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



Our Ref: A.1142/1444

Date: 7 April 2016



NOTICE OF MEETING

Meeting: **Planning Committee**

Date: **Friday 15 April 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 11 March 2016** (*Pages 1 - 8*)
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 - Construction of Two Local Needs Dwellings, Hey Farm, Wardlow (NP/DDD/0915/0881, P.790, 418085/374258, 23/02/2016/AM)** (*Pages 9 - 28*)

Appendix 1

Site Plan

7. **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 29 - 38)**

Site Plan

8. **Full Application - Retrospective Application for Retention of Timber Decking - Robin Hood Inn, Rainow (NP/CEC/0216/0079, P.4124, 03/02/2016, 395235 / 376215, MN) (Pages 39 - 46)**

Site Plan

9. **Householder Application - Alterations, Extensions, and New Garage with Accommodation Above - Warren Lodge, Bar Road, Curbar (NP/DDD/0216/0087, P.9881, 04/02/2016, 425667 / 374903, MN) (Pages 47 - 56)**

Site Plan

10. **Full Application - New Dependant Relative Dwelling at Carr Bottom Farm, Carr Lane, Thornhill (NP/HPK/1115/1097, P576, 420033/374258, 23/03/2016/SPW) (Pages 57 - 64)**

Site Plan

11. **Full Application - Change of Use to Field No.S 8485 and 8877 to a Seasonal Overflow Camping Field at Knotlow Farm, Flagg (NP/DDD/0216/0085, P7457, 02/02/2015 /ALN) (Pages 65 - 76)**

Site Plan

12. **Householder Application - Erection of Domestic Garage and Store at Swallow Cottage, Pilhough Road, Rowsley (NP/DDD/1215/1167 P.10620 424893/364905 29/03/2016/LB) (Pages 77 - 86)**

Site Plan

13. **Full Application - Deposit of Soil to Improve Vehicle Turning at Swallow Cottage, Pilhough Road, Rowsley (NP/DDD/1215/1168 P.10620 424893/364905 29/03/2016/LB) (Pages 87 - 94)**

Site Plan

14. **Householder Application - Erection of Garage at Gardeners Cottage, Parwich (NP/DDD/0116/0061 P.5867 418860/354638 22/03/2016 DH/CF) (Pages 95 - 102)**

Site Plan

15. **Full Application - Retention of Garden Shed (Retrospective) at Rosedene Cottage, Woodhouse Lane, Winster (NP/DDD/0715/0614, P5988, 424154 / 360600, 26/01/2016/SC) (Pages 103 - 114)**

Appendix 1

Site Plan

16. **Full Application - Erection of Three Gritstone Gate Posts and a Timber Log Store at the Former Goldcrest Engineering Site, Main Road, Stanton in Peak (NP/DDD/0116/0030 P.2530 424025/364344 22/03/2016/DH) (Pages 115 - 122)**
Site Plan
17. **Full Application - Conversion of Stone Built Outbuilding to Holiday Accommodation at 1 The Cross, Great Longstone (NP/DDD/0116/0033, P2128, 419922 / 371844, 29/1/2016/SC) (Pages 123 - 132)**
Site Plan
18. **Full Application - Erection of New Stock and Fodder Storage Buildings at Pictor Farm, Wardlow (NP/DDD/1215/1212, P.2286, 418271 / 374387, 31/03/2016/AB) (Pages 133 - 140)**
Site Plan
19. **Monitoring & Enforcement Annual Review - April 2016 (A.1533/AJC) (Pages 141 - 148)**
20. **Head of Law Report - Planning Appeals April 2016 (Pages 149 - 150)**

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.

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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.

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

To: Members of Planning Committee:

Chair: Mr P Ancell
Vice Chair: Cllr D Birkinshaw

Cllr P Brady	Cllr C Carr
Cllr D Chapman	Cllr 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

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



MINUTES

Meeting: **Planning Committee**

Date: Friday 11 March 2016 at 10.00 am

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

Chair: Mr P Ancell

Present: Cllr D Birkinshaw, Cllr P Brady, Cllr C Carr, Cllr D Chapman,
Cllr Mrs N Hawkins, Mr R Helliwell, Cllr Mrs C Howe, Cllr H Laws,
Ms S McGuire, 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: Cllr J Macrae.

41/16 MINUTES OF PREVIOUS MEETING

The minutes of the last meeting of the Planning Committee on 12 February 2016 were approved as a correct record.

42/16 MEMBERS DECLARATIONS OF INTEREST

Item 6 & 7

Ms S McGuire declared a personal interest as she was in contact with the applicant approximately 10 years ago when researching a stone circle on their land

Mr R Helliwell declared a prejudicial interest as the applicant was known to him and he would leave the room during this item.

Item 8

Cllr C Furness, member of the Authority is speaking as a member of the public and is known to all members of the committee.

Cllr P Brady declared a personal interest and has exchanged some correspondence with L Grainger regarding the application and also with Mr J Keeley, Planning Officer.

Item 9

Cllr Mrs K Potter – declared a prejudicial interest as the applicant gave Rowsley Parish Council gravel for a community garden but Cllr Potter was not directly involved with

negotiations, Cllr Potter stated she would leave the room during consideration of this item.

43/16 PUBLIC PARTICIPATION

Seven members of the public had given notice to speak under the Public Participation at Meetings Scheme.

Mr R Helliwell left the room for the following two items, having declared prejudicial interests in Item 6 and 7 which were to be taken together but the order would be reversed so that item 7 relating to the Listed Building consent would be dealt with first and then the planning application Item 6.

44/16 LISTED BUILDING CONSENT - CONVERSION OF BARN TO RESIDENTIAL DWELLING AT HIGHLOW FARM HOUSE, HIGHLOW, HATHERSAGE

Members had visited the site in January 2016

The following spoke under the Public Participation at Meetings Scheme:

- Mr Craig Barks, Agent.

The planning officer highlighted the harm to features under the current plan and that there was not enough public benefit to allow the current proposal to proceed. Planning consent had already been given for the conversion of the first floor to holiday accommodation and the use of the ground floor would require protection of the stable end of the building and particularly the beams which were of significant interest.

Clarification was sought on the comments of Historic England as they were not clear. They had stated they would be happy to leave the decision to the Authority's Archaeology and Conservation officers who support the refusal.

Officers are continuing to work with the applicant to find a solution. Officers advised that the permission granted in 2008 for a holiday let could now be accepted in principle as an open market dwelling due to the changes in Core Strategy policy in 2011.

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

RESOLVED:

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.**

Cllrs D Chapman and G Weatherall joined the meeting during the consideration of this item and did not take part in the voting.

45/16 FULL APPLICATION - CONVERSION OF BARN TO RESIDENTIAL DWELLING AT HIGHLOW FARM HOUSE, HIGHLOW, HATHERSAGE

Discussed under Item 7.

The following spoke under the Public Participation at Meetings Scheme:

- Mr Craig Barks, Agent.

RESOLVED:

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 polices 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.**

Cllrs D Chapman and G Weatherall did not take part in the voting as they joined the meeting during consideration of this item.

Mr R Helliwell returned to the room.

46/16 HOUSEHOLDER APPLICATION - INSTALLATION OF ROOFLIGHTS AND WINDOW OF REAR GABLE OF PROPERTY - BETHLEHEM CHAPEL, HUGH LANE, BRADWELL

This application was deferred by Members of the Planning Committee in February so 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.

The following spoke under the public participation at meetings scheme:

- Cllr Peter Higgs, Bradwell Parish Council
- Cllr Chris Furness, speaking on enforcement
- Mr Ian Kern-Lowe, Applicant

It was noted that some alterations already carried out on the building are unauthorised but are not relevant to this application determination as they are a separate enforcement issue and the Authority's Enforcement Team are engaging with the applicant regarding this matter.

The Planning Officer reported that amended plans had been received and had incorporated the changes requested by officers.

Some concerns regarding parking were expressed by the Parish Council based around the increase in the number of bedrooms in proportion to the number of parking spaces and also an issue regarding manoeuvring in and out of the parking spaces. Members were advised that the increased number of bedrooms within the property did not necessarily have an impact on the number of parking spaces required and that access to the parking spaces was not a planning issue in this instance.

The recommendation for approval subject to conditions was moved, seconded, voted on and carried. It was agreed to include two additional conditions, one to ensure that the parking spaces could only be used for parking of vehicles and a second condition to ensure the appropriate detailing of the new window.

RESOLVED:

That the application be APPROVED subject to the following conditions:

- 1. Statutory time limit.**
- 2. Completion in accordance with the revised plans.**
- 3. Roof lights to be conservation type, fitted flush with roof slope.**
- 4. Agree details of the new window at gable end.**
- 5. That the parking area be available throughout the lifetime of the development for domestic vehicle use only.**

The meeting was adjourned for a short break at 11.20 and reconvened at 11.30.

Cllr Mrs K Potter left the room and the Head of Law informed the meeting that this was due to Cllr Potter declaring a prejudicial interest in the following item 9.

47/16 FULL APPLICATION - CONSTRUCTION OF TWO LOCAL NEEDS DWELLINGS, HEY FARM, WARDLOW

The following spoke under the Public Participation at Meetings Scheme:

- Mr Jon Millhouse, Agent.

Member debated the impact of the proposal on the conservation area and specifically the medieval field strips. It was noted that the conservation appraisal did not prevent all development but set a high bar for identifying suitable sites.

Members and Officers agreed that Wardlow was a suitable village for the siting of affordable homes but no feasibility study had been carried out to identify alternative sites. Members concerns were about the balance between the protection of the conservation area and providing affordable housing to ensure a vibrant community is maintained.

A special Parish Council meeting had been held and overall support for the proposal given.

Recommendation of refusal moved and seconded with an amendment to paragraph 3 (omitting the second sentence).

The motion was voted on and lost.

The majority view of the committee was that the need for affordable homes outweighed the potential harm to the landscape in this instance as the impact of the proposal would be minor and not block out the whole of the opening of the field strip.

Members suggested a change to the layout of the buildings to ensure minimum impact on the neighbouring houses, setting the new houses further back, as originally proposed.

Members were minded to approve the application subject to a legal agreement on the basis that there is a need for affordable homes in the village and the proposed

siting of the houses still leaves a gap at the frontage and that it is not so harmful to be a refusal when weighed against the benefits. The Director of Conservation and Planning advised that the application should therefore be deferred to the next Planning Committee in accordance with the Authority's Standing Order 1.48.

RESOLVED:

To DEFER consideration of the application in accordance with Standing Order 1.48 as the Committee were minded to approve the application contrary to Authority Policy and the Officer recommendation.

Cllr Mrs K Potter returned to the meeting.

48/16 FULL APPLICATION - REPLACEMENT DWELLING - ST MARYS BUNGALOW, QUEEN STREET, TIDESWELL

The Planning Officer asked for an amendment to the original report numbering, the last condition needed to be changed to '8'.

The applicants have shown an interest in introducing environmental measures, which should be encouraged.

Some concerns discussed regarding the use of the yard attached to the house, if commercial use required this would need additional planning permission. Development of the yard is covered by item 7 of the conditions.

Recommendation for approval subject to conditions was moved and seconded with the addition of a condition to remove the existing garage and a change to condition 3 with removal of wording after "extensions". The motion was then 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 and extensions.**
- 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.**
8. **Parking to be provided prior to occupation.**
9. **Removal of existing garage.**

49/16 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

In accordance with the Authority's Standing Orders, the meeting voted to continue its business beyond 3 hours.

The following spoke under the Public Participation at Meetings Scheme:

- Mr Tom Bell, Applicant

Members discussed concerns regarding the contemporary design and the fit with the landscape. Concern was also expressed about the large amount of glass in the building and its visibility from the surrounding open landscape. Therefore a motion for deferral to allow for Members to visit the site was moved and seconded. The motion was then voted on and carried.

Members also requested more information regarding the ancillary accommodation above the garage on the proposal.

RESOLVED:

The application was DEFERRED to the next Planning Committee pending a site visit.

50/16 HOUSEHOLDER APPLICATION - CONSTRUCTION OF REAR AND SIDE EXTENSIONS, FIELD VIEW, EYAM

Members discussed the issue regarding the variety of building materials already used in previous extensions and the difficulty in finding a suitable material for this work.

Members recommended approval with the addition of a condition requesting a sample panel of the building material before work commences. The motion was moved, seconded, voted on and carried.

RESOLVED:

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.**

4. Sample of building material to be submitted before work commences.

51/16 PLANNING APPEALS- HEAD OF LAW REPORT

RESOLVED:

That the report be received.

The meeting ended at 1.27 pm

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6. 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

Background

The application for construction of two local needs dwellings at Hey Farm, Wardlow was considered at the Authority's Planning Committee in March 2016 (attached as Appendix 1). Notwithstanding an officer recommendation of refusal on the grounds that this development in this location would have an unacceptable harmful impact upon the Wardlow Conservation Area, contrary to both local and national policy, a motion for approval was moved and seconded, subject to conditions and prior entry into a legal agreement.

The reasons for members voting for an approval was that it was considered that:

1. The impact on the Conservation Area and the landscape setting of Wardlow is acceptable as a gap would be left in the strip field.
2. There is a need for the proposed affordable housing and that there were no alternative options for other sites within Wardlow.

As a consequence of the motion to approve this application, the Director of Conservation and Planning advised that under the terms of Standing Order no 1.48 a further report to Planning Committee is required to set out the policy issues in more detail.

Standing Orders

In accordance with Standing Order 1.48, this report covers: (i) the policy implications e.g. whether the decision is a departure from the development plan or other key policy; (ii) the budget implications; (iii) a risk assessment; and (iv) an assessment of the robustness of the provisional reasons, including recommendations on any conditions.

Assessment

(i) Policy Implications

The key policy issues in this case centre on the assessment of the impact of the development upon the significance of the Wardlow Conservation area and the landscape character of the National Park and how any impact should be balanced against the acknowledged need for the proposed affordable housing and potential alternative sites.

When taking decisions on planning applications within designated Conservation Areas a general duty is imposed upon the Authority by paragraph 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of that area.

The development plan gives clear direction by stating that where development is acceptable in principle it must conserve or where possible enhance the cultural heritage of the National Park 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. Where there is a conflict between the Authority's statutory purposes and the Authority's duty to foster socio-economic well-being of communities, the Environment Act makes it clear that the statutory purpose must be given priority.

The Framework recognises the importance of National Parks and says that great weight should be given to conserving the landscape, cultural heritage and biodiversity of the National Parks. The Framework also makes a strong presumption against development which would have a harmful impact upon cultural heritage assets. Where it is identified that development would result in harm to a Conservation Area there is a presumption against that development unless it can be demonstrated that the public benefits of the development outweigh the harm.

All local planning authorities take a similar approach and adopt policies which seek promote appropriate design and siting to direct proposed development to appropriate locations within their area, and every local planning authority aims to ensure that all development conserves or where possible enhances the significance of heritage assets as required by the National Planning Policy Framework. This generally means steering development to sites which will not harm the valued characteristics of historic settlements or the landscape and seeking appropriate design responses which complement and enhance local distinctiveness.

A detailed assessment of the significance of the Wardlow Conservation Area and the potential impact of the proposed development has been undertaken in the Officer's report to committee. This assessment was based on the Wardlow Conservation Area adopted by the Authority along with expert advice from the Authority's Conservation Officer and Archaeologist. Having undertaken this assessment, the report gives clear reasons to support the conclusion that the development would have a harmful impact upon the significance of the Wardlow Conservation Area and that the public benefits of the development would not outweigh the impact.

It is considered that strong arguments have been put forward which lead to the conclusion that the proposed development would have a harmful impact on the Conservation Area. The adopted Conservation Area appraisal gives clear reasons why further in-filling along existing frontages would not be appropriate and both the Authority's Conservation Officer and Archaeologist conclude that the development would harm the significance of the Conservation Area.

Officers therefore maintain that there are strong reasons to conclude that the development would harm the Conservation Area. In the absence of robust reasons why the construction of the proposed development within this strip field within the Conservation Area would not have a harmful impact, the approval of this development would potentially undermine the achievement of the Authority's core conservation policies.

If the Authority does resolve that the development will not result in any harmful impact upon the Conservation Area or the landscape then it is not necessary to consider alternative sites because the Authority will be able to conclude that the proposal is in accordance with the development plan and the National Planning Policy Framework. If, however, it is concluded that the development would result in some harm to the Conservation Area then it is necessary to take into account any public benefits associated with the development and whether or not these benefits would outweigh the harm to the Conservation Area.

The Officer's report acknowledges that the development would provide benefits for the two first named occupants of the proposed houses. The report also identifies that there would be some public benefits associated with the provision of two affordable houses for local people but that these benefits would not outweigh the harm that has been identified.

A key reason why Officers consider that only limited weight can be given to the public benefits of the proposed development is that whilst the Authority's policies support, in principle, development which would provide affordable housing to meet local need, the Authority's development plan when read as a whole makes clear that the provision of affordable housing is only acceptable where it can be accommodated without harm to the valued characteristics of the National Park. As noted above, the Authority's statutory purposes are given greater weight than the duty to foster socio-economic well-being when there is a conflict between them.

There is therefore no policy basis to approved development which would have a harmful impact solely because the proposal would result in the provision of affordable housing. This is why proposals for more than one unit of affordable housing typically come forward following a search for appropriate sites within the settlement, normally carried out by Officers, the District Council's Rural Housing Enabler, a housing association, and members of the Town or Parish Council. If suitable sites cannot be found within a particular named settlement then the search area can be expanded to appropriate sites in settlements within adjoining parishes.

No information has been provided in the application to demonstrate that the application site is the best site and that there are no other suitable sites either within Wardlow or the settlements in adjoining parishes (which include Foolow, Great Longstone, Great Hucklow and Litton). Officers consider that there are sites within Wardlow which, if developed, would have a less harmful impact upon the Conservation Area and that it is likely that other sites within neighbouring settlements could be appropriate for affordable housing.

Officers therefore maintain that the proposed development would harm the Conservation Area and that the public benefits of the development would not outweigh the harm that has been identified. In these circumstances a decision to refuse permission for the current application would uphold the adopted development plan. Furthermore, it would represent a position that demonstrates application of policy fairly and consistently and would demonstrate a commitment to the conservation of National Park cultural heritage in accordance with the development plan and the adopted Wardlow Conservation Area appraisal.

(ii) Budget Implications

There are no budget implications other than the resource cost of contesting an appeal, were Members minded to refuse the application and the applicant appeals against such a refusal. Officers advise that a refusal would be in line with the Authority's development plan and national policy and that therefore an appeal would be highly unlikely to incur costs over and above the officer time, even in the event that the Authority lost the appeal.

It is not considered that a decision to approve this application would have any significant budget implications as the only costs arising would be officer time related to preparing the legal agreement and processing the decision notice.

(iii) Risk Assessment

The main risk in this case is that the proposed affordable housing would be sited in a location where the development would be likely to result in a harmful impact upon the significance of the Wardlow Conservation Area and the landscape character of the National Park. In the absence of any clear and convincing overriding justification this is a type of development which could be replicated on similar sites within the village.

There is an expectation amongst local communities and other communities of interest that the Authority applies policies in the Development Plan neutrally, fairly and consistently, especially where they are up-to-date, relate specifically to the development concerned and are otherwise consistent with more recent national planning policies in the Framework as they are in this case. In these respects, a decision to approve this application could not be considered to be applying the policies fairly and consistently, because it would place need of an individual business above the statutory conserve purpose of the National Park.

Should an approval be granted, the 2015-2016 Annual Monitoring Report would need to identify this is a departure from the Development Plan.

(iv) Robustness of Provisional Reasons for Approval and Suggested Conditions

The first reason for approval is that the development of this site is acceptable because a gap would be left in the northern most part of the strip field. For this reason to be robust then the Authority must be satisfied that leaving the northern part of the strip field open would be sufficient to prevent the harm that has been identified by Officers, taking into account the views of the Authority's Conservation Officer and Archaeologist and the adopted Conservation Area appraisal. The Authority should also be satisfied that any reasons given why the development would be acceptable should be sufficient to differentiate the characteristics of this specific development from other proposals which may come forward on similar sites within Wardlow.

The second reason for approval is that there is a need for affordable housing and that there are no alternative options for other sites within Wardlow. Officers are concerned about the robustness of this reason for refusal because the development plan makes clear that where proposals for affordable housing are acceptable in principle that the development must conserve or where possible enhance the valued characteristics of the National Park. Therefore the fact that the development would deliver affordable housing should not itself provide overriding justification to allow development which would have a harmful impact.

No evidence has been submitted with the application which could lead the Authority to conclude that there is no other, more suitable site within Wardlow which is suitable for affordable housing. Officers consider that there are other sites within Wardlow which if developed would have a less harmful impact than the current proposal and it is likely that there are other sites within neighbouring settlements which could be appropriate for affordable housing.

If the Authority resolves that the development will not result in any harmful impact upon the Conservation Area or the landscape then it is not necessary to consider alternative sites or include a lack of alternative sites in any reason to approve planning permission because the Authority will be able to conclude that the proposal is in accordance with the development plan and the National Planning Policy Framework.

The Officer's report it is concludes that the imposition of a planning obligation or planning conditions could not make the development acceptable. However, if permission was granted then any decision should be taken on the basis that planning permission will be granted subject to prior entry into a legal agreement to restrict the occupation of the two dwellings by the named occupants and subsequent occupation as affordable housing in perpetuity.

A planning condition setting the statutory time limit for implementation would be necessary along with a condition to require the development to be carried out in accordance with specified approved plans.

Two pre-commencement conditions are required, the first to require a scheme of archaeological monitoring to be submitted and approved and the second to require a detailed scheme of foul sewerage to be submitted. This is to ensure that foul sewerage is disposed of to an appropriate package treatment plant located within the application site to ensure that the development conserves the local water environment in accordance with the Framework and National Planning Practice Guidance.

Conditions would also be recommended to secure a detailed scheme of landscaping along with samples of construction materials including the stonework for external walls, quoins, sills and lintels, roof coverings and rainwater goods along with conditions to secure details of the proposed finish for window and door frames and to specify design details including roof verges, pipework and meter boxes.

Officers would also agree with the Highway Authority that conditions would also be necessary to require the provision and maintenance of satisfactory access and parking arrangements along with a bin storage and dwell area. Finally a planning condition to remove permitted development rights for domestic alterations and extensions to the affordable houses is considered to be necessary to ensure that the dwellings remain an affordable size and type and also to ensure that any future development is of a high standard which conserves and enhances the buildings and the Conservation Area.

Conclusion

It is recognised that many applications require a judgement to be made on the impact of development upon the National Park's heritage assets, including its Conservation Areas. If it is considered that this development would harm the Wardlow Conservation Area then a judgement must also be made on whether the public benefits of providing two units of intermediate or 'more affordable' outweighs that harm. The results of some decisions are therefore justified as an exception to the Authority's normal policy approach.

However, in this case, Officers consider that having had regard to the Wardlow Conservation Area appraisal and advice from the Authority's Conservation Officer and Archaeologist that there are strong reasons to conclude that, if allowed, the proposed development will harm the significance of the Wardlow Conservation Area. Officers also consider that there are alternative sites within Wardlow and within settlements in adjoining parishes where affordable housing could be provided without the harm that has been identified.

Refusal of this application would be consistent with local and national policy and would demonstrate that the Authority applies its policies and national policy consistently and fairly in the interests of all communities with an interest and stake in the National Park. Whilst recognising the resolution made on this application by the Planning Committee and having considered the policy position in more detail and the extent to which conditions could be used to address these policy concerns, the officer recommendation to Members remains for refusal of this application.

Should Members be minded to approve this application, the following planning conditions are recommended:

1. Statutory time limit for implementation.
2. Development to be carried out in accordance with specified approved plans.
3. No development shall commence until details of a scheme of archaeological monitoring have been submitted and approved in writing. The development shall then be carried out in accordance with the approved details.
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. Submission and approval of scheme of landscaping prior to completion or first occupation of the development. Any hard landscaping to be completed prior to first occupation and any planting to be during the first planting season after first occupation of the development.
6. Specification of design and architectural details including approval of sample panel of the stonework for the external walls, sample of roof slates, specification of rainwater goods, finish of external windows and doors, roof verges, pipe work and meter boxes.
7. Remove permitted development rights for domestic extensions, alterations, outbuildings, walls fences or other means of enclosure, solar and photovoltaic panels.
8. Before any operations are commenced, space shall be provided within the site curtilage for site accommodation, storage of plant and materials, parking and manoeuvring of site operative's and visitor's vehicles together with the loading / unloading and manoeuvring of goods vehicles, designed, 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.
9. Before any other operations are commenced the existing vehicular access shall be improved 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 in each direction. 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.
10. The proposed access drive to the B6465 shall be no steeper than 1 in 15 for the first 10m from the nearside highway boundary and measures shall be implemented to prevent the flow of surface water onto the adjacent highway. Once provided any such facilities shall be maintained in perpetuity free from any Impediment to their designated use
11. The premises, the subject of the application, shall not be occupied until the on-site parking and turning spaces 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. The access shall not be gated within 5m of the highway limits and where fitted, shall open into the site only unless otherwise agreed with the Local Planning Authority.
13. Prior to the occupation adequate bin storage and a bin dwell area for use on refuse collection days shall be provided clear of the public highway, within the site curtilage clear of all access and parking and turning provision and retained thereafter free from impediment to designated use.

This report was originally submitted for consideration by the Planning Committee of 11 March 2016 and is attached as Appendix 1 to Item 6 of the Planning Committee 15 April 2016.

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 availability 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 availability to local communities in perpetuity. However, it is considered that these benefits would not outweigh the harm that has been identified.

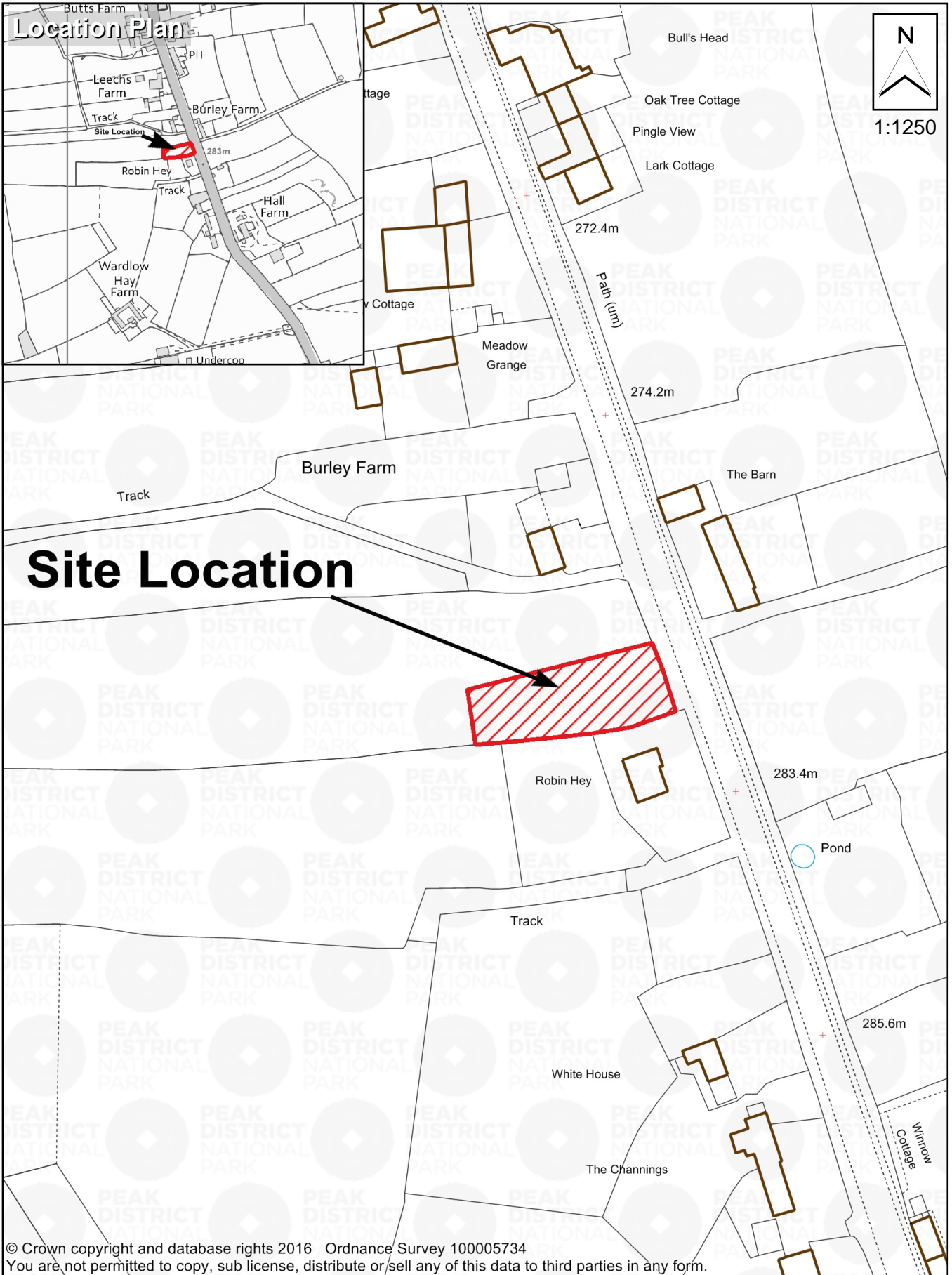
It is therefore concluded that the proposed development would not be in accordance with Core Strategy policies GSP1, GSP3, L1 and L3, saved Local Plan policies LC4 and LC5 or the National Planning Policy Framework which makes a strong presumption against development which has a harmful impact upon the 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



Committee Date:	15/04/2016	Title: Hey Farm Wardlow	 PEAK DISTRICT NATIONAL PARK
Item Number:	6		
Application No:	NP/DDD/0915/0881		
Grid Reference:	418085, 374258		

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7. 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)

This application was deferred at the March meeting to allow Members to visit the site.

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.

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.

Assessment

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

The existing bungalow is modern and has no particular architectural or historic merit. The low massing of the building, wide gables, flat roof garage extension and large horizontal window openings do not reflect the form or detailing of traditional vernacular buildings typically found within Hope and described in the Hope Conservation Area Appraisal or in the National Park more generally. The form, massing and materials of the bungalow is not in keeping with the characteristics of nearby buildings and consequently the existing bungalow stands out as an alien feature which does not make a positive contribution to the character of the local area.

It is therefore considered that the replacement of the existing building with a more appropriate design which enhances the site and its surroundings and incorporates enhanced 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 part of the policy uses the phrase 'similar size' as a parameter to control the size of replacement dwellings to protect the landscape, instead of a simple like for like floor space or volume calculation. This enables a degree of flexibility necessary 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 caravan and the proposed house. The figures include footprint, 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. The figures relate to the existing bungalow and proposed house only and do not include the existing outbuildings which are proposed to be demolished or the proposed garage / ancillary accommodation.

	Existing Bungalow (excluding outbuildings)	Proposed House (percentage change compared to existing)
Footprint (m ²)	93	128 (37% increase)
Volume (m ³)	443	708 (60% increase)

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.

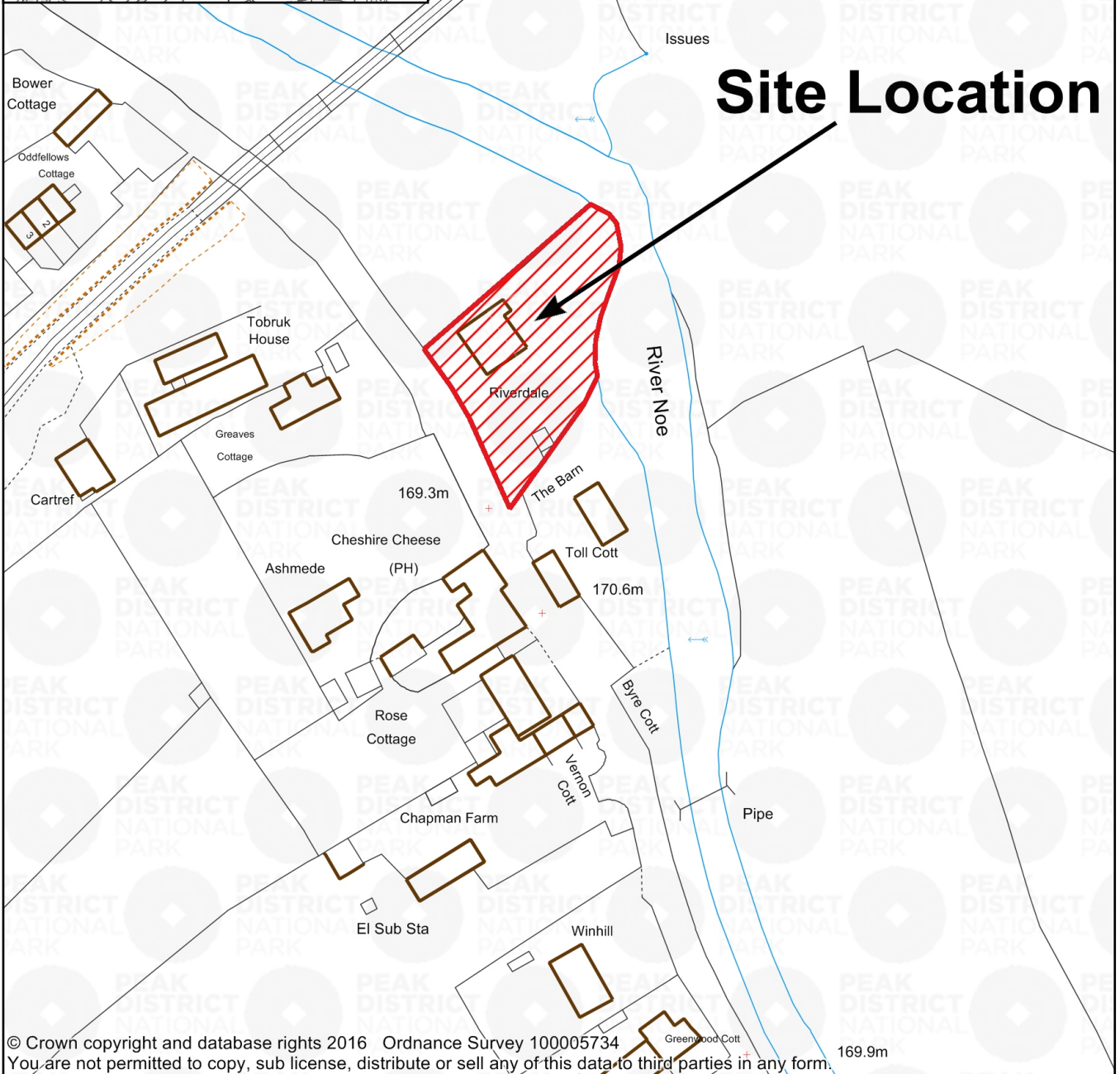
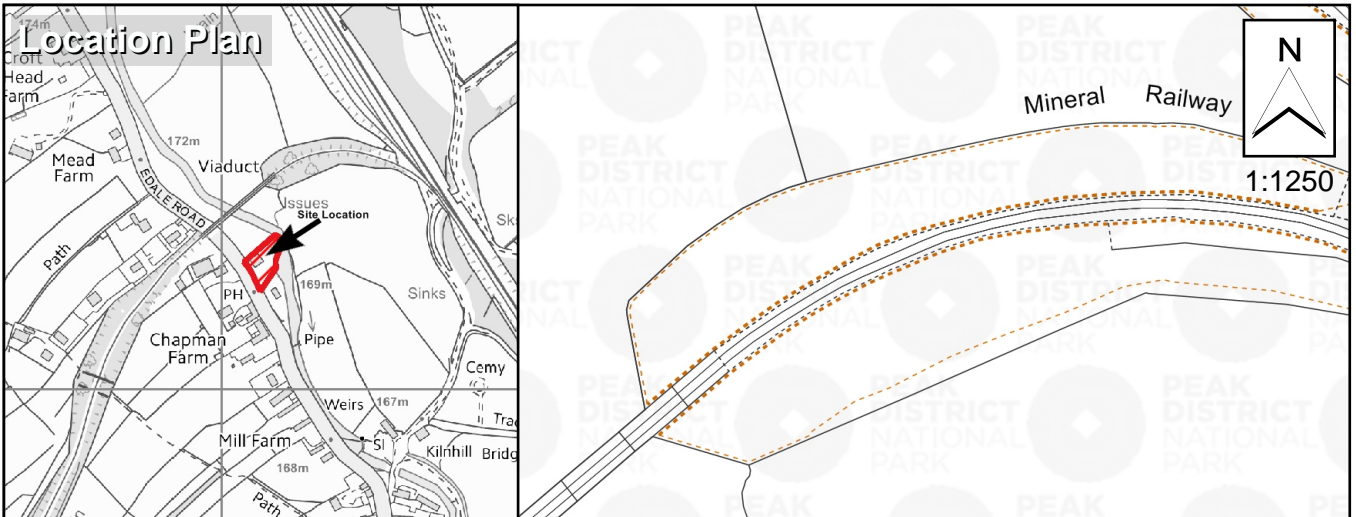
In the absence of further material considerations, the proposed development is considered to be in accordance with the development plan and accordingly is recommended for approval subject to conditions.

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:	15/04/2016	Title: Riverdale Edale Road Hope	 PEAK DISTRICT NATIONAL PARK
Item Number:	7		
Application No:	NP/HPK/1215/1221		
Grid Reference:	417035, 384137		

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8. FULL APPLICATION – RETROSPECTIVE APPLICATION FOR RETENTION OF TIMBER DECKING – ROBIN HOOD INN, RAINOW (NP/CEC/0216/0079, P.4124, 03/02/2016, 395235 / 376215, MN)

APPLICANT: MRS SUZANNE PRICE

Site and Surroundings

The Robin Hood Inn is located just within the National Park boundary, to the north eastern edge of Rainow village and fronting on to Church Lane. The property is located at a fork in the road, with Church Lane running past the east of the site and Smithy Lane past the west. Due to the hillside location Church Lane is set slightly higher than the pub and Smithy Lane slightly lower.

The pub is an attractive traditional building of natural gritstone under a stone slate roof. The front and south western elevation are white painted. The building has a generally linear form with a small front porch, and the roofline of the southernmost half is stepped down. When viewed from the front this section appears single storey due to ground levels around the building. There is also a detached accommodation building next to the main pub to the north west.

The pub car park is to the north of the pub building, and the garden is located to the north east of the building. The garden includes a sloping grass area with benches on it, and the timber decked area which is the subject of this application.

The site is within the Rainow Conservation Area.

Proposal

The application seeks retrospective planning permission for the construction of an outdoor decked area adjacent to the pub. It has been built on a previous area of the pub car park. The deck is approximately 17.5m long and 5m wide. The decking is constructed of timber, with a lattice timber balustrade around the sides.

When viewed from the car park the floor level of the decking is 1m above ground along much of its length, although this is slightly less in some places due to the sloping ground, and at the opposite side it runs in to the rising ground behind. The void beneath is clad with timber boarding. The balustrade is approximately 1.2m tall on top of the decking.

RECOMMENDATION:

That the application be REFUSED for the following reasons:

- 1. The development fails to conserve the character and appearance of the built environment and the conservation area, contrary to Development Plan policies LC4 and LC5.**

Key Issues

1. Whether the proposed development would conserve the character and appearance of the existing built environment.
2. Whether the proposed development would conserve or enhance the character and appearance of the conservation area.

History

2002 – Permission granted for use of cottage for letting bedrooms

2006 – Permission refused for the erection of 3 temporary timber stables

2007 – Permission granted for extension of existing pitched roof canopy to side elevation

2015 – Enforcement case opened in relation to construction of unauthorised decking

Consultations

Cheshire East Council – Highways – The installation of the decking has resulted in the loss of some parking spaces. However, the Highway Authority is satisfied that the remaining car park space is sufficient to provide for the parking demand associated with the public house. No objection.

Cheshire East Council – Public Rights of Way – Confirm that the development does not appear to affect a public right of way.

Rainow Parish Council – The Parish Council is fully supportive of this application for the decking in its current form and request that permission be granted. The Robin Hood Inn is an important Community Asset and one which has been registered, on behalf of the Parish Council, as such with Cheshire East Council.

Rainow has no shops, cafes, entertainment venues or other meeting places for residents. The Robin Hood is the only one left of five public houses that used to be in the Parish, all of the others having been turned into houses over the past 15 years. In our Parish Plan it was identified that there is no public open space or central area for residents to meet. Members feel that the decking and play area provide this public meeting space.

The Councillors understand that there has been no change to the number of car parking spaces brought about by the decking and note that many patrons walk to the Robin Hood Inn. The decking provides a welcome addition to the facilities available to the community and has helped with the continuing success of the Inn.

Representations

152 letters of support were submitted with the application by the applicant. Some of these are templated, some are templated with additional comments, and some are free-form letters. Whilst representations are usually required to be submitted during the course of the application to be considered, Officers consider it would not be reasonable to discount those provided here given the number received. Their content is therefore included in the summary of response below.

In addition to the letters submitted as part of the application, a further 16 have been received during the course of the application.

The grounds for support are:

- The pub is a valuable community facility and should be supported
- The deck provides a safe and accessible outdoor space from which people can enjoy the views of the surrounding countryside
- The deck is an attractive and appropriate addition to the pub
- The deck enhances the appearance of the car park
- The deck is necessary for the viability of the pub
- Car parking remains unaffected by the development

- The deck will increase visitor numbers to the village

Main Policies

Core Strategy: GSP3

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.

HC4 Policy HC4 encourages the improvement of community facilities within or on the edge of settlements listed in policy DS1 (of which Rainow is one).

Local Plan: LC4 and LC5

Local Plan policy LC4 states that where development is acceptable in principle it will be permitted provided it is of a high standard of design that respects and conserves the landscape, built environment and characteristics of the area.

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.

Adopted design guidance within the 'Design Guide', the recently 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 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, L1

Relevant Local Plan (LP) policies: LC17, LT10

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.

The Robin Hood Inn is listed as an Asset of Community Value (ACV). Under the Localism Act 2011, if the owner of a listed asset wants to sell it a moratorium period will be triggered during which the asset cannot be sold. This is intended to allow community groups time to develop a proposal and raise the required capital to bid for the property when it comes onto the open market at the end of that period.

In addition, ACV listing can be a material consideration when a planning authority is determining a planning application affecting such an asset, but it is for Planning Authorities to consider whether a buildings listing is material in a given case.

Assessment

Principle

The development represents an extension to an existing building on the edge of a named settlement, and is proposed as an improvement to a community facility. As such the development is in accordance with policies DS1 and HC4, and is acceptable in principle.

Whether the development conserves the character and appearance of the built environment

The deck is of large size and represents a prominent feature within the setting of the pub building. Its visibility and impact from outside of the site are low, being mostly restricted to a short view as the pub is passed on Church Lane. From within the site however the decking and pub are viewed together from most of the outdoor space. Given the size of the decking and this relationship to the pub it is important that the decking relates sympathetically to the pub building.

Regrettably, by virtue of its height, massing and, most significantly, materials it does not achieve this. Rather, the decking detracts from its character and appearance contrary to planning policy.

The timber has a modern and very domestic appearance in the immediate setting of a building which is neither of these things. As noted previously, this is an attractive traditional building. The timber does not reflect the building traditions of the area, nor the predominant materials used in the construction of the pub. The impact of this is compounded by the massing of the structure, which increases its dominance and prominence.

The impact of the decking relative to the built environment could, in Officers' views, be mitigated by reducing the amount of timber used in its construction and better relating it to the building traditions of the area and the adjacent building. To that end Officers have asked the applicant to clad the lower parts of the deck with natural stone walling to a height level with the floor level of the deck, and to replace the timber lattice balustrade with a simple black metal rail balustrade. There has been no response to this request. Similar advice was also given at the pre-application stage.

It would be possible to recommend that such changes are imposed by planning conditions in order to overcome the design concerns raised. However, the supporting statement submitted by the applicant requests that the application be considered on its own merits and, given this and the lack of response from the applicant to the request for changes, Officers do not consider it reasonable to impose such conditions.

Therefore, as submitted the development is considered to harm the character and appearance of the built environment contrary to policy LC4.

Whether the development conserves the character and appearance of the Rainow Conservation Area

As noted above, the development is visible in only limited views from outside of the site itself. However, public views are only one consideration when seeking to conserve the Conservation Area and it should also be protected for its own sake.

In this regard, the development cannot be considered to conserve the character of the conservation area. The Robin Hood Inn is a good example of a traditional pub, and is included within the conservation area for its traditional character and appearance. As detailed above, the decking is not considered to reflect or conserve that character and therefore detracts from the built environment within the conservation area, contrary to policy LC5.

Other considerations

Viability of a community facility

Many representations have been received supporting the application on the grounds that the Robin Hood provides a valuable local facility, and that it is enhanced by the decking. The applicant has also made the case that they have invested heavily in the pub and made it available to a number of local groups for meetings and events.

It is clear from these accounts that the Robin Hood provides a facility that is used by local people and the wider public, and creates benefits for the local community. Whilst the decking could, arguably, add to the attractiveness of the pub to visitors there is no evidence that this is the case or that the future of the Robin Hood is dependent on this facility – other than the applicants own assertion that the loss of the decking could cause them to change their views on keeping the pub open. The pub would retain all of the other services it offers, and would retain a sizeable garden with seating for visitor use.

Officers can therefore attach only limited weight to any additional benefits that the decking may deliver.

Amenity

The decking is sited adjacent to the existing pub garden, and as such is not considered to be likely to lead to significant increased nuisance to any neighbour, who will already experience noise from the use of the garden in summer months. Whilst raised to one side, the decking would also not result in the overlooking of any neighbouring properties, such as their positions and distance from the application site.

Accessibility

The deck does provide an even and accessible space for those who might be less mobile, or those with prams or pushchairs, something that the current garden does not. Outside access is still possible at present however and there is no suggestion that this could not be improved through a less harmful alternative than what has been constructed. This argument is therefore given very limited weight.

Highways

The applicant has advised that the number of car parking spaces would not be reduced by the proposal because those displaced by the decking are moved to the west of it. In practice, the two central parking spaces would not be usable, as they would prevent access to or exit from adjacent spaces. Excluding these two spaces the pub would retain 21 parking spaces however, and the Highway Authority considers that this represents sufficient provision for the site.

The drinking area of the pub has not been provided and Officers do not know how many rooms are given over to guest accommodation, both of which are needed to estimate the level of parking that would be recommended at the site. However, the reduction in parking provision proposed is small and, taking account of the comments of the Highway Authority, Officers consider levels of parking to remain adequate.

Asset of Community Value

Whilst the pub is listed as an ACV, this is not considered material in this case. There is because there is no significant evidence that either refusal or approval of the application presents a threat to the pub that would affect its availability to the community.

Environmental management

Due to the nature of the development no environmental management measures have been incorporated. None are considered necessary to comply with the Authority's climate changes policies in this instance.

Conclusion

Officers are in no doubt that the applicant is seeking to sustain an important community facility with the interests of local residents – as well as visitors to the area – at the fore. It is clear that there is also a great deal of local support for the venture, and for the decking itself.

However, whilst Officers understand that there is a benefit to having an appropriate and accessible outside space, the design of the decking as built and its relationship to the built environment and Conservation Area are not such that it can be considered to comply with planning policies LC4 and LC5.

Officers have considered the wider public and community benefits of the decking, but these are considered to be modest and do not outweigh the harm caused by the appearance of the decking. The loss of the pub would of course be a more significant community loss but there is no substantiated evidence that the refusal of this application would result in the loss of the pub.

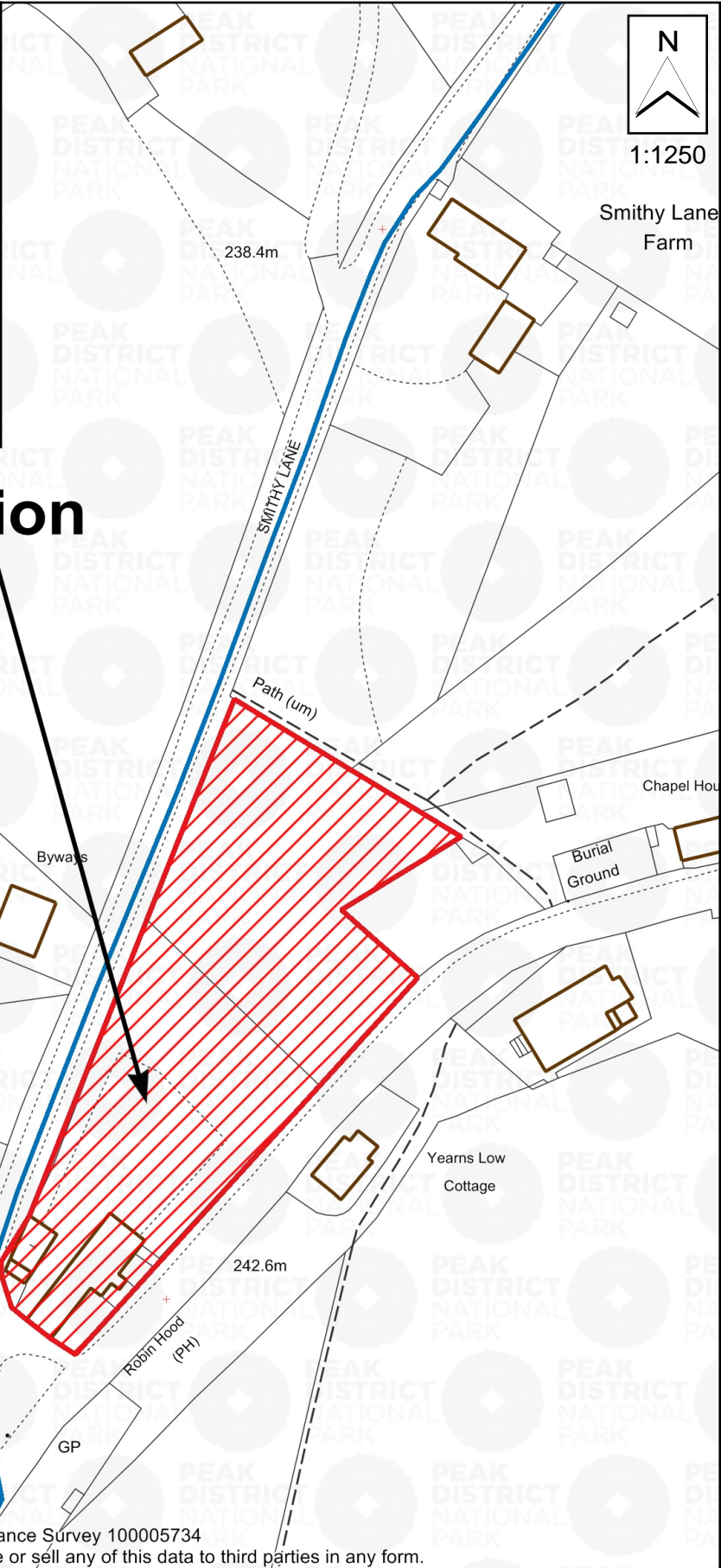
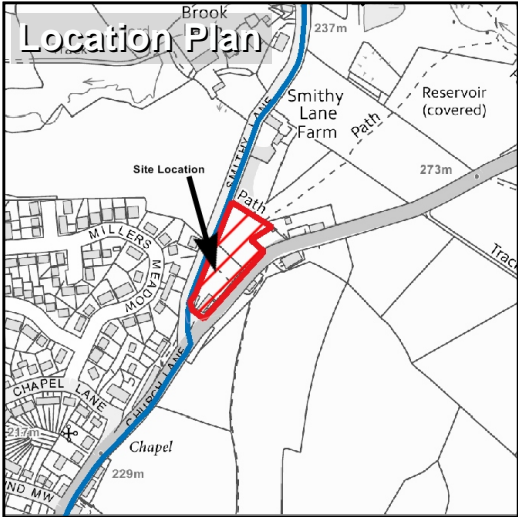
In the absence of further material considerations, and because the applicant has indicated that they are not prepared to make amendments to the decking as built, the proposed development is not considered to be in accordance with the development plan and accordingly is recommended for refusal.

Human Rights


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

List of Background Papers (not previously published)

Nil



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Committee Date:	15/04/2016	Title: Robin Hood Inn Church Lane Rainow	 PEAK DISTRICT NATIONAL PARK
Item Number:	8		
Application No:	NP/CEC/0216/0079		
Grid Reference:	395235, 376215		

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9. HOUSEHOLDER APPLICATION – ALTERATIONS, EXTENSIONS, AND NEW GARAGE WITH ACCOMMODATION ABOVE – WARREN LODGE, BAR ROAD, CURBAR (NP/DDD/0216/0087, P.9881, 04/02/2016, 425667 / 374903, MN)

APPLICANT: MR SIMON LAPISH

Site and Surroundings

Warren Lodge is a former hunting lodge situated some 350m north east of Curbar village. It is accessed off Bar Lane to the east. The house is constructed of gritstone under a blue slate roof. The house has a timber porch to the front and rear extension to the rear that was previously used as a workshop. To the rear of the house (north west) are a range of outbuildings, all adjoined to each other.

The house is visible from Curbar and Baslow Edges to the north and east, from the adjacent road and nearby footpaths, and in the wider landscape because of its elevated position.

The site lies adjacent to a Site of Special Scientific Interest, a Special Protection Area, a Special Area of Conservation, and is bounded to all sides apart from the south east by land designated as 'Natural Zone' in the Authority's Local Plan.

The site lies outside of any conservation area.

Proposal

The proposed development comprises several components, as follows:

- To convert the workshop extension to ancillary living accommodation
- To erect a conservatory to the rear of the house
- To demolish the existing outbuildings and replace them with a new ancillary accommodation building, connected to the house by a flat roofed glazed link extension
- To erect a new garage building towards the rear of the site, with ancillary accommodation above

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**
4. **New buildings to remain ancillary to Warren Lodge**
4. **Curtilage to be limited to that shown on the proposed site plan**
5. **Material and plant storage area to be agreed prior to commencement**
6. **Parking and turning area to be made available before occupation**
7. **Lighting scheme agreed prior to installation**
8. **Development carried out in accordance with the recommendations of the protected species survey**

Key Issues

1. Whether the development has an acceptable impact on the character and appearance of the landscape
2. Whether the development has an appearance that conserves the character and appearance of the dwelling and its setting

History

2016 – Planning permission granted for an underground package treatment plant and LPG tank.

2015 – The applicant received pre-application advice from the Authority relating to a development similar to that now submitted. Some design and layout changes have been made to the proposal since that advice was given.

Consultations

Derbyshire County Council – Highways – No objections subject to conditions that require storage space for materials and plant equipment to be provided prior to commencement of the development, for the parking and turning spaces to be made available prior to the occupation of the site, and requiring a bin store and bin dwell area for refuse collection days is provide prior to occupation.

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

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

- The increased massing and height of the buildings would harm the current arrangement of the site and results in inappropriate ‘ribbon’ development that is harmful to the landscape of the area in what is a unique countryside location
- Design details, including the glazed link with zinc roof, conservatory lantern [*now omitted*], and ridge height of the extensions [*now reduced*] are not appropriate as they do not relate well to the parent building or reflect the local building traditions
- The additional glazing will be prominent and detract from the landscape, particularly at sunset

A second letter was received from the Parish Council following the publication of the revised plans submitted by the applicant. This letter confirms that the Parish Council do not consider the changes to overcome their primary objection, which is the increased massing of the group of buildings and its impact in the landscape, or their objection to the use of full length glazing in parts of the building.

PDNPA – Ecology – The site is located between SSSI, SPA and SAC boundaries; however none of the proposed works will impact directly upon these designated sites. Conditions recommended to protect bats at the site; agree a scheme of external lighting prior to commencement, and carry out the development in accordance with the recommendations of the submitted bat survey.

Representations

Four individual letters of representation have been received. One of these supports the proposal whilst three object.

A further letter of representation has been received from Friends of the Peak, objecting to the proposal.

The grounds for support are:

- It will bring a neglected property back into domestic use
- Creating a different clustering of buildings than currently exists is not a reason for refusing the application
- The proposal respects the traditions of the area
- The new buildings will settle well into the landscape

The grounds for objection are:

- The design will result in a longer and more prominent group of buildings when compared with the existing house and outbuildings, appearing intrusive and incongruous in its wild, rural setting
- Design details are inappropriate
- The development would result in an unacceptable intensification of the use of the site contrary to GSP3, which requires a scale of development and intensity of use appropriate to the character and appearance of the National Park
- The extensive use of glass in the proposed link is concerning and contrary to the Peak District National Park Design Guide
- The proposals generate a large and closely grouped set of buildings that does not sit well with the unique qualities of its setting
- The creation of a new garage of the scale and massing proposed within the designated Natural Zone is inappropriate and contrary to Core Strategy policy L1 and Local Plan Policy LC1 [*The site itself is not within the Natural Zone, although it is bordered by it*]
- The height of the new extensions is too tall
- The application includes a site location plan which outlines the whole of the site in the ownership in red, which implies a residential curtilage. This plan is incorrect because not all of this land forms part of the domestic curtilage. [*A further separate plan has since been submitted that demarks the curtilage for the sake of clarity. This curtilage could be secured by planning condition or the sake of clarity if permission was to be granted*].
- The size of the garage and its separation from the house are such that it amounts to the creation of a separate dwelling or an annex that could be used as a separate dwelling contrary to Policy LH4 of the Local Plan

Main Policies

Core Strategy: GSP1, GSP3, DS1, L1

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.

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 preamble to L1 include amongst other things – trees, woodlands, hedgerows, stone walls, field barns and other landscape features.

Local Plan: LH4, LC4

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.

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 the 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

The principle of the development is acceptable because as it represents extensions to an existing dwelling it would comply with the policies of the Development Plan. Having established this, the key issues relate to the how the design and massing relate to the parent building and what impact they have on the character of the wider landscape of the area.

Relationship of the alterations and extensions to the existing dwellinghouse

Whilst not closely following the local building traditions, the existing building does have some architectural interest, incorporating gothic design elements within a palette of materials that is traditional to the area. It is therefore important that as a building of some character any extensions should relate sympathetically to it.

Conversion of workshop to ancillary accommodation

The rear single storey extension to the house has most recently been used as a workshop. It is considered that this was ancillary to the occupation of the house and the proposal to use it for ancillary accommodation does not therefore represent a change of use. The physical works proposed to the extension are limited to alterations to openings. As originally proposed the openings to the western side were detailed to reflect a functional outbuilding. Officers considered this to be inappropriate given that the design of the extension otherwise reflects the house, and has an inseparable relationship to it by virtue of being attached. The application has since been revised to include openings that reflect those of the main house. This is considered to conserve the character and appearance of the house and to have a very limited impact in wider views of the site and is therefore acceptable.

Erection of conservatory to the rear of the house

The proposed conservatory would be sited to the rear of the house, in the corner formed by the house and rear extension. Its design has been revised since the application was submitted, simplifying its appearance by removing a glazed lantern from the apex of the roof. This better reflects the appearance of the main house.

Due to this simple design, its modest size relative to the main house, and its recessed position to the rear, it is not considered that the conservatory would dominate the house, or detract from its character or appearance.

Demolition of existing outbuildings and replacement with new ancillary accommodation building

The replacement accommodation would occupy a similar location to the outbuildings it would replace at the rear of the house. It would be taller than the buildings it replaces but has been revised since submission of the application to bring the ridge line down to the same level as the rear extension on the house. This is considered to prevent it from dominating the house, allowing it to read as an ancillary addition. The building itself would have a simple form with openings detailed to reflect those of an outbuilding, which is considered appropriate in this context. Materials would be natural gritstone under a slate roof, reflecting those of the main house and helping to unify the old and new development.

It would be linked back to the house by a glazed link. The glazed walls and flat zinc roof represent a modern design, which the Authority's Design Guide recognises can be acceptable in the right context. It is considered that here it results in a lightweight intervention that maintains the separation of the house and proposed ancillary building, allowing them to be read as two individual elements as is the case with the existing house and outbuildings. For this reason it is considered appropriate and acceptable.

Erection of new garage building, with ancillary accommodation above

The new garage building would be sited to the rear of the ancillary accommodation building, and would be accessed along the driveway which would be laid out to the east of the buildings. It is considered to be closely enough related to the other proposed buildings so as to not appear isolated within the site.

Its design is typical of traditional garages with accommodation above, having a simple form and pitched roof with external staircase to one end to access the first floor. A small lean-to at the rear would provide extra storage space. Due to the rising ground behind this would have limited visibility. Overall, the design is considered to follow the advice of the Authority's Design Guide and have a form and appearance that relates appropriately to the other proposed buildings and the main house.

In terms of scale, the garage would be taller than the ancillary accommodation building proposed. Since submission of the application, however, further plans have been submitted that demonstrate how the site levels would be profiled, confirming that the garage would be built at a lower level than the other extensions and would have a ridge height that matches them. This would prevent the garage building from dominating the group of buildings. Whilst the building does provide accommodation at first floor its size is reflective of many traditional outbuildings, and is not considered to amount to the creation of a dwelling. In any case, the use of the building would remain ancillary to Warren Lodge and any future change of use to independent accommodation would require planning permission. This could be reflected in a planning condition for the sake of clarity if permission was to be granted.

Materials would be natural stone and slate to match the other buildings, helping to create a unified appearance between each part of the development.

Summary of relationship of the proposal to the dwellinghouse

Overall, both individually and cumulatively, the proposal is considered to represent a level and form of extension that does not detract from the character or appearance of the house. It would not dominate it due to the height and levels at which the buildings are proposed to be built, and includes design details and materials that are sympathetic to the main house.

The proposal is therefore considered to conserve the character and appearance of the built environment as required by policies GSP3, LC4 and LH4.

Impact of the alterations and extensions on the wider landscape

The landscape in this area is sensitive to development. It's largely undeveloped and wild character is recognised by the designation of much of the surrounding land as 'Natural Zone', where any development is permitted on only an exceptional basis. The landscape sensitivity of the site is furthered by the high levels public visibility of it from the surrounding footpaths, open access land, and iconic Curbar Edge to the north.

The development would be confined to being within the existing established boundaries of the site however, and would not encroach further in to the landscape or in to the Natural Zone. It would increase the massing of buildings within the site though, and extend the built development within it further west by virtue of the garage addition. The additions would be visible from many public vantage points around the area, including Curbar Edge. In some views their visibility would be reduced by established tree planting, but this screening is only sporadic and would be further reduced when the trees are not in leaf.

It is therefore accepted that the extensions will have wide ranging visibility in both the immediate and wider landscape, but this in itself does not amount to harm.

The landscape character as defined by the Authority's Landscape Strategy in this location is 'Slopes and Valleys With Woodland'. Some key features of this landscape are noted as being a steeply sloping landform with gritstone edges characterising the tops of steeper slopes, and scattered gritstone farmsteads and loose clusters of dwellings. It is considered that this does reflect the general landscape around the site.

The existing house and outbuildings are already a significant feature in the open countryside landscape. The replacement and additional buildings will result in what is considered – in the wider landscape context – to be a minor increase in massing. The height of the new buildings would minimise their prominence in wider views, and the rising ground to the north of the site – which is held back from the site by a retaining wall – would further downplay this, particularly in views from the footpaths to the north of the site.

The glass elements, such as the conservatory and, to a lesser extent, the glazed link will catch the light at some times of day when viewed from the footpaths and Curbar Edge to the north – although this will be limited due to the orientation of the buildings relative to the sun path. The house is already clearly visible from the footpath and the edge, and it is not considered that occasional reflection from these additional elements will have any significant impact above that of the existing house on the character and appearance of the landscape.

Officers do not therefore consider that the development would result in an overdevelopment of the site that results in landscape harm. For the same reasons it is not considered to alter the identified landscape character of the area or appear out of keeping with it. Instead, the development is considered to conserve the character and appearance of the landscape as required by planning policy.

Other matters

Due to the isolated position of the house and the size, height, and orientation of the extensions they are not considered to affect the amenity of any nearby property.

There are no objections to the development on highway grounds. The Highway Authority has recommended conditions that require storage space for materials and plant equipment to be provided prior to commencement of the development, and for the parking and turning spaces to be made available prior to the occupation of the site. Officers agree that this will be necessary to

avoid the risk of vehicles needing to reverse on to the highway, and these matters could be controlled by planning condition if permission was granted. The Highway Authority has also recommended that a condition requiring a bin store and bin dwell area for refuse collection days is provide prior to occupation. Given that the site can already be occupied as a dwelling without this, and that the development would not result in such a significant intensification of use to warrant further bins, it is not considered that this condition could be reasonably imposed if permission was to be granted.

The development is not considered to affect the areas of environmental protection around the site; it would not encroach into them or otherwise disturb them, and adequate drainage and foul water disposal has been shown to satisfy officers that the development would not result in pollution.

The submitted protected species survey found evidence of bats on site. It concludes that these interests will not be harmed by the development if it is carried out in accordance with the recommendations of the survey. The Authority's ecologist agrees with these findings subject to an external lighting scheme being agreed prior to the development commencing in order to avoid disturbance in or around their breeding sites and resting places. These measures could be controlled by planning condition if permission was to be granted.

Conclusion

The form, design and size of the extensions are all considered to conserve the character and appearance of the built environment and landscape of the area as required by the policies of the Development Plan.

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

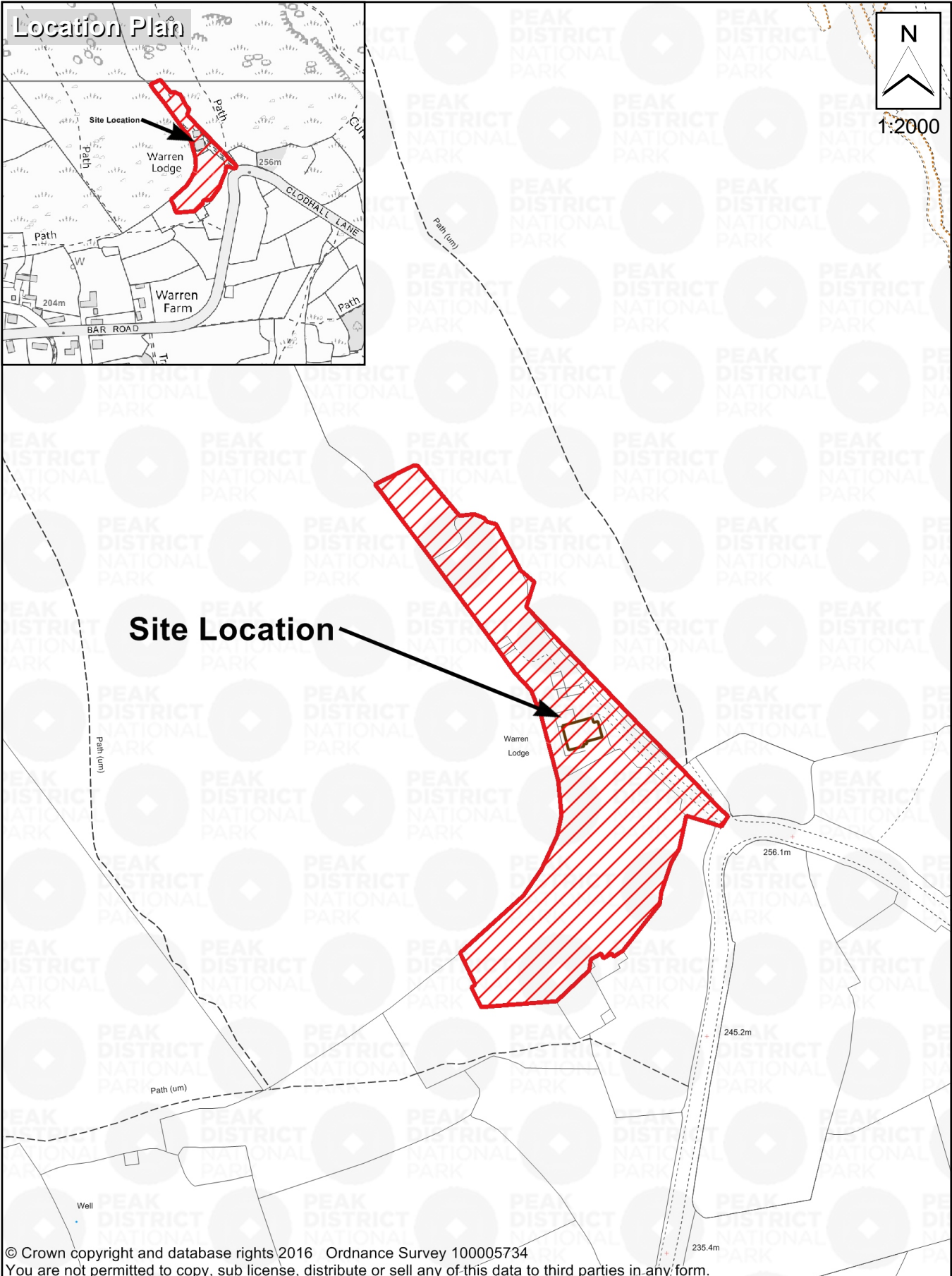
Human Rights

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:	15/04/2016	Title: Warren Lodge Bar Road Curbar	 PEAK DISTRICT NATIONAL PARK
Item Number:	9		
Application No:	NP/DDD/0216/0087		
Grid Reference:	425664, 374904		

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10. FULL APPLICATION – NEW DEPENDANT RELATIVE DWELLING AT CARR BOTTOM FARM, CARR LANE, THORNHILL (NP/HPK/1115/1097, P576, 420033/374258, 23/03/2016/SPW)

APPLICANT: MR JOHN BENNETT

Site and Surroundings

Carr Bottom Farm is a relatively isolated farmstead located in the open countryside close to the River Derwent, in the valley bottom. The site is approximately 300m to the north east of Thornhill and 700m to the west of Bamford. The site is not within a designated conservation area and there are no listed buildings on the site.

There is a large detached farm worker's dwelling on the site, and a range of agricultural buildings including both modern and traditional buildings. Next to the house there is some stonework remaining from the remains of the original farm house. There are two traditional agricultural buildings that appear that they could lend themselves to conversion to a dwelling, but currently these are both in use for the agricultural enterprise.

The site is accessed via a farm track which runs for approximately 250m from the nearest road (Thornhill to Yorkshire Bridge).

Proposal

The proposal is described in the development description as a new dependant relative dwelling. It would provide 77m² of habitable accommodation. It is approximately 8m x 5.5m, with an eaves height of 5m and a ridge height of approximately 7m. It would be constructed of random gritstone with sawn gritstone heads and sills to the openings, the roof would be clad with natural blue slate.

Although the site adjoins the existing dwelling, the proposed dwelling would have its own distinct curtilage.

RECOMMENDATION:

That the application be REFUSED for the following reasons-

- 1. The proposal is contrary to the provisions of the development plan because of its scale and nature it would amount to the creation of a separate dwelling or annexe that could be used as a separate dwelling and it is not achieved via conversion. This is contrary to Local Plan Policies LH4 and LH6.**
- 2. Creation of a new dwelling in the isolated open countryside location is contrary to the provisions of the housing policies of the development plan including Core Strategy Policy HC1, Local Plan Policy LH1 and also the NPPF.**

Key Issues

- Is the scale and nature of the proposal one which would normally be acceptable under LH4 as an extension or an outbuilding or is it one which amounts to the creation of a separate dwelling or an annexe that could be used as a separate dwelling?
- Are the intended occupants capable of occupying the premises as an ancillary dwelling?
- Is the proposal contrary to the Housing policies of the development plan?

History

In 1961 planning permission was granted to extend the farm house at Carr Bottom Farm. Following grant of the two permissions below the residential use of the original farm house ceased (as required by planning conditions) and fell into disrepair.

1970 Outline planning permission was granted for a farmhouse to replace the existing farmhouse at Carr Bottom Farm. The occupation of the dwelling was limited by planning condition to a person employed or last employed in agriculture and a planning condition required the residential use of the existing farmhouse to be discontinued within 3 months of completion of the proposed dwelling. The reasons for the occupancy restriction were because the site is away from an established settlement and because the site would not be acceptable for residential development in the absence of an essential agricultural need. The reason for ceasing the use of the existing dwelling was because the then Board appreciated the need of the applicant to move into more satisfactory accommodation but the establishment of a further residential unit would be contrary to the policies about residential development which is to encourage all new residential development to be located within existing villages.

1971 Detailed planning permission was granted for the replacement dwelling. The approved plans show the property as permitted had 4 bedrooms. It was granted subject to the same agricultural occupancy restrictions and same requirement to cease the use of the existing dwelling within three months.

1985 There is a photograph on the file showing the group of buildings at Carr Bottom Farm. At this time there still appeared to be a structure where the former farmhouse stood. That structure is much smaller than the existing house and barns.

2015 – PE/2015/ENQ/22699 Pre application advice was sought by the applicant in relation to siting a Pinelog lodge to live on the farm so that the applicant and his partner are on site with the animals. This was proposed to be sited in the farm yard on the site where an old building is being demolished. The advice given has led to this submission for an ancillary dwelling.

Consultations

Highway Authority – Given the scale of the proposed development the proposal has been assessed in highways terms as a separate residential unit. The existing access does not meet current design criteria. Given that the access already serves the Carr Farm Complex it is considered unlikely that there would be any significant increase in traffic movements. Parking and turning should have been shown on the plans and this would need to be sufficient for all service vehicles visiting the site. A bin dwell area should also be shown on the plans. Subject to resolving these matters, no further objection subject to conditions relating to agreeing parking and turning and bin dwell areas and site compound for storage of plant and materials and parking and manoeuvring for site operatives, visitors and loading.

Borough Council – No response to date.

Parish Council – Proposal would utilise the former footprint of a previous building. The proposal is felt to be uncontentious, and is therefore supported.

Representations

Three representations have been received in support of the proposal they raises the following points:

- Needed by the Bennet family
- Good design in character with surroundings and rest of the farm holding
- A real need for local needs housing in the Hope Valley.
- The applicant has a valid reason for the proposed development.

- No impact on any neighbours.
- Uncontentious
- Applicant needs to live on the site not only for the care and wellbeing of the livestock but to care for his elderly father as well.
- This would free up a much needed property in the Hope Valley for local needs.

Officers consider that the above points are dealt with in the body of the report, but it should be stated that no local need affordable housing or agricultural worker's dwelling case has been put forward in this application.

Main Policies

Relevant Core Strategy policies: GSP1, GSP2, GSP3, GSP4, DS1, L1, L2, HC1, T7.

Relevant Local Plan policies: LC3, LC4, LH4, LH6, LH1, LT18.

The key Core Strategy policies that relates to the general principle of the proposal are DS1, GSP1, GSP2, GSP3, GSP4, and HC1. DS1 sets out the development strategy for the National Park. It has provision for new build housing, as Local Needs Affordable Housing, in named settlements or for housing via change of use of existing buildings. GSP2 seeks enhancement, explaining that opportunities for enhancing the valued characteristics of the National Park will be identified and acted upon. GSP3 requires high design and amenity standards and design in accordance with the 'Design Guide'. The housing policies of the Core Strategy do not provide for housing solely to meet unrestricted open market demand. HC1 has some exceptions for new build housing, this is for local needs affordable housing (HC1a), or agricultural workers dwellings (HC1b and HC2) and there is provision for conversion to a dwelling where it is required in order to achieve conservation or enhancement of a valued vernacular or listed building (HC1c).

Local Plan Policy (LPP) LC4 requires a high standard of design that is in keeping with the local building traditions. Whilst there is no specific provision in the development plan for new build ancillary dwellings, officers consider that a combination of the provisions in LPP LH4 and LH6 can allow for new build ancillary dwellings provided it is either scaled and designed as a house extension or an outbuilding that would normally be permissible under LH4.

LPP LH4 requires that extensions and outbuildings do not detract from the character, appearance or amenity of the original dwelling or its setting and do not allow an extension or outbuilding that amounts to the creation of a separate dwelling or an annexe that could be used as a separate dwelling. LH6 deals with the conversion of outbuildings within the curtilages of existing dwellings. It permits the conversion to ancillary residential use provided that: it would not harm the character of the building, the dwelling and the surrounding area; it would not result in an over-intensive use of the property, an inadequate standard of accommodation or amenity space, or the need to replace outbuildings at a later date; the site is large enough to meet the parking and access requirements of the proposed development; the new accommodation provided would remain under the control of the occupier of the main dwelling. Local Plan Policy LH1 exceptionally permits Local Needs Affordable Housing.

The Authority's SPDs the 'Design Guide' and the 'Detailed design guide for alterations and extensions' provide further guidance on the design of housing including extensions and outbuildings.

National Planning Policy Framework

The relationship between the Core Strategy and the National Planning Framework (NPPF) has also been considered and it is concluded that they are consistent because the NPPF recognises the special status of National Parks and promotes sustainable development sensitive to the locally distinctive character of its setting.

Paragraph 54 of the NPPF says local planning authorities should be responsive to local circumstances and plan housing development to reflect local needs, particularly for affordable housing, including through rural exception sites where appropriate. Paragraph 55 explains that Authorities should avoid new isolated homes in the countryside unless there are special circumstances such as: the essential need for an agricultural worker's dwelling; or where development would represent the optimum viable use of a heritage asset; or through re-use of redundant or disused building and lead to an enhancement to the immediate setting. In general these provisions are consistent with the provisions of Core Strategy policy HC1.

Assessment

As set out in the policy section there is no direct provision in the development plan for new build ancillary dwellings. However, there is a route to achieve these where they are of a scale that is compliant with Local Plan policy LH4 if it is a clearly subordinate outbuilding or house extension and if they can also comply with LH6.

The principal issue raised by the proposal is one of scale. The proposal at 77m² of habitable accommodation is comparable to the size of a 4-5 person affordable dwelling, and it would sit within its own curtilage. Indeed the footprint of the existing farm house and the proposed dwelling are very similar as shown on the submitted block plan. Visually it will also clearly read as a separate dwelling and not appear as a subordinate structure to the original dwelling. Therefore the proposed dwelling is clearly beyond the scale and nature which could normally be acceptable under Local Plan Policy LH4 as an outbuilding or house extension. The scale and design is tantamount to the creation of an independent dwelling and for these reasons it is contrary to policy LH4 as there is no provision in the development plan for this scale of new build ancillary dwelling. Whilst the site is within the curtilage of the wider farm, it is not within the curtilage of the existing dwelling nor does it include conversion of an outbuilding so it is also contrary to the provisions of Local Plan policy LH6.

Officers have provided some advice to the applicant and agent during the application process in relation to the scale, advising that for a new build ancillary accommodation/dwelling it would need to be the same as either a house extension or outbuilding that could be permissible under LH4. However if the scale of accommodation being sought is for family accommodation, as proposed here, this would need to be via conversion of an existing traditional building on the site, or a case would need to be made for a second agricultural worker's dwelling on the site. Nevertheless the applicant has asked that the application be determined as submitted.

The proposed occupants of the dwelling are not as suggested in the development description. It is understood that the dependant relative is the father of the applicant who currently lives in the existing house with one adult son. This son shares caring for the father with another adult son (the applicant) who currently lives in Hathersage. The father (the dependant relative) is intended to remain in their current dwelling with one son. The proposed accommodation is therefore for the son (and his family) who currently live in Hathersage, to make it easier for them to share the care of the father, so that they do not have to travel from Hathersage, which is approximately 4km (2.5 miles) away.

The proposed dwelling is therefore related to carer's accommodation. There is a Doctor's letter on the file which explains that a separate residence for the applicant and his partner, enabling them to be onsite to help with caring for the needs of the dependant, would benefit the family. Officers consider that the intention of aiming to house a second carer on the site is understandable, but as set out above there is no provision for this scale of new build ancillary accommodation in the development plan.

Officers have also looked at the emerging policies in the Development management DPD to ascertain if there is any support for the proposal in the October 2015 draft version. These are at an early stage so do not yet form part of the development plan, but if a decision is finely balanced they can help to steer decision making as a material consideration. However, Officers consider that the planning issues in this case are not finely balanced.

The emerging policy DMH5 would allow new build ancillary accommodation where no buildings are suitable for conversion, provided it is within the existing building group, is subsidiary in physical size to the main house and of an appropriate design. There are other criteria but these are the most relevant to this proposal. Officers consider that the proposal is also clearly contrary to this emerging policy as there are buildings on the site that are suitable for conversion, and the proposed new building is not subsidiary in physical size to the main house, instead in design terms and visually it would appear as a separate dwelling.

Whilst the design and siting of the proposed dwelling will not harm the character or appearance of the site or its setting, there are policy issues with the scale of the proposal. The design is of a relatively standard housing type that would normally be acceptable if the proposal was acceptable in principle. The site is close to the existing farmhouse at approximately 7m. It is offset (not directly behind the existing house) but because of its proximity, it is likely that there could be intervisibility issues between the two properties. Whilst this is a problem for an independent dwelling because of residential amenity, it would not be an issue for an ancillary dwelling.

Whilst it has been established that the proposal does not meet the provisions of the development plan for ancillary dwellings, officers have also considered whether it would meet any of the other provisions for housing. However, the proposal does not meet any of the exceptional circumstances in which new housing is allowed in the National Park. For example where it is required for conversion of a valued vernacular building or where there is an essential functional need for an additional agricultural worker on the site (as no such case has been put forward). A newly built dwelling in this isolated open countryside location, outside the confines of any named settlement is contrary to the housing policies as set out in Core Strategy Policy HC1, Local Plan Policy LH1, and also the National Planning Policy Framework.

Conclusion

The proposal is contrary to the provisions of the development plan because of its scale and nature it would amount to the creation of a separate building or annexe that could be used as a separate dwelling and it is not achieved via conversion. This is contrary to Local Plan policies LH4 and LH6 and to the housing policies of the development plan including Core Strategy Policy HC1, Local Plan Policy LH1 and the NPPF. There are no material considerations that suggest that a decision should be made that is not in accordance with the development plan.

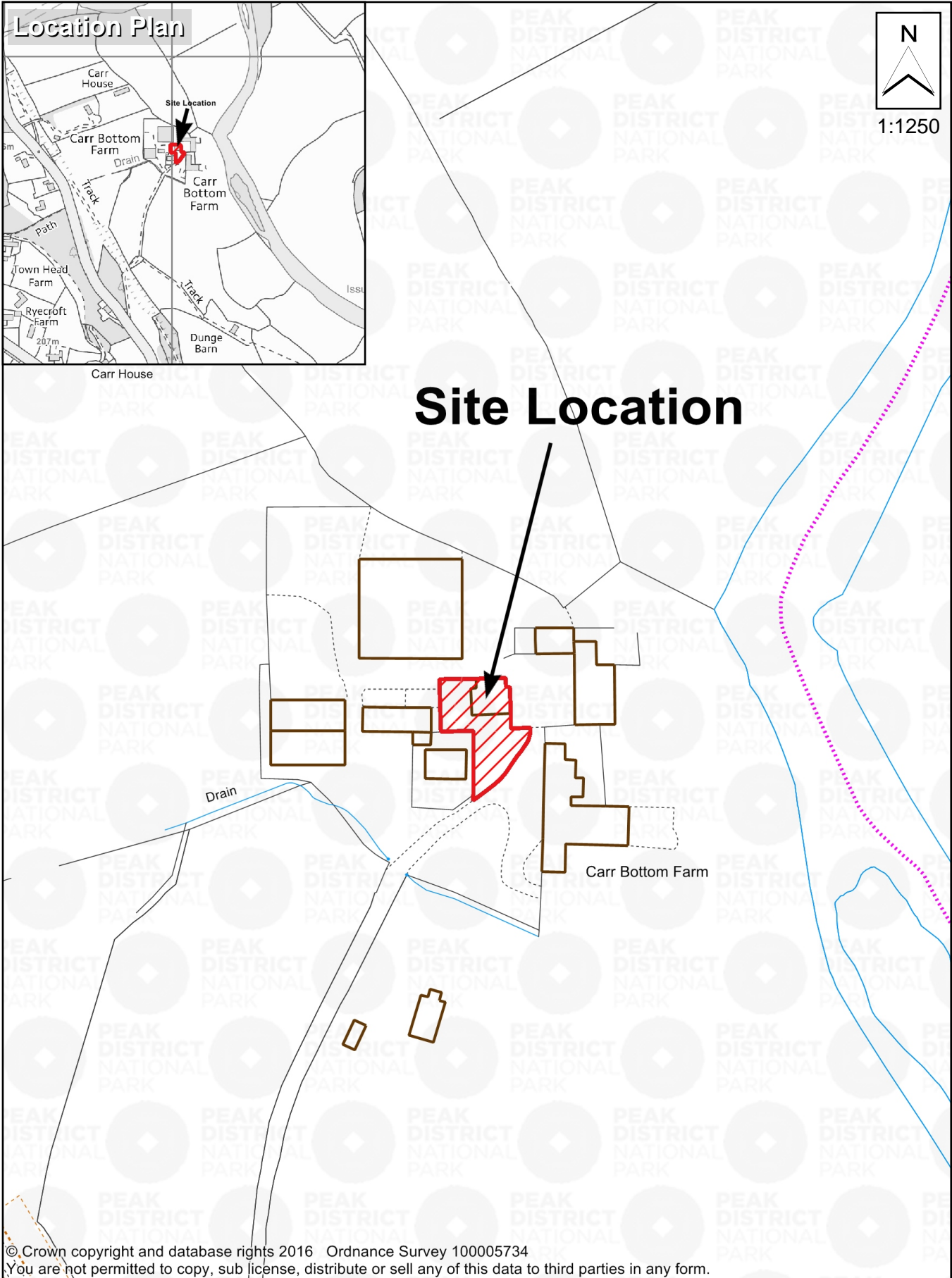
Human Rights

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:	15/04/2016	Title: Carr Bottom Farm	 PEAK DISTRICT NATIONAL PARK
Item Number:	10	Carr Lane	
Application No:	NP/HPK/1115/1097	Thornhill	
Grid Reference:	420033, 383832		

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11. FULL APPLICATION – CHANGE OF USE TO FIELD NO.S 8485 AND 8877 TO A SEASONAL OVERFLOW CAMPING FIELD AT KNOTLOW FARM, FLAGG (NP/DDD/0216/0085, P7457, 02/02/2015 /ALN)

APPLICANT: MRS M HOLLINRAKE

Site and Surroundings

Knotlow Farm is situated in open countryside approximately 750m to the south east of Flagg village. The property comprises a farmhouse, converted barns and a range of modern portal framed sheds. The applicant operates a beef cattle enterprise from the holding which extends to some 46 hectares. There is also a camping and caravanning site at Knotlow Farm, which is located primarily within a field parcel broadly to the north of the existing group of buildings. There is also an 'overspill' field used for tents to the south of the existing buildings.

The application site comprises two field parcels abutting either side of the access track which leads southwards from the junction of two unclassified roads known as Mycock Lane and Moor Lane, towards the farmstead. These fields are immediately north west of the northern boundary of the main camping and caravanning area to the north of the existing building. A public right of way (the Limestone Way) runs along the south western boundary of the application site and part of the application site falls within the Environment Agency's Flood Risk zone 3, which are those areas most at risk of flooding (i.e. 1 in a 100 or greater chance of flooding each year).

The north eastern boundary of the application site also abuts the Peak District Dales Special Area of Conservation (SAC) which is a European designated site. The site is also notified at a national level as Upper Lathkill Site of Special Scientific Interest (SSSI) and is designated for its high geological interest and the fact that it supports a wide range of wildlife habitats, particularly woodland, scrub and grassland.

Proposal

This application seeks planning permission for the change of use of the agricultural land within the application site to a seasonal camp site. The application is retrospective insofar as it is suggested in the application that this site has already been used for camping. However, the details of the maximum number of tents that would be accommodated on the site or how long this field has been in use for camping are not stated in the submitted application.

A supporting statement submitted with the application states that the business is 'struggling to operate within the constraints of the main camping area which is divided across two fields' and indicates that the application site would be used mainly by Duke of Edinburgh (D of E) groups who need to be physically separated from the general public during their stay. The supporting statement also suggests that the site would be used mainly at weekends and bank holidays.

RECOMMENDATION:

That the application be REFUSED for the following reasons:

- 1. The use of the application site for camping would, both individually and when taken cumulatively with the existing camping and caravanning use on the farmstead, be harmful to the established landscape character of the area and would prejudice the quiet enjoyment of the National Park contrary to Core Strategy policies GSP1, GSP2, GSP3, L1, RT1 and RT3.**

Key Issues

- The impact of the proposed use on the established landscape character of the area.
- Whether the benefits of the scheme outweigh any landscape harm identified.
- Flood risk issues.
- Impact on residential amenity.

History

2004 – Permission granted for conversion of farm building into two affordable local needs dwellings.

2007 – Permission granted for change of use of existing building to riding school, construction of outdoor ménage and wildlife pond.

2013 – Pre-application advice given by officers with regard to various developments at Knotlow Farm. Advised that an application for use of current application site for camping would be unlikely to be supported by officers due to landscape impact.

2014 - Retrospective consent granted for the permanent change of use of an agricultural building to a use comprising a riding arena with ancillary agricultural use.

2014 – Retrospective consent granted for a camping enterprise (NP/DDD/0214/0213) This permission included provision of a campsite including 4 yurts in a field to the north of the access track, adjacent to the equestrian ménage; six timber ‘camping pods’ positioned on a hard surfaced area on the northern side of the modern agricultural buildings; a further area for camping in a field to the south of the farm group and the change of use of the western section of an agricultural building on the northern edge of the building group to a facilities block including showers, pot wash facilities, family room, boiler room and service room and storage and site management area. A condition on this permission removed permitted development rights for camping on the remaining land in ownership under the ‘28 day’ rule.

2015 - Retrospective consent granted for the erection of a detached building within the yard area to the south of house and barn conversions (NP/DDD/0115/0047). The building is used an office in association with the camping business.

January 2016 – section 73 application granted to vary conditions on planning decision notice NP/DDD/0214/0213 in order to allow for the siting of six touring caravans ranged along the southern boundary of the field to the north of the access track.

Consultations

Highway Authority – No objections

District Council – No response to date

Environment Agency – Despite part of field being within flood Zone 3, no objections subject to conditions requiring mitigation in the submitted Flood Risk Assessment to be carried out, specifically to restrict camping to areas of within flood zone 1 only. i.e. no camping to the south of Mycock Lane and to identify and provide safe routes into and out of the site to a safe haven.

Any physical barrier erected adjacent to Mycock Lane, to deter people from camping in the areas identified as being at risk from surface water flooding, shall be constructed such that floodwater and waterborne debris can freely pass through the structure at existing ground level.

Flagg Parish Council – No objections

Monyash Parish Council – No objections

National Park Authority (Ecology) - Providing the proposed development is carried out in strict accordance with the details of the application, as submitted, it is not anticipated that there will be any adverse effect on the features for which the sites have been notified. A condition should be included to reflect this.

National Park Authority (Rights of Way) - The applicant has already noted the presence of a popular route (the Limestone Way) across one of the proposed fields the line of this path must not be obstructed at any time. Suggests that to avoid any potential for campers erecting tents on this route that some form of demarcation is considered - simple fencing of the route would prevent any future accidental trespass by seasonal campers.

Natural England – no objections with regard to impact on Peak District Dales SAC as there would be no likely significant effects on the conservation features of the site. With regard to the SSSI, subject to development being carried out in strict accordance with the details of the application, as submitted, proposals will not damage or destroy the interest features for which the site has been notified. No comment with regard to landscape impact. Refer to standing advice with regard to protected species. This application may provide opportunities to incorporate features into the design which are beneficial to wildlife, such as the incorporation of roosting opportunities for bats or the installation of bird nest boxes. The Authority should consider securing measures to enhance the biodiversity of the site from the applicant, if it is minded to grant permission.

Representations

5 letters have been received in support of the proposals, 2 of which are from users groups, 2 from local business and one from a local resident. In summary, the authors of these letters support the proposals on the following grounds:

- Grounds and amenities at the site are perfect for young people and Duke of Edinburgh students.
- No problems have been caused in the village – no rowdy, noisy or anti-social behaviour experienced.
- Visitors to the Peak District need to be readily accommodated.
- The business compliments other businesses in the area e.g. local pubs and brings trade to the area.
- The camp site is well kept and well managed.
- The business needs to expand as it is always busy.
- The proposed site allows a level of independence for users but near enough to call for staff assistance.

1 letter of objection has been received from a local resident on the following grounds, which in summary, raises the following issues:

- The site has a history of non-compliance with planning. The site has operated since 2003 but retrospective consent was only granted in 2014.
- Impact of noise and disturbance often late at night. Site is in a narrow valley and so noise and smoke carries along it for long distances.
- Site is clearly visible from several points in area.
- Elevated areas used by large groups as they are away from families and quieter groups. D of E would be better located near main farm buildings where they can be better monitored and managed.
- Letters of support are commercial endorsements.
- Site has not been in agricultural use for a long time. Often this area is used when other parts of the site are empty.
- Parties and events take place in indoor arena building until late at night.
- Not clear definition of the terms 'overflow' and 'seasonal'.

Main Policies

Relevant Core Strategy policies: GSP1, GSP2, GSP3, L2, L3, RT1, RT3, CC5, E2

Relevant Local Plan policies: LC4, LC17, LT18.

Core Strategy policy RT3 provides a clear starting point consistent with the National Park's statutory purposes for the determination of this application. RT3 states that small camping sites will be permitted, particularly in areas where there are few existing sites, provided that they are well screened, have appropriate access to the road network, and do not adversely affect living conditions. This policy is compliant with national planning policies in the National Planning Policy Framework ('the Framework'), which states that policies should support sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors, and which respect the character of the countryside.

Taking into account the application proposes facilities for D of E groups, RT1 is relevant because it deals with proposals for recreation, environmental education and interpretation. Core Strategy policy RT1 states that these types of developments must not on their own, or cumulatively with other development and uses, prejudice or disadvantage peoples' enjoyment of other existing and appropriate recreation, environmental education or interpretation activities, including the informal quiet enjoyment of the National Park.

The approach taken by RT1 and RT3 is also consistent with policy in the emerging Development Plan Document and Saved Local Plan policy LR3, which say the development of a new touring camping or touring caravan site, or small extension to an existing site will not be permitted unless its scale, location, access, landscape setting and impact upon neighbouring uses are acceptable, and it does not dominate its surroundings.

Therefore, the main planning considerations that are key issues in the determination of the current application include landscape impact considerations as well as flood risk issues. In these respects, Paragraph 115 of the Framework states that great weight should be given to

conserving landscape and scenic beauty in National Parks along with the conservation of wildlife and cultural heritage, which is consistent with the aims and objectives of policies GSP1, GSP2, GSP3 and L1 of the Core Strategy. GSP1 also makes it clear that where there is an irreconcilable conflict between the statutory purposes, the Sandford Principle will be applied and the conservation of the National Park will be given priority.

The Framework also states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere. This is consistent with Core Strategy policy CC5 which discourages development that would increase flood risk.

Issue 1: The impact of the proposed use on the established landscape character of the area.

Core Strategy policy RT3 states that small touring camping and caravan sites and backpack camping sites will be permitted, particularly in areas where there are few existing sites, provided that they are well screened, have appropriate access to the road network, and do not adversely affect living conditions. The supporting text to the policy explains that appropriate size will vary from site to site but for guidance, sites up to 30 pitches are more likely to be acceptable, although this may be too large in many circumstances.

In addition Core Strategy policy L1 states that development must conserve and enhance valued landscape character, as identified in the Landscape Strategy and Action Plan and other valued characteristics. In this case permission has already been granted for a significant level of camping and caravanning use at Knotlow Farm. This currently amounts to :

- camping use permitted on a 4,400 sqm (0.44h) field to the north west of the ménage building (the permission also includes permission for 6 touring caravans and 4 yurts on this field parcel)
- 6 camping pods in a former silage clamp to the north of the main portal framed farm buildings.
- Camping use permitted on a 10,200 sqm (1.0h) field parcel to the south of the building group.

Neither the current nor previous applications at the site provide details of overall camping pitch numbers (probably because these can vary depending on the nature of the users and the size of their tents). Nevertheless, the current application covers a further 17,000 sqm (1.7h) land, which would allow for a significantly greater number of tents to be placed at Knotlow Farm in total than the 30 pitches suggested in the supporting text to the Core Strategy.

As a result the proposals, when taken cumulatively with the other camping and caravanning areas already permitted, does not amount to a 'small' site as envisaged in policy RT3 and indeed would constitute a large and significant tourist facility in open countryside. In the light of this conflict in principle with RT3 it is necessary to consider landscape impact in order to assess whether the other elements of RT3 and policy L1 are complied with and whether this would allow a positive recommendation to be made.

The application site falls within the limestone plateau pasture landscape character type within the Authority's Adopted Landscape Strategy which is a rolling upland plateau of pastoral farmland enclosed by limestone walls with a regular pattern of small to medium sized rectangular fields. Priorities identified in the plan are to protect strongly nucleated settlement pattern of village and farms and to protect historic field patterns and drystone walls. No landscape and visual impact assessment has been submitted with the application although a brief written summary of the

perceived impact has been submitted along with a photograph of views towards the site from Moor Lane.

The site is located within a shallow limestone valley and as such the natural topography means that views from the south and east are not possible. However the northernmost third of the area to the north of the access track is significantly elevated in relation to the rest of the application site. As a result tents on this area would be clearly visible from both Moor Lane to the north west and from Mycock Lane to the north. It is considered that the visual impact of tents in this area would be harmful to the pastoral farmland landscape of the area. The presence of tents would spread the visual impact of the development at Knotlow Farm, contrary to one of the priorities in the Landscape Strategy which seeks to protect the nucleated settlement pattern of villages and farms.

There is an area of steeply sloping land within the application site that has been fenced off and this area could be planted to provide some screening. However this would take time to establish to a point that where it would adequately mitigate the harm identified.

A 250m stretch of the Limestone Way runs directly through the application site. The Limestone Way is a popular long-distance public right of way running through the White Peak from Castleton to Rocester in Staffordshire. The tents and cars that would be sited on the application site and the general activity associated with a camping use would be clearly and directly visible at close quarters from the footpath. Given the recreational purpose of the National Park in policy GSP1 (to promote opportunities for the understanding and enjoyment of the special qualities of the National Parks for the public) the impact on walkers is significant and it is considered that a camping use of the field would cause harm to views from this stretch of the path, contrary to RT3 and L1. Whilst the application refers to the site as an 'overflow' area, the level and frequency of use during the main season would be difficult to monitor and enforce by planning condition.

When consent was granted for the use of the field directly to the south of the main group buildings for camping in 2014 it was noted in the officer's delegated report that the Limestone Way ran diagonally directly through the field in question and as a result there would be some harm to the pastoral character of the land. However, subject to conditions requiring seasonal use only and the submission and agreement of a landscaping scheme, it was considered that the harm was adequately mitigated. Whilst the supporting statement for the current application makes it clear that that particular field is now in use for camping, a landscaping scheme has not been submitted and agreed, in breach of the condition. As a result the harm is not currently being adequately mitigated.

Core Strategy policy RT1 states that recreational development must not on its own, or cumulatively with other development and uses, prejudice or disadvantage peoples' enjoyment of other existing and appropriate recreation, environmental education or interpretation activities, including the informal quiet enjoyment of the National Park. The cumulative impact of a camping use over the fields approved in 2014 and the current site means that effectively a 0.6km stretch of the Limestone Way would be affected with views of tents and activities immediately adjacent to the footpath. It is considered that the impact on quiet users of the Limestone Way would be significantly more substantial when taken cumulatively and as a result the proposals are not compliant with RT1 or policies L1 and RT3. By virtue of the detrimental impact of the proposals on their landscape setting, the proposals are also contrary to policies GSP1, GSP2 and GSP3 of the Core Strategy.

Issue 2: Whether the benefits of the scheme outweigh any landscape harm identified

Core Strategy policy E2 does seek to support small scale business development in the countryside provided that it supports an existing agricultural or other primary business responsible for estate or land management. Saved Local Plan policy LC14 states that development for the purposes of farm diversification will not be permitted unless there is sufficient certainty of long-term benefits to the farm business as an agricultural operation.

The supporting statement submitted with the application does not mention any benefits to the existing beef cattle enterprise although clearly an additional revenue stream could help to support the farm business. The statement focuses on the fact that the tourist business is struggling to operate under the constraints of the existing permitted areas; however no evidence has been submitted that demonstrates that financially the business cannot operate successfully without approval of the current proposals. As there are two physically separate camping areas already approved, officers are not convinced that D of E users could not be accommodated suitably within either of those two areas.

The statement emphasises that during the closed season the site has and would be brought back into agricultural use and that the peace and tranquillity experienced in this location is already compromised by the farm drive and existing camping areas. Whilst it is acknowledged that the proposed use would be seasonal and that this could be controlled by condition, officers do not concur that the enjoyment of the users of the public right of way is currently compromised by the presence of the surfaced driveway and it is considered that the proposed camping use would have a more significant impact.

Whilst the proposals would provide some economic benefit to the applicant and would contribute to the Authority's second purpose to provide for and to promote opportunities for the understanding and enjoyment of the special qualities of the National Parks, this would conflict with the first purpose to conserve and enhance natural beauty, wildlife and cultural heritage. GPS1 makes it clear that where there is an irreconcilable conflict between the statutory purposes, the Sandford Principle will be applied and the conservation of the National Park will be given priority.

Issue 3: Flood Risk Issues

Core Strategy policy CC5 states that development proposals that would unacceptably increase flood risk will not normally be permitted. In this case the land on the south western boundary of the application site (i.e. land on the south west side of the access track) falls within the Environment Agency's Flood Risk Zone 3, which is land assessed, as having a 1% or greater annual probability of fluvial flooding. The proposed use is identified as a 'more vulnerable' use in the technical guidance attached to the Framework. There are no rivers within the vicinity of the application site so it appears that the area is designated as flood zone three because of the potential for surface water flooding. A flood risk assessment which was carried out in association with the proposals in 2014 has been re-submitted during the course of the application.

The Environment Agency has raised no objections to the proposals but recommends a condition to prevent camping on land to the south of the access road i.e. within flood zone 3. Given that the area affected does not comprise a significant proportion of the overall application site, this condition is considered to be necessary and reasonable along with a condition requiring the identification and provision of safe routes into and out of the site to a safe haven. It is considered that an open post and rail fence would be required to prevent campers from pitching in the affected area and this could be required by condition. Subject to these conditions, the proposals would not unacceptably increase flood risk and would therefore be compliant with CC5.

Issue 4: Impact on Residential Amenity

Core Strategy policy GSP3 states that development must respect, conserve and enhance all valued characteristics of the site and building that are subject to the development proposals including impact on living conditions of communities. Saved Local Plan Policy LC4 expects a high standard of design with particular attention being paid to, amongst other things, amenity and privacy.

The application site is some 330m away from the nearest other residential property, Chestnut House to the north. The owner of this property has objected to the proposals for a number of reasons including impact on residential amenity due to noise and disturbance.

Whilst the objector has cited various incidences of noise and disturbance, especially at night, officers consider that due to the intervening distances the proposals should not, if operated under the provisions of an appropriate site licence, cause harm to amenity to such an extent that this should be a reason for refusal of the current proposals. This conclusion is also reached in the light of the fact that neither Monyash nor Flagg Parish Councils have raised objections, which indicates that noise and disturbance is not seen to be a wider issue in the broader community.

Other Material Considerations

Ecology

Core Strategy Policy L2 states the development must conserve and enhance any sites, features or species of biodiversity importance and where appropriate their setting. Other than in exceptional circumstances development will not be permitted where is likely to have an adverse impact on any site, features or species of biodiversity importance or their setting.

The Upper Lathkill SSSI and the Peak District Dales Special Area of Conservation (SAC) abut the application site. However Natural England and the Authority's ecologist have confirmed that provided the development is carried out in strict accordance with the submitted details, the special interests of these sites would not be harmed. As such it is considered that the proposals comply with the requirements of L2 in these respects.

Parking and Access

The application form does not provide any details of the number of existing and proposed parking spaces. However, there is a large farmyard at the centre of the application site where there is sufficient space to park cars in association with the proposed level of use (most campers tend to park their vehicles on the camping fields adjacent to their tents). Whilst there would be some intensification of use of the access as a result of the proposals, visibility at the end of the access track onto the public highway is good and the proposals are not likely to result in a danger or inconvenience to highway users in accordance with Local Plan policy LT18.

Conclusion

In conclusion the proposed use of the application site for seasonal camping would, both individually and cumulatively when taken with the existing camping and caravanning use at the site, cause harm to the valued landscape character of the area as identified in the adopted Landscape Strategy. It is not considered that the benefits of the scheme would outweigh the

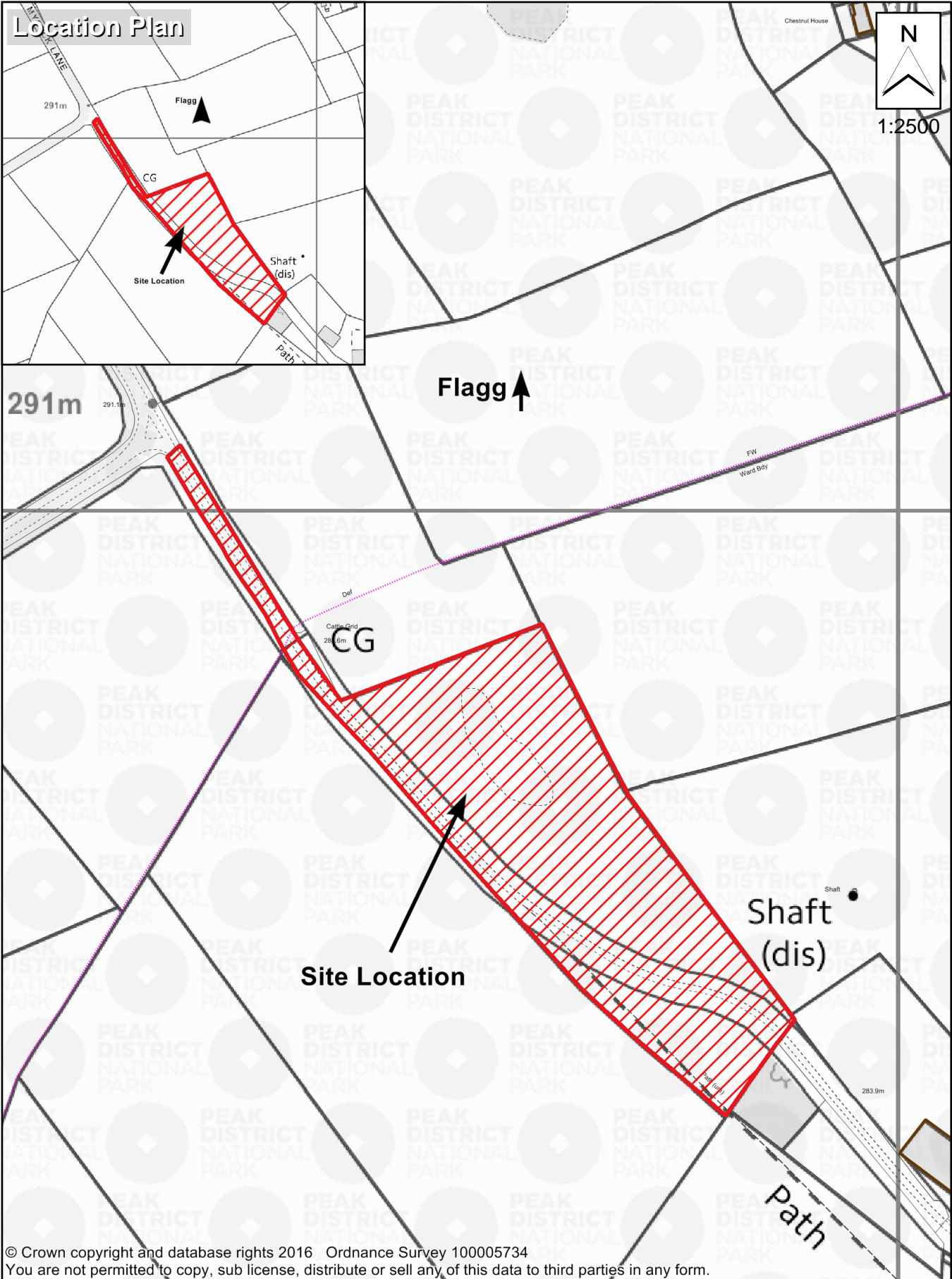
landscape harm identified and whilst flood risk issues can be addressed through conditions and impact on residential amenity would not on balance be so significant as to warrant refusal on those grounds, the proposals are nonetheless contrary to adopted development plan policies GSP1, GSP2, GSP3, L1, RT1 and RT3 and the application is therefore recommended for refusal.

Any human 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:	15/04/2016	Title: Knotlow Farm Flagg	 PEAK DISTRICT NATIONAL PARK
Item Number:	11		
Application No:	NP/DDD/0216/0085		
Grid Reference:	413808, 367865		

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12. HOUSEHOLDER APPLICATION: ERECTION OF DOMESTIC GARAGE AND STORE AT SWALLOW COTTAGE, PILHOUGH ROAD, ROWSLEY (NP/DDD/1215/1167 P.10620 424893/364905 29/03/2016/LB)

APPLICANT: MR W MITCHELL

Site and Surroundings

Swallow Cottage and Swallow's End are two dwelling houses situated in a prominent hillside location in open countryside at Pilhough, 1.2 km south of Rowsley. The dwellings are set in a large domestic curtilage and accessed via a driveway from Pilhough Lane which leads to Stanton. The application site is at the entrance of this driveway where a steel frame has been erected on the southern side of the access drive at the entrance, approximately 30 metres from the dwellings. Planning permission was granted in 2012 for alterations and an extension to an existing garage on the application site, to provide garaging for Swallows Cottage and Swallows End.

Excavation works into the bank side to accommodate the approved garage have taken place on the application site but the original garage was completely demolished despite permission being granted for an extension to the existing garage building on site. The steel framework that has been erected was for a larger garage than that approved and is currently subject of an active enforcement case. Spoil from the excavation works has been tipped on the adjacent sloping field opposite the garage site and this is also subject of an active enforcement case and the subject of a separate planning application.

Although the application site does not lie in a designated Conservation Area, it does lie in an attractive pastoral landscape. To the south of the properties there are sloping pastures while an extensive belt of woodland runs on higher ground to the north which is very much in keeping with the Landscape Character Assessment for the area; Derwent Valley 'Slopes and Valleys with Woodland'. The nearest neighbouring property is Wye View, a converted outbuilding used as a dwelling, and Ivy Cottage a Grade II Listed building 27 metres to the east.

Proposal

The current application proposes the erection of a domestic garage for the use of garaging vehicles for Swallow Cottage and Swallow's End and storage of motorcycles for Swallows. Notably, the proposed building would be a new build albeit the existing steel framework may be kept on site and adapted so it can form the framework for the building proposed in this application. However, the proposed building would be of the same size and form, with a very similar design as the extended garage building approved in 2012.

The submitted plans show the garage will have an 'L' shaped plan form with the dimensions 15.8 metres x 7.2 metres, (main garage footprint) x 2.7m to eaves height and 6.35 metres to ridge height. The forward projecting gable wing of the garage will measure 3.2 metres x 6.5 (gable width) x 2.65 metres to the eaves and 5.95 to the ridge. The garage will be clad in stone under a blue slate roof and will have 3 garage doors. A flight of external stone steps are proposed on the south eastern gable to provide a separate access to a loft space, which will be provided with natural light by a window in the north western gable and a series of 8 roof lights within the rear roof slope.

RECOMMENDATION:

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

- 1. The development hereby permitted shall be begun within three years of the date of the permission.**

2. **The development shall not be carried out other than in complete accordance with the submitted plans subject to the following conditions / modifications:**
3. **No external lighting without the Authority's prior written consent.**
4. **Minor design details including an external walls sample panel.**
5. **The garaging hereby permitted shall be retained solely for the parking of domestic vehicles ancillary to the ordinary domestic use of Swallow Cottage and Swallow's End.**
6. **The loft space in the building hereby permitted shall be used solely for domestic storage ancillary to the ordinary domestic use of Swallow Cottage and Swallow's End and for no other purposes.**

Key Issues

- The impact of the proposed garage on the setting of Swallow Cottage and Swallow's End and the character of the surrounding landscape.

History

March 2012: NP/DDD/0212/0156: Planning consent was approved for the extension and alteration of the existing garage on the southern side of the access drive at the entrance to the site; (the site of the current application). Plans proposed an amended garage that effectively created a 6 bay garage with an 'L' shaped plan form built into the sloping bank side to the south of the site. Access would remain unaltered and there was adequate forecourt area in front of the building allowing forward access to the road.

As noted above, works commenced on site, digging out the bank side and erecting some framework but the existing garage was demolished with spoil being tipped into the field in front of the site. It is therefore considered that the original permission can no longer be implemented because the approval was for an extension to an existing garage and permission was not granted for a demolition and rebuild.

April 2014: NP/DDD/1234/5678: Planning application submitted for the creation of a vehicle turning space in the field opposite the approved garage. The application was refused as the proposed vehicle turning area would have been a visually intrusive development in an open area of countryside that would detract from the surrounding special landscape qualities that contribute to the valued characteristic of the National Park.

Furthermore, it was considered to be insufficient justification for the inappropriate incursion into the adjacent field as there are sufficient parking facilitated available within the existing and clearly defined residential curtilage of the cottage.

January 2015: Letter to the applicant advising the erected steel structure on the site was effectively a new building, which did not conform to the measurements or location of the approved garage and was unauthorised.

February 2015: Non material amendment application for the amended garage design, (size and location), rejected because the proposed changed to the approved scheme, (NP/DDD/0212/0156), in relation to the size and form of the garage building were so significant they did not constitute alterations of a minor nature that can be considered under an application for a non – material minor amendment.

July 2015: NP/DDD/0415/0271: Planning application submitted for an amended garage design. A similar 'L' shaped footprint was to remain, as previously approved, but the height of the ridge and eaves was to significantly increase. The application was refused by virtue of its size, form, scale and massing, as the amendments would result in a visually intrusive development in an area of open countryside that would detract from the surrounding landscape qualities that contribute to the valued characteristics of the National Park.

It was also considered that a more appropriate scheme for the garaging had previously approved and there was insufficient justification for an increase in size, form and massing of the garaging.

July 2015: APP/M9496/D/15/3131600: Appeal against refusal of planning application NP/DDD/0415/0271, (amendments to the size, form and design of the approved garage in 2012). Appeal dismissed as the proposal would have a significant harmful impact on the character and appearance of the area and on its special landscape qualities that contribute to the valued characteristics of the National Park.

Consultations

County Council (Highway Authority) - No objections.

District Council – No response to date

Parish Council – Object to the proposals size, scale and form which would have a harmful impact upon the character and appearance of the area, its setting and views from surrounding view points.

Representations

During the consultation period, the Authority has received two letters of representation regarding the proposal; both objecting to the proposal on points which has been summarised below:

- Design and appearance of the garage is out of character with existing buildings;
- The garage is located in a prominent position on the hillside;
- The garage will be viewed as an separate entity in comparison to other buildings nearby;
- The garage is of considerable scale;
- Notes appeal decision states a garage could be met in the location in a less harmful manner;
- Notes the proposal is also for a store;
- No details provided on how the existing steel structure on site will be amended / removed;
- The garage will be located in a sensitive area of significant value of the Derwent Valley 'Slopes and Valleys with Woodland' Landscape Character.
- The garage does not meet policy requirements;
- Notes the Inspector's comments on the garage as being a physical separation from Swallow Cottage.
- Notes the Inspector's reasons for dismissing the appeal.

Main Policies

In principle, DS1 of the Core Strategy is supportive of extensions to existing buildings and policy LH4 of the Local Plan provides specific criteria for assessing householder extensions including outbuildings which is repeated in the relevant policy in the emerging Development Plan Document. LH4 says extensions and alterations to dwellings will be permitted provided that the proposal does not:

- i. detract from the character, appearance or amenity of the original building, its setting or neighbouring buildings; or
- ii. dominate the original dwelling where it is of architectural, historic or vernacular merit; or
- iii. Amount to the creation of a separate dwelling or an annexe that could be used as a separate dwelling.

The Authority has also adopted three separate supplementary planning documents (SPD) that offers design guidance on householder development namely the Design Guide, the Building Design Guide and the Detailed Design Guide on Alterations and Extensions. This guidance offers specific criteria for assessing the impacts of householder development on neighbouring properties and contains a number of suggestions for the appropriate design of outbuildings such as garaging.

Wider Policy Context

The provisions of policies DS1 and LH4 and guidance in the Authority's adopted SPD are supported by a wider range of design and conservation policies in the Development Plan including policies GSP1, GSP2, GSP3 and L1 of the Core Strategy and policy LC4 of the Local Plan, which promote and encourage sustainable development that would be sensitive to the locally distinctive building traditions of the National Park and its landscape setting. Policy LC4 and GSP3 also say the impact of a development proposal on the living conditions of other residents is a further important consideration in the determination of this planning application.

These policies are consistent with national planning policies in the Framework (the National Planning Policy Framework) which require local planning authorities to always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings; and to conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations.

Assessment

Background

As noted in the planning history, planning consent was granted on the current application site for the extension and alteration of an existing garage in 2012 (NP/DDD/0212/0156). The approved plans showed the existing garage would be modified into an 'L' shaped plan form, tripling its size measuring just under 7 metres in length and 6.5 metres wide. Height to the eaves was 2.7 metres and 6.5 metres to the ridge. However, the work that took place on site after consent was granted for the amended garage included not only included excavating the hillside but also demolishing the garage that existed at the time. Some structural steel framework was also erected which remains on the hillside today.

When the steelwork was erected on site, it is clear that this structure does not comply with the 2012 approved plans. Measurements confirm that the roof height is approximately 1.0 metres above the approved height; (accounting for the external cladding and the finished floor slab); and the garage facade is likely to have an 800mm increase between the top of the garage door and

the eaves of the roof. The building has also been sited 0.5 metres to the east resulting in insufficient space to construct 3 garage door openings and the external stone staircase.

In addition to this the Authority has also advised the applicant that the present structure is effectively a new building, not covered by the existing permission, and is therefore unauthorised. Subsequently, an application was submitted to seek planning consent for the amended size, form and design of the garage building originally approved. This was refused as the amendments would result in a visually intrusive development in open countryside and an appeal against this decision was subsequently dismissed.

In the appeal decision, the Inspector was very clear that a completely new garage of a larger size and form, than otherwise approved, would be clearly visible from public vantage points and in more distant views the physical separation from Swallow Cottage would read as an isolated building that would look out of place. In close proximity, the scale of the building would be apparent and even though against the background of hillside and woodland would appear as a dominant and discordant feature. Overall the building would have a significant harmful impact on the character and appearance of the area and on its special qualities that contributed to the valued characterises of the National Park. The structure The proposal therefore conflicted with Policies GSP1, GSP2, GSP3 and L1 of the Core Strategy and LC4 and LH4 of the Local Plan.

The Inspector also noted that there was no obligation to justify the increase in size compared to the previous extended garage and was considered as a new proposal. It was also concluded that a domestic garage on site could also be met in a less harmful manner. Consequently, in an attempt to rectify the situation, the current application has been submitted. The proposal is for the erection of a domestic garage and store and the proposed size, scale, dimensions, form and location of the garage are identical to that previously approved in 2012. The only difference is that this application is for a new building and a double garage door replaces 2 single doors.

Therefore, the impact of the proposed garage on the setting of Swallow Cottage and Swallow's End and the character of the surrounding landscape is a key issue in the determination of this application but due regard must be given to the decision to approve an extended garage of an identical size and scale and of a very similar design to the building proposed in this application.

Siting

The garage is sited in an elevated position on the hillside overlooking Pilhough at the entrance of the site to Swallow Cottage. The building would be separated from the nearby dwellings, which lie some 55 metres to the west of the application. By virtue of the location of the application site, the building could be seen from surrounding vantage points as an isolated building that would be visible within its setting characterised as 'Slopes and Valleys with Woodland'. However, the proposed location of garage would allow it to sit against rising land at the rear of the site which occupies an extensive belt of thick woodland, almost encasing the application site and allowing the building to sit against a suitable backdrop.

Therefore, the building would make best use of landscape features, and the existing woodland would serve to reduce the visual impact of the proposed building in the wider landscape. Sloping pastures below the site which flow into surrounding fields also allow the building to sit comfortably within the landscape and its wider setting by foiling views of the application site from various vantage points broadly to the south of the site. For example, when approaching the site on Pilhough Lane, the lower part of the proposed building would be screened by the rising ground within the sloping fields and roadside vegetation would provide some filtering of these views.

Moreover, at the entrance of the site there are two substantial stone pillars forming a gateway, and a hard standing area and driveway, so the building would be viewed in the context of domestic elements from more immediate viewpoints, in particular from Pilhough Lane. In these circumstances it is not considered the proposed garage would look out of place and if the garage

were placed closer to the host property it would be visually dominant and contrary to Local Plan LH4. In these respects, the scheme that has been designed to reflect the extended garage that had previously been approved and in scaling the garage down to the previously approved dimensions removes the increased form and bulk of the garage, refused planning permission, which would have had an adverse impact upon its setting.

In summary, the lower ridge and eaves height of the garage, would allow the garage to nestle more comfortably within its setting than the garage refused planning permission and minimise the impact of the building on the established landscape character of its setting as anticipated when granting planning permission for a similar sized building in 2012. Consequently, the same conclusions can be reached as those reached in 2012 that the proposed garage, albeit a newly built garage, would be acceptable in landscape terms and this application does not conflict with GSP1, GSP2, GSP3 and L1 of Local Plan policies LC4 and LH4.

Also, by virtue of the intervening distances, there are no neighbouring properties which would be adversely affected by the proposal. In addition, the garage would not harm the setting of the Grade II listed Ivy Cottage. The site of the proposed garage lies a considerable distance from the curtilage of the listed building and is separated from it by intervening buildings that comprise Swallow Cottage and its extensive garden area. For these reasons the proposal would not cause any harm to the setting or significance of the listed building. Furthermore the proposed garage would not itself generate additional vehicular traffic to and from the site as the entrance and driveway is already in use by Swallow Cottage and Swallows End. Therefore, officers are also satisfied that the building would not harm the amenities of the local area or harm the setting of the nearby listed building.

Design

In terms of the detailed design of the proposed garage, the structure would be built in natural stone under a blue slate roof which raises no objections and also reflects the approved materials for the garage alterations in 2012. Plans indicate the front of the garage would have two vertically boarded timber doors which raises no objection, (a double and a single door) noting the previously approved scheme had 3 single doors in this elevation. However, gritstone lintels should be used and the doors should be stained or painted in a recessive colour to achieve an appropriate standard of design.

The 'L' shaped plan form allows the length of the front elevation to be broken up by a gable, visually reducing the impact of the structure. The 6.6 metres ridge height is deemed acceptable as is considerably lower than the previous proposal at almost 7 meters. It is acknowledged the roof at this height will still remain visible in the landscape but its impact will be subdued by the use of tiles; and would therefore be far less intrusive than the current unauthorised red steelwork on site. The pitched roof is also key characteristic, typical to new build garages and reflects the requirements of the Authority's SPD. The window in the gable may appear too domestic but it will be heavily screened by surrounding foliage.

Previously, for the 2012 application, amended plans omitted the flight of stone steps on the south west gable. This application has included this addition to the building. In terms of design, the approach to retain the steps provides the garage with a similar appearance to an agricultural outbuilding and would therefore blend in with its detached setting at the entrance of the driveway and on the edge of open fields mitigating further any visual impact on the surrounding area and the wider landscape. In any case, due to their location on the south western gable they will be screened from hillside, trees and shrubs which extend north from the garden at Swallow Cottage. The roof lights in the rear roof slope also raise no concern as will be concealed from view by the surrounding hillside and woodland.

Consequently, there are no objections to the detailed design of the proposed garage, and in these respects, the current application meets the requirements of the Authority's SPD on design and adopted design and conservation policies GSP3 and LC4.

Conclusion

It is therefore concluded that by virtue of its sitting, scale and design, the proposal would not have a significant harmful impact on the character and appearance of the area and on its special landscape qualities that contribute to the valued characteristics of the National Park. It is also considered that the garage is of an appropriate design, to a high standard, that would allow it to harmonise with its locally distinctive surroundings and that the building would not harm the amenities of the local area or harm the setting of the nearby listed building.

Therefore, officers consider the proposal is in accordance with GSP1, GSP2, GSP3 and L1 of the Core Strategy which seek to ensure that development proposals respect, conserve and enhance the valued characteristics of the National Park and of the site and buildings that are subject of the proposal; and saved policies LC4 and LH4 of the Local Plan, which seek to ensure householder development is of a high standard of design that respects and conserves the landscape.

It is also considered that significant weight must be attached to the decision to approve an extended building of identical form, scale and massing as approved in 2012 and assessed under the same policies. In these respects, even though this application is for a newly-built garage, the 2012 approval demonstrates the proposed garaging can be achieved sympathetically and in a less harmful manner than the previously proposed larger structure which was appropriately refused and dismissed at appeal. Accordingly, the current application is recommended for conditional approval.

In addition to standard conditions it would also be reasonable and necessary to retain control over external lighting because of the detached hillside location where any insensitive lighting would have a significant impact on dark skies and the tranquillity of the local area.

Finally due to the size and scale of the garage building it would be necessary to restrict the use of the garage to the parking of domestic vehicles in relation to Swallows Cottage and Swallows End only and to restrict the use of the loft space to domestic storage. These conditions would allow the Authority to retain control over the use of the building in the interests of safeguarding the character, appearance and amenities of the local area.

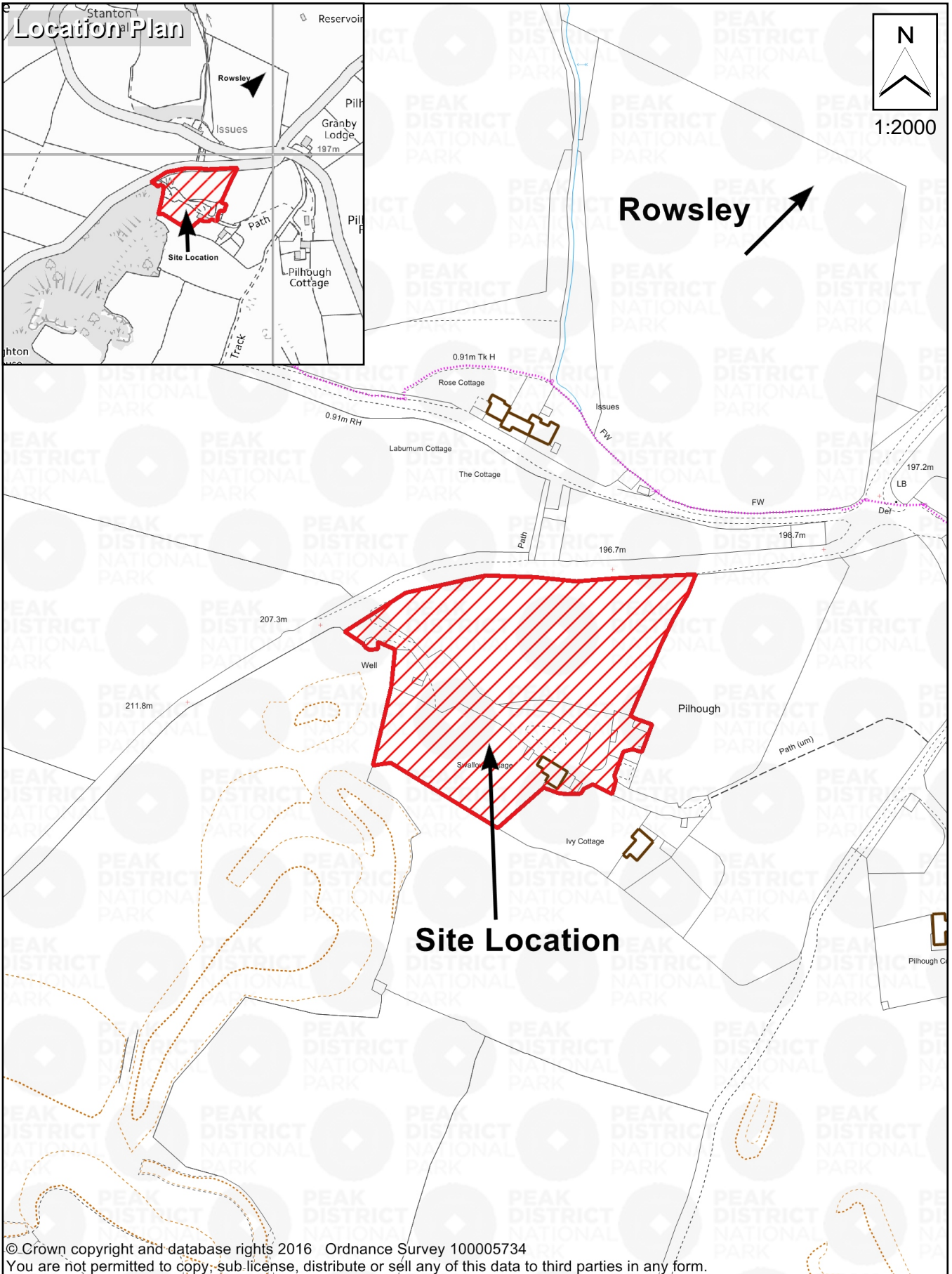
Human Rights


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:	15/04/2016	Title: Swallow Cottage Pilhough Road Rowsley	 PEAK DISTRICT NATIONAL PARK
Item Number:	12		
Application No:	NP/DDD/1215/1167		
Grid Reference:	424893, 364905		

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13. FULL APPLICATION - DEPOSIT OF SOIL TO IMPROVE VEHICLE TURNING AT SWALLOW COTTAGE, PILHOUGH ROAD, ROWSLEY (NP/DDD/1215/1168 P.10620 424893/364905 29/03/2016/LB)

APPLICANT: MR W MITCHELL

Site and Surroundings

Swallow Cottage and Swallow's End are two dwelling houses situated in a prominent hillside location in open countryside at Pilhough, 1.2 km south of Rowsley. The dwellings are set in a large domestic curtilage and accessed via a driveway from Pilhough Lane which leads to Stanton. The application site is at the entrance of this driveway where a steel frame has been erected on the southern side of the access drive at the entrance, approximately 30 metres from the dwellings. Planning permission was granted in 2012 for alterations and an extension to an existing garage adjacent the application site, to provide garaging for Swallows Cottage and Swallows End.

Excavation works into the bank side to accommodate the approved garage have taken place on the application site but the original garage was completely demolished despite permission being granted for an extension to the existing garage building on site. The steel framework that has been erected was for a larger garage than that approved and is currently subject of an active enforcement case. Spoil from the excavation works has been tipped on the adjacent sloping field opposite the garage site and this is also subject of an active enforcement case and the subject of this planning application. The dimensions of this embankment formed by deposited soil from the excavation works for the previously approved garage are approximately 7 metres x 14 metres at present.

Proposal

The current application seeks partially retrospective planning permission for retention of the spoil that has been banked up on the application site but includes plans showing re-modelling of the existing embankment in the field by re-profiling the contours in an attempt to create a more natural looking feature in the landscape. Information submitted with the application indicates this would be achieved by material from and around the top of the embankment being relocated at its base to reduce the steep profile to approximately 30 degrees and soften the shape. The newly formed embankment will be seeded with grass and will be maintained as part of the field and used for agricultural purposes.

The proposed development has been described in the current application as the deposit of soil to improve vehicle turning. However, the embankment lies outside the clearly defined curtilage of the host properties, Swallow Cottage and Swallow's End, and the submitted plans do not indicate that vehicles would be able to access the top of the embankment. Furthermore, the applicant's agent has confirmed that the application is solely for operational development (i.e. the creation of the embankment) rather than any change of use of the land and no further details have been submitted that indicates the retention of the embankment is required to stabilise the existing access track and associated turning areas at the entrance to Pilhough Road.

RECOMMENDATION:

That the application is **REFUSED** for the following reasons:

1. **By virtue of the size, form, scale and massing of the remodelled embankment, its retention would be a physical and harmful incursion into an area of open countryside and it would be a visually intrusive development that would neither reflect nor respect the character of its landscape setting and would detract from the surrounding special qualities of the surrounding landscape that contribute positively to the National Park's scenic beauty.**
2. **Consequently, the proposals would have a significant adverse visual impact on the character of the landscape setting of the application site and the scenic beauty of the National Park contrary to policies GSP1, GSP2, GSP3 and L1 in the Authority's Core Strategy, contrary to saved Local Plan policy LC4, and contrary to the landscape conservation objectives set out in national planning policies in the Framework.**
3. **Furthermore, there is insufficient justification for retaining the deposit of soil or the creation of the embankment taking into account policy Core Strategy CC3 requires appropriate off-site disposal of spoil arising from development if it cannot be re-used on-site without damaging the environmental quality of the local area. In this case, it is clear the excavation material cannot be dealt with appropriately on site and its retention has resulted in the creation of an inappropriate embankment into the field that has resulted in disposal of waste in open countryside contrary to the provisions of CC3 and contrary to the landscape conservation objectives of policies in the Development Plan and the Framework.**
4. **Therefore, granting planning permission for the current application would not achieve any significant public benefits and the adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits of retaining the embankment, when assessed against policies in the Development Plan and the Framework when taken as a whole. Consequently, the current application is contrary to the principles of sustainable development set out in policy GSP1 of the Core Strategy and national planning policies in the Framework.**

Key Issues

- The impact of retaining and re-grading the existing embankment on the character of the surrounding landscape.

History

March 2012: NP/DDD/0212/0156: Planning consent was approved conditionally for the extension and alteration of an existing garage on the southern side of the access drive at the entrance to the site. Plans proposed an amended garage that effectively created a 6 bay garage with an 'L' shaped plan form built into the sloping bank side to the south of the site. Access would remain unaltered and there was adequate forecourt area in front of the building allowing forward access to the road.

As noted above, works commenced on site, digging out the bank side and erecting some framework but the existing garage was demolished and spoil from the excavation works was tipped into the field in front of the site forming an embankment of earth (the site for this application).

April 2014: NP/DDD/1213/1165: Planning application submitted for the creation of a vehicle turning space in the field opposite the approved garage. The existing embankment would form the area for the turning circle. The application was refused as by virtue of the proposals size, form scale and massing as the vehicle turning area would be a visually intrusive development in an open area of countryside that would detract from the surrounding special landscape qualities that contribute to the valued characteristic of the National Park.

Furthermore, it was considered to be insufficient justification for the inappropriate embankment into the adjacent field as there is sufficient parking available within the clearly defined residential cartilage of the cottage.

Consultations

County Council (Highway Authority) - No objections.

District Council – No response to date

Parish Council – Object to the proposals as the embankment alters the flow of the land creating an obtrusive feature that does not accord with the landscape character assessment. If approved, this application would also have significant harmful impact upon the character and appearance of the area and on the National Parks special landscape qualities. The Parish Council also comments that if the application is approved, conditions should be attached to provide woodland to screen the embankment.

Representations

The Authority had received one letter of objection at the date of this report. This letter refers to a previous planning application (NP/DDD/1213/1165) which sought permission to change the same spoil deposit into a turning space, that planning application was refused on the basis that its size, form, scale and massing would comprise a visually intrusive development in an area of open countryside, detracting from the surrounding special landscape qualities of the National Park, there was also insufficient justification for the inappropriate incursion into the field as there were sufficient parking facilities available within the defined residential curtilage.

The author of this letter goes on to say this latest planning application fails to address any of the previous reasons for refusal, it still seeks to extend vehicular space for which there is no requirement, there being adequate existing room for vehicle access and manoeuvring as is being demonstrated currently by large vehicles entering and exiting the location without difficulty. The letter concludes that whilst a solution is clearly required to deal with this tipped spoil, allowing any additional vehicular facilities should not be considered. Adequate screening of the area should form an essential part of any planned re profiling. This is agricultural land in a prominent position which has had building rubble and excavated spoil dumped upon it, a solution which is sympathetic to the surrounding landscape is required.

Policy Context

Policy CC3 of the Authority's Core Strategy is relevant as it normally requires waste arising from development to be used on site or if it cannot be used on site appropriately, CC3 requires spoil to be removed off-site to a licensed waste disposal site. In this case, spoil arising from the excavation works on site is considered to have a visual impact on the character of the surrounding landscape so the current proposals do not accord with the provisions of CC3. The emerging Development Plan Document does not give any further detailed guidance on these points. Therefore, a key issue in the determination of this application is whether the retention of the spoil and the re-profiled embankment would have a harmful visual impact on the character of the surrounding landscape.

In these respects, paragraph 115 of the National Planning Policy Framework ('the Framework') says that great weight should be given to conserving landscape and scenic beauty in National Parks whilst as a whole, policies in the Framework promote and encourage sustainable development in rural areas. This approach is consistent with policies in the emerging Development Plan Document and the landscape conservation objectives of Policies GSP1, GSP2, GSP3 and L1 of the Core Strategy and Local Plan policy LC4, which focus upon design and conservation and promote and encourage sustainable development that would be sensitive to the locally distinctive character of the National Park landscape.

Furthermore, Core Strategy Policy L1 also cross references the Authority's Landscape Strategy and Action Plan as it aims to conserve and enhance the National Parks valued landscape character. Although the application site does not lie in a designated Conservation Area, it does lie in an attractive pastoral landscape. To the south of the properties there are sloping pastures while an extensive belt of woodland runs on higher ground to the north which is very much in keeping with the Landscape Character Assessment for the area; Derwent Valley 'Slopes and Valleys with Woodland'. The Authority's Landscape Strategy and Action Plan says the priority for this landscape is to protect and manage its settled, agricultural character.

Assessment

Background

Prior to the submission of the current this application, planning consent was granted for the extension and alteration of an existing garage in 2012, south of the entrance to Swallow Cottage. Work took place after consent was granted for the amended garage, excavating the hillside but also demolishing the garage at the same time. Some structural steel framework was erected on the site. The excavation works into the hillside that took place, clearing the site for the garage, resulted in substantial amounts of spoil that needed to be removed off the site. Subsequently the material was tipped in the field immediately opposite the garage site forming a large mound, creating a man made embankment of earth, the height of which reaches the ground level of the driveway. The Authority has previously advised that the embankment is an unauthorised form of operational development that requires planning permission.

Subsequently a planning application was submitted to retain the embankment and to form a vehicle turning area for the garage building; the top of the embankment which is level with the driveway would be used to form the turning area extending into the field. This application was refused by virtue of the proposals size, scale, form and massing which would comprise a visually intrusive development in the countryside that would detract from the special landscape qualities of the National Park. Consequently, as the embankment is still unauthorised and in a further attempt to rectify the current situation, this application has been submitted.

The current application is different from the previous application because it proposes to retain but remodel the contours of the embankment, re-seed the earth and return it to agricultural use rather than retain it as part of an extended turning area or to include the embankment as part of the residential curtilage of either Swallow's End or Swallow Cottage. Notably, there are no details in the application suggesting that the embankment needs to be retained for structural reasons or that its retention is required to stabilise the adjacent ground. There is also no further explanation of why the spoil cannot be disposed of off-site, which is an important point because of the siting of the embankment in an open field in open countryside.

Impact

Swallow Cottage is situated in a prominent elevated position set into the steeply sloping hillside and framed to the south by established trees and woodland. In the foreground to the north east of the cottage is a small steeply sloping field, which immediately abuts the residential curtilage and joint access track which serves Swallow Cottage and the adjacent properties. The field is bound by a combination of walls and roadside hedging. The north eastern side of the joint drive

is enclosed by existing hedging apart from where this has been breached where the spoil from the excavation works have been tipped into the field; thus forming the large embankment.

The existing hedging forms a strong enclosure and visual separation between the domestic cartilage of Swallow Cottage and the steeply sloping field below. The cottage and its setting, with the steeply sloping field in the foreground and the established woodland to the rear create an attractive landscape setting which is appreciated from the public highway, below. This setting is a good example landscape character of the 'Slopes and Valleys', which is valued because of its gentle sloping fields broken up by groups of trees and woodlands, but the embankment is and would continue to be a large, obtrusive, man-made landform which does not reflect or respect the surrounding attractive pastoral landscape.

Projecting approximately 7 metres into the field at its greatest distance, the embankment is a clearly defined man-made engineering operation that intrudes into open countryside and its visual impact is further exacerbated by the steep drop in ground levels from the driveway, (ground level of the garage) and the steeply sloping field. Furthermore, the embankment does not successfully replicate the form of a more natural landform and by virtue of its steep contours and prominent elevation from the ground, the embankment is considered to dominate views of the site, and detracts from the setting of the nearby buildings.

It is not considered that re-modelling the contours to create a more gentle profile of the embankment, as proposed, would fully mitigate the appearance of the spoil disposed on the site, and would not significantly reduce the size and scale of the existing embankment. In particular, the re-profiled embankment would still be visible from public viewpoints close to the site, and in more distant views, and would be seen as a dominant and discordant feature in an otherwise attractive landscape that does not follow the existing flow of the surrounding land. Moreover, the option to provide planting around or on the embankment, as it is, or re-profiled, in an attempt to 'disguise' and 'blend' the structure into its setting is not considered to be appropriate in this case because planting on the application site would not reflect the existing pattern of hedgerow, woodland and open fields.

It is therefore concluded that retaining and remodelling the embankment would have a significant harmful impact on the character and appearance of the area and on its special landscape qualities that contribute to the valued characteristics of the National Park. Consequently, the proposals would have a significant adverse visual impact on the character of the landscape setting of the application site and the scenic beauty of the National Park contrary to the Authority's Core Strategy Policies DS1, GSP1, GSP2, GSP3 and L1 and saved Local Plan Policies LC4 and contrary to the landscape conservation objectives set out in national planning policies in the Framework.

Sustainability

Although the retention of the disposed spoil in the form of the embankment would not have any other significant impact on the environmental quality of the local area, and it would not impact on a nearby listed building or unneighbourly by virtue of its location, retention of the embankment would have a harmful impact on its landscape setting. In these circumstances, Policy CC3 of the Core Strategy is relevant because it states construction and demolition waste must be managed and re-used on site but an appropriate offsite disposal option will be required if waste cannot be used on-site without harming the environmental quality of the local area.

In these respects, granting planning permission would give rise to some private benefits for the applicant who would no longer face the cost and inconvenience of removing the spoil arising from the excavation works to a licensed waste disposal site in accordance with the provisions of CC3.

However, this would not achieve any wider public benefits given that there is no information in the submitted explanation that says any material needs to be retained on site for structural reasons or to stabilise the land. Re-profiling the embankment may slightly improve the appearance of the embankment but would not enhance its landscape setting to any reasonable extent compared to its removal.

Therefore, granting planning permission for the current application would not achieve any significant public benefits and the adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits of retaining the embankment, when assessed against policies in the Development Plan and the Framework when taken as a whole. Consequently, the current application is contrary to the principles of sustainable development set out in policy GSP1 of the Core Strategy and national planning policies in the Framework.

Conclusions

In conclusion, the retention of the embankment in the adjacent field would spoil the established character of its landscape setting as it will have adverse visual impact, creating an incongruous landscape feature in a prominent position. Furthermore, there is no justification for retention of the embankment and the remodelling of the embankment would not adequately mitigate for the current harm created by the development as these works would still result in a manmade structure that would sit uncomfortably within the landscape, detracting from its natural surroundings and from the character of its setting.

Moreover, it is clear from the provisions of policy CC3 that the material used to form the embankment would be more appropriately dealt with by removal to an off-site licensed waste disposal site and there are no public benefits arising from the retention of the material on site. Consequently, it is considered that the proposed application to retain and re-model an existing embankment is open to strong landscape objections as the proposal would not respect, conserve or enhance the valued characteristics of the National Park and these adverse impacts of granting planning permission for the application would significantly and demonstrably outweigh the benefits of retaining the embankment.

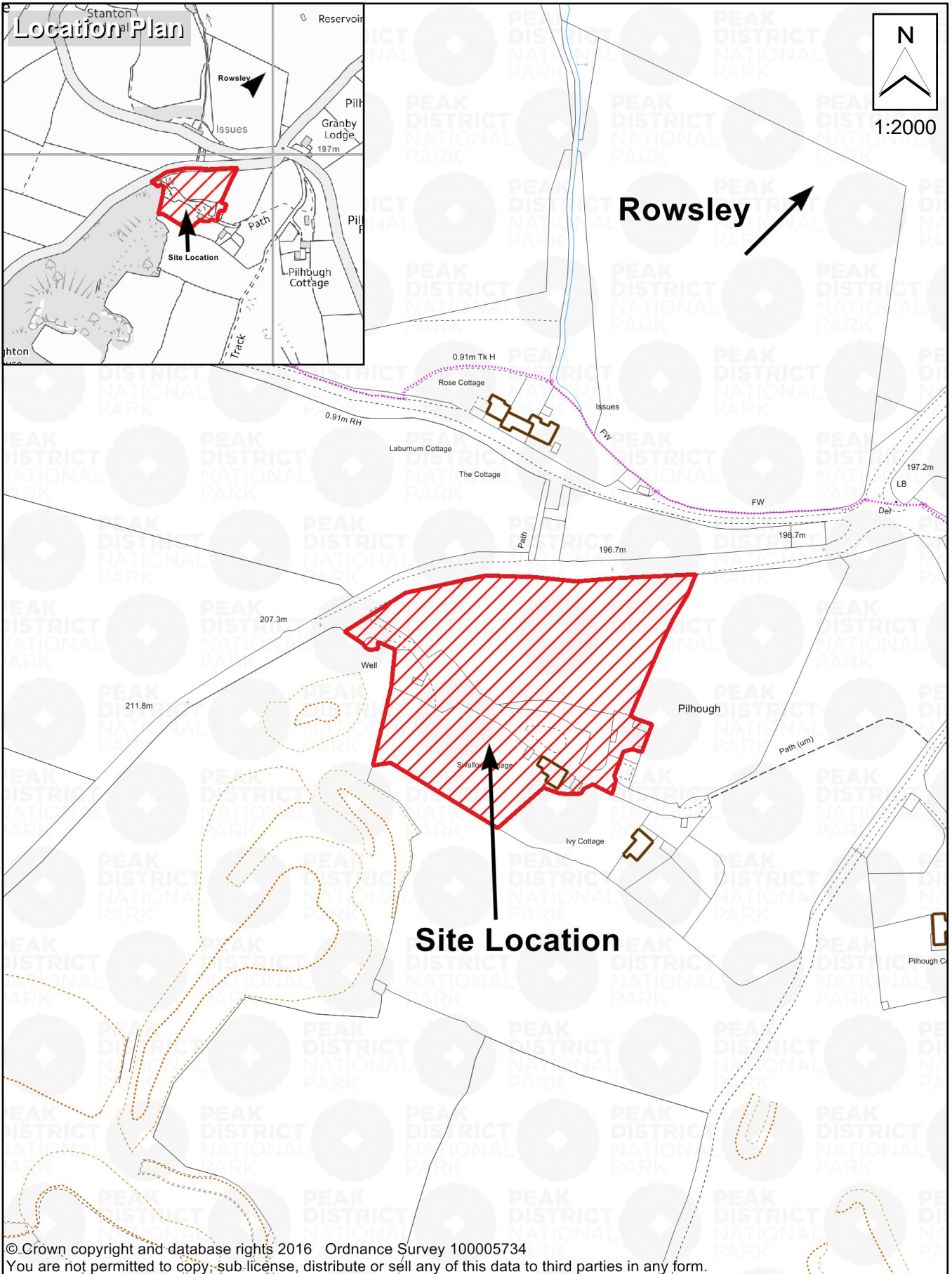
Accordingly, the application is recommended for refusal because the proposals do not constitute sustainable development within a National Park and the application is contrary to policies CC3, GSP1, GSP2, GSP3 and L1 in the Authority's Core Strategy, saved Local Plan Policy LC4, and national planning policies in the Framework.


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



Committee Date:	15/04/2016	Title: Swallow Cottage Pilhough Road Rowsley	 PEAK DISTRICT NATIONAL PARK
Item Number:	13		
Application No:	NP/DDD/1215/1168		
Grid Reference:	424893, 364905		

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14. HOUSEHOLDER APPLICATION: ERECTION OF GARAGE AT GARDENERS COTTAGE, PARWICH (NP/DDD/0116/0061 P.5867 418860/354638 22/03/2016 DH/CF)

APPLICANT: MR A PURVIS

Site and Surroundings

Gardeners Cottage is a detached dwellinghouse that lies on the hillside to the north of Kiln Lane to the northern edge of the named settlement of Parwich. The house is Grade II listed and also lies within Parwich Conservation Area. To the south of the property there are open fields, also in the applicant's ownership, which are at a higher ground level than that of Kiln Lane. A Public Right of Way (PROW) runs off the north side of Kiln Lane in a north-westerly direction 32m to the west of the application site. In this case, the application site is a walled area used for off-road parking on the south side of Kiln Lane opposite the westernmost corner of the curtilage of Gardeners Cottage and on the northern edge of the fields in the applicant's ownership.

The application site has been in use for parking for approximately 30 years having been granted planning permission in 1988 under NP/WED/488/179. In 2009, the area was extended by 1m to the south to allow cars to pull a little further off the side of Kiln Lane for safety of the vehicles and of other users of the lane. The parking area is not quite rectangular and is dug into the side of the field in the applicant's ownership because the ground level of the adjacent field is higher than that of the lane. Other than Gardeners Cottage, the properties nearest to the application site are Rathbourne Hall, 60m to the north, and Barn Cottage, at the top of Creamery Lane approximately 55m to the west of the application site but neither of these properties are listed buildings.

Proposal

The current application proposes the erection of a garage on the site of the parking area that would be created by re-building the existing stone walls around the existing parking area and by the erection of a timber frame with vertically clad timber boarding and a pitched roof clad with plain clay tiles.

RECOMMENDATION:

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

- 1. The development hereby permitted shall be begun within three years of the date of the permission.**
- 2. The development shall not be carried out other than in complete accordance with the submitted plans subject to the following conditions / modifications:**
- 3. No development shall take place until root protection measures and planting scheme has been submitted and agreed in writing.**
- 4. No external lighting without the Authority's prior written consent.**
- 5. Minor details including confirmation of construction materials and height of walling.**
- 6. The development to be retained solely for the parking of domestic vehicles ancillary to the ordinary domestic use of Gardeners Cottage**

Key Issues

- Whether by virtue of its design and siting, the proposed development would harm the significance of a Grade II listed building or detract from the valued characteristics of the surrounding Conservation Area and/or the scenic beauty of the wider landscape.

History

1988 – Planning permission granted for vehicle access and parking area, subject to conditions (NP/WED/0488/179).

2015 – Pre-application advice offered by officers in respect of the current proposals (ENQ\25286)

Consultations

County Council (Highway Authority) - No objections subject to no garage doors

District Council – No response to date

National Park Authority (Conservation Officer) - No overriding objections to the proposals saying that:

“This proposal is acceptable in the circumstances. It would relate better to its surroundings than the alternative of cutting into the garden, and the rising ground helps to make it discreet. There is already an excavation there and a lawful use for parking, and the informal positioning of the building opening directly onto a minor highway has many traditional and agricultural precedents. Much depends on detail, but if the Yorkshire boarding had the traditional gaps and was left to weather naturally I believe that the building would look inconspicuous, especially with the use of reclaimed Staffordshire blue tiles. I suggest that each of the three walls be finished at one level, even if some of the limestone walling shows above ground externally. I would also suggest that the roof pitches should be equal, even though the slopes are of unequal length”.

Parish Council – Object to the proposal on design grounds and appearance of the development. The Parish Council consider the proposed garage would be:

- too large and too high for the site
- not of traditional style; and
- not in keeping with the area

Representations

The Authority has not received any representations on this application during the statutory consultation period.

Main Policies

In principle, DS1 of the Core Strategy is supportive of extensions to existing buildings and policy LH4 of the Local Plan provides specific criteria for assessing householder extensions including outbuildings, which is repeated in the relevant policy in the emerging Development Plan Document. LH4 says extensions and alterations to dwellings will be permitted provided that the proposal does not:

- i. detract from the character, appearance or amenity of the original building, its setting or neighbouring buildings; or
- ii. dominate the original dwelling where it is of architectural, historic or vernacular merit; or
- iii. amount to the creation of a separate dwelling or an annexe that could be used as a separate dwelling.

The Authority has also adopted three separate supplementary planning documents (SPD) that offers design guidance on householder development namely the Design Guide, the Building Design Guide and the Detailed Design Guide on Alterations and Extensions. This guidance offers specific criteria for assessing the impacts of householder development on neighbouring properties and contains a number of suggestions for the appropriate design of outbuildings such as garaging.

Wider Policy Context

The provisions of policies DS1 and LH4 and guidance in the Authority's adopted SPD are supported by a wider range of design and conservation policies in the Development Plan including policies GSP1, GSP2, GSP3 and L1 of the Core Strategy and policy LC4 of the Local Plan, which promote and encourage sustainable development that would be sensitive to the locally distinctive building traditions of the National Park and its landscape setting. Policy LC4 and GSP3 also say the impact of a development proposal on the living conditions of other residents is a further important consideration in the determination of this planning application.

As the proposed development is within the boundary of the Parwich Conservation Area, policy L3 of the Core Strategy and Local Plan policies LC5 and LC6 are also relevant. These policies seek to ensure the existing character and appearance of the Conservation Area will be preserved and, where possible, enhanced, including its setting and important views into or out of the area and also seek to ensure that development does not harm the significance of a listed building or the setting of a listed building. Policies in the emerging Development Plan Document also reiterate the need to carefully assess proposals that may have an impact on the significance of designated heritage assets.

These policies are consistent with national planning policies in the Framework (the National Planning Policy Framework) which require local planning authorities to always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings; and to conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations.

Assessment

Background

Prior to a formal submission, pre-application advice was originally sought by the current applicant in relation to proposals for a new entrance and garage within the curtilage of Gardeners Cottage. However, officers considered that the creation of a new access and a garage within the curtilage of the cottage would not be acceptable as it would have a detrimental impact on the setting of the listed building. The parking area was then considered and with the input of the Authority's Conservation Officer, a scheme was discussed that involved creating a cover over the existing parking area to form a garage on the application site. The proposals submitted with the current application closely follow the pre-application advice offered by officers prior to submission.

Siting

In terms of siting, covering the existing parking area would make better use of this space and addresses the problem that a new-build garage would be difficult to site within the curtilage of Gardeners Cottage without having a substantial adverse impact on the setting of the Grade II listed building. In this location, as shown on the submitted plans, the covered parking area would not have a significant impact on the significance of Gardeners Cottage. This is because the proposed building would be typical of many domestic garages in terms of its size and scale and being opposite the Gardeners Cottage and at a lower level than the garden of the cottage it would not be prominent in the setting of the listed building. However, the siting of the new building also means that it would be seen in the context of the existing dwelling rather than as an isolated form of residential development in open countryside.

By virtue of the intervening distances, there are no neighbouring properties which would be adversely affected by the structure over the existing parking area and it is not overlooked by any properties other than Gardeners Cottage itself. Moreover, the proposed garage would not in itself generate any additional vehicular traffic to and from the property as the area is already in use for parking and the Highway Authority has no objections to the proposal subject to there being no doors on the structure.

However, the potential landscape and visual impact of a garage on the existing parking area has been raised by the Parish Council who are concerned that the garage would not be in keeping with the local building tradition and would be visually intrusive on this site. These issues were considered prior to submission, and, as noted above, the existing parking area is already dug into the side of the field which is at a higher ground level but the plans include some further excavation which will help to further minimise the impact of the proposed development on the Conservation Area and wider landscape.

Design

In terms of the detailed design of the new garage, the current proposal includes rebuilding the existing retaining walls to strengthen them to support the roof structure. The eastern boundary wall would be straightened to give a rectangular footprint leading to a slight increase in the footprint of the existing parking area. The building would be open fronted to provide a safe access from Kiln Lane. Yorkshire boarding would be used above the rebuilt drystone wall and a timber frame would support an asymmetrical roof clad with plain clay tiles. The roof will be clad in plain clay tiles to provide a higher standard of design than a typical modern farm building. This approach was suggested by officers so that the new garage would look similar to an agricultural building and would therefore blend in with its setting on the edge of open fields and mitigate its visual impact on the surrounding the conservation area, and the wider landscape.

Similarly, the asymmetrical roof has been used along with some additional digging out to keep the profile of the building as low as possible. The asymmetrical roof also allows the ridge to sit lower than if the building had a symmetrical pitched roof and an asymmetrical roof is often seen on agricultural buildings. In these respects, the eaves height of the new building would be 2.2m above the level of Kiln Lane and the ridge height would be 3.9m above the level of Kiln Lane. In this case, the existing parking area is also screened by trees on either side, which will reduce the visual impact of the building from view points along Kiln Lane. Moreover, the rising level of the fields to the south mean that only the roof of the building and a small part of the vertical cladding would be seen in the wider landscape.

Conclusions

It is therefore concluded that by virtue of its siting and design, the proposed garage would meet the specific requirements of LH4 that deals with householder developments because it would not detract from the character, appearance or amenity of Gardeners Cottage, its setting or neighbouring properties. It is also considered that the garage would be of an appropriate design

that would allow it to harmonise with its locally distinctive surroundings in accordance with the wider range of design and conservation policies in the Development Plan and the Framework, and in particular, the proposed garage would not have a harmful impact on the special qualities of the surrounding Conservation Area or the setting of the Grade II listed Gardeners Cottage. Accordingly, the application is recommended for conditional approval.

In this case, in addition to standard conditions, it would also be reasonable and necessary to retain control over external lighting because of the location of the application site at the edge of the village where any insensitive lighting scheme would have a significant impact on dark skies and the tranquillity of the local area.

The submission of a landscaping scheme confirming new planting and root protection measures as agreed by the applicant with the Authority's Tree Conservation Officer would be reasonable and necessary to minimise the visual impact of the proposed development and safeguard trees most likely to be directly affected by the proposed development. This condition would also need to be discharged prior to commencement of any permission for this application because root protection measures need to be secured before the excavation proposed in the application takes place.

Finally, the garage would not benefit from permitted development rights because of its position opposite Gardeners Cottage, as opposed to within its curtilage, so it is not necessary to restrict future alterations to the garage by condition because they would need planning permission. However, it would be necessary to restrict the use of the garage to the parking to domestic vehicles to ensure Gardeners Cottage retains adequate off-road parking provision noting the provision of additional parking within the curtilage of Gardeners Cottage would be difficult to achieve without an adverse impact on the listed building.

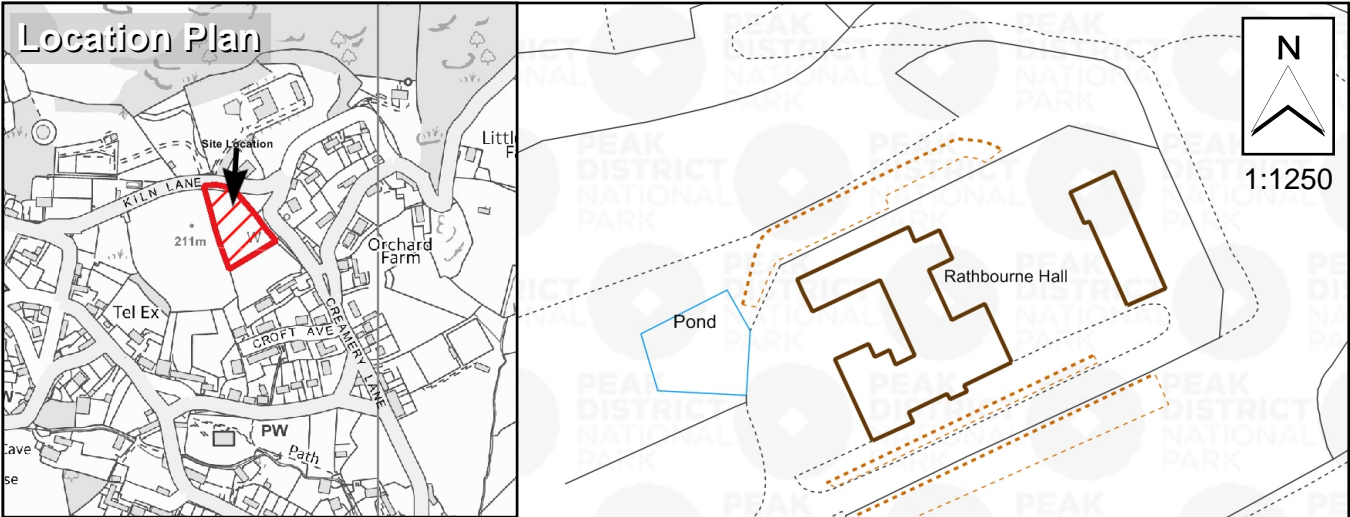
Human Rights

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

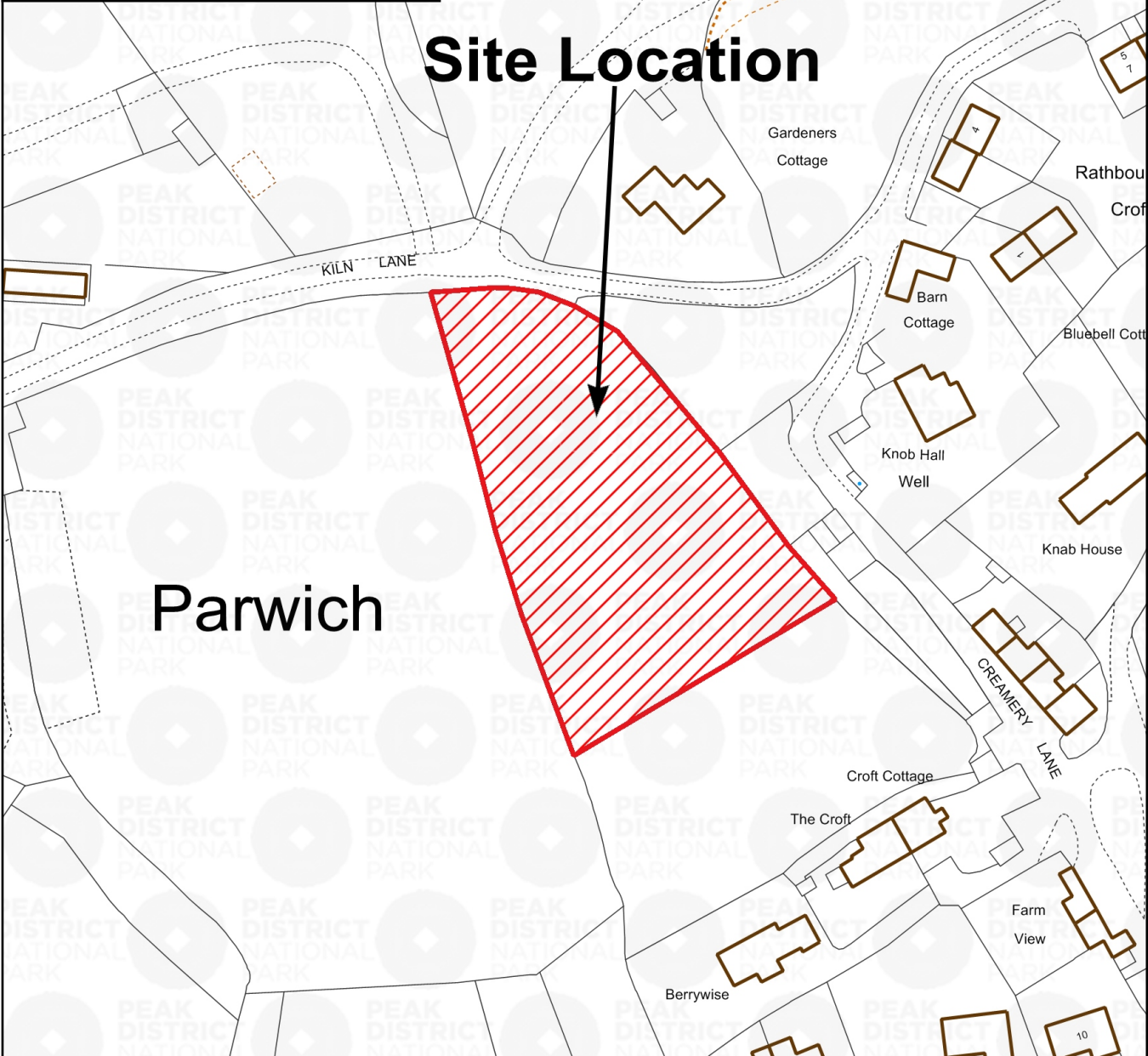
List of Background Papers (not previously published)

Nil


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Site Location



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Committee Date:	14	Title: Gardeners Cottage Kiln Lane Parwich	 PEAK DISTRICT NATIONAL PARK
Item Number:	14		
Application No:	NP/DDD/0116/0061		
Grid Reference:	418860, 354638		

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15. FULL APPLICATION – RETENTION OF GARDEN SHED (RETROSPECTIVE) AT ROSEDENE COTTAGE, WOODHOUSE LANE, WINSTER. (NP/DDD/0715/0614, P5988, 424154 / 360600, 26/01/2016/SC)

APPLICANT: MS AMANDA PEARCE

Background

The original application for the retrospective retention of a garden shed and fencing around the garden area of Rosedene Cottage was first considered at the meeting of the Authority's Planning Committee in February 2016. The original officer's report is attached at Appendix 1 and this report set out that the retention of the shed subject to the imposition of conditions, and partly because of the screening provided by the proposed fencing, would not be unneighbourly and would have minimal impact on the listed building and the Conservation Area. Therefore, officers considered the proposals to be acceptable in amenity, conservation and design terms and compliant with policies in the Development Plan and the National Planning Policy Framework in all other respects.

However, members considered that the proposed fencing would be unduly imposing and would harm the setting of the listed building and the Conservation Area, and that the retention of the shed would be acceptable, subject to conditions and without the fencing. Therefore, members were minded to approve this application, subject to the omission of the proposed fencing from the scheme and with the inclusion of conditions relating to the removal of the shed base, lowering the remaining structure to ground floor level and the external timberwork of the shed being stained or painted a recessive grey colour. Subsequently, amended plans have been received from the applicant and the Authority has re-consulted on the revised application

Key Issues

- Whether the omission of the fence would mean the retention of the shed would have a detrimental impact on the amenities of the nearby residential properties or detract from the setting of the listed cottage and/or the special qualities of the Conservation Area.

Consultation

Following re-consultation on the revised application, the Authority has received the following responses:

National Park Authority (Conservation Officer) - Affirms that the removal of the timber fencing would be a positive amendment. However, still considers the summerhouse has a negative impact on both the setting of the listed building and on the conservation area

Parish Council - Other than the removal of the fencing, the proposal remains the same, therefore the Council's original objection remains for reasons previously given.

The Parish Council's comments on the original application were as follows: *The application was best described as a summer house than shed. Its appearance, design, positioning and size is inappropriate within the curtilage of a listed building, the setting of Listed Buildings in the locality and Winster Conservation Area. It is highly visible from the public highway (Woodhouse Lane) and the images shown in the Design and Access Statement fail to demonstrate the proposals true impact. Existing soft landscaping to integrate the building into the locality is outside the control of the applicant and it cannot be guaranteed this will be maintained indefinitely to mitigate. Furthermore, due to the buildings close position to the northern and western boundary it would be difficult to screen the summer house through additional landscaping.*

Representations

Despite the omission of the fencing from the scheme, all but one of the six people who wrote into to object to the original application have replied on the revised application and have repeated their objections to the original application. The main points raised in representations are summarised below:

- Structure does not harmonise with the surrounding properties
- Adverse impact on the Conservation Area & the Listed Cottage
- Capable of facilitating additional sleeping accommodation
- Overlooking of adjacent properties
- Inappropriate fencing in a Conservation Area
- Out of character with the surrounding stone walls and housing

Assessment

Fencing

The fence was to be erected at a height of 1.2m along a section of the west boundary with the neighbouring dwelling (Wood Hayes), before extending inside and along the north and east boundary walling with the adjoining garden area to the north (Ashlea). The Authority's Conservation Officer confirms that the removal of the proposed fencing would be a 'positive amendment', however, still objects to the retention of the shed on the grounds previously declared. In these respects, Planning officers consider that the omission of the fencing reduces the objections to the original application, as it was seen as harmful in its own right.

However, whilst there is no specific objection or support for the removal of the fencing in other representations, as the Parish Council and third party objectors are still of the opinion that the shed itself does not relate well to the setting of the listed building, the conservation area or the amenity of neighbouring dwellings. In the original report to the Planning Committee officers considered that the fencing would have helped to mitigate the visual impact of the shed, and further reduce any potential for the shed to be unneighbourly.

Therefore, the key issues in the determination of the revised application are whether the omission of the fence would mean the retention of the shed would have such a detrimental impact on the amenities of the nearby residential properties, or detract from the setting of the listed cottage and/or the special qualities of the village Conservation Area that the revised application should be refused.

Siting and Design

The shed is not constructed from traditional building materials, and its design does not reflect the style and traditions of local vernacular buildings within the surrounding Conservation Area or the character and appearance of the original house. However, it would be inappropriate to require all incidental buildings within the curtilage of a dwelling, including garden sheds, to be built from stone with a tiled roof, for example, even in a designated Conservation Area and/or within the curtilage of a listed building.

In this case, is considered the shed is relatively modest in size and scale and lowering its height, painting it a recessive colour and providing fencing would all assist in preserving the character and appearance of the surrounding Conservation Area and the setting of the listed cottage.

Notably, the proposed fencing would not have had reduced views of the shed from public vantage points, and was more designed to protect the outlook from neighbouring properties.

It is therefore considered that the retention of the shed would not conflict with the objectives of the wide range of relevant design and conservation policies in the Development Plan and the National Planning Policy Framework set out in the original officer's report because it would not harm the significance of the Grade II listed Rosedene Cottage or its setting, which includes the surrounding Conservation Area, subject to appropriate planning conditions.

Neighbourliness

The fencing was originally considered to help address local concerns that the retention of the shed would be unneighbourly. However, officers remain of the view that even without the fencing, the retention of the shed would not in itself result in a loss of privacy or give rise to gardens being overlooked that are not already visible from the neighbouring properties or Rosedene itself. Moreover, there are no overriding concerns that the retention of the garden shed would detract from the quiet enjoyment of the nearest neighbouring dwellings by way of noise and disturbance, intervisibility between windows in the shed and habitable windows or harm to outlook because of the orientation of the shed, its relatively modest scale and design, and the distances involved between the shed and the nearest houses in separate ownership.

Conclusions

In conclusion, whilst the shed does occupy a visible position within the garden area of Rosedene Cottage, it is considered with the imposition of relevant conditions that the shed would not be unneighbourly. Therefore, officers do not consider the omission of the fence would necessitate recommending refusal of the revised application on amenity grounds. In terms of design and siting, the visual impact of the shed would not be so substantial without the fencing that refusal of the revised application is warranted on conservation grounds subject to appropriate mitigation. Subsequently, officers recommend approval of the revised application in light of the fencing being omitted from the current application and subject to the following conditions.

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

- 1. The proposed fencing to be omitted in accordance with the amended plans**
- 2. Within 3 months of the date of this decision, the platform/base of the shed shall be removed and the shed hereby permitted shall be re-sited on the pre-existing ground level or in accordance with a scheme to be first submitted to and agreed in writing by the Authority.**
- 3. At the time the shed hereby permitted is lowered in accordance with the requirements of Condition 1, above, the external timberwork of the shed shall be painted a Stone Grey (RAL 7030) and shall be permanently so maintained thereafter.**

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Planning Committee Item - February 2016

21. FULL APPLICATION - ERECTION OF A GARDEN SHED (RETROSPECTIVE) AND FENCING AROUND GARDEN OF ROSEDENE COTTAGE, WOODHOUSE LANE, WINSTER (NP/DDD/0715/0614, P5988, 424154 / 360600, 26/01/2016/SC/CF)

APPLICANT: MS AMANDA PEARCE

Site and Surroundings

Rosedene is a Grade II listed two storey cottage, located within a small yard behind the village store off Main Street in Winster. The property and garden area are sited within the Conservation Area of the village. A restricted access (Woodhouse Lane) runs in a north south direction, approximately 12m to the east of the dwelling and at a lower level. A non-traditional property (Ashlea) is situated adjacent to the north and east garden boundary of Rosedene. Ashlea and its garden curtilage are sited outside the Conservation Area of the village.

Proposal

The current application seeks retrospective planning permission for the retention of a chalet type garden shed and the erection of a timber fence to part of the garden boundary of the cottage.

The shed is sited at the rear of the garden at the boundary with the adjoining property (Ashlea) and positioned on a raised platform/base from the immediate ground floor level. It measures approximately 3m x 3.25m x 2.49m to the ridge. The plans show the shallow pitched roof over the building has a felt covering and the main structure being clad with horizontal tongue and grooved timber. The plans also show a window and door in the south gable elevation, with a small covered veranda area in front facing towards the main house. Revised plans have since been submitted which show the raised base removed, which would effectively reduce the overall height of the shed from approximately 2.5m to 2.3m in height above the adjacent ground levels.

The proposed fencing would be double paled at a height of 1.2m and erected adjacent to existing boundary walling on a section of the west boundary with the neighbouring dwelling (Wood Hayes), before extending inside and along the north and east boundary walling with the adjoining garden area to the north (Ashlea).

RECOMMENDATION:

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

- 1. Within 3 months of this decision, the platform/base of the shed shall be removed and the shed structure lowered to the immediate ground floor level.**
- 2. The external timberwork of the shed and the proposed fencing shall be painted a Stone Grey (RAL 7030) and shall be permanently so maintained.**

Key Issues

- Whether the shed and fencing would have a detrimental impact on the amenities of the nearby residential properties, or detract from the setting of the listed cottage and/or the special qualities of the village Conservation Area.

Relevant History

2014 – Enforcement case created relating to the unauthorised shed, subject of the current application. The shed is considered not to be permitted development, since it is sited within the curtilage of a listed building.

Consultations

County Council (Highway Authority) – no response to date.

District Council – No reply to date.

Parish Council – The Parish Council say that *the application was best described as a summer house than shed. Its appearance, design, positioning and size is inappropriate within the curtilage of a listed building, the setting of Listed Buildings in the locality and Winster Conservation Area. It is highly visible from the public highway (Woodhouse Lane) and the images shown in the Design and Access Statement fail to demonstrate the proposals true impact. Existing soft landscaping to integrate the building into the locality is outside the control of the applicant and it cannot be guaranteed this will be maintained indefinitely to mitigate. Furthermore, due to the buildings close position to the northern and western boundary it would be difficult to screen the summer house through additional landscaping.*

For the reasons given above, the application was recommended for refusal by the Parish council.

PDNPA (Built Environment) – The Authority's Conservation Officer says that *“Although the summerhouse and fencing is not attached to any listed or curtilage listed structures, the timber building and the high timber fencing will have a negative impact both on the setting of the listed building and on the conservation area, for the following reasons:*

- *The large size and Swiss-chalet style of the summerhouse, with wide overhanging eaves and veranda is completely non-traditional: it is entirely unsympathetic to, and not in keeping with its surroundings, within the curtilage of the listed building, at the edge of the conservation area and within the historic settlement.*
- *The lie of the land adds to its prominence, especially from Woodhouse Lane and in views into the conservation area from the north.*
- *Low stone boundary walls are a distinctive and significant feature of Winster conservation area, providing a continuity that links the buildings and spaces. Timber fencing, as proposed, is a non-traditional boundary treatment within the conservation area and should be avoided, as this would have a negative effect on the character of the conservation area. The timber fencing proposed as screening for the summerhouse will be highly prominent, appearing above, and having a negative impact on the character and appearance of the traditional stone boundary walls.*
- *The introduction of this large, prominent, non-traditional timber summerhouse, and the associated, prominent non-traditional timber fencing, could have a negative impact on the setting of the listed building.*
- *The proposed use of shrubbery screening will not be sufficient mitigation to enable this prominent, unsympathetic structure to be acceptable in this location”.*

The Authority's Conservation Officer concludes by saying that *“For any form of timber structure to be acceptable here, it would need to be smaller and much lower, with no overhanging eaves and no veranda. It would need to be sufficiently recessive in appearance and size, so that it can blend with the surroundings and sit behind the existing stone boundary wall without the need for any additional timber fencing”.*

Representations

There have been six letters of objection to the application, the main points of these are summarised below:

- Structure does not harmonise with the surrounding properties
- Adverse impact on the Conservation Area & the Listed Cottage
- Capable of facilitating additional sleeping accommodation
- Overlooking of adjacent properties
- Inappropriate fencing in a Conservation Area
- Out of character with the surrounding stone walls and housing

Policies

In principle, DS1 of the Core Strategy is supportive of extensions to existing buildings and policy LH4 of the Local Plan provides specific criteria for assessing householder extensions. LH4 says extensions and alterations to dwellings, including the provision of outbuildings, will be permitted provided that the proposal does not:

- i. detract from the character, appearance or amenity of the original building, its setting or neighbouring buildings; or
- ii. dominate the original dwelling where it is of architectural, historic or vernacular merit; or
- iii. amount to the creation of a separate dwelling or an annexe that could be used as a separate dwelling.

The Authority has also adopted three separate supplementary planning documents (SPD) that offers design guidance on householder development namely the Design Guide, the Building Design Guide and the Detailed Design Guide on Alterations and Extensions. This guidance offers specific criteria for assessing the impacts of householder development on neighbouring properties and contains a number of suggestions for the appropriate design of outbuildings such as garaging.

Wider Policy Context

The provisions of policies DS1 and LH4 and guidance in the Authority's adopted SPD are supported by a wider range of design and conservation policies in the Development Plan including policies GSP1, GSP2, GSP3 and L1 of the Core Strategy and policy LC4 of the Local Plan, which promote and encourage sustainable development that would be sensitive to the locally distinctive building traditions of the National Park and its landscape setting. Policy LC4 and GSP3 also say the impact of a development proposal on the living conditions of other residents is a further important consideration in the determination of this planning application.

As the proposed development is within the boundary of the Conservation Area, policy L3 of the Core Strategy and Local Plan policies LC5 and LC6 are also relevant. These policies seek to ensure the existing character and appearance of the Conservation Area and the setting of the grade II listed property (Rosedene) will be preserved and, where possible, enhanced, including its setting and important views into or out of the area.

These policies are consistent with national planning policies in the Framework (the National Planning Policy Framework) not least because core planning principles in the Framework require local planning authorities to always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings; and to conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations.

Assessment

Siting and Design

The shed is not constructed from traditional building materials, and its design does not reflect the style and traditions of local vernacular buildings within the surrounding Conservation Area or the character and appearance of the original house. However, it would be inappropriate to require all incidental buildings within the curtilage of a dwelling, including garden sheds, to be built from stone with a tiled roof, for example, even in a designated Conservation Area and/or within the curtilage of a listed building. For example, permitted development rights would normally allow a householder to erect a building identical to that proposed in the current application in the rear garden of many houses in the National Park including houses situated within a designated Conservation Area without planning permission.

Therefore, it is clear that the Government considers that garden sheds and similar structures in the back garden of a house are normally acceptable forms of development. Equally, it is not always desirable to construct a stone-built outbuilding within the curtilage of a listed building to meet a transient need for storage space, for example, and the need to store garden implements can often be better met by a more temporary structure such as a shed that is removable. Consequently, there are no overriding objections to the principle of the design of the shed and materials used in its construction (despite the potential objections on policy grounds) other than the shed is currently positioned on a raised platform above the adjacent ground levels.

Revised plans have since been submitted which show the raised platform being removed and the shed being sited on the ground, which would lower the overall height of the shed to approximately 2.3m above the immediate ground floor level. In this case, the footprint of the shed measures 3m x 3.25m, is considered relatively modest in size and scale and lowering its height, painting it a recessive colour and providing fencing would all assist in preserving the character and appearance of the surrounding Conservation Area and the setting of the listed cottage, if the shed were to be granted planning permission.

The proposed fencing would be of a height that generally reflects that of a traditional drystone wall and would therefore appear as a subordinate addition to the property, augmenting the existing drystone walling which surrounds the garden of the cottage and its boundaries with the neighbouring properties Ashlea and Wood Hayes. Although it is recognised the Authority's Conservation Officer does not support the current proposals, and objects to the fencing in its own right, the additional fencing would further reduce the visual impact of the shed, which is also considered to be in the least obtrusive practicable location within the garden, and to a certain extent, the fence would also lessen the impact of the shed on the outlook from nearest neighbouring properties.

Consequently, the retention of the shed and the inclusion of the proposed fencing are considered to accord with the overarching objectives of conservation and design policies in the Framework and the Development Plan, because they would not harm the character and appearance of the host property or its setting and a recommendation of conditional approval would be appropriate providing the development would not be unneighbourly.

Neighbourliness

It is accepted that the shed occupies a fairly noticeable position within the garden area of Rosedene and is clearly open to views from nearby Woodhouse lane and surrounding neighbouring properties. However, due to the built form of the area, the shed would not be unduly imposing in the rear garden of Rosedene to the extent it would harm the outlook of nearby properties and its retention would not exacerbate the degree of overlooking from one property to another or the intervisibility between neighbouring gardens that already occurs. In particular, the nearest neighbouring properties have a limited amount of privacy in the rear gardens due to the close proximity of surrounding garden boundaries, which are primarily made up of low dry stone walls that do not block views from one garden into another.

Therefore, the retention of the shed would not in itself result in a loss of privacy or give rise to gardens being over looked that are not already visible from the neighbouring properties or Rosedene itself. Moreover, there are no overriding concerns that the retention of the garden shed would detract from the quiet enjoyment of the nearest neighbouring dwellings by way of noise and disturbance, intervisibility between windows in the shed and habitable windows or harm to outlook because of the orientation of the shed, its relatively modest scale and design, and the distances involved between the shed and the nearest houses in separate ownership.

Conclusion

It is therefore concluded that the retention of the shed would not be unneighbourly but the Authority's Conservation Officer's professional assessment of the current proposals does illustrate that the issues are finely balanced in terms of design, siting and the visual impact of the current proposal. In particular, the key issue is the appropriate degree of control that should be applied to development within the curtilage of a listed building, which in this case, amounts to householder proposals for a domestic shed and additional fencing within the back garden of a dwellinghouse. On balance, it is considered that the retention of the shed and the erection of the fence with appropriate mitigation would not detract from the significance of the designated heritage assets and the proposals would not harm the setting of the listed building or the special qualities of the surrounding Conservation Area.

Accordingly, the current application is recommended for conditional approval.

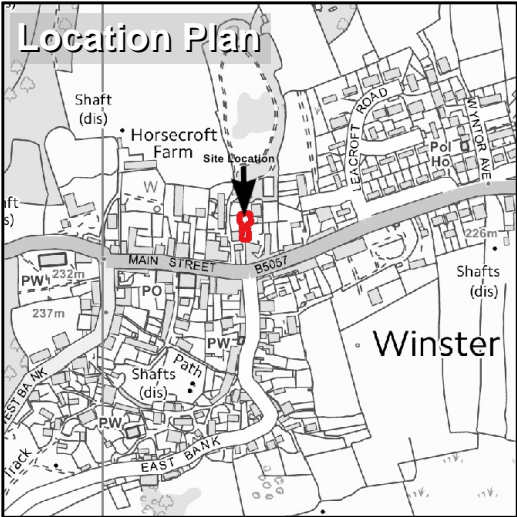
Human Rights

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

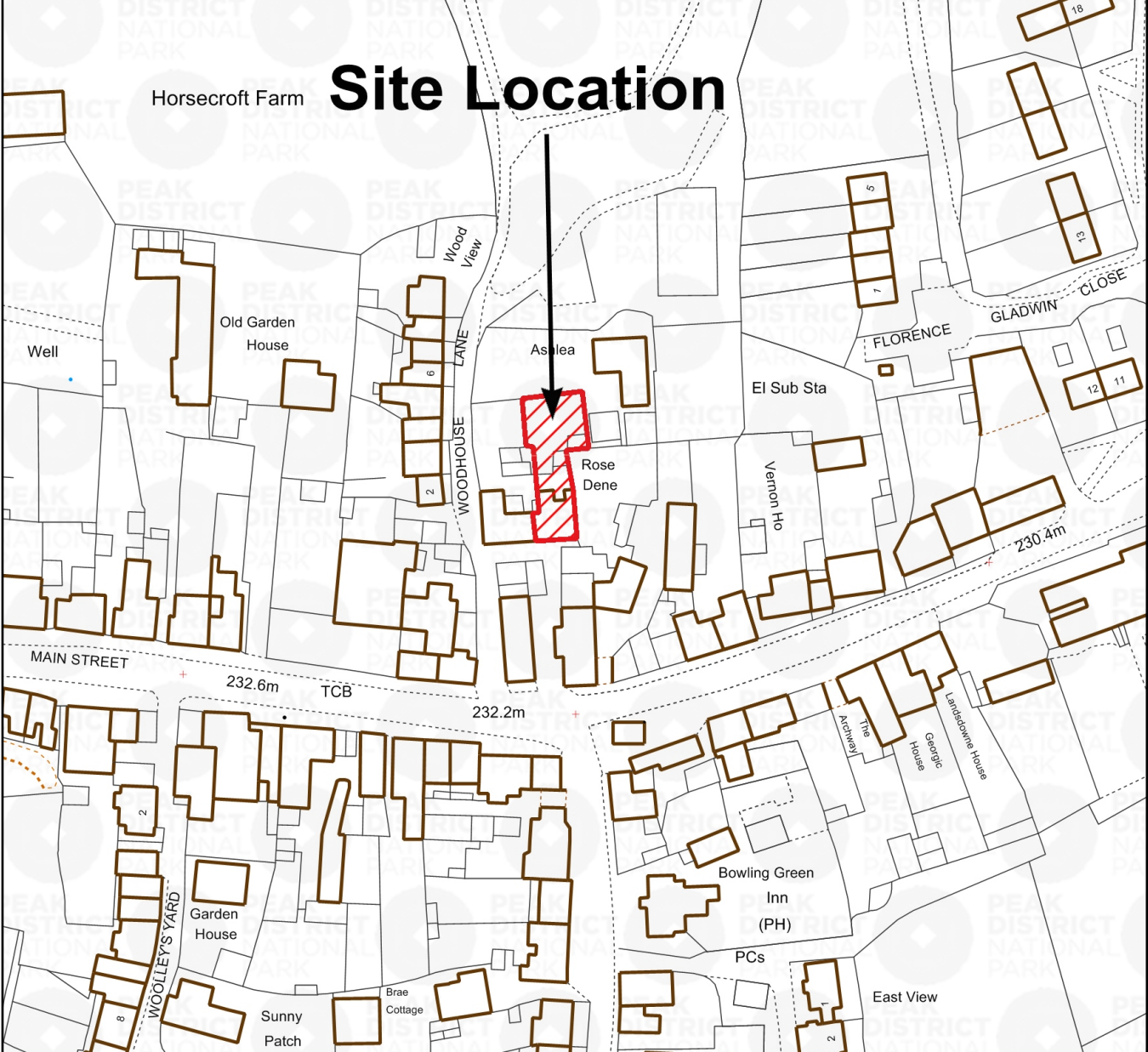
List of Background Papers (not previously published)

Nil

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Site Location



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Committee Date:	15/04/2016
Item Number:	15
Application No:	NP/DDD/0715/0614
Grid Reference:	424154, 360600

Title: Rosedene
 Woodhouse Lane
 Winster



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**16. FULL APPLICATION: ERECTION OF THREE GRITSTONE GATE POSTS AND A
TIMBER LOG STORE AT THE FORMER GOLDCREST ENGINEERING SITE, MAIN ROAD,
STANTON IN PEAK (NP/DDD/0116/0030 P.2530 424025/364344 22/03/2016/DH)**

APPLICANT: PETER HUNT

Site and Surroundings

This application concerns works that have been carried out to the front and side of the new house built on the site of the former Goldcrest Engineering Works. The new house is located on the north western edge of the village of Stanton on sloping land behind the houses which run alongside Main Road and is accessed by a narrow lane which is shared with three residential properties. The new house is sited approximately 40m to the north of Main Road and lies within the designated Conservation Area.

The nearest neighbouring properties to the new house are West View and Brae Cottage which stand on Main Road at either side of the entrance to the application site, approximately 35m from the new dwelling; they have access to their rears along the site entrance. The Byres, which is 40m to the north-west, is accessed by the same narrow lane as the application site. The lane is owned by the applicant, but as The Byres' access is directly in front of the new dwelling so this property is the one which would be most likely to be directly affected by any works carried out at the new dwelling.

Proposal

The current application seeks retrospective planning permission for (i) the erection of a log store of timber construction adjacent to the new house; (ii) and a solid gritstone gate post that acts as an end piece to finish the wall which has been constructed close to the vehicular access for The Byres on the western side of the main vehicular access from Main Street; and (iii) a pair of solid gritstone gate posts sited either side of the main vehicular access from Main Street approximately 15m back from the edge of the road.

RECOMMENDATION:

That the application be APPROVED.

Key Issues

- Whether the gate posts detract from the character, appearance or amenities of the local area, harm the valued characteristics of the surrounding Conservation Area, or adversely affect the amenities of the neighbouring properties.

History

The following planning history is the most relevant to the current application following the closure of the former Goldcrest Engineering Works in 2007.

2009: NP/DDD/1208/1109 - Demolition of former engineering works and erection of a 3 bedroom house of a contemporary design - Granted subject to conditions, permitted development rights removed.

2011: NP/NMA/0411/0294 - Non-material amendments to NP/DDD/1208/1109 to alter cladding from copper to lead, relocation of garage and retention of boundary walls – Accepted.

2012: NP/DDD/0112/0075 - Renewal of NP/DDD/1208/1109 – Granted subject to conditions.

2012: NP/NMA/0912/0890 – Non-material amendments to NP/DDD/1208/1109 to vary window design, add two additional windows, change the cladding materials from lead (as approved by NP/NMA/0411/0294) to zinc, alteration to the garage roof, and add a fourth bedroom – Accepted.

2013: NP/NMA/0513/0428 - Non-material amendments to NP/DDD/1208/1109 to alter windows and relocate door in east elevation – Amendments accepted,

2015: NP/NMA/0115/0069 - Non-material amendment to application NP/DDD/0112/0075 to include the addition of one copper cladding panel to front (south) elevation. Addition of solid front door to south elevation. Change of window and door frame colour from Anthracite Grey to RAL8000 – Amendments accepted.

2015: NP/DIS/0115/0070 - Discharge of conditions 1 to 13 from application NP/DDD/0112/0075 – Conditions partly discharged.

2015: NP/DDD/0215/0074 - Change of use of 'croft' to domestic curtilage, erection of gritstone clad retaining wall and associated ground works – Refused. Subsequent appeal allowed with conditions.

2015: NP/DIS/1115/1116 - Discharge of condition 2 on appeal decision (re: NP/DDD/0215/0074) – Condition not discharged.

Consultations

Derbyshire County Council (Highway Authority) - No objection

Derbyshire Dales District Council – No response to date

National Park Authority (Conservation Officer) – No objections to the log store and arched top gate post (wall end piece) because it is considered they do not harm the character or appearance of the Conservation Area, nor will they impact on the setting of any listed buildings in the locality.

With regard to the pair of gate posts, the Authority's Conservation Officer has no objection to the principle of gate piers as they help terminate and punctuate boundary walls but does question if they are necessary in this instance, particularly as they have an awkward relationship with the boundary walls at the front (south) of the site. The Authority's Conservation Officer goes on to say that the Stanton in Peak Conservation Area Appraisal notes that the yellow-brown stone [of the local gritstone] is a key element in the appearance of the village and the new gateposts appear to be in line with this. However, the design of the gate piers appear discordant as they do not respond to their immediate context, i.e. vernacular drystone walls with copings packed on end or half round copings, or a modernist approach reflecting the parent building. Instead, cues for the design of the new gate piers have been taken from the gate-piers at the entrance to Stanton Hall.

The Stanton Hall gate piers relate to their setting, flanked by dressed stone walls with copings, and also reflect the status/nature of the site they help contain. As referred to above, another negative factor of the new gate piers is their relationship with the existing boundary walls, particularly the west pier and attached section of stone wall with the adjacent boundary wall. In addition, the new gate piers contrast with the appearance of the boundary walls and stand out because they are formed from new stone and have no patina but the dressing to the stone should help the piers to weather quickly. In summary, the entrance to the site would be improved if the gate piers were removed and the land made good. However, the works proposed in this planning application will not impact on the setting of any listed buildings and will have a neutral impact on the character and appearance of the Stanton in Peak Conservation Area.

National Park Authority (Landscape Architect) - No objections to the log store or the low half round gate post, but does have some concerns about the large gate posts saying:

“They are a large intrusive feature in this part of the conservation area and are totally unnecessary. If an ownership boundary was required this could have been achieved by the use of a line of setts. The gate posts are positioned part way along a wall and do not mimic the design of a traditional gated entrance, but serve no function as gates are not being provided. The large posts are also out of keeping for the modern building that they form the entrance to. However due to their position there are limited views of the posts between existing housing although they can be seen from the main road in Stanton”.

Stanton in Peak Parish Council - Object to the gritstone posts which are incongruous with their setting and not in keeping with the Home Farm section of the Stanton in Peak Conservation Area. They state that all other posts on this side of the highway are rough-hewn stone and those put in do not match and appear out of context with the house. The Parish Council also express disappointment to see yet another retrospective application on this site but does not comment on the log store or the wall end piece in any further detail.

Representations

During the consultation period, the Authority has received four representations regarding the application, which all object to the erection of the pair of gate posts, but make no mention of the log store or wall end piece. They all refer to the fact that the application is retrospective. The objections to the pair of gate posts all relate to their position and design as follows:

- The placement, which is half way along a wall (abutting the wall) rather than at the end of a wall as is more common with gate posts, is odd.
- There are no gates attached to the gate posts, so they appear to serve no useful purpose other than for display.
- Both the style and the stonework are at odds with the old stone wall that they are positioned next to.
- The gate posts seem to define a boundary which gives the impression that the new development is the only property through the gateposts.
- The gate posts narrow the access for deliveries and workmen.
- The gate posts are referred to as being classical, ostentatious, grandiose, modern, urban, ugly, and out of proportion.
- The gate posts are not in keeping with their surroundings or with the rural and rustic appearance of other aspects of the Home Farm area of the Stanton in Peak Conservation Area where all the other gate posts in the area are of a rough, farm style, nor in keeping with the style of the new dwelling.

Main Policies

Relevant Core Strategy policies include: GSP1, GSP2, GSP3, DS1 & L3

Relevant Local Plan policies include: LC4, LC5 & LH4

Paragraph 115 of the Framework states that great weight should be given to conserving landscape and scenic beauty in National Parks along with the conservation of wildlife and cultural heritage, which is consistent with the aims and objectives of policies GSP1, GSP2 and L1 of the Core Strategy. The Framework states that local planning authorities should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings, including safe and suitable access provisions. These provisions are consistent with the requirements of Policy GSP3 and saved Local Plan policies LC4 and LH4, which set out a range of criteria to assess the suitability of all new development within the National Park.

The Framework also states that the conservation of heritage assets in a manner appropriate to their significance forms one of 12 core planning principles whilst Paragraph 132 of the Framework 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. These provisions are consistent with the criteria for assessing development that would affect the setting of a Conservation Area, which are set out in policy L3 of the Core Strategy and saved Local Plan policy LC5. Policies in the emerging Development Plan Document also reiterate the need to carefully assess proposals that may have an impact on the significance of designated heritage assets.

Assessment

The timber log store, the end piece to an existing wall and the two gritstone gate posts have already been erected on site so this application seeks retrospective planning permission for these items. However, the end piece and the timber log store are particularly minor items in terms of their size and scale and the timber store is also of an appropriate design for this type of structure and is discreetly located adjacent to the new house. The retention of these two items would not be unneighbourly and they have a negligible impact on the character and appearance of the new house and no impact on the Conservation Area. Moreover, there have been no local objections to these items. Therefore, insofar as either the gritstone end piece or timber log store are development that require planning permission, there are no objections to the retention of either item. Consequently, the key issue in the determination of this application is whether the retention of the two gritstone piers would be appropriate with regard to their impact on the character, appearance and amenities of the area.

In the first instance, it is clear that the gate posts do not reflect the character of the new dwelling on the site of the former Goldcrest Engineering Works, which is of contemporary design, or the character of this part of the designated Conservation Area, which is more typical of the local building tradition. The design of the gate posts is actually based on the existing gate posts at Stanton Hall and as a result, they appear to be rather ornate and somewhat grandiose in their immediate surroundings. Moreover, the posts do not have gates attached, or pintles for gates and whilst they do provide demarcation of the boundary of land in ownership, they are ornamental in character, which means that they do appear to be an incongruous form of development within the designated Conservation Area that is poorly related to the new house.

However, the gate posts are set back a distance of approximately 15m from the side of Main Road and are only visible from the road when looking directly down the access towards the new house. Therefore, they have a very limited impact on the overall appearance of the surrounding Conservation Area and a negligible impact on the wider landscape. Although the protection for designated Conservation Areas does not apply solely to the public realm, the posts do not have a significant visual impact and therefore do not harm the character of the Conservation Area. Consequently, the retention of the two gate posts would not conflict with the objectives of conservation policies in the Development Plan or the Framework with regard to their appearance.

In terms of amenity, the gate posts are not unneighbourly as they do not have any impact on the living conditions of any of the neighbouring properties by virtue of their size or design because of where they are sited. The posts however do narrow the width of the vehicular access from Main Road by virtue of their siting and this issue has been raised in representations. However, the access has not previously been wide enough to accommodate vehicles passing each other so the retention of the gate posts would not materially alter the pre-existing access arrangements for normal domestic vehicles going to and from the new house or The Byres. There is some potential that large vehicles might be impeded by the gate posts but it is difficult to see that the site would be suitable for large vehicles to enter and manoeuvre even if the gate posts were to be removed. The access appears to be wide enough to allow access for emergency vehicles. Furthermore, the Highway Authority has no objection to the proposals.

Conclusion

It is therefore concluded that the retention of the gate posts would not detract from the character, appearance or amenities of the local area, would not harm the valued characteristics of the surrounding Conservation Area, and would not adversely affect the amenities of the neighbouring properties. As noted above, there are no objections to the retention of the gritstone end piece and timber log store, which have a negligible impact on the character, appearance and amenities of the local area. Consequently, it is considered the current application meets the requirements of the relevant design and conservation policies in the Development Plan and national planning policies in the Framework and is recommended for approval.

In this case no conditions are required if permission were to be granted because the application is retrospective and the works have already been completed in full. The current application also only seeks planning permission for these works and does not propose any change of use of the vehicular access but permitted development rights have already been removed for development within the curtilage of the new house in any event. Therefore, there is no need for an additional condition seeking to remove permitted development rights for outbuildings, or means of enclosures on the land to the front of the new house in this case.

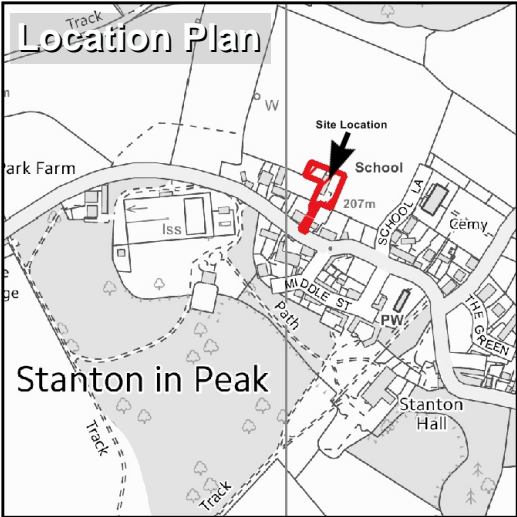
Human Rights

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

List of Background Papers (not previously published)

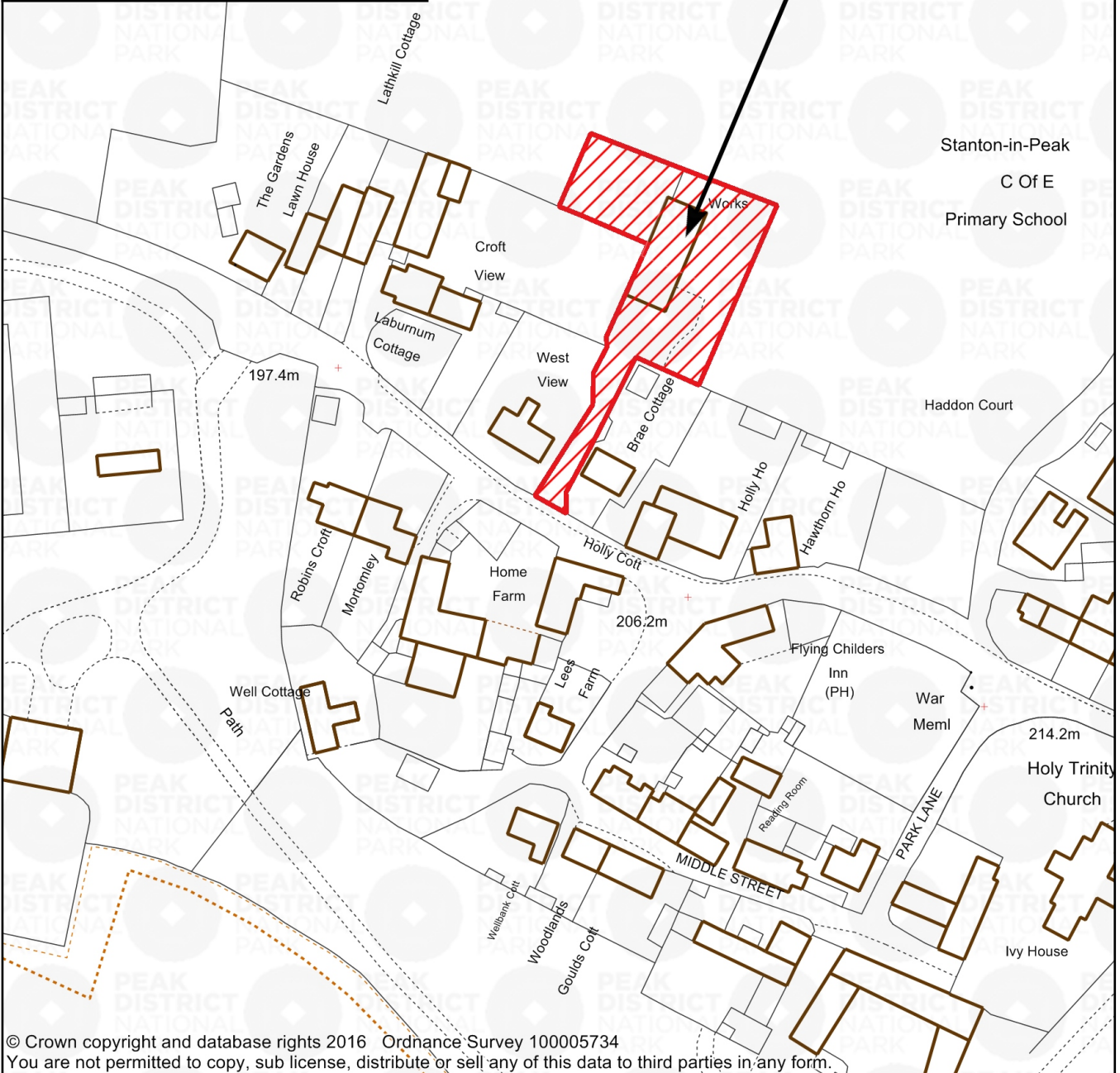
Nil

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Site Location



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Committee Date:	15/04/2016	Title: Former Goldcrest Engineering Works Main Road Stanton in Peak	 PEAK DISTRICT NATIONAL PARK
Item Number:	16		
Application No:	NP/DDD/0116/0030		
Grid Reference:	424025, 364344		

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17. FULL APPLICATION - CONVERSION OF STONE BUILT OUTBUILDING TO HOLIDAY ACCOMMODATION AT 1 THE CROSS, GREAT LONGSTONE. (NP/DDD/0116/0033, P2128, 419922 / 371844, 29/1/2016/SC)

APPLICANT: MR PETER HUNT

Site and Surroundings

The application site is located in the centre of Great Longstone, on the south side of the junction of Station Road and Main Street. The site is within the designated Conservation Area. The application building comprises a part two-storey and part single storey outbuilding, constructed in rubble limestone under a blue slate roof. A private garden area, which was previously associated with 1 The Cross, is accessed through a stone built arch and via a passageway to the east of the outbuilding.

The outbuilding has external dimensions of approximately 12.2m by 3.7m. It has a pitched roof with eaves height varying from 6.6m at the front to 4.0m at the rear due to the rising land. The building is constructed of rubble limestone under a blue slate roof, which has been renewed in the recent past. The front of the outbuilding is accessed by an open forecourt to the north of the building. The forecourt has an open frontage to the highway, and whilst it widens to the rear, it is slightly narrower towards the front. The forecourt rises up increasingly from the highway to the outbuilding, with a clear length of approx.12m, when measured from the front access point to the front gable elevation of the outbuilding.

The site lies immediately to the east of a terrace of properties which front Station Road – No.1 The Cross, Lincoln Cottage and Greystones, with the Old Post Office to the south west. Lincoln Cottage and the Old Post Office both have doors and established access rights onto the open forecourt area adjacent to the north gable of the outbuilding. The occupiers of the Old Post Office use this approach as their primary access to the house, although an alternative is available onto Main Street. The access from Lincoln Cottage onto the forecourt area is via a rear door. The sole entry to the garden of the Old Post Office is accessed from this forecourt. There is also a door on the rear elevation of 1 The Cross, opening onto this area.

Both Lincoln Cottage and Greystones have windows that directly face the western elevation of the application building. At Greystones this window is at first floor level. Lincoln Cottage has ground floor windows serving the kitchen and first floor windows that face the north western corner of the application building. In addition, a ground floor kitchen window on the rear elevation of The Old Post Office faces directly towards the north east corner of the building. This is sited approximately 4.5m away (window to window), from the outbuilding, with the boundary between the two being separated by a stone wall/trellis and timber gate through which the rear garden of the Old Post Office can be accessed.

Proposal

Planning permission is sought to convert the outbuilding to a one bed roomed holiday let. The internal arrangements will be limited to the ground floor only and would comprise lounge and kitchen areas, a shower room and a single bedroom. The conversion would be carried out entirely within its shell and using the existing openings, with one doorway on the west elevation being converted into a window.

Amended plans have been submitted which show a reduction in the size of the front gable elevation windows and the external parking reduced to one parking space (provided on the forecourt area) and in line with the Highway Authority's car parking standards for a one bed roomed holiday let. The applicant has advised that the application should be determined on the basis of the amended plans.

RECOMMENDATION:

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

1. **3 Year Time Limit.**
2. **Amended Plans.**
3. **Removal of permitted development rights for extensions and outbuildings**
4. **Minor design details including materials and obscured glazing, where required**
5. **Secure parking provision prior to first occupation**
6. **Holiday occupancy restriction**

Key Issues

- Principle of conversion
- Design and Appearance
- Impact on the Conservation Area
- Amenity issues
- Highway safety and parking

Planning History

In 2008 planning permission was refused for conversion of the outbuilding to a single holiday unit (NP/DDD/0608/0540). At this time, the outbuilding and garden area remained in the same ownership as 1 The Cross and therefore formed part of the same planning unit. The main issues to be considered were the effect on the living condition of occupiers of neighbouring properties, the living conditions of the occupiers of 1 The Cross and the proposed holiday unit, with particular regard to the provision of amenity space and the parking arrangements and highway safety.

The scheme was refused on the grounds that whilst the proposed conversion was acceptable in principle, the conversion would have a significant impact arising from noise, disturbance, overlooking and loss of privacy on the reasonable enjoyment of those dwellings that were situated in close proximity to the development. In addition, due to the existing building being within the curtilage of the existing dwelling house, there would be an over intensive use of the private amenity space, detrimental to both the occupiers of the dwelling and any future occupants of the holiday unit. Moreover, this would result in car parking taking place in the highway, in an area where off street parking facilities were limited, to the detriment and possible safety of other highway users.

The decision was subsequently appealed (2009) and dismissed by the Inspector stating: *'I have regard to all other matters raised, including the undisputed benefit of bringing this underused building into use, but this, nor any other matter, would outweigh the unacceptable living conditions that the proposal would bring to residents of neighbouring properties, the unsatisfactory shared arrangement and over-intensive use of the amenity space, and the inadequate provision for on-site parking with consequent detriment to the convenience of*

neighbours accessing their properties and potential harm to highway safety that the proposed development would cause.

In 2012 a further planning application for the conversion of the outbuilding to a single holiday unit was withdrawn, as officers advised that they considered it was too similar to the preceding appeal scheme and therefore did not overcome the previous reasons for refusal (NP/DDD/0212/0135).

In 2015 a planning application for the conversion of the stone outbuilding to an open market dwelling was refused (NP/DDD/1114/1164). At this point, the dwelling (1 The Cross) had been severed from the outbuilding and garden area and was now in separate ownership. The main issues were whether or not the proposed residential conversion would be acceptable, having particular regard to local planning policies which seek to restrict new open market housing, the effect of the proposal on the living conditions of neighbouring residents, having particular regard to privacy; and whether or not the space available for residents parking would be sufficient, having particular regard to the effect of additional on-street parking on highway safety.

The application was refused on the grounds that the building was not a 'valued vernacular building' and its conversion to an open market house was 'not required' because the building already had a viable use as an ancillary domestic outbuilding, so it did not meet policy requirements in HC1(C). In addition, by virtue of the outbuilding's close relationship to neighbouring residential properties, it was considered the proposed dwelling would cause harm to their privacy and amenity. Furthermore, the property known as 1 The Cross, would be left without any private amenity space and therefore parking for this property would be displaced onto the street. This would cause harm to the amenity of the property and cause pressure for on-street parking detrimental to the character and appearance of the Great Longstone Conservation Area.

The decision was subsequently appealed and dismissed by the Inspector who stated, '*The proposal would not result in a harmful loss of privacy for the occupants of neighbouring property, directly cause any significant additional on-street car parking or result in the loss of private outdoor space associated with no.1 The Cross. It would also preserve the character and appearance of the Great Longstone Conservation Area. Nevertheless, based on the evidence provided the new open market dwelling proposed is not required to secure the conservation or enhancement of the building*'. For this reason, and having had regard to all other matters raised, I conclude that the appeal should be dismissed

Consultations

County Council (DCC Highways) - No objections

District Council – No response

Parish Council – Objects for the following reasons:

1. *Layout and density of buildings.*
2. *Planning history of the site.*
3. *Overshadowing/overbearing presence near a common boundary that is detriment to neighbours.*
4. *Overlooking/loss of privacy.*
5. *Highway issues: traffic generation, vehicle access, road safety.*

6. *Car parking provision.*
7. *Noise and disturbance resulting from use.*
8. *Ensuring equal access to buildings/sites.*

Representations

There have been 8 letters of objection to the application, the main points made by the authors of these letters are summarised below:

- Loss of amenity - overlooking/overbearing, noise and disturbance.
- Highway safety issues - poor access/visibility, lack of parking, danger to schoolchildren.
- Over development of outbuilding.
- Impact on the layout and density of surrounding buildings.

Main Policies

Policy HC1 of the Core Strategy only allows the conversion of a traditional building to an open market house in exceptional circumstances whereas policy RT2 states that the change of use of a traditional building of historic or vernacular merit to holiday accommodation will be permitted. Policy DS1 of the Core Strategy also supports conversion or change of use of buildings to visitor accommodation, preferably by re use of traditional buildings but LR6 states that where self-catering accommodation is acceptable, its use will be restricted to holiday accommodation by way of a planning condition.

Saved Local Plan policy LC8 states that conversion of a building of historic or vernacular merit to a use other than that for which it was designed will be permitted provided that it can accommodate the new use without changes that would adversely affect its character. Policy L3 of the Core strategy is also relevant and says that development must conserve and where appropriate enhance or reveal the significance of historic assets and their setting. LC5 states, that applications for development in a Conservation Area, or for development that affects its setting or important views into or out of the area, should assess and clearly demonstrate how the existing character and appearance of the Conservation Area will be preserved and, where possible, enhanced.

Policies GSP1, GSP2 and GSP3 of the Core Strategy jointly seek to secure national park legal purposes and duties through the conversion and enhancement of the National Park's landscape and its natural and heritage assets. GSP3 and saved Local Plan policy LC4 also seek to ensure that where development is permitted its detailed treatment is to a high standard that respects, conserves and, where possible, enhances the landscape, built environment and other valued characteristics of the area. Further design guidance is provided in three separate design guides adopted in 1987, 2007 and 2014.

Saved Local Plan policy LT11 of the requires the design and number of parking spaces associated with residential development, including any communal residential parking, to respect the valued characteristics of the area, particularly in Conservation Areas. LT18 includes a requirement for the provision of a safe means of access in association any development.

These policies are consistent with national planning policies in the Framework (the National Planning Policy Framework) because core planning principles in the Framework require local planning authorities to seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings; and to conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations. Policies in the Framework and the emerging policies in the Development Plan Document also support the conversion and re-use of existing buildings to provide holiday accommodation in rural areas.

Assessment

Background

In this case, the most recent appeal decision carries significant weight in the determination of this application. The Inspector considered the building to be a traditional building with some vernacular merit, that the conversion of the building to a residential use could be achieved without being unneighbourly, and that the proposed house could be provided with adequate access and parking provision.

Compared to the scheme assessed by the Inspector in the previous appeal, the current application has been revised and the amended plans now show a scheme that includes some enhancement to the building by replacing two existing large windows with more traditional replacements. The living space is also now restricted to the ground floor of the building only so there would be no opportunity for future occupants to look out of the upper gable window, therefore negating the issue of overlooking that the applicant previously sought to address by the use of obscured glazing.

Therefore, the revised application proposes a scheme that can be compared favourably to the proposals assessed by the Inspector in the most recent appeal, and this appeal was only dismissed on the grounds that the Inspector did not consider that the impetus of open market values was required to conserve or enhance the building contrary to the provisions of policy HC1 of the Core Strategy. The current application now proposes conversion of the building to holiday accommodation rather than to an open market house.

Principle

Policies DS1 and RT2 of the Core Strategy support the current application because they are permissive of the conversion of traditional buildings to holiday accommodation. However, as clearly established in the most recent appeal decision, conversion of an open market house to meet general demand would be contrary to policy HC1 of the Core Strategy. Therefore, there are no overriding objections to the principle of converting the subject building to a holiday let subject to a holiday occupancy restriction, which would also be required by saved Local Plan policy LR6 if permission were to be granted for the revised application.

Design

In accordance with the Authority's adopted design guidance, the proposed conversion would use the existing shell of the building and utilise existing openings. Currently, the front (north facing) elevation is harmed by two window openings that appear overly large in relation to the modest proportions of the building; white uPVC frames also draw attention to these openings. As noted above, amended plans have since been submitted, which show a reduction in the size of these windows and their replacement with more appropriate timber frames. The other elevations of the building, whilst not noticeable from public vantage points, would remain largely unchanged, apart from one doorway on the west elevation being converted into a window.

It is considered that the amended window/door detailing would improve the appearance of the north gable elevation and the overall character of the existing building. Therefore, the revised application is considered acceptable in terms of design and meets the requirements of design policies GSP3, LC4 and LC8 and accord with the Authority's adopted design guidance.

Impact on Conservation Area

The outbuilding is set back approximately 12 metres from the highway and visible from the street and together with the adjoining cottages appears as an attractive cluster of traditional limestone dwellings and outbuildings. The amended details show some improvement to the external facade of the building that faces the road and the changes to the large windows in this gable would clearly make a positive contribution to the Conservation Area. The minor changes to the rest of the building would preserve its traditional character and appearance and would maintain the special qualities of the surrounding Conservation Area. Therefore, the revised application is in conformity with policies LC5 and L3 because the proposed development would not harm the significance of any designated or non-designated heritage asset.

Neighbourliness

Policies GSP3 and LC4 require the impact of development proposals on the living conditions of occupants of nearby residential properties to be carefully assessed. In this case, it is not considered that a relatively small one-bedroomed holiday unit would be such an intensive use of the building that the revised proposals would harm the living conditions of the nearby residential properties also taking into account the very tightly knit pattern of development in this part of Great Longstone. This view was supported by the Inspector in the most recent appeal decision who also noted the close relationship between the building and the neighbouring properties.

The Inspector also noted that The Old Post Office had a rear facing ground floor kitchen window, close to the shared boundary with the building to be converted and that the introduction of a bedroom window at first floor on the front elevation of the outbuilding, would allow potential future occupants to look down into the kitchen at very close quarters, leading to a harmful loss of privacy. To address this particular concern, revised plans were submitted in support of the previous appeal illustrating the use of obscure glazing in this first floor window. With regard to these amended plans, the Inspector concluded that with the obscure glazing and the oblique angle between the two windows, privacy of both properties would be maintained, and overall conversion of the building to a residential use would not result in any harmful loss of privacy to the detriment of neighbouring residents.

The current plans show no accommodation at first floor level, as all rooms are now at ground floor only, therefore any perception of overlooking is taken away, as the upper gable window would only be used to afford natural light into the internal space of the building. In addition, the amended plans show a reduction in the size of this first floor window opening, which would further reduce the impression of a perceived loss of privacy by adjacent properties, with only a ground floor window on the west elevation (facing Greystones) now needing to be obscured glazed to prevent any intervisibility between windows in the building to be converted and windows in the neighbouring properties.

It is therefore considered that the revised application conforms to GSP3 and LC4 because the amenity of neighbouring dwellings would not be adversely affected by the development subject to securing compliance with the amended plans and subject to the removal of permitted development rights to safeguard the amenities of the neighbouring properties and to ensure any future changes to the completed development would not undermine the enhancements to the road facing gable as shown on the amended plans, and to ensure any changes to the building preserved the character and appearance of the surrounding Conservation Area.

Access and Parking

The amended plans show one off-road parking space would be provided within the forecourt of the building. As this land is within the curtilage of the building, and the building is no longer in the ownership of 1 The Cross, it is hard to argue that the use of the space by holiday visitors would displace cars belonging to the owner/occupants of 1 The Cross on to the public highway. This use of the parking space would not obstruct the existing right of pedestrian access to the neighbouring properties across the forecourt and the Highway Authority has no objections to the revised application. It is therefore considered that the proposed holiday accommodation would be provided with adequate access and parking provision, in accordance with LT18 and LT11 and would not exacerbate problems with on-street parking that already exists within the locality.

Conclusion

In conclusion, the proposed use of the building for holiday accommodation is supported by the Authority's planning policies and the amended plans show a scheme that will help enhance the traditional character and appearance of the outbuilding and allow it to more positively contribute to the special qualities of the Conservation Area within which it is sited. Moreover, the revised proposals will have no adverse effect on the amenities of any of neighbouring properties whilst adequate space for parking of vehicles associated with the proposed development would be provided. It is therefore concluded that the revised application accords with the Authority's adopted design guidance and the relevant policies in the Development Plan subject to appropriate planning conditions as set out in the above report.

Accordingly, the current application is recommended for conditional approval.

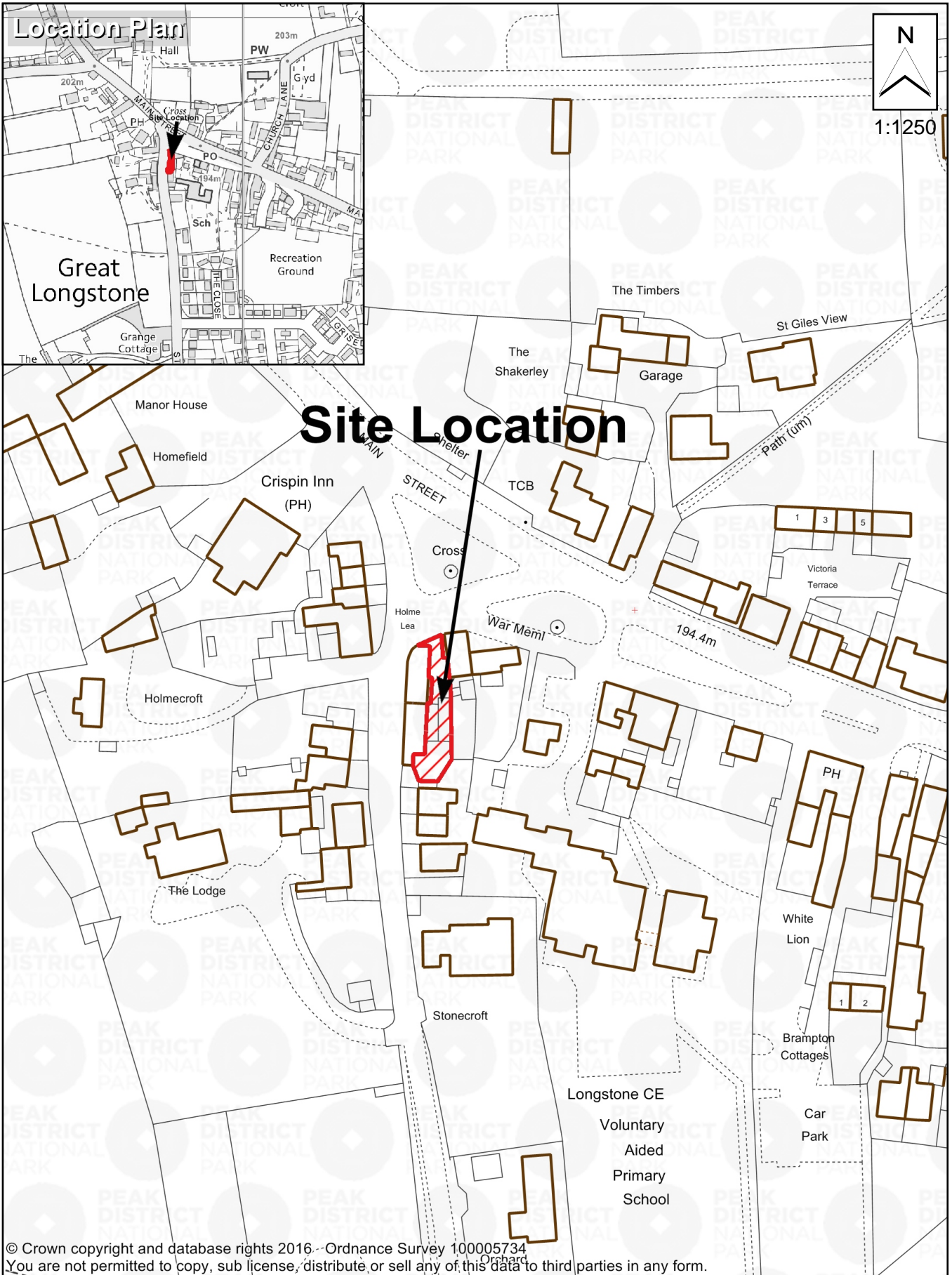
Human Rights


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

List of Background Papers (not previously published)

Nil

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Committee Date:	15/04/2016	Title: 1 The Cross Great Longstone	 PEAK DISTRICT NATIONAL PARK
Item Number:	17		
Application No:	NP/DDD/0116/0033		
Grid Reference:	419922, 371844		

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18. FULL APPLICATION – ERECTION OF NEW STOCK & FODDER STORAGE BUILDINGS AT PICTOR FARM, WARDLOW (NP/DDD/1215/1212, P.2286, 418271 / 374387, 31/03/2016/AB)

APPLICANT: MR JD & LB JACKSON

Site and Surroundings

The application site comprises a flat area of farmyard that is associated with an existing farm known as Pictor Farm. The farm currently comprises an open-fronted agricultural building constructed of blockwork with Yorkshire boarding and blue box profile sheeting to the walls and blue box profile sheeting to the roof (approved in 2011). This building is sited immediately to the south of an older agricultural building that is constructed of similar materials. The buildings are sited east of the B6465, approximately 16 metres from the road at the closest point, with access to the farm taken from this road. The buildings are sited at a lower level than the road, with the newer of the two buildings excavated into the side of the bank. The yard area associated with the farm is located to the east of the buildings.

Proposal

This application seeks full planning permission for the erection of a new stock and fodder storage building at Pictor Farm, Wardlow. The building would be sited to the east of the existing farm buildings, on part of the existing yard. The building would measure 23.3 metres by 13.7 metres, would have an eaves height of 3.65 metres and a ridge height of 7 metres. It would be open-fronted and constructed of materials to match the existing farm buildings, comprising blockwork with box profile cladding and Yorkshire boarding to the walls and a box profile pitched roof.

The application site is located within the Wardlow Conservation Area and the Open Countryside, on the edge of the village of Wardlow. The existing farm buildings are the first buildings that are seen when approaching the village when travelling in a northerly direction through the village of Wardlow. The Grade II listed 'Hall Farm' with its associated listed barns is located approximately 60 metres to the northwest of the application site and is the nearest residential property to the application site. A public footpath is located approximately 85 metres to the south of the application site that extends from the B6465 in a south-easterly direction.

RECOMMENDATION:

That the application be REFUSED for the following reason:

- 1. The siting of the proposed building, with particular reference to its orientation, would result in a prominent structure that would project beyond the existing building line into the Open Countryside. It would thereby have a detrimental effect on the valued rural characteristics and visual appearance of the surrounding area, particularly as this is a gateway Conservation Area site into the village of Wardlow. The proposed building would therefore be contrary to policies L1 and L3 of the Core Strategy, policies LC4, LC5 and LC13 of the Local Plan, as well as the SPG: 'Agricultural Developments in the Peak District National Park'.**

Key Issues

- Whether the design of the development has an acceptable impact on the character and appearance of the surrounding area, the Conservation Area, and the adjacent listed buildings.
- The impact of the development on the amenity of neighbouring properties.
- Any highway implications for the proposed development.

Relevant Planning History

2010 – Erection of new cattle shed and extension to existing – Application withdrawn

2011 – Erection of a new agricultural building and removal of an existing lean-to building to form larger unit - Approved

Consultations

Derbyshire County Council (Highways) – No objection subject to the development remaining ancillary to the agricultural operations of Pictor Farm and surrounding tied land only, with no future sub-letting or selling-off and no loss of any areas of existing off-street manoeuvring space.

Wardlow Parish Council – Voted unanimously in favour of the application. This application appeared to be a simple, straightforward decision for the Parish to make as it was an extension to the current farm buildings and had no impact on the village. It was on the edge of the village yet retained the linear line of the village and maintained the balance of the village with a farm at the top and bottom of it.

Derbyshire Dales DC – No comments received

Representations

Two letters of representation have been received, both of which support the application. The first states that they believe that this is a genuine agricultural scheme for a genuine farming family and they are fully aware of the requirement for the livestock to be removed at certain times of the year on Cressbrook Dale by Natural England.

The second states that they consider that the proposed building would have little or no impact on their property, bearing in mind its close proximity to their dwelling and garden. They also conclude that any increase in traffic entering or leaving the farm would have little or no adverse impact, as they are aware of the care and sympathetic approach that the Jackson family have in respect of their neighbours at Pictor Farm. Those most likely to be affected would be the walkers using the footpath on the Longstone side of the farm and connecting the B6465. However he walks his dog along this route and he concludes that the addition of a further building at Pictor Farm would not detract from his enjoyment of this beautiful 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 guidance in the NPPF with regard to the issues that are raised.

Development Plan policies

Relevant Core Strategy (CS) policies: GSP1, GSP2, GSP3, DS1, L1, L3

Relevant Local Plan (LP) policies: LC4, LC5, LC6, LC13, LT18

Core Strategy policy DS1 allows in principle agricultural development within the countryside. The NPPF also encourages the development of agricultural businesses in rural areas.

Core Strategy policy L1 states that development must conserve and enhance valued landscape character, as identified in the Landscape Strategy and Action Plan and other valued characteristics. Local Plan Policy LC4 states, amongst other things, that any development must, at least, respect and conserve the landscape of the area.

Local Plan policy LC13 states that any agricultural development must avoid harm to an area's valued characteristics, making use of the least obtrusive or otherwise damaging possible location.

Local Plan policy LT18 states that the provision of safe access arrangements will be a prerequisite of any development.

Core Strategy policy L3 seeks to conserve and enhance archaeological, architectural, artistic and historic assets. 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. Whilst Local Plan policy LC6 relates to the effect a proposal would have on the setting of Listed Buildings.

Assessment

Design/Use of the Buildings

The proposed building would be constructed of blockwork with a mix of Yorkshire boarding and box profile cladding to the walls with box profile cladding to the roof. It would be open-fronted and would be used for the storage of cattle and sheep as well as fodder and straw. The building's design and materials is typical of modern agricultural buildings and would reflect the existing buildings at the farm.

The applicant has provided information in respect of the existing farm (i.e. stock numbers, land ownership, land occupancy etc). The holding is the same size as when the earlier planning application for an agricultural building was approved in 2011, with the number of cattle and sheep remaining at a similar level. They are also still part of a Farm Business Tenancy that runs until 2020 for 138 ha of land on Cressbrook Dale (the majority of the holding). The FBT prevents animals from grazing on the land until later in the year and results in them having to be housed inside, hence the need for the agricultural buildings.

Whilst the farm's existing circumstances have not altered since the 2011 permission, the existing buildings were only intended to house cattle and sheep whereas they are now also used to store hay and straw. The farmers also wish to increase the number of ewes and suckler cows but the current buildings are restricting this expansion. In addition, the existing buildings currently cannot house all of the straw, with some having to be stacked outside during busy periods. The proposed building would allow more space for the storage of straw; allow for the separation of fodder and straw from the animals; would allow more space for cattle to be housed in more suitable groups (either by size or age); and would allow housing at critical times when extra space is needed (i.e. during calving and lambing time).

The farm is run in conjunction with another farm at the opposite end of the village known as Meadow Farm. Consideration was given at the time of the 2011 application for the erection of the new buildings at Meadow Farm rather than Pictor Farm, with the Case Officer stating in their Delegated Report:

'Consideration has been given to extending the floor space available at Meadow Farm, but the lack of land associated with this site, the congestion of the site and its access, the remote proximity to the main areas of land owned and rented and the close proximity to neighbouring properties all lend support to the argument for the building at Pictor Farm, despite this being a more prominent site from distant views.'

The circumstances at Meadow Farm have not altered in the intervening five years and therefore it is considered that this same argument still stands. No evidence was provided by the Parish Council or neighbours to suggest that the proposal has not been made for genuine farming reasons. Based upon the evidence outlined above it is accepted that the development is proposed for agricultural purposes and it would support the enterprise on the site.

Character/Landscape

The application site is located within the White Peak landscape character area as identified within the Landscape Strategy and specifically within the 'Limestone Village Farmlands' landscape character type. The landscape around the application site is characterised by a gently undulating plateau of pastoral farmland enclosed by drystone walls made from limestone. It has a repeating pattern of narrow strip fields originating from medieval open fields with scattered boundary trees and tree groups around buildings.

The buildings associated with the adjacent Hall Farm effectively screen the existing and proposed agricultural building from view when travelling in a southerly direction through the village; however Pictor Farm is the first group of buildings that are viewed when travelling in a northerly direction along the same road. The existing farm buildings are sited below the level of the road and in the case of the more modern building, has been cut into the adjacent ground. This has resulted in the buildings having a less prominent appearance as only the roofs of the buildings are visible when travelling in a northerly direction. In contrast, the proposed building would be sited on an existing level part of the yard, due east of the existing buildings. It would be more prominent than the existing buildings when travelling along the road in a northerly direction and it would extend the built development out into the open countryside, beyond the existing ribbon of the village.

There are also wide-ranging views of the site, particularly when viewed from the public footpath to the south and from another road located across the fields to the east. The proposed building, whilst located within the existing group of farm buildings, would be a prominent addition when viewed from the surrounding landscape. If the building was marginally re-sited and orientated through 90-degrees, it is considered that its impact on the landscape could be significantly lessened. However this could not be achieved through this application due to the application site being drawn tightly around the proposed building. The proposed building therefore does not make use of the least obtrusive or otherwise less damaging possible location, contrary to the policy and guidance on agricultural buildings.

Due to the siting and orientation of the proposed building, it is considered that it would result in a prominent structure that would have a detrimental impact on the valued landscape characteristics of the area, as well as the gateway into the village and the surrounding Conservation Area. The proposed building would therefore be contrary to policies L1 and L3 of the Core Strategy, policies LC4, LC5 and LC13 of the Local Plan and the SPG: 'Agricultural Developments in the Peak District National Park'.

The application site is located approximately 60 metres from the Grade II listed Hall Farm and its associated listed outbuildings. The proposed building would have a similar scale, design and materials as the existing farm buildings that are located closer to the adjacent listed buildings than the proposed building and therefore it is not considered that the proposed building would have a detrimental effect on the setting of the adjacent listed buildings. The proposal would therefore comply with policy L3 of the Core Strategy and policy LC6 of the Local Plan in this regard.

Amenity

The application site is surrounded by fields, with the nearest residential property being 'Hall Farm' and its associated converted barns that is located approximately 60 metres northwest from the proposed agricultural building. The existing buildings at Pictor Farm currently house cattle and sheep and whilst it is proposed to increase the number of animals at the farm, this would not be to a significant degree that is likely to have a detrimental effect on the amenity of the neighbouring property. The open-front of the proposed building would be located within the southern elevation, facing in the opposite direction from the neighbouring property. Due to the distances separating the proposed building from the nearest dwelling it is not considered that a new agricultural building of the scale proposed would result in a loss of light or an overbearing effect. The proposed development would therefore not have a detrimental effect on the amenity of the neighbouring properties and it would comply with policy LH4 of the Local Plan and policy GSP3 of the Core Strategy.

Highway Considerations

The farm is accessed from the B6465, Main Road by an existing access. A driveway and associated parking area is located to the north of the existing buildings that provides access into the yard to the rear. No changes are proposed to the existing access. The siting of the proposed building would not affect the existing parking/turning areas as this part of the yard is currently used for the storage of bales. The Highways Engineer has assessed the application and raises no objection subject to the proposed building remaining ancillary to the existing agricultural operations of Pictor Farm and providing there is no loss of existing off-street manoeuvring space. As this is the case in both aspects, 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.

Conclusion

It is considered that the applicant has provided sufficient information in order to fully justify the proposed building for agricultural purposes and that the building has been designed for its intended purpose with materials that would complement the existing buildings at the farm.

It is not considered that the proposed building would have an adverse effect on the amenity of neighbouring properties, highway safety, or the setting of the adjacent Grade II listed buildings. However, it is considered that the siting of the building, together with its orientation, would result in the built development of the farm extending into the surrounding open countryside, resulting in a prominent building in the landscape and on the gateway into the village as well as within the Conservation Area. It is considered that the building could be sited in a less obtrusive manner at the farm and therefore the current proposal should be refused.

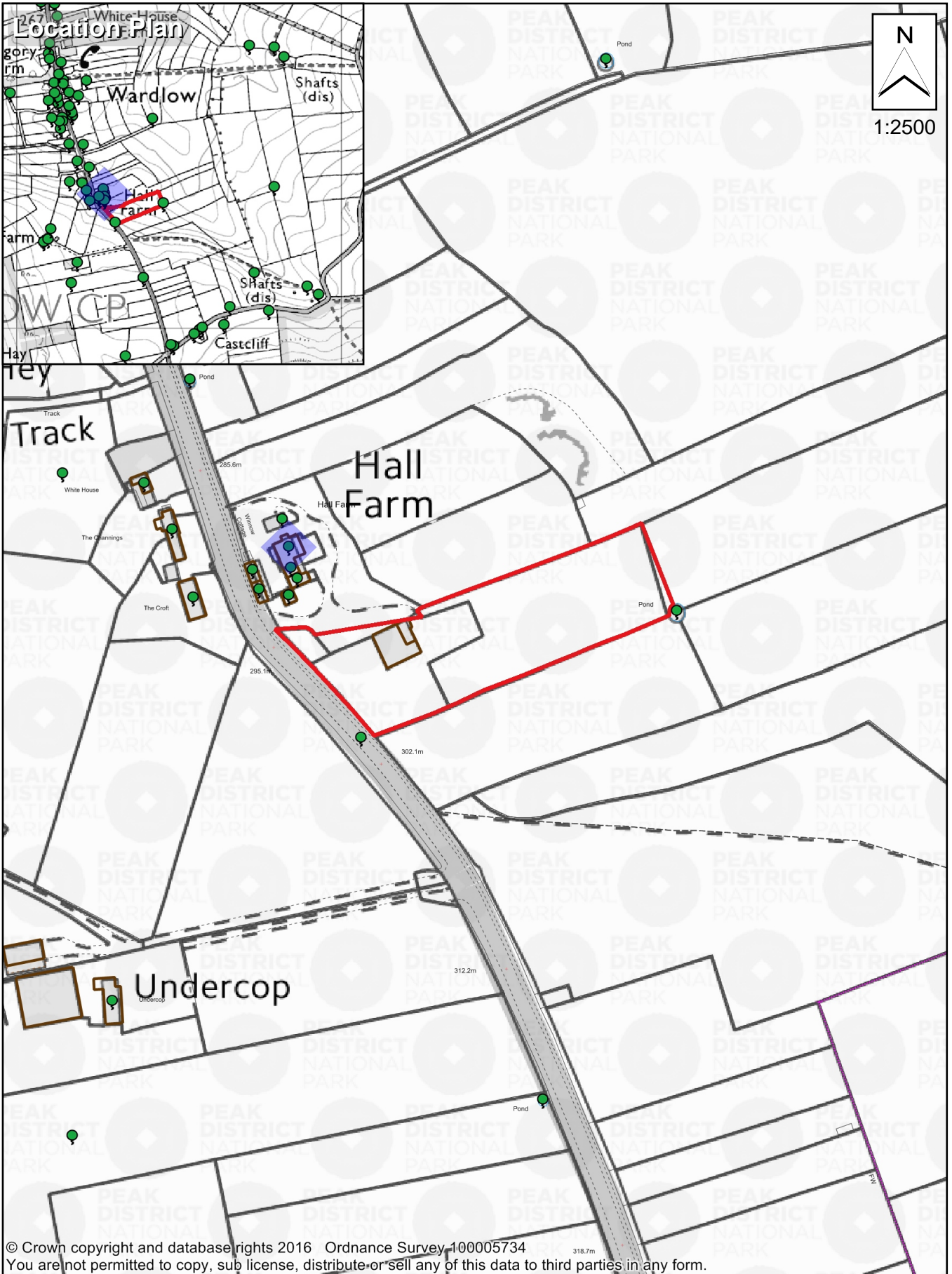
Human Rights


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:	15/04/2016	Title: Pictor Farm, Wardlow	 PEAK DISTRICT NATIONAL PARK
Item Number:	18		
Application No:	NP/DDD/1215/1212		
Grid Reference:	418271, 374387		

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19. MONITORING & ENFORCEMENT ANNUAL REVIEW – APRIL 2016 (A.1533/AJC)

Introduction

This report provides a summary of the work carried out by the Monitoring & Enforcement Team over the last year (April 2015 – March 2016). The report also includes information on the breaches that have been resolved in the latest quarter. The majority of breaches of planning control are resolved voluntarily or through negotiation with the landowner (or other relevant persons) without resorting to formal enforcement action. In cases where formal action is considered necessary, the Director of Conservation and Planning and Head of Law have joint delegated powers to authorise such action whereas delegated authority not to take formal action is held by the Director of Conservation and Planning and Planning Team Managers.

The Authority has a duty to investigate alleged breaches of planning control, but enforcement action is discretionary and must only be taken where it is 'expedient' to do so and any action taken will need to be proportionate with the breach of planning control to which it relates. This means that the breach must be causing unacceptable harm to the appearance of the landscape, conservation interests, public amenity or highway safety, for example. It must also be clear that resolving the breach would be in the public interest.

The National Planning Policy Framework states that Local Planning Authorities (LPAs) should consider publishing a Local Enforcement Plan to manage enforcement proactively, in a way that is appropriate to their area. Many, but by no means all, LPAs have published a Plan. In March 2014 the Authority published its Local Enforcement Plan, which sets out what breaches of planning control are, how potential breaches can be brought to the attention of the Authority, what matters may or may not be investigated and the priorities for investigation and action. It also outlines the tools that are available to the Authority to resolve any breaches. The Local Enforcement Plan is available on the Authority's website or in paper form.

It was reported in the last quarterly review (in January 2016) that at the end of March 2016 the part-time Senior Monitoring & Enforcement Officer post, which was created in 2012 and has been renewed each year on a temporary contract basis since then, would not be renewed. Since then it has been agreed that the post will continue until the end of September 2016 although the number of working days has been reduced from three to one. This reduction in team resources will inevitably put more pressure on the other members of the team.

RECOMMENDATION:

That the report be noted.

Summary of Activity 2015-16

(a) **Formal notices have been issued in the following cases this year:**

11/0200 Land south of Church Lane Old Dam Peak Forest	Steel container, use of land for storage, creation of hardstanding and parking of vehicles	Enforcement Notice issued 7 April 2015
12/0075 Land at Nether Hay Buxton Road Blackshaw Moor Leek	Use of land for storage of a chalet-style caravan, associated hardstanding and access track	Enforcement Notice issued 21 April 2015

14/0575 Land adjoining The Gables Eaton Hill Baslow	Installation of a steel container – building operation	Enforcement Notice issued 26 May 2015
15/0047 Land opposite The Grouse Inn Chunal	Use of land for clay pigeon shooting	Enforcement Notice issued 3 July 2015
11/0161 Burrs Farm Chelmorton Buxton	Use of land for siting a residential caravan, erection of a timber shed and wooden verandah and laying of hardstanding	Enforcement Notice issued 27 August 2015
07/0042 Hurdlow Grange Farm Hurdlow Buxton	Erection of lean-to building and timber car port, and use of land for siting a residential caravan	Enforcement Notice issued 18 September 2015
15/0083 Maynestone Farm Hayfield Road Chinley	Erection of extension to dwelling	Enforcement Notice issued 25 September 2015
09/0078 4 Court Lane Ashford-in-the-Water	Conversion of attached outbuilding to dwellinghouse	Enforcement Notice issued 11 March 2016

(b) Workload Summary 2015-16

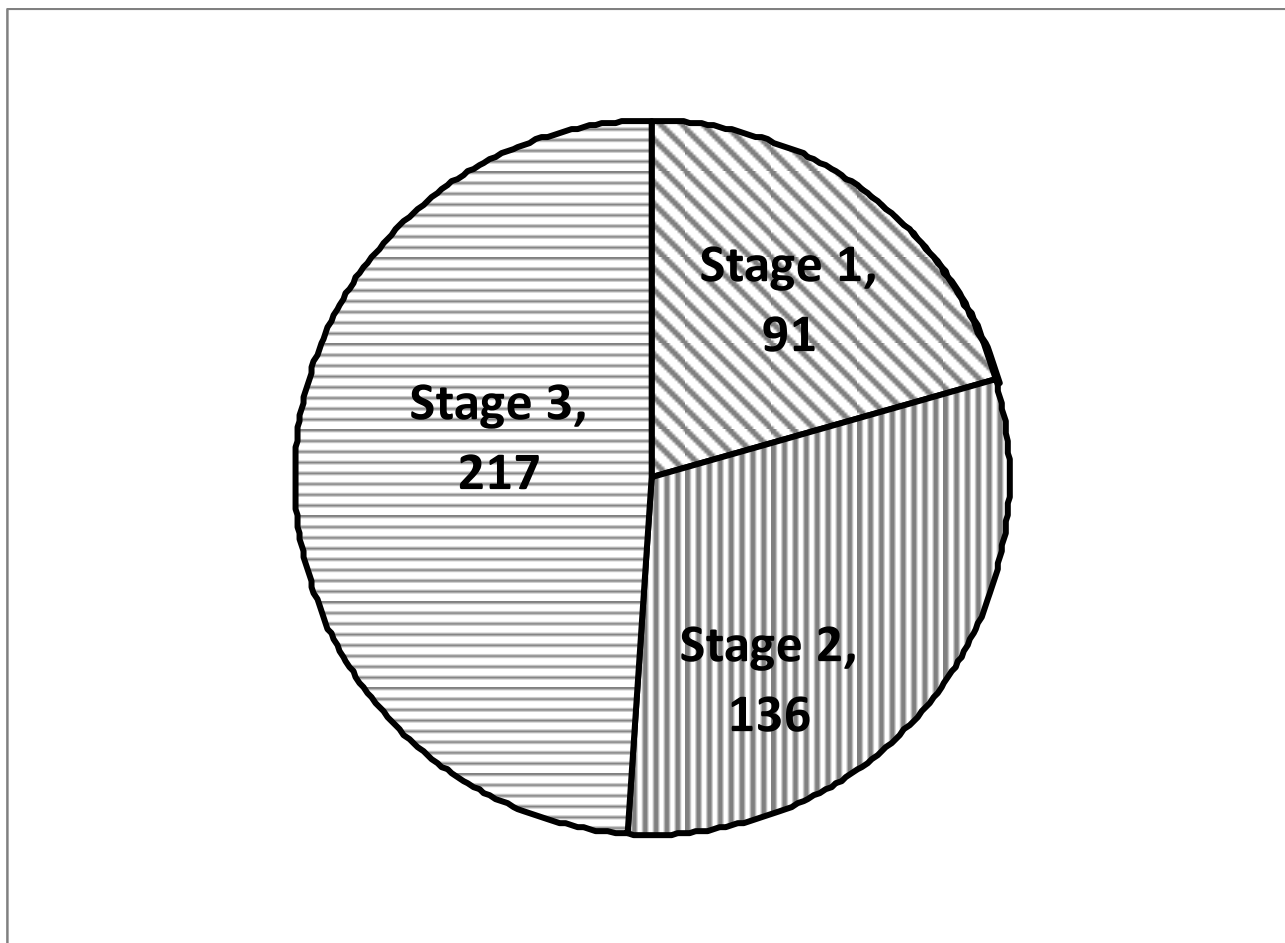
The following is a summary of the team's workload and performance over the last year. The main measure of performance in the Planning Service Plan for 2015-16 was to resolve 120 breaches in the year, which as the table shows has been exceeded (124). The number of outstanding breaches has increased over the year from 412 to 444 which is due in part to the increase in new breaches (157 compared to 141 in 2014-15).

The number of enquiries outstanding has also increased – from 52 to 101 – although 76% of enquiries have been investigated/resolved within the team's target of 30 working days. A target of 80% of enquiries investigated/resolved within 30 working days is to be included in the Service Plan for 2016-17.

	Received	Investigated/Resolved	Outstanding
Enquiries	430	381	101
Breaches	157	124	444

Over the last year the Monitoring & Enforcement Team has been implementing an Action Plan in order to help focus resources and increase the pace of progress on casework officers have introduced a system which classifies breaches, as early as possible in the process, as Stage 1, Stage 2 or Stage 3. Stage 1 cases are those where it is likely to be 'not expedient' to take enforcement action; Stage 2 are those where a conditional planning permission would be likely to resolve the breach and Stage 3 are those where formal enforcement action is likely to be required. This is a case-specific judgment in each case based on the seriousness of the breach. By making this judgment at an earlier stage cases are progressed more quickly with a greater emphasis on moving to formal action in cases identified as Stage 3.

The following chart shows the outstanding breaches at the end of the year according to their classification as stage 1, 2 or 3. It should be noted that those in stage 3 include cases where formal notices have already been issued.



The Action Plan has also involved discussions with the Legal Team with the aim of improving and streamlining the joint working between the two teams. This has resulted in a number of actions being agreed including a change to the delegation scheme on a trial basis to allow the Director of Conservation and Planning to authorise the withdrawal of formal notices and the waiving or relaxing of the requirements of an enforcement notice, in consultation with the Head of Law. Previously, these delegated powers were held jointly by those two officers. The two teams have also, amongst other things, agreed method statements for enforcement notices and section 215 notices and clarified the procedure for dealing with the exceptional situations where there is a difference of opinion between officers on the way forward in particular cases.

(c) Summary of Appeal Decisions 2015-16

The following six enforcement appeal decisions have been received this year. Only one of the appeals has been allowed, this being the case at Flash Bar Stores, which was allowed on the merits of the case rather than on any of the legal grounds of appeal.

11/0222 Land at Stanedge Road Bakewell	Erection of building and use of land for storage purposes	Appeal dismissed
12/0040 Adjacent Wigtwizzle Cottages Sheffield	Erection of building	Appeal dismissed

12/0075 Nether Hay Buxton Road Blackshaw Moor Leek	Use of land for storage of a chalet-style caravan, associated hardstanding and access track	Appeal dismissed
15/0047 Land opposite The Grouse Inn Chunal	Use of land for clay pigeon shooting	Appeal dismissed
14/0177 Flash Bar Stores Quarnford Buxton	Use of building as a dwelling and building operations	Appeal allowed
12/0064 Land off Cliff Lane Curbar Calver	Erection of a field shelter	Appeal dismissed

Breaches Resolved (Jan – March 2016)

15/0137 Pear Tree Cottage Main Street Calver	Breach of condition 11 (vehicular access) on permission for stable (NP/DDD/0214/0106)	Not expedient to pursue enforcement action
09/0142 Blanche Meadow Farm Parwich	Use of menage for business purposes in breach of condition 3 (NP/DDD/0302/160)	Not expedient to pursue enforcement action
15/0052 Curbar School Calver Bridge Calver	Breaches of conditions on permission for multi-use games area (NP/DDD/0914/1003)	NMA approved
15/0063 Water Hole Barn The Moor Tideswell	Breach of landscaping condition on permission for haulage yard	Permission granted for amended landscaping scheme and scheme carried out
15/0089 The Old Post Office Calver	Replacement windows and doors	Windows altered to agreed design
15/0129 Mayfurlong Farm Grindon Leek	Replacement of roof on listed building	Listed building consent granted

16/0002 Derbyshire Building Society Matlock Street Bakewell	Breach of conditions on listed building consent for internal alterations and frontage alterations	Discharge application approved
16/0003 Peaklands Leisure Park High Street Stoney Middleton	Erection of ancillary structures	Permitted development
14/0517 Brookfield Manor Hathersage	Use of pavilion and grounds for weddings and other functions	Temporary planning permission
15/0056 Field Barn Off Hall Lane Litton	Alterations and partial rebuilding	Works do not amount to development
13/0142 Fields Farm Peak Forest	Untidy land	Land tidied to officer's satisfaction
15/0061 Nether Shatton Farm Shatton Bamford	Rebuilding of barn and use as a dwelling	Planning permission granted
14/0177 Flash Bar Stores Quarnford Buxton	Use of building as a dwelling and building operations	Planning permission granted on appeal
08/0124 School House Farm Priestcliffe	Window design does not comply with approved plans for dwelling (NP/DDD/0398/123)	Immune from enforcement action
15/0082 Moorlands Farm Froggatt	Creation of vehicular access	Permitted development
10/0059 Archway Cottage Whitegates Farm Abney	Breach of occupancy condition on planning permission for holiday unit (NP/DDD/0101/018)	Immune from enforcement action
11/0070 Cambrill House Litton	Erection of car port	Immune from enforcement action
13/0091 Disused Quarry Glossop Road Chunal	Use of land for log sales	Use ceased

14/0539 Leanlow Farm Hartington	Non compliance with condition 3 (site to be cleared of containers), condition 4 (no outside storage), condition 5 (landscaping) and condition 7 (boarding to be dark stained) on permission for agricultural building	Conditions discharged or superseded by later permissions
11/0043 Various locations near Hayfield	Display of advertisement signs for log sales business	Signs removed
09/0022 The Bridge Barn Castleton Road Hathersage	Erection of fence and satellite dish and failure to surface driveway in breach of conditions for conversion of barn to dwelling (NP/DDD/0404/0414)	Fence altered and now acceptable, not expedient to pursue enforcement action in respect of satellite dish and surfacing
14/0568 9 Eaton Drive Baslow	Breach of conditions 3 (reduction in length of extension) and 9 (omission of external chimney breast) on permission for extension to dwelling	NMA approved
14/0274 63 Top Cottages Cressbrook	Satellite dish on listed building	Satellite dish removed
15/0100 Lane End Farm Abney	Menage not constructed in compliance with approved plans	NMA approved
15/0085 Headland Cottage East Bank Winster	Construction of hardstanding	Not expedient to pursue enforcement action
15/0024 Leach House Leadmill Hathersage	Erection of structure in curtilage of listed building	Planning permission and listed building consent granted
15/0099 Moorfield Farm Flagg	Use of land for siting of residential caravan	Temporary planning permission granted
15/0053 15 Portland Place Waterhouses	Provision of a UPVC door in breach of conditions on NP/SM/1105/1136	Not expedient to pursue enforcement action
14/0596 Spring Cottage Back Lane Warslow	Erection of timber shed	Not expedient to pursue enforcement action

11/0062 Mill Farm Grangemill	Storage of wood for domestic purposes on land formerly used as a scrap yard	Storage use has ceased
15/0095 Land north of Ashwood Dale Road Buxton	Creation of hardstanding and change of use from nil/agricultural to turning area for quarry	Not expedient to pursue enforcement action

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20. **PLANNING APPEALS (A.1536/AMC)**

1. **APPEALS LODGED**

The following appeals have been lodged during this month.

<u>Reference</u>	<u>Details</u>	<u>Method of Appeal</u>	<u>Committee/ Delegated</u>
NP/DDD/1115/1053 3141649	Demolition of farmhouse and erection of replacement dwelling house; demolition and rebuilding of stables to form additional living accommodation; erection of stable buildings and garaging at Bleaklow Farm, Bramley Lane, Hassop, DE45 1NS	Written Representations	Committee

2. **APPEALS WITHDRAWN**

There have been no appeals withdrawn during this month.

3. **APPEALS DECIDED**

The following appeals have been decided during this month.

<u>Reference</u>	<u>Details</u>	<u>Method of Appeal</u>	<u>Decision</u>	<u>Committee/ Delegated</u>
NP/DDD/0715/0692 3138958	Removal of or variation of condition following the granting of planning permission at Gorse Hill, Gorse Bank Lane, Baslow, DE45 1SG	Written Representations	Dismissed	Delegated

The Inspector considered that the proposal would not reflect the Design Guide, nor comply with the Building Design Guide with regard to the use of dormer windows, and accepted the Authority's arguments that there was no tradition of dormer windows within Baslow, and that by introducing these features, would have resulted in a harmful change to the overall character of the development. The appeal was therefore dismissed.

NP/GDO/0215/0090 3137811	Erection of portal frame building for use for stock rearing and lambing shed at Upper Green Farm, Green Lane, Thorncliffe, ST13 7RZ	Written Representations	Dismissed	Delegated
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The Inspector felt that the proposal would have had a significant adverse effect on the character and appearance of the landscape setting and on the landscape and scenic beauty of the National Park. The proposal also conflicted with paragraph 115 of the National Planning Policy Framework and the Local Plan Saved Policies LC13 and LC4. Although the proposed building would clearly have been a benefit to the appellant and would have supported the expansion of the farming business, the benefits were outweighed by the harm to the landscape so concluded that the appeal be dismissed.

NP/DDD/0614/0661 3013889	Installation of a 50kw Endurance Wind Turbine on a 24.6m hub height tower with a 19.2	Written Representations	Dismissed	Committee
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diameter rotor, 34.2m to blade tip to provide renewable electricity to the dairy farm at Slipper Low Farm, Aldwark, Grange Mill, Matlock, DE4 4HX

The Inspector concluded that the proposed development would have failed to conserve and enhance the natural beauty of the National Park, and would have thus conflicted with its first statutory purpose. Moreover, there would have been conflict with advice contained in the Framework, the planning guidance, and it would have failed to accord with the development plan making particular reference to Core Strategy CC2 and Local Plan LU4, and would have also conflicted with the Supplementary Planning Document. The Inspector also felt that there would have been considerable harm to the setting of Minninglow SAM, and moderate harm to the setting of Tithe Farmhouse and to the living conditions of nearby residents by virtue of impacts upon outlook. Bearing in mind the purposes of the National Park, there was no doubt that the harms identified outweighed the benefits of the scheme, so the appeal was dismissed.

NP/DDD/0915/0824 3142093	Two storey side extension to detached dwelling over and to the rear of existing garage and single storey side/rear extension at Redbourne Cottage, White Lodge Lane, Baslow	Householder	Allowed	Delegated
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The Inspector felt that the changes would not have harmed the living conditions of neighbours, and that the proposal would accord with the overall amenity protection and development management aims of LH4 of the Local Plan and GSP3 of the Core Strategy. The Inspector did agree that a condition was necessary in relation to the provision of additional parking and to preserve current levels of highway safety along White Lodge Lane, and that specific design conditions in respect of use of natural gritstone, matching clay tiles and flush roof lights to the roof was necessary and reasonable in order to preserve the character and appearance of the host building and the National Park. The appeal was allowed.

NP/HPK/0315/0236 3141407	Development of low ropes/challenge course for use by residents at The Peak Centre, Edale, Hope Valley, S33 7ZA	Written Representations	Dismissed	Delegated
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The Inspector felt that the proposal would materially harm the character and appearance of the area and would be contrary to L1 of the Core Strategy and LC4 and LC5 of the Local Plan, which collectively recognise the intrinsic character and beauty of the countryside and seek to ensure that development conserves or enhances the landscape of the National Park and the character and appearance of the Edale Conservation Area. The Inspector attached substantial weight to the harm that would be caused by the proposal to the natural beauty of the National Park, so concluded that the appeal should be dismissed.

4. **RECOMMENDATION:**

That the report be received.