Authority.

Impact on character and appearance of building

Rear extension

The rear extension is a simple lean-to of modest size. Whilst it does run the full width of the property, which can detract from a building's legibility, in this case there is not such character that this is considered to detract from its appearance, particularly given the existing out-of-keeping rear extension. Materials would match the house, being a slate roof with gritstone walls, helping to unify the old and new development.

The cut-out in the roof to accommodate the first floor window is unfortunate. The alternatives would be to lower the roof pitch of the extension to avoid it – which would result in an untraditionally low pitch that relates poorly to that of the main house – or to reduce the height of the first floor window, which would result in an uncharacteristically squat window. The approach adopted is considered preferable to these alternatives, and the impact on the appearance of the overall property is not considered to be significant.

Side extension

The extension would infill the existing open carport to the western side of the house. As revised it would be set back from the existing first storey element above. This has allowed the applicant to increase what would otherwise be an undersized parking space in front of the extension to a space that is in accordance with the recommendations of the Highway Authority (this matter is discussed in more detail below). Whilst it would be preferable for the side extension to have an unbroken frontage, the proposal still represents an improvement over the existing carport arrangement by virtue of creating a more traditionally solid appearance. Given this, the subsidiary nature of the extension and the degree of setback from the road, the form is considered to conserve the appearance of the dwelling and site.

In design terms, openings are limited to a single window and door that are appropriately detailed in relation to the house. Overall, the development is considered to conserve the character and appearance of the building, as required by policy LC4.

Impact on character and appearance of Conservation Area

The building is visible within the Conservation Area, although the affected rear elevation is not seen in any public views. Given the limited nature of the changes proposed, the impact on the appearance of the conservation area is not considered to be significant.

Highways

The proposal would result in the loss of one parking space. The Parish Council has objected to the loss of parking on the grounds that it would increase on road parking in what they consider to be a dangerous location.

The Highway Authority has been consulted on the proposal and has advised that a refusal based upon a loss of on-site parking at this site would not be sustainable. Officers agree with this as there is over 30m of visibility from the application site in a westerly direction before the road

bends and visibility reduces. Additionally, the speed limit in force on the road in this location is 30mph.

The Highway Authority commented on the original proposal, which left one sub-standard parking space. In commenting they advised that either the development should be adjusted to provide a large space, or that all onsite parking should be removed by permanently obstructing the driveway. The applicant has revised the scheme to incorporate the former suggestion, overcoming the concerns of the Highway Authority.

Based upon the above, it is considered that the development as revised would not lead to a significant inconvenience to road users, nor would it detract from highway safety.

Other matters

Due to the size, height, and orientation of the extensions they are not considered to affect the amenity of any neighbouring property.

Conclusion

The form, design and size of the extensions are all considered to conserve the character and appearance of the built environment and conservation area as required by the policies of the Development Plan. Officers also consider that, having considered the advice of the Highway Authority, the proposal would not result in a detrimental effect to the use of the highway.

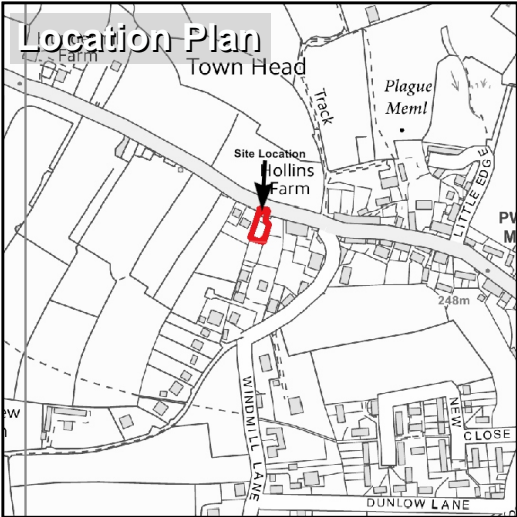
Given these considerations, and having taken account of all other material matters, the application is recommended for approval.

Human Rights

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

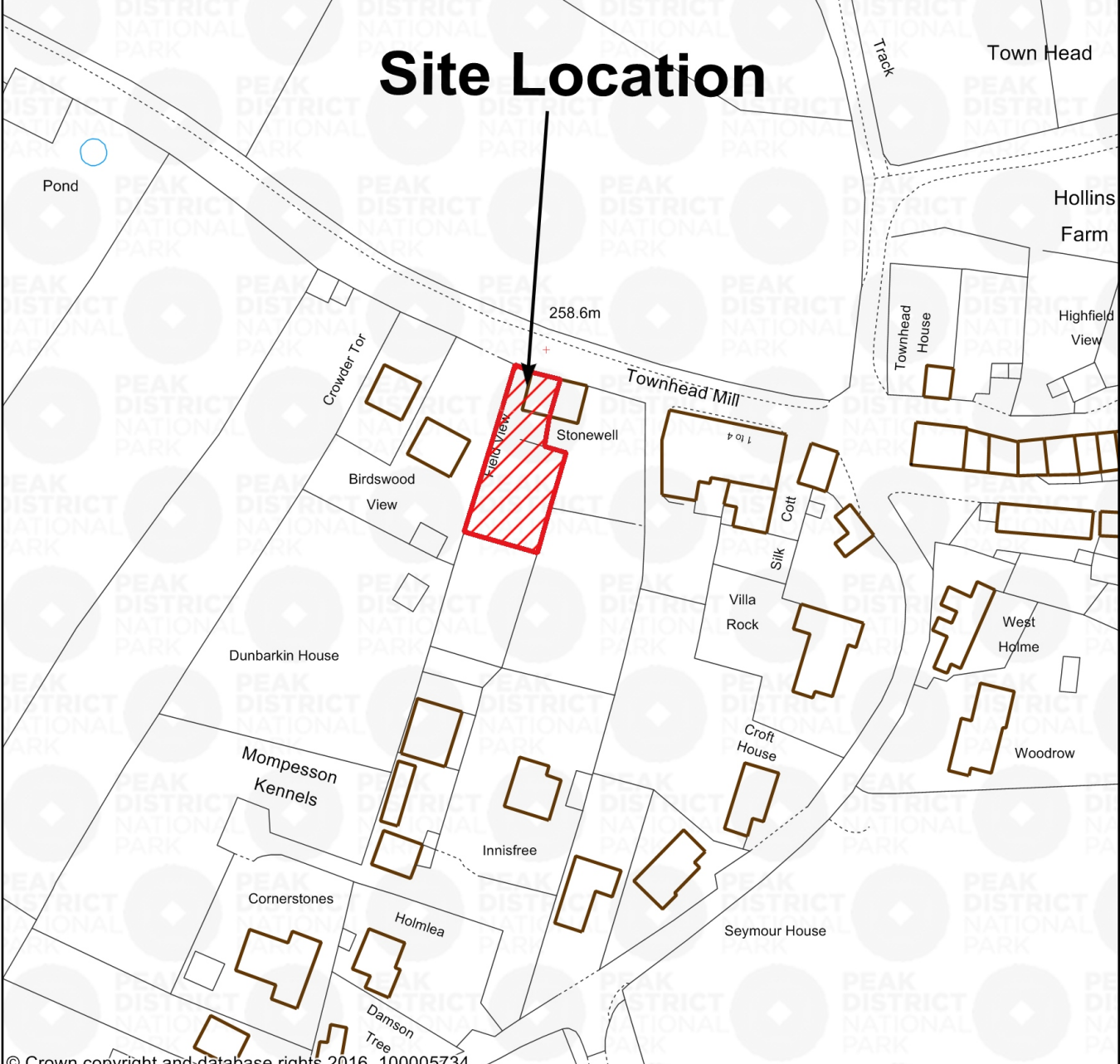
List of Background Papers (not previously published)

Nil




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Site Location



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Committee Date:	11/03/2016	Title: Field View Townhead Eyam	 PEAK DISTRICT NATIONAL PARK
Item Number:	12		
Application No:	NP/DDD/1115/1057		
Grid Reference:	421296, 376727		

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13. **PLANNING APPEALS – HEAD OF LAW REPORT (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/HPK/1015/0997 3144521	Lawful Development Certificate - Existing use in respect of the conversion of a residential outbuilding, known as "The Coach House" to form an additional self-contained dwelling at The Coach House, High Peak House, Chapel-en-le-Frith, SK23 0PU	Inquiry	Delegated

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/0615/0606 3136775	Erection of lambing shed at Thornbridge Hall, Ashford-in-the-Water, Bakewell, DE45 1NZ	Written Representations	Dismissed	Delegated
15/0047 (Enf) 3128691	Use of land for clay pigeon shooting without planning permission on land to the west of A624 Hayfield to Glossop Road	Written Representations	Dismissed	Committee

The Inspector noted that since the appeal was submitted the planning committee had resolved to approve the planning application subject to a section 106 agreement, which was currently being negotiated. As the compliance period will begin again from the date of that decision, it will give the appellant well into the summer to make arrangements for suppliers to remove the equipment from the site and it more than adequately allow for any pre bookings to be honoured. It should also be ample time for a section 106 agreement to be agreed with the Authority. However, should that prove not to be the case, the Authority have the power, under section 173A (1) (b) of the amended 1990 Act, to extend the Appeal Decision: APP/M9496/C/15/3128691 compliance period themselves, if they see fit. Whilst this is entirely a matter for the Authority's discretion, it

would be open to the appellants to ask for a further short extension of time, should that prove necessary. Therefore the Inspector was not satisfied there was a good reason to extend the compliance period further and considered the 6 months given was sufficient to meet the requirements of the notice and dismissed the appeal.

14/0177 (Enf) 3022952	Appeal against Enforcement Notice regarding making a material change of use of the land to a mixed use and without planning permission, carrying out building operations comprising the extension and alterations to the roof, installation of solar panels to the outbuilding and installation of door to the building on the land at Flash Bar Stores, Quarnford, Buxton	Written Representations	Allowed with condition	Delegated
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The Inspector felt the appeal should succeed on ground (a) and planning permission granted. He added that a condition restricting occupancy to a person employed in the business was necessary to ensure that the accommodation served the needs of an established rural enterprise and cannot be sold on the open market as an independent dwelling. The enforcement notice was quashed.

12/0064 (Enf) 3133214	Appeal against Enforcement Notice re erection of a field shelter for horses in breach of planning control on land off Cliff Lane, Curbar, Calver S32 3WD	Written Representations	Dismissed and Notice upheld with variation to the period for compliance	Delegated
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In deciding whether the moveable shelter required planning permission as a building, the Inspector referred to the Woolley Valley case (R (Save Wooley Valley Action Group Ltd) v Bath and North East Somerset Council [2012]) in which the High Court held that the ability to move structures around in a field did not remove the significance of their presence in planning terms. Although he concluded that the shelter breached planning control regulations, the Inspector accepted that the appellants had not deliberately flouted planning procedures and extended the period for compliance with the Enforcement Notice from 3 months to 9 months.

4 **RECOMMENDATION:**

That the report be received.