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Peak District National Park Authority

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



Our Ref: A.1142/1445

Date: 5 May 2016



NOTICE OF MEETING



Meeting: **Planning Committee**

Date: **Friday 13 May 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 15/04/2016 (Pages 1 - 10)**
- 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 - Re-Development of Business Park to Create Heritage Centre with Craft Shop/Cafe with Associated Retailing, Two Tied Worker Accommodation Units, Tourist Accommodation Space, Training Room/Community Facility, Cafe and Office Space at, Rockmill Business Park, The Dale, Stoney Middleton (NP/DDD/0713/0582, P.3289, 28.04.2016, 422427 375647/JRS) (Pages 11 - 54)**

Appendix 1

Appendix 2

Appendix 3

Site Plan

7. **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 55 - 64)**

Site Plan

8. **Consultation Response - Proposed Development of an Alternative Scheme of 3 Wind Turbines with Height to Blade Tip of up to 100M and Associated Substation Building, New and Upgraded Access Track from Manystones Lane and B5056, Hardstanding, Temporary Compounds and Associated Works at Griffie Grange, Manystones Lane, Brassington (14/00224/FUL, APPEAL REF: APP/P1045/W15/3130874 02/05/2016/CF) (Pages 65 - 78)**

Site Plan

9. **Full Application - Retrospective Application for Retention of Facilities Block - Losehill Hall, How Lane, Castleton (NP/HPK/0216/0102, P.6412, 15/02/2016, 415332 / 383831, MN) (Pages 79 - 86)**

Site Plan

10. **Full Application - Alterations and Extension to Rear of Pub Plus Alterations and Extension to Existing Outbuilding, The Moon Inn, Stoney Middleton (NP/DDD/0216/0109, P.7729, 423076/375401, 26/04/2016) (Pages 87 - 94)**

Site Plan

11. **Full Application - Erection of New Stock & Fodder Storage Buildings at Pictor Farm, Wardlow (NP/DDD/1215/1212, P.2286, 418271 / 374387, 26/04/2016/AB) (Pages 95 - 102)**

Site Plan

12. **Full Application - Proposed Single Storey Conservatory/Extension at the Old Bakery, The Dale, Hathersage (NP/DDD/0116/0016, P.5314, 423487 / 381747, 28/04/2016/AB) (Pages 103 - 110)**

Site Plan

13. **Listed Building Consent Application: Retrospective Consent for Unauthorised Works to Listed Building at 4 Anson Row, Winster (NP/DDD/0216/0148 P.10387 424138/360408 26/04/2016 DH/CF) (Pages 111 - 118)**

Site Plan

14. **Monitoring & Enforcement Annual Review: April 2015 - March 2016 (A.1533/AJC)**
(Pages 119 - 126)
15. **Annual Report on Planning Appeals 2015/16 (A.1536/AM/JRS/KH)** (Pages 127 - 132)
16. **Head of Law Report - Planning Appeals (A.1536/AMC)** (Pages 133 - 134)

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

Written Representations

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

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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 15 April 2016 at 10.00 am

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

Chair: Mr P Ancell

Present: Cllr P Brady, Cllr C Carr, Cllr Mrs C Howe, Ms S McGuire, Cllr J Macrae, Cllr Mrs K Potter and Cllr Mrs J A Twigg

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

Apologies for absence: Cllr D Birkinshaw, Cllr D Chapman, Cllr Mrs N Hawkins, Mr R Helliwell, Cllr H Laws, Cllr G Weatherall and Cllr A McCloy.

52/16 MINUTES OF PREVIOUS MEETING

The minutes of the last meeting of the Planning Committee held on 11 March 2016 were approved as a correct record.

In response to a member's comment, the Director of Planning and Conservation said he would make it clear in future when standing order 1.48 was being invoked.

53/16 MEMBERS DECLARATIONS OF INTEREST

Item 6

Cllr Mrs K Potter – declared a prejudicial interest as the applicant had given Rowsley Parish Council gravel for a community garden but Cllr Potter was not directly involved with the negotiations for. She stated that she would leave the room during consideration of this item.

Item 8

It was noted that some Members had received an email regarding the application.

54/16 PUBLIC PARTICIPATION

Twenty one members of the public were present to make representations to the Committee.

55/16 FULL APPLICATION - CONSTRUCTION OF TWO LOCAL NEEDS DWELLINGS, HEY FARM, WARDLOW

Cllr Mrs K Potter left the room during discussion of this item due to a prejudicial interest.

This application had been deferred by the Planning Committee in March in accordance with Standing Order 1.48 as the Committee were minded to approve the application contrary to Authority Policy and the Officer recommendation.

The following spoke under the Public Participation at Meetings Scheme:

- Mr John Millhouse, Agent.

As the committee considered that the proposal would not cause significant harm to the conservation area and that there was public benefit of in providing affordable local needs housing the motion to approve the application, subject to a Section 106 agreement and appropriate conditions was then moved, seconded, put to the vote and carried.

RESOLVED

That subject to the prior entry into the Authority's affordable housing a S106 Agreement restricting the affordability and occupancy to local qualifying needs, the application be APPROVED subject to the following conditions:

- 1. Statutory time limit for implementation.**
- 2. Development to be carried out in accordance with specified approved plans, with the option showing the development set further back on the site.**
- 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.

The meeting was adjourned from 10.45 to 10.50 following the consideration of this item.

Cllr Mrs Kath Potter returned to the meeting.

56/16 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

Members had visited the site the previous day.

In introducing the report it was confirmed that the applicant was Mr Tom Bell and not the person stated in the report.

The following spoke under the Public Participation at Meetings Scheme:

- Mr Tom Bell, Applicant
- Mrs Sarah Bell

There was a discussion on whether condition 7 was strong enough to ensure that the ancillary accommodation remained part of the main property and whether a S106 agreement was appropriate. The Officer view was that condition 7 was sufficient in this instance because of the scale of the accommodation and its relationship to the house.

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

RESOLVED:

To APPROVE the application 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.**

Cllr Mrs K Potter requested that her vote against the recommendation be noted.

The meeting was adjourned from 11.35 to 11.40 following consideration of this item.

**57/16 FULL APPLICATION - RETROSPECTIVE APPLICATION FOR RETENTION OF
TIMBER DECKING - ROBIN HOOD INN, RAINOW**

Members had visited the site on the previous day.

It was noted that a number of Members knew one of the speakers, Cllr Mrs Hilda Gaddum as a former member of the Authority.

The following spoke under the Public Participation at Meetings Scheme:

- Mrs Mary Marsh, Individual, Supporter
- Bob Langstaff, Rainow Historical Society
- Mr David Hasler, CAMRA, Supporter
- Cllr Ken Butler, Rainow Parish Council, Supporter
- Cllr Hilda Gaddum, Ward Councillor for Rainow, Supporter
- Mrs Suzanne Price, Applicant and landlady of the Robin Hood

A motion to approve the application was moved and seconded. The motion was put to the vote and carried. The Planning Officer advised that no conditions were necessary as the application is retrospective and Members were minded to approve the development as built.

RESOLVED:

The application was APPROVED unconditionally.

58/16 HOUSEHOLDER APPLICATION - ALTERATIONS, EXTENSIONS, AND NEW GARAGE WITH ACCOMMODATION ABOVE - WARREN LODGE, BAR ROAD, CURBAR

Members had visited the site on the previous day.

The following spoke under the Public Participation at Meetings scheme:

- Dr P Owens, Objector
- Mr Martin Games, Curbar Parish Council, Objector
- Mr John Lapish, Applicants father, supporter

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

RESOLVED:

To REFUSE the application for the following reasons:

The development would by virtue of its design and siting have a harmful impact on the character and appearance of Warren Lodge and the landscape of the surrounding area.

Cllr P Brady briefly left the room during consideration of this item and did not participate in discussions or voting.

Before adjourning for lunch, in accordance with the Authority's Standing Orders, the meeting voted to continue beyond three hours.

The meeting adjourned for lunch at 1.04pm and reconvened at 1.30pm

Present: Cllr P Brady, Cllr C Carr, Cllr Mrs C Howe, Ms S McGuire, Cllr J Macrae, Cllr Mrs K Potter and Cllr Mrs J A Twigg
Cllr Mrs K Potter and Cllr Mrs J A Twigg

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

59/16 FULL APPLICATION - NEW DEPENDANT RELATIVE DWELLING AT CARR BOTTOM FARM, CARR LANE, THORNHILL

The following spoke under the Public Participation at Meetings Scheme:

- Cllr Beckett, Bamford with Thornhill Parish Council, Supporter
- Mr John Bennett, Applicant

It was noted that if approved the proposal would be for a new build house in open countryside. In these circumstances, only an application on agricultural grounds could permit development.

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

RESOLVED:

To DEFER consideration of the application to allow further discussions with the applicant about whether an agricultural need for the dwelling can be demonstrated.

60/16 FULL APPLICATION - CHANGE OF USE TO FIELD NO.S 8485 AND 8877 TO A SEASONAL OVERFLOW CAMPING FIELD AT KNOTLOW FARM, FLAGG

Members had visited the site on the previous day.

The following spoke under the Public Participation at Meetings Scheme:

- Mrs Margaret Hollinrake, Applicant

Members had concerns regarding the use of the upper part of the field as it was exposed and visible from the surrounding area and the lower part of the field was liable to flooding.

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

RESOLVED:

To DEFER the application to allow further discussions with the applicant about alternative sites and to explore the business case for additional camping on site.

61/16 HOUSEHOLDER APPLICATION - ERECTION OF DOMESTIC GARAGE AND STORE AT SWALLOW COTTAGE, PILHOUGH ROAD, ROWSLEY

Members had visited the site the previous day.

The following spoke under the Public Participation in Meetings Scheme:

- Mr Ian Mortimer, Stanton Peak Parish Council, Objector
- Mr Roger Yarwood, Agent

Members felt that the current proposals did not address the concerns raised by the Inspector following the recent appeal.

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

RESOLVED:

To REFUSE the application for the following reason:

The proposed garage would be clearly visible from public vantage points and in more distant views and by virtue of its physical separation from Swallow Cottage; the garage would read as an isolated building that would look out of place in its landscape setting by virtue of its siting and design. In close proximity, the scale of the building would be apparent and even though it would be set against the background of hillside and woodland; it 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 contribute to the valued characteristics of the National Park. The proposals therefore conflict with Policies GSP1, GSP2, GSP3 and L1 of the Core Strategy and LC4 and LH4 of the Local Plan.

62/16 FULL APPLICATION - DEPOSIT OF SOIL TO IMPROVE VEHICLE TURNING AT SWALLOW COTTAGE, PILHOUGH ROAD, ROWSLEY

Members had visited the site on the previous day.

The following spoke under the Public Participation at Meetings Scheme:

- Mr Roger Yarwood, Agent

The Officer recommendation for refusal was moved, seconded, put to the vote and carried.

RESOLVED:

To REFUSE the application 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.

Cllr J Macrae left the meeting at 2.45 pm following consideration of this item.

63/16 HOUSEHOLDER APPLICATION - ERECTION OF GARAGE AT GARDENERS COTTAGE, PARWICH

The Officer recommendation to approve the application was moved and seconded, put to the vote and carried.

Officers were asked to advise the Parish Council that the application had been approved unanimously.

RESOLVED:

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

64/16 FULL APPLICATION - RETENTION OF GARDEN SHED (RETROSPECTIVE) AT ROSEDENE COTTAGE, WOODHOUSE LANE, WINSTER

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

RESOLVED:

To APPROVE the revised application 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.**

65/16 FULL APPLICATION - ERECTION OF THREE GRITSTONE GATE POSTS AND A TIMBER LOG STORE AT THE FORMER GOLDCREST ENGINEERING SITE, MAIN ROAD, STANTON IN PEAK

Members had visited the site on the previous day.

The following spoke under the Public Participation at Meetings Scheme:

- Mr Ian Mortimer, Stanton in Peak Parish Council, Objector

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

RESOLVED:

To APPROVE the application.

Cllr Mrs K Potter left the meeting at 3.05pm following consideration of this item.

66/16 FULL APPLICATION - CONVERSION OF STONE BUILT OUTBUILDING TO HOLIDAY ACCOMMODATION AT 1 THE CROSS, GREAT LONGSTONE

The following spoke under the Public Participation at Meetings Scheme:

- Mr Peter Thompson, Objector

A motion to defer consideration of the application was moved, seconded, put to the vote and carried.

RESOLVED:

To DEFER consideration of the application to the next Planning Committee pending a site visit to provide members with an understanding of the site including parking and access rights.

67/16 FULL APPLICATION - ERECTION OF NEW STOCK AND FODDER STORAGE BUILDINGS AT PICTOR FARM, WARDLOW

Members had visited the site on the previous day.

A motion to defer the application for further discussion about alternative siting/layout was moved, seconded, put to the vote and carried.

RESOLVED:

To DEFER the application to allow for further discussion about alternative siting/layout as the Committee were minded to support the officer recommendation for refusal in the current location.

68/16 MONITORING & ENFORCEMENT ANNUAL REVIEW - APRIL 2016

A motion to defer consideration of the report to the next Planning Committee was moved, seconded, put to the vote and carried. It was suggested that the report should be considered near the start of the meeting.

RESOLVED:

To DEFER to the next Planning Committee meeting.

69/16 HEAD OF LAW REPORT - PLANNING APPEALS

RESOLVED:

That the report be noted.

The meeting ended at 3.30 pm

6. FULL APPLICATION – RE-DEVELOPMENT OF BUSINESS PARK TO CREATE HERITAGE CENTRE WITH CRAFT SHOP/CAFÉ WITH ASSOCIATED RETAILING, TWO TIED WORKER ACCOMMODATION UNITS, TOURIST ACCOMMODATION SPACE, TRAINING ROOM/ COMMUNITY FACILITY, CAFÉ AND OFFICE SPACE AT, ROCKMILL BUSINESS PARK, THE DALE, STONEY MIDDLETON (NP/DDD/0713/0582, P.3289, 28.04.2016, 422427 375647/JRS)

APPLICANT: MR COLIN AND DAVID HALL

Background

This application for the construction of a heritage centre, two tied worker accommodation units and tourist accommodation (along with ancillary craft shop, café, community and office space) was considered at the Authority's Planning Committee in December 2013 (the Officer's report is attached as Appendix 1).

The minutes of the meeting (attached as Appendix 2) state that Members considered that the benefits of the development outweighed any landscape concerns arising from the proposed car parking, and that the development would enhance the dale and become a gateway to the village.

The Committee therefore resolved to approve planning permission subject to prior entry into a S.106 legal agreement regarding Rockmill and Cupola sites to be developed concurrently and retained in the same ownership; community benefits; highway works; control of occupancy of the managers' dwellings, and subject to planning conditions, with delegated authority to the Director of Planning to finalise detailed conditions following consultation with the Chair and Vice Chair of the Planning Committee.

In the time since the Committee resolved to approve planning permission Officers and the Applicants have been working together towards completing the S.106 legal agreement and finalising detailed conditions in consultation with the Chair and Vice Chair of the Planning Committee (the amended conditions are attached as Appendix 3).

However, during this process the Applicant has proposed changes to the S.106 legal agreement which fall outside of the scope of the resolution from Planning Committee. Therefore this report has been written to brief Members of the proposed changes so that a decision can be taken as to whether or not the development remains acceptable.

Proposal

The applicant proposes two changes to the S.106 legal agreement which are detailed below.

For the purposes of this report the two buildings proposed as part of this development are referred to as 'the heritage centre' and 'the accommodation centre' respectively.

Occupation of the worker accommodation

The draft legal agreement restricts the occupancy of the two worker accommodation units to 'Centre Managers' which are defined in the agreement as a full time employee or manager engaged upon the business operation carried out in the Mill Building (the accommodation centre) or in the management thereof.

The applicants propose to vary the wording of the occupancy restriction to allow the worker accommodation units to be occupied by a full time employee or manager of either the heritage centre or the accommodation centre.

The applicants have also indicated that they would be willing to further restrict the occupancy of the worker accommodation flats to be affordable housing to meet eligible local need in the eventuality that the accommodation is not required by a qualifying worker at any given time.

Retention of the development within the same ownership

The draft legal agreement requires the freehold of the whole of the land, including the Mill Building (the accommodation centre), the Cupola Building (the heritage centre) and the Managers Accommodation (the worker accommodation units) to be vested in a common owner and constitute a single planning unit for planning purposes.

The draft legal agreement also prevents the applicants from granting or assigning a lease of the Mill Building (the accommodation centre) or any part of it separately from the Managers Accommodation (the worker accommodation units), and not to grant or assign a lease of the Managers Accommodation or any part of it separately from the Mill building.

The applicants propose to delete the restriction on granting or assigning a lease of the accommodation centre separate from the worker accommodation units.

RECOMMENDATION:

That the application be APPROVED subject to prior entry into a S.106 legal agreement requiring the accommodation centre and heritage centre to be developed concurrently, provision of community space, highway works and control of occupancy of the worker accommodation units; and

Subject to the imposition of planning conditions within Appendix 3 with delegated authority to the Director of Conservation and Planning to finalise detailed conditions following consultation with the Chair and Vice Chair of the Planning Committee.

Main Policies

Relevant Core Strategy policies: GSP4, DS1, HC1 and HC2

Relevant Local Plan policies: None directly relevant to proposals.

National Planning Policy Framework

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

Paragraph 203 in the Framework says that local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition.

In regard to planning obligations, paragraph 204 says that they should only be sought where they meet all of the following tests:

- necessary to make the development acceptable in planning terms;
- directly related to the development; and
- fairly and reasonably related in scale and kind to the development.

Finally, paragraph 205 says that where obligations are being sought or revised, local planning authorities should take account of changes in market conditions over time and, wherever appropriate, be sufficiently flexible to prevent planned development being stalled.

Development Plan

GSP4 A says that to aid the achievement of its spatial outcomes, the National Park Authority will consider the benefit that a development can bring directly and/or to its setting, including, where consistent with government guidance, using planning conditions and planning obligations.

HC2 C says that new housing for key workers in agriculture, forestry or other rural enterprises will be tied to the land holding or rural enterprise for which it is declared to be needed.

Assessment

Occupation of the worker accommodation

Officers consider that the functional justification for both worker accommodation units was understood to be in relation operation of the accommodation centre rather than the heritage centre and that the Committee resolved to approve planning permission on that basis.

However, the applicants have put forward the case that the financial and functional appraisal accepted as part of the original outline planning permission approved in 2013 (the 2013 permission) referred to various situations which could arise at either the accommodation centre or the heritage centre that would require either an owner or manager to be permanently available at the site. The applicants therefore consider that in determining the application the Authority accepted that the functional need related to the development as a whole rather than just the accommodation centre.

Following the 2013 outline permission the applicants carried out development appraisals and concluded that the development was not viable which lead to the submission of the current application, which, amongst other things, relocated the heritage centre into a smaller independent building with the two worker accommodation units sited above on the first and second floor. A new financial and functional appraisal was submitted which stated that the heritage centre would not be viable without the worker accommodation units above.

The applicants consider that in approving the proposed worker accommodation units on a separate site to the accommodation centre that the Authority accepted that the functional requirement for the accommodation related to the development as a whole.

The applicants also refer to the Officer's committee report which while still making clear that Officers considered that the functional requirement for two owners or workers to be on site was not proven, and further diminished by their relocation to the heritage centre, that Officers acknowledged that the development had previously been accepted in principle by the Authority on an exceptional basis due to the public benefits that would be delivered.

The applicants therefore consider that the Authority approved planning permission on the basis that the heritage centre would not be viable without the two units of worker accommodation and that the Authority has accepted that the functional requirement for the worker accommodation relates to the whole development and not solely the accommodation centre.

It is clear that the application proposes worker accommodation and that no justification has been put forward or accepted for the market dwellings as part of the development. It is therefore considered clear that it is necessary for the occupation worker accommodation units to be restricted. However, having had regard to the case put forward by the applicant, Officers consider that in approving the worker accommodation units above the heritage centre that it is reasonable to conclude that the functional need has been accepted as for the development as a whole.

It is therefore considered that it is not necessary to restrict the occupancy of the worker accommodation units to the heritage centre only and it is recommended that the occupancy restriction within the legal agreement is varied to allow occupation by either a full time employee or manager engaged upon the business operation carried out in the accommodation centre or the heritage centre or in the management thereof.

Retention of the development within the same ownership

In resolving to approve planning permission the Committee considered it necessary to retain the two sites within the same ownership. The reason for this is principally related to the approved worker accommodation units which, as discussed above, are only considered to be acceptable based upon the Authority's decision that the application has demonstrated an essential functional need.

In these circumstances GSP4 and HC2 together say that the Committee will tie new housing for rural enterprises to the rural enterprise for which it is declared to be needed.

The draft legal agreement therefore requires the whole development to be retained within common ownership and also prevents the separate lease of the accommodation centre and the worker accommodation units.

The applicants consider that in preventing the separate lease of the worker accommodation units the draft legal agreement goes beyond what the Committee considered to be necessary to make the development acceptable in planning terms because the agreement already requires that the whole site is retained in common ownership which reflects the resolution of Planning Committee.

The applicants also consider that in resolving to approve the application with the worker accommodation units the Committee implicitly accepted the argument put forward in the application that the heritage centre would not be viable without the worker units. The applicants state that the lease restriction within the legal agreement effectively removes the workers accommodation units financially from the heritage centre in direct contradiction to the Authority's decision on the planning application.

It is considered that there is a clear policy reason why it is necessary to tie the workers accommodation units to the development. Officers do have concerns that if the accommodation centre were to be leased separately to the workers' accommodation units (which could include a long term lease) that this would be tantamount to separate sale with the key issue being that the accommodation centre would effectively lose control over the workers accommodation units and therefore that there would be no guarantee in planning terms that the accommodation would be made available.

However, Officers do accept that in resolving to approve planning permission the Committee did accept, either implicitly or explicitly, the arguments put forward with the application that the development, including that the development would only be viable if the workers' accommodation units were moved to above the heritage centre. It therefore follows that the lease restriction within the draft legal agreement would potentially jeopardise the viability of the development and the public benefits which led to the decision to approve planning permission.

Officers do remain concerned that removing the restriction from the legal agreement could jeopardise the functional link between the workers' accommodation units and the accommodation centre. However, it is accepted that the occupation of the accommodation units would remain restricted and that this would not depend upon the ownership of the units themselves.

Officers also note that the business enterprise in this case is different in nature to rural enterprises that typically come forward and justify key workers accommodation such as a farm business. In those cases the agricultural business and the location of the worker dwelling is typically dependent upon the surrounding land holding and therefore it is necessary to tie the dwelling to the holding to prevent separate sale which would undermine the agricultural business and potentially result in landscape impact due to the requirement of additional buildings. In this case neither the heritage centre or accommodation centre are reliant on surrounding land and the sale of the accommodation centre separately from the workers' accommodation units would not change the physical relationship between the workers accommodation and the business.

The applicant has acknowledged the Authority's concerns and accepts that it is appropriate to secure the occupancy of the workers' accommodation units in perpetuity. The applicants consider that the occupancy restriction would ensure this and also have made the offer that failing continuous occupation that the accommodation could be utilised to provide affordable housing to meet local need.

The internal floor space of the two workers accommodation units as measured in accordance with the Affordable Housing Supplementary Planning Document (SPD) is 116m² and 117m² respectively. This is above the maximum size guidance for affordable housing set out in the SPD and also above the maximum sizes within the emerging Development Plan Document. However, a significant proportion of this floor space is taken up by the ground floor landings and stairwells up to the flats which is not habitable accommodation. Taking this into account, along with the fact that the dwellings are flats with very limited outside amenity space, it is considered that the dwellings would be of a size and type which would provide intermediate or 'more affordable' housing if subject to an occupancy restriction. The occupation of the accommodation as affordable housing in the eventuality that the accommodation is no longer required by either the heritage or accommodation centre would be in accordance with LH3.

Taking into account the offer to restrict the accommodation to affordable housing (if a suitable worker cannot be found at any given point in time), the arguments put forward by the applicant, the reasons why the Authority considered the development to be acceptable and government policy that local planning authorities should be sufficiently flexible to prevent development being stalled it is considered that the applicant's proposal is acceptable.

It is therefore concluded that it is not necessary to prevent the accommodation centre being leased separately to the workers accommodation provided that the occupation of the workers accommodation units is restricted to meet eligible local need by cascade mechanism in the eventuality that a suitable worker cannot be found at any given point in time.

Conclusion

It is therefore concluded that it is not necessary to restrict the workers accommodation to only workers at the accommodation centre and that the workers accommodation should be restricted to occupation by a manager or worker from the development as a whole.

It is also concluded that it is not necessary to prevent the separate lease of the accommodation centre provided that additional safeguards are included to ensure that the workers accommodation is occupied as affordable housing in the eventuality that the no suitable worker can be found at any given time.

It is therefore recommended that the Committee approve the proposed amendments to the S.106 legal agreement outlined in this report and also note the revised planning conditions which have been agreed by the Director of Conservation and Planning in consultation with the Chair and Vice Chair of Planning Committee.

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

Report from Planning Committee – 13th December 2013

7. FULL APPLICATION – RE-DEVELOPMENT OF BUSINESS PARK TO CREATE HERITAGE CENTRE WITH CRAFT SHOP/CAFÉ WITH ASSOCIATED RETAILING, TWO TIED WORKER ACCOMMODATION UNITS, TOURIST ACCOMMODATION SPACE, TRAINING ROOM/ COMMUNITY FACILITY, CAFÉ AND OFFICE SPACE AT, ROCKMILL BUSINESS PARK, THE DALE, STONEY MIDDLETON (NP/DDD/0713/0582, P.3289, 16.08.2013, 422427 375647/KW)

APPLICANT: MR COLIN AND DAVID HALL

Site and Surroundings

This full application proposes the redevelopment of the Rockmill Business Park, as previously approved in outline, but with some of the previously approved facilities now situated on an adjacent separate site, which is now in applicants' ownership following its purchase earlier in 2013.

The main site is the Rockmill Business Park complex, which forms part of the small group of industrial premises along the southern side of The Dale, some 390m beyond the confines of Stoney Middleton village. It is situated immediately adjacent to the south side of the A623, the main Chesterfield/Baslow/Chapel-en-le Frith Road. The existing buildings are at the foot of the steep-sided valley, 'The Dale' which runs westwards from Stoney Middleton village with the A623 running along the valley floor.

The existing buildings at Rockmill are mainly single-storey, with a small two-storey section at the eastern end.

The buildings have been improved over the years and are in reasonable and tidy condition but are of an untraditional form, appearance and use of materials. There is an informal gravelled parking area on the rising ground to the west of the buildings. A narrow brook runs eastwards between the site and the road. This land immediately adjacent to the brook is situated within Flood Risk Zone 3. Vehicular access into the site is via a small bridge over the brook. To the south of the building complex the land rises steeply. This land has now largely re-vegetated with young trees and vegetation. Within this area of steeply sloping valley side there is a small cave entrance which is situated 51m south-west of the building complex. This cave entrance lies just outside the application site boundary. The valley side opposite the site is characterised by steep limestone rock faces that are a popular destination for rock climbing and much of that side of the valley is a designated SSSI.

The second "Cupola" site is situated 45m to the east of the main site and separated from it by an intervening lorry business, which is in separate ownership. The second site is presently occupied by a flat-roofed two-storey office buildings with its own separate narrow bridge access over the brook on to the A623. There is also a detached prefabricated garage/store building to the east of the main office building. The applicants acquired this site in 2013.

For the purposes of this report, the main building site will be described as the Rockmill site and the neighbouring site will be described as the Cupola site

Proposal

This is a full application for the redevelopment of the Rockmill site and the nearby Cupola site. The scheme proposes the provision of all the facilities which were approved under the previous outline permission, but separates them out over the two sites. The Rockmill site will provide the tourist accommodation, accommodation for training events and community facilities and the neighbouring Cupola site will accommodate a purpose-designed, stand-alone heritage centre

building (Cupola Building) with associated café and craft shop. The previously approved two tied worker units will also be provided on the first floor of the Cupola Building. Details of the proposal are as follows:

Main Rockmill Business Site:

The design concept follows the 'traditional mill-style' architecture favoured by members when considering the previous outline proposal. The building has a 39.5m x 13.4m footprint and takes the form of a three-storey mill building, with a taller, central projecting gable to the front and rear, providing a focal point to the building frontage. The building has a symmetrical, balanced frontage with its main ridge parallel with the A623. The main part of the building has a ridge/eaves height of 8.5m/13.4m, with the taller central projecting gable section having a ridge/eaves height of 9.6m/15.8m. The scheme proposes accommodation on four floors with the fourth floor accommodated within the roof space.

The proposed materials are random-coursed limestone walling throughout, built off a projecting natural gritstone plinth, with natural gritstone quoinwork to the external corners. The roof is to be clad with natural blue slate. There are a series of five large, arched window openings on the ground floor of the main front elevation, each of which are provided with segmented natural gritstone arches with quoinwork surrounds. The main window pattern comprises vertically proportioned sash openings, provided with arched coursed natural limestone lintels, and arranged in a formal rhythmic pattern. The central projecting gable has a vertical timber boarded wall section that terminates at the apex with a projecting horizontal-boarded timber overhanging pulley-block housing structure. This is designed to mimic the pulley block hoist systems employed on traditional working mill structures and serves to provide a focal point for the building and main entrance. Natural lighting to the rooms in the roofspace is to be provided by eight thin-framed fully-glazed dormers with flush-mounted solar panels fitted in between each projecting dormer. The building has an external fire escape fitted against its western gable. The eastern gable has a central timber boarded feature with a central arched ground floor opening which reflects the detailing of the projecting gable on the main frontage elevation. There is a 9.8m x 6.5m single-storey flat-roofed building attached to the eastern end of the rear elevation. This will accommodate the kitchen.

The extent of the accommodation is as follows:

Ground floor – main central reception/circulation area (122.5m²)
indoor dining space – 102 covers (116.5m²)
external dining space – 30 covers (58m²)
meeting room (85.2m²)
kitchen/serving space – (89m²)
lift/stairs/toilets (65m²)
staff/office/laundry (71m²)
bike/boot store (37m²)

First floor – 21 double-bedrooms all with en-suite bathrooms, with one bedroom catering for disabled persons.

Second floor – 12 larger units comprising: 2 x double-bed units
9 x flexible 2 x double-bed units
1 x two single-bed unit catering for disabled persons

Third floor – 16 bunk bedrooms containing two bunk beds per room.
Communal space continuing shared kitchen/dining/shower/toilet facilities (144m²)

The units of visitor accommodation on floors 1 -3 can cater for a maximum of 148 persons.

In terms of the footprint of the building, this is resited a further 3m into the site (as compared to the previously approved scheme) to improve manoeuvring of vehicles in front of the building in the vicinity of the bridge entrance access.

Car Parking: The most significant change over the previously approved outline scheme is that the application site boundary has been extended southwards into the sloping vegetated bankside to accommodate above-ground car parking. The previously approved scheme proposed underground parking for 24 vehicles in a basement beneath the building. After undertaking a detailed assessment of the costs of excavating into the ground to create the basement parking, the applicants have concluded that this method of providing the parking was not viable. The additional car parking area is located on the higher ground to the south-west of the building and significant excavation and engineering works are necessary to provide the required number of spaces.

The applicants have submitted two alternative car parking layout options. Option A involves the provision of fewer parking spaces on the Rockmill site (77 spaces) and consequently less encroachment and excavation into the steeply sloping hillside, but with more spaces (30 spaces) provided on the separate Cupola site to compensate for this. Option B involves the provision of 93 spaces on the Rockmill site, but with a reduced number of spaces on the Cupola site (19 spaces).

Both options require significant excavation into the vegetated hillside to the south-west of the building to accommodate the required level of parking.

Cupola building Site

The scheme propose the demolition of the existing two-storey, flat-roofed office building and its replacement with a two-storey heritage building designed to reflect the appearance and form of a cupola building. This industrial form and design has been chosen to complement the design approach on the main Rockmill site and also to represent the site's industrial past.

The building is to located in the south-west corner of the site in approximately the same position as the existing office building. The heritage building, however, has a larger footprint than the existing building, measuring 15.5m x 13m (max. dimensions). The eaves height of the building is 5.0m and the ridge height is 10.0m. It has a steep 45° roof pitch, which is designed to provide accommodation in the roofspace.

The building takes the form of an industrial cupola building; such buildings were used in the eighteenth century for lead smelting. The cupola furnaces required tall chimneys in order to provide sufficient draught for the fires required for the lead smelting process. The building has a central projecting gable on the main roadside frontage elevation and its main ridge is parallel to the A623. The building has a 'feature' 6.0m tall circular chimney stack projecting up from the west gable, which is designed to mimic the appearance of a traditional 18th century cupola furnace building.

Proposed materials are random-coursed limestone walling throughout, built off a projecting natural gritstone plinth, with natural gritstone quoinwork to the external corners. The roof is to be clad with natural blue slate. The main window pattern comprises vertically proportioned sash openings provided with arched coursed natural limestone lintels arranged in a formal rhythmic pattern. Natural lighting to the rooms in the roofspace is to be provided by single rows of patent glazing positioned centrally within the roof. There is a 13.7m x 2.75m two-storey flat-roofed building attached to the rear elevation. This provides kitchen and heritage centre space on the ground floor and a covered balcony area to the two managers' flats on the first floor.

The scheme proposes accommodation on three floors with the third floor accommodated within the roofspace. The cupola building accommodates a heritage centre with a craft/gift shop with associated retailing and a café on the ground floor with two units of tied worker accommodation on the first and second floors. The extent of the accommodation is as follows:

Ground floor – heritage centre (101m²)
kitchen serving heritage centre (12.5m²)
lobby/stairs to manager' flats (28.3m²)

First floor – managers' flats excluding covered balcony(139m²)

Second floor – managers' flats (104.8m²)

The proposed scheme does not now incorporate any craft workshop space within either of the Rockmill or Cupola buildings. The previously approved outline application on the Rockmill site provided space for 11 craft/workshop units

RECOMMENDATION:

That the application be REFUSED for the following reasons:

- 1. Landscape grounds: the increased above-ground car parking requirement would require significant excavation works into the revegetated bankside to the south and west of the Rockmill building site which would seriously detract from the character and setting of this part of The Dale. Consequently, this element of the scheme is open to strong landscape objections and would be contrary to the above-stated Core Strategy policies GSP1, GSP2, GSP3, L1, RT1 And Local Plan policies LC4 and LE4.**

Key Issues

- 1) Whether the principle and layout of the redevelopment of the Rockmill Business Park is acceptable and conforms with the Authority's policies.

As with the previous outline application, this full application has been advertised as a potential departure application as approval would represent a departure from adopted policies in the Authority's Development Plan. However, it is acknowledged that when the previous application was approved Members accepted that the redevelopment of the Rockmill site could be accepted as an enhancement of a prominent site at the entrance to the village and that the scheme would provide facilities for visitors.

- 2) The impact of the scale and character of the proposed development on the surrounding landscape.
- 3) Design issues.
- 4) Ecological Issues.
- 5) Highway Issues.
- 6) Contaminated land Issues.
- 7) Flood risk mitigation issues.

History

Rockmill Site

It is understood the original buildings on the site were initially used for mineral processing and then for storage and workshop purposes.

1984 – Consent granted for change of use from storage/workshop to industrial use relating to the manufacture of kitchen and bathroom furniture.

1986 – Consent refused for the extension of the use granted in 1984 to include a showroom.

1988 – Consent granted for the doubling of the width of the access bridge over the brook.

1988 – Detailed consent granted for extension and alterations to the kitchen manufacturing buildings.

1992 – Consent granted for change of use of part of the buildings to a showroom for retail sales in connection with the kitchen manufacturing business. Consent was conditional upon the retail use not exceeding 50% of the total floorspace of the buildings and the use being personal to the applicant.

1994 – Detailed consent granted for a 19m long single-storey side extension to western end of the existing building for storage and offices in connection with the existing kitchen business.

May 2013 – Outline consent granted for the redevelopment of the business park to create a heritage centre with café/community facility, craft/work units, craft shop with associated retailing, tourist accommodation with underground parking and two tied worker occupation units. The outline consent was referred to the Authority Meeting on the basis that it was a departure from planning policies. The subsequent outline approval was subject to prior entry into a S106 agreement regarding community benefits. The application was considered in 2012, but the issuing of the notice was delayed until May 2013 by the need to enter into a section 106 agreement

The S106 agreement covered the provision of community benefits, highway works and the control of the occupancy of the manager's dwellings. Key conditions attached to the consent covered the following:

- Mill style option with fourth floor in roof space and a maximum height of 15.3m.
- Maximum building footprint to be 40m x 16m.
- Café opening hours to be 8.00am to 10.00pm.
- Retail sales to be ancillary to the heritage centre and craft shop and limited to goods produced on site.
- Craft workshops to be restricted to B1 use only.
- Heritage centre and café available for D2 community use.
- 28-day occupation restriction on holiday units.
- Development in accordance with flood risk assessment and mitigation.
- Adoption of the ecological survey and mitigation measures.
- Highway conditions.
- Ground contamination recommendations.

Cupola Site

1968 – Detailed consent granted for the conversion and extension of a derelict cottage to offices.

1968 – Temporary consent granted for the erection of temporary office accommodation.

1971 – Detailed consent granted for the change of use of temporary office to garage and store.

1973 – Detailed consent granted for the installation of a private petrol tank and pump.

1973 – Detailed consent granted for extension to offices.

1976 – Renewal of consent for garage and store.

1977 – Detailed consent granted for retention of private petrol tank and pump.

1979 – Refusal of consent for change of use of ground floor of offices to retail.

1980 – Temporary consent granted for change of use of utility room to ranger briefing centre.

Consultations

Highway Authority – The submitted details suggest that the area included within the previous outline application is now to be redeveloped for accommodation purposes, with the heritage/café/shop etc. being proposed on the 'extended' cupola part of the site to the east.

In order to satisfy highway recommendations, the two areas of the site should be served via vehicular accesses meeting current layout recommendations and provided with adequate off-street parking/manoeuvring space to cater for the scale and nature of development proposed with safe pedestrian access between the two sites being secured.

The submitted details indicate that each of the vehicular accesses benefit from uninterrupted visibility in either direction, although there are no splays annotated on the drawings. Ideally splays of 2.4m x 149m should be shown as being over controlled land or existing highways for roads subject to 50mph speed limit.

Widening of the existing access to the 'Cupola' site, to enable mini buses travelling in opposite directions to pass, has been shown although there is no segregated pedestrian facility or, it would appear, safe refuge for pedestrians to use the access clear of vehicles entering/exiting the site. No works are proposed at the existing access to the Mill area of the site, although it is assumed that pedestrians will be expected to use this without any segregation from the traffic.

As there is likely to be pedestrian movement between the two areas of the site and the facilities are also being provided to attract passing hikers/cyclists etc., safe pedestrian passage needs to be given more detailed consideration.

It is appreciated that the two areas of site are separated by third party land, meaning that an off-road link is not currently possible and the applicant has indicated a willingness to provide localised widening of the footway between the two accesses. Whilst these intentions are welcomed, accommodating a reasonable widening may prove difficult due to the physical constraints i.e. due to the strategic nature of the A623, narrowing of the carriageway is unlikely to be permitted and the proximity of the stream to the rear of the verge may limit widening at the rear of the footway. A detailed investigation will be required to establish the extent of the widening that may be achieved. It is possible that, in the interests of safety, some form of barrier may be required between the footway and the stream with a commuted sum for future maintenance being payable. Ideally, creation of an off-highway link should be pursued further.

Whilst there is a continuous footway along the southern side of The Dale between Stoney Middleton, there is a Footpath on the northern side of the A623 which emerges onto the major road, a short distance to the east. It also appears that walkers have created a 'short cut' from this route, almost opposite to the application site entrance.

Given that the development is intended to provide an attractant to leisure visitors in the area, including walkers, it is probable that there will be a demand for residents and visitors at the development to access the surrounding public footpaths. In the event that pedestrian demand increases materially to the pathway on the northern side of the A623 it may prove necessary either to improve or prohibit the crossing point and path access opposite the site. It is therefore recommended that this situation be monitored for a period of 5 years post full opening of the development, and in the event that the Highway Authority identifies a problem, a sum of money be set aside to carry out improvements to the path crossing point.

The current scheme demonstrates an intention to allow 'drop-off/ pick up' by coaches for the Mill part of the site whereas previously there was to be no coach access. Whilst the advantages in this to the developer are acknowledged, there are highway concerns with the proposals as submitted. The swept path details suggest that the full width of the access will be required to accommodate use by a coach meaning that other vehicles may become stationary on the A623 whilst manoeuvring is undertaken; pedestrian safety at the access may be compromised; turning left to/from the site would involve use of the opposing traffic lane; coaches would be reversed across the frontage of the building where, presumably there is likely to be pedestrian activity; and, due to the apparent 'tight' space across the access bridge, manoeuvring is likely to be carried out at very low speeds potentially leading to disruption of safe and efficient flow of traffic on the highway.

Consequently, it is recommended that the applicants' willingness to revert to parking of coaches and access by mini bus shuttle should be accepted and such a solution be implemented. It is also suggested that for periods of high visitor demand and special events in particular, this type of transfer facility should be available from a remote overspill parking area to be secured by the applicant as on-highway space at the location currently identified (or elsewhere) cannot be guaranteed.

The Updated Transport Statement includes two off-street parking scenarios, i.e. One for a total of 107no. spaces over the two sites and another for 117no. spaces. Bearing in mind the proposal to secure funding for the introduction of Traffic Regulation Orders should these prove necessary to prevent overspill onto the highway network within a post monitoring period post development, each of these proposals would be considered acceptable, although neither appears to tally with the proposed site plan submitted separately. Notwithstanding this, the provision of 113no. parking spaces shown on the site plan would also be considered acceptable.

The Highway Authority recommends that, if the application is approved, funding should be secured for the mitigation of any issues arising from overspill parking on the A623 and/or pedestrian crossing of the same road, together with undertakings for remote coach parking/pick up by shuttle buses and inclusion of the following conditions:

- i. Before any other operations are commenced, revised detailed designs to be submitted to the Authority indicating the proposed access layouts including safe pedestrian provision together with improvements to the pedestrian link between the two areas of the site.
- ii. Space provided within the site curtilage for storage of plant and materials/site accommodation etc.
- iii. Before any other operations are commenced, existing accesses to be modified in accordance with the revised application drawings required by condition i.

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- iv. Premises not to be occupied until the parking/manoeuvring areas have been provided and then retained free from obstruction throughout the life of the development
 - v. Premises not to be occupied until the improved pedestrian link between the two separate areas of the site has been provided.
 - vi. No gates or barriers within 10m of the nearside highway boundary, any gates to open inwards only and be locked in an open position during times of operation within the site.
 - vii. The accesses to the A623 shall be no steeper than 1 in 40 for the first 10m from the nearside boundary and 1 in 20 thereafter
 - viii. Premises not to be occupied until a Travel Plan has been submitted to and approved in writing by the Authority.

District Council – No reply to date.

Parish Council – All in agreement that they wholly approve of this application and hope all members will vote in support of it. The change in position of the proposed Heritage Centre is noted and this will enhance the area. Also state that the car park is of good design, having low impact on the surroundings.

Environment Agency – Confirm that their reference to the 'outline' application is incorrect and that their comments relate to the full application.

Having considered the accompanying Flood Risk Assessment recommend that full planning permission should only be granted subject to the following conditions:

Development not to be commenced until such time as a scheme to

- 1) Ensure a flood evacuation plan has been prepared for the site in accordance with the requirements of the Emergency Planner. The plan shall incorporate the installation of a flood alarm gauge system positioned at an appropriate location and set at a threshold of 161.44 AOD. The alarm system shall be maintained by the owner..
- 2) The finished site threshold shall be no lower than 163.66m AOD.

The finished scheme shall be fully implemented and subsequently maintained, in accordance with the timing/phasing arrangements embodied within the scheme, or with any other period as may subsequently be agreed, in writing, by the Authority.

- 3) Development not to begin until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

The finished scheme shall be fully implemented and subsequently maintained, in accordance with the timing/phasing arrangements embodied within the scheme, or with any other period as may subsequently be agreed, in writing, by the Authority.

District Council Environmental Health Officer – No reply to date.

Natural England – Request further information relating to the previously undertaken great crested newt survey.

Representations

DCC Cabinet Member for Jobs, Economy & Transport – Supports the proposal. The redevelopment of the site will add to the wider tourism offer of the Peak district as well as providing for direct employment opportunities. On this basis, it is considered that the proposal will contribute to the longer term strategic objectives of the County Council.

Visit England – Whilst we do not routinely comment on individual planning applications, we are willing to offer general support for the concept of improving visitor services and providing new visitor accommodation within such areas as the Peak District. New development proposals are needed and help contribute both to the national growth target and in supporting local communities by providing visitor spend and new jobs. Derbyshire attracts around 2 million visitors per annum and expenditure is worth over £283m for the county. The majority of domestic visitor expenditure is for leisure purposes (over 70%) and for overseas visitors the ratio is even higher.

It is important that we continue to improve our tourism product and facilities to remain internationally competitive and this can only be achieved if investment in tourism infrastructure can be maintained with high quality development proposals.

One letter of individual support has been received from a DDDC Calver Ward Member – The addition of the Cupola makes this an even more viable development. Although this goes against policy it has so many benefits for the area and will benefit the area by providing local jobs, a community centre and bring forward the possibility of providing some affordable housing all of which Stoney Middleton needs badly. Rock Mill will provide affordable accommodation for rock climbers and walkers and will encourage visitors to stay overnight rather than return to the cities and spend their money there. The development will also create an attractive gateway to Stoney Middleton, thus encouraging tourists to stop rather than drive through what is a very interesting village.

Further letters of support have been received by the applicant following registration of the application. These have been forwarded to the Authority by the applicant and are as follows:

DCC Strategic Director, Culture & Community Services - Fully supports the applicants' argument that this is an area of Derbyshire with a rich and varied history, yet which is perhaps overshadowed by its more well-known neighbours. This department of the DCC has particular responsibility for conserving, interpreting and promoting the history and heritage of the county and it is considered that the proposed heritage centre will play a valuable role in collecting, conserving and interpreting the social, economic and industrial history of Stoney Middleton and the surrounding area. It will fulfil an important educational role, as well as ensuring that local people and visitors alike gain an appreciation of what makes the Stoney Middleton community unique. In providing a focus for community engagement and a resource for visitors it has the potential to make a significant contribution to the economic vitality of the village.

DDDC Head of Regeneration & Organisational Devt – Gives support to the Heritage Centre proposal and the applicants' application for Heritage Lottery fund grant. This support is given on the basis that Stoney Middleton has an important industrial past and a strong community. The village has suffered from lost employment due to the closure of local quarries, and this development and visitor/heritage centre would be a significant boost to local employment as well as giving the village a renewed sense of identity and pride of place. Other businesses within the village would benefit from the influx of visitors to the Heritage Centre, which would complement the 'Derbyshire Dales' existing heritage visitor attractions.

Mike Longden, Elected Member of DCC Corporate Resources - Lends support to this exciting proposition following the support given to the previous outline application. This latest proposal clarifies the detail that demonstrates the benefits such a provision will deliver for the village of Stoney Middleton, its visitors and the community. The addition of the Cupola is a bonus. It is also pleasing to note the positive comments of the Highway Authority. The proposal, if approved, will provide a focal point for visitors from which to enjoy the outstanding beauty of the local landscape and explore the extensive history of this former mining village.

Rt. Honourable Patrick McLoughlin MP – Gives confirmation to the application that he has contacted the Authority and has requested that they give sympathetic consideration to the application.

Main Policies

Relevant Core Strategy policies: GSP1, GSP2, GSP3, DS1, L1, L2, RT1 A, RT1 B, RT1 C, RT1 D, RT2 A, E1, E1 D, E2, E2 D, E2 E, T1, T2, T7

Relevant Local Plan policies: LC3, LC4, LC21, LC22, LC24, LS3, LE4,

National Planning Policy Framework

The National Planning Policy Framework (NPPF) was published on 27 March 2012 and replaced a significant proportion of central government planning policy with immediate effect. The Government's intention is that the document should be considered to be a material consideration and carry particular weight where a development plan is absent, silent or relevant policies are out of date. In the National Park the development plan comprises the East Midlands Regional Plan 2009, 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. This is because the NPPF continues to promote the building of a strong, competitive economy and is committed to securing economic growth. In order to achieve this objective the Paragraph 21 of the NPPF states that local authorities should support existing business sectors, taking into account whether they are expanding or contracting, and where possible, identify and plan for new or emerging sectors likely to locate in their area. Policies should be flexible enough to accommodate needs not anticipated in the plan and to allow for a rapid response to changes in economic circumstances.

Paragraph 22 states, amongst other things, that planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of the site being used for that purpose. Where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land or buildings should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities.

Paragraph 28 states that planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. Amongst other things, support should be given to sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors and which respect the character of the countryside. This should include supporting the provision and expansion of tourist and visitor facilities in appropriate locations where identified needs are not met by existing facilities in rural service centres.

Notwithstanding the support and promotion for a strong, competitive economy contained in the NPPF, the conservation and enhancement of the natural environment forms one of the 12 core planning principles within the NPPF. Paragraph 115 in the NPPF 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.

Core Strategy

Policy GSP1 states, that all policies in the Core Strategy must be read in combination and where there is an irreconcilable conflict between the statutory purposes, the Sandford principle will be applied and the conservation and enhancement of the National Park will be given priority.

Policy GSP2 states, that opportunities for enhancing the valued characteristics of the national Park will be identified and acted upon. Proposals intended to enhance the National Park will need to demonstrate that they offer significant overall benefit to the natural beauty, wildlife and cultural heritage of the area. They should not undermine the achievement of other Core Policies. When development is permitted, a design will be sought that respects the character of the area and, where appropriate landscaping and planting schemes will be sought that are consistent with local landscape characteristics and their setting, complementing the locality and helping to achieve biodiversity objectives

Policy GSP3 states, that development must respect, conserve and enhance all valued characteristics of the site and buildings that are subject to the development proposal. Particular attention will be paid to, amongst other things, impact on the character and setting of buildings; scale of development appropriate to the character and appearance of the National Park; design in accordance with the National Park Authority design guide; form and intensity of proposed use or activity; impact on living conditions of communities; impact on access and traffic levels, use of sustainable modes of transport.

Policy DS1 relates to development strategy and seeks to promote a sustainable distribution and level of growth and support the effective conservation and enhancement of the National Park. It refers to the forms of development that will be acceptable in principle in all settlements and in the countryside outside the Natural Zone. These include extensions to existing buildings; recreation and tourism; conversion or change of use for community facilities and business uses including visitor accommodation, preferably by re-use of traditional buildings. Policy DS1 also permits other development in principle and alternative uses needed to secure effective conservation and enhancement.

Additionally in named settlements, such as Stoney Middleton, there is additional scope to maintain and improve the sustainability of communities across the National Park. In or on the edge of these settlements new-build development will be acceptable for affordable housing, community facilities and small-scale retail and business premises.

Where there is pressure for development and the National Park is uncertain about the capacity for this in a named settlement, an assessment of site alternatives will be required to demonstrate the extent of development which may be permitted. This process should involve the Parish council and demonstrate that the proposed development complements:

- the settlement's overall pattern of development;
- the character and setting of nearby buildings and structures; and
- the character of the landscape in which the settlement sits.

Policy L1 states, amongst other things, that development must conserve and enhance valued landscape character, as identified in the Landscape Strategy and Action Plan, and other valued characteristics.

Policy L2 states that Development must conserve and enhance any features or species of biodiversity importance and where appropriate, their setting. Other than in exceptional circumstances development will not be permitted where it is likely to have an adverse impact on any sites, features or species of biodiversity importance or their setting that have statutory designation or are of international or national importance for their biodiversity.

Policy RT1 A states that the NPA will support facilities which enable recreation, environmental education and interpretation, which will encourage understanding and enjoyment of the National Park, and are appropriate to the National Parks's valued characteristics. Opportunities for access by sustainable means will be encouraged.

Policy RT1B states that New provision must justify its location in relation to environmental capacity, scale and intensity of use or activity, and be informed by the Landscape Strategy. Where appropriate, development should be focused in or on the edge of settlements. In the open countryside, clear demonstration of need for such a location will be necessary.

Policy RT1 C states that wherever, possible, development must re-use existing traditional buildings of historic or vernacular merit, and should enhance any appropriate existing facilities. Where this is not possible, the construction of new buildings may be acceptable.

Policy RT1 D states that development must not on its own, or cumulatively with other development and uses, prejudice or disadvantage peoples' enjoyment of other existing appropriate recreation, environmental education or interpretation activities, including the informal quiet enjoyment of the National Park.

Policy RT2 A states, amongst other things, that proposals for hotels, bed and breakfast and self-catering accommodation should be small-scale and should mainly be provided through conversions and changes of use of existing traditional buildings of historic or vernacular merit. Appropriate developments which extend or make quality improvements to existing holiday accommodation will also be permitted. Large-scale new-build holiday accommodation will not be permitted, except for a new hotel in Bakewell.

Policy E1 relates to business development in towns and villages and states, amongst other things, that new sites and buildings for business development within or on the edge of named settlements in policy DS1. Proposals must be of a scale that is consistent with the needs of the local population. Wherever possible, proposals must re-use existing traditional buildings of historic and vernacular merit or previously developed sites, and take up opportunities for enhancement. Where this is not possible, new buildings may be permitted. Appropriate improvement to make existing employment sites more attractive to businesses will be welcomed.

Policy E1 D states that The NPA will safeguard existing businesses and land or buildings, particularly those which are of a high quality and in a suitable location. Where the location, premises, activities or operations of an employment site are considered by the NPA to be no longer appropriate, opportunities for enhancement will be sought, which may include redevelopment to provide affordable housing or community uses.

Policy E2 relates to businesses in the countryside outside the Natural Zone and the named settlements. The intention of this policy is to encourage small-scale business development within any smaller settlement, on farmsteads, and in groups of buildings in sustainable locations.

This policy states, amongst other things, that businesses should be located in existing traditional buildings of historic or vernacular merit. However, where no suitable traditional building exists, the re-use of modern buildings may be acceptable provided that there is no scope for further enhancement through a more appropriate replacement building.

Business use in an isolated existing or new building in the open countryside will not be permitted.

Policy E2 D states that proposals to accommodate growth and intensification of existing businesses will be considered carefully in terms of their impact on the character and appearance of landscapes.

Policy E2 E states that ancillary retail operations must be small scale and principally offering for sale goods that are produced on the premises.

Beyond this policy and policies RT1, RT2 and RT3, there is no scope for setting up new businesses in the countryside.

Local Plan policies

Policy LC3 states that to determine whether proposed development is in or on the edge of a Local Plan Settlement, regard will be had to its relationship to nearby buildings and structures and the settlement's overall pattern of development, which should be complemented and not harmed. Development will not be permitted where it is separated from the existing development to such a degree that it no longer forms part of the whole or is likely to result in pressure to infill an intervening gap.

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

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.
- The degree to which design details, materials and finishes reflect or complement the style and traditions of local buildings.
- The use and maintenance of landscaping to enhance new development.
- The amenity, privacy and security of the development and of nearby properties.
- Any nuisance, or harm to the rural character of the area, caused by lighting schemes.

Policy LC17 states that for statutorily designated sites, features or species of international, national or regional importance development applications in the vicinity of designated sites will be carefully considered to assess the likelihood of adverse effects. Development that would detrimentally affect the value to wildlife of established patterns of wildlife stepping stones and corridors will not be permitted. Development will not be permitted unless adequate information is provided about its likely impact on the special interests of a site.

Policy LC21 states that development that presents a risk of pollution or disturbance that could adversely affect, amongst other things, the amenity, ecology or other valued characteristic of the area; water supply, groundwater resources and the water environment, will not be permitted unless adequate measures to control emissions within acceptable limits are put in place, and (when the permitted use finishes) appropriate removal of any pollutants from the site is assured.

Policy LC22 states that development will be permitted provided that adequate measures are included to deal with the run-off of surface water from the site. Such measures must not increase the risk of a local water course flooding.

Policy LC24 states that development on land believed to be contaminated will be permitted provided that an accredited assessment shows that:

- There is no risk to public health arising from any existing contamination.
- Remedial measures (in situ or by safe disposal off site) can remove any public health risk and make the site fit for its intended use without harm to the valued characteristics of the area.

Where serious contamination is known or suspected, the assessment will be required before a planning decision is made. Where there is suspicion or evidence of only slight contamination, the assessment will be required and remedial measures must be agreed before development commences.

Policy LS3 relates to retail development outside Local Plan Settlements and states, amongst other things, this will not be permitted unless it is closely associated with farm diversification, tourist or recreational development, or is part of on-site sales from an existing factory unit. Where retail development is associated with an industrial or business unit, sales will be wholly or mainly restricted to goods produced on site.

Retail development will not be permitted if it would lead to inappropriate types or volumes of traffic on country roads and lanes, or is of a scale or nature that threatens the retail viability or potential of nearby settlements.

Policy LE4 relates to industrial and business expansion. This states that within or on the edge of a Local Plan settlement this will be permitted provided that, amongst other things, it is operating in an appropriate location and the use remains of a scale and type intended to meet local need. The policy also requires that the development can be accommodated without harm to the amenity and valued characteristics of the area or to traffic safety or circulation.

Outside Local Plan settlements, expansion of existing industrial and business development, other than that linked to appropriate recreational development, will not be permitted unless;

- It is of a modest scale in relation to the existing activity and/or buildings, and does not extend beyond the limits of the established use.
- It does not harm and wherever possible secures an enhancement to the amenity and value characteristics of the area and appearance of the site.
- New or extended buildings are clearly justified and proper consideration has been given to the possibilities of using appropriate existing buildings to meet the needs of the business.

Applicant's supporting statement

As with the previous outline submission, the applicants have submitted a comprehensive supporting statement. The key driver to the proposal is still based on the applicants' previous statement that the business park is no longer fit for purpose and is becoming economically unviable. Without intervention they believe that the site would fall into decline and disrepair. The reintroduction of rates on empty units has added further to the unviability of the existing business space, and, as a result, space is now let at substantially reduced levels to avoid these charges. Additionally, the village has suffered employment losses as a result of the loss of jobs from quarries being closed down. The creation of new jobs would, therefore, be an important advantage.

This full application follows the previously approved outline application in 2012 (decision issued May 2013), but seeks to enhance it by the inclusion of a further replacement building, the 'Cupola Building', on a neighbouring site. This additional site and the other alterations to the scheme are proposed after detailed assessments by the applicants following the outline approval. These changes are required to improve the viability of the original proposal. The applicants state that this revised application provides the following further enhancements:

Improved viability

- Additional visitor accommodation due to the relocation of the tied worker accommodation.
- Car parking requirements accommodated on two sites, removing the need for underground parking and the associated costs.

Site enhancements

- Removal and replacement of additional untraditional buildings on the Cupola building site.
- Additional landscaping to accommodate the car park extension.

Improved visitor experience

- Heritage centre (day visitors) located independently from accommodation visitors, providing better tailored facilities.
- Independent coffee shop for day visitors.
- Independent café/bistro for accommodation guests.
- Secure bike store, drying room/boot store, laundry, equipment store, staffroom/office.
- Dedicated independent parking for each facility.
- All parking above ground (preferred by the public and avoids security risks).
- Larger spaces for activity/craft training.

Community improvements

- Larger and more adaptable community spaces to better accommodate a wider variety of activities.
- Additional employment opportunities (a further 7 full time equivalent positions, making 40 in total).

The applicants consider that the application is in accordance with local and national planning policies and accords with the statutory purposes of the National Park as set in the 1995 Environment Act in that it:

- Provides an enhancement to the natural beauty and cultural heritage of the park and;
- Promotes opportunities for the understanding and enjoyment of the special qualities of the park by the public.

The applicants state that the proposal accords with the Authority's Core Strategy and refer to explanatory paragraphs 4.7, 4.8, and 4.10. These paragraphs refer to the challenge to progressively reduce the negative impact of quarries on the surrounding landscape, surrounding communities, and visitors' enjoyment and to support and enable the sustainable growth of tourism businesses. The applicants consider that the proposed scheme fulfils these objectives as it removes the legacy of quarrying, achieves significant enhancement of this area and provides sustainable growth of tourism businesses without any detrimental or negative impact to the National Park.

Additionally, they consider that the proposed scheme meets the terms of paragraph 6.2 of the explanatory text to the Core Strategy, which acknowledges the need to facilitate and promote sustainable development, and to contribute to reducing greenhouse gas emissions in order to stabilize climate change. This is because the proposed development will replace old inefficient buildings with new efficient ones, taking advantage of its fortunate location to provide a number of significant green energy productions.

The applicants also consider that the proposed scheme also accords with Core Strategy policies GSP1, L3 and RT1 as it will provide many economic benefits to the village, local and wider economies; facilities for recreational activities; a sustainable location for tourism and holiday accommodation and facilities designed to encourage and promote increased understanding of the National Park for both its residents and the surrounding urban communities.

In support of their proposal, the applicants refer to 'The English National Parks and Broads UK Government Vision and Circular 2010' which states that two Priority Outcomes for 2010 – 2015 are an enhanced cultural heritage and the fostering and maintenance of a vibrant, healthy and productive living and working communities.

They also refer to a recently published report 'Valuing England's National Parks' (May 2013) published by National Parks England. In this report Environment Minister Richard Benyon MP states "*Our National Parks are the most treasured places in the country. More than 90 million people visit them each year, helping boost economic growth in rural area. This report highlights the value of these areas in promoting tourism and contributing to the UK economy*".

The report highlights that National Parks and their economies face a range of challenges and opportunities which include the potential to grow visitor numbers and visitor expenditure. It highlights the following key opportunities for NPA's and their partners to address the challenges and realize the opportunities facing National Parks:

- Promoting sustainable tourism;
- Working more closely with businesses;
- Further developing positive development management and community led planning approaches.

Paragraph 9.3 of the report states that there is potential to grow visitor numbers by encouraging more staying and out of season visitors and capitalising on growth areas, such as outdoor pursuits and adventure activities. Many of these opportunities involve further strengthening of the relationship between tourism, land management, local produce and the built environment, and the role of NPAs is often to work at the interface of these different interests. Para 9.5 states that NPAs have an important role in promoting sustainable development that respects and conserves the quality of the natural and built environment. Paragraph 10 states that NPAs are uniquely placed to continue supporting sustainable economic growth in National Parks. That is, to maintain thriving living landscapes, where natural assets are conserved and enhanced and where people, businesses and communities can prosper, now and in the future.

The applicants' supporting Planning Statement concludes by emphasising that the application seeks only minor changes; the changes sought provide significant enhancements to the previous application with no detrimental compromises. The proposals have also have financial backing agreed by a reputable commercial bank.

Finally, the Planning Statement refers to the many different and conflicting interests within the National Park, which have to be managed, such as protection of the landscape versus economic factors, viable local communities versus tourism. Notwithstanding these challenges, the applicants consider that this application offers all the advantages sought without any of the usual conflicts or compromises. It emphasises the need to acknowledge that the National Park is a living, man-made cultural landscape that has evolved over time and needs to continue evolving to sustain its future.

Issue 1 - Whether the principle and layout of the redevelopment of the Rockmill Business Park is acceptable and conforms with the Authority's policies.

Assessment

Issue 1 - Whether the principle and layout of the redevelopment of the Rockmill Business Park is acceptable and conforms with the Authority's policies.

The scheme proposes the provision of all the facilities approved under the previous outline permission (with the exception of the craft workshops) but separates them over two sites. The Rockmill site will provide the tourist accommodation, accommodation for training events and community facilities, whilst the neighbouring Cupola site will accommodate a purpose-designed, stand-alone heritage centre building (Cupola Building) with associated café and craft shop. The previously approved two tied worker units will also be relocated from the Rockmill building on to the first floor of the Cupola Building.

The relevant policies that should be applied to this proposal are those relating to development which is permissible in the open countryside, beyond the confines, or on the edge of villages. Any references in the following section need to take account of the conclusion previously reached by Members that the site is within the settlement of Stoney Middleton. The key policies concern the Authority's Core Strategy policies relating to residential, recreational, retail and business uses. In respect of the provision of occupational dwellings, these must be justified by a functional and financial test and tied to the rural enterprise for which it is declared to be needed (Core Strategy policy HC2). In respect of recreational development, the policies generally permit such facilities which enable recreation, environmental education and interpretation and which will encourage understanding and enjoyment of the National Park, and are appropriate to the National Parks's valued characteristics.

More specifically, in relation to the provision of holiday residential overnight stay accommodation, policy RT2 A states, amongst other things, that proposals for hotels, bed and breakfast and self-catering accommodation should be small-scale and should mainly be provided through conversions and changes of use of existing traditional buildings of historic or vernacular merit. It states further those appropriate developments which extend or make quality improvements to existing holiday accommodation will also be permitted, but separately states clearly in RT2C that "New build holiday accommodation will not be permitted except for a new hotel in Bakewell."

Policy E2 relates to business development in the open countryside, outside the Natural Zone and the named settlements. The intention of this policy is to encourage small-scale business development within any smaller settlement, on farmsteads, and in groups of buildings in sustainable locations. This policy states, amongst other things, that businesses should be located in existing traditional buildings of historic or vernacular merit. However, where no suitable traditional building exists, the re-use of modern buildings may be acceptable provided

that there is no scope for further enhancement through a more appropriate replacement building. Business use in an isolated existing or new building in the open countryside will not be permitted.

Policy E2 E states that ancillary retail operations must be small scale and principally offering for sale goods that are produced on the premises.

The relevant local plan policy LE4 states that outside Local Plan settlements, expansion of existing industrial and business development, other than that linked to appropriate recreational development, will not be permitted unless it is of a modest scale in relation to the existing activity and/or buildings, and does not extend beyond the limits of the established use.

Policy LS3 relates to retail development outside Local Plan Settlements and states, amongst other things, this will not be permitted unless it is closely associated with farm diversification, tourist or recreational development, or is part of on-site sales from an existing factory unit. Where retail development is associated with an industrial or business unit, sales will be wholly or mainly restricted to goods produced on site. Retail development will not be permitted if it would lead to inappropriate types or volumes of traffic on country roads and lanes, or is of a scale or nature that threatens the retail viability or potential of nearby settlements.

The thrust of these policies is that business or recreational development proposals involving overnight stay accommodation, which are situated outside Local Plan settlements, should be small-scale and should generally be provided through the appropriate re-use of existing traditional buildings. In respect of the present proposal, this involves the replacement of the existing buildings on the Rockmill site which have a total internal floor area of around 517m² with a new building on a larger footprint which has accommodation on four floors, the internal floorspace being created above ground level being around 2,006m². The applicant states that this scale of holiday accommodation and uses is required to justify the build cost and ensure the viability of the project. This would not represent a small-scale expansion of the existing use of the site. Furthermore a large part of the development, i.e. the upper three floors, would involve the provision of new-build holiday residential accommodation, which is not permitted by the Authority's recreational policies.

Previous Outline Approval

At the time of the previous outline application, the Planning Committee and the Authority meeting did not accept the officers' view that the site was situated outside the village, their assessment being based on the evidence that there is other built development within the proximity of the site which is a part of the established built form of the village, consisting of ribbon development stretching along the A623. Members also considered that any landscape harm effectively mitigated, particularly as the site is not prominent in the landscape due to its position on the steep valley floor.

It was the officer view that there were other policy objections in terms of Core Strategy policies RT2 which does not allow large scale new build holiday accommodation and HC2 which requires a demonstration of a functional need for the occupational dwellings. Members considered that in view of the merits of the scheme, the proposal should be approved as an exception to policy.

Furthermore, Members did not accept the officers' concerns regarding the scale of the proposal being incongruous with the traditional vernacular style in the park. Members were concerned to ensure that, of the two design options presented, it was necessary to require by condition that the building should be the mill style option with fourth floor in the roof space with a maximum height of 15.3m. This is the lower height option.

Following referral the Authority meeting, the proposed outline scheme was recommended for approval. It was acknowledged that there were clear main policy contraventions relating to Core

strategy policies RT2C which does not allow new build holiday accommodation and HC2 which only allows occupational dwellings only in cases when a functional need has been explicitly proven.

It was concluded, however, that due to the benefits in terms of provision of jobs, community facilities and tourist accommodation, this development should be granted as an exception to policy. Furthermore, it was concluded that whilst the proposal was contrary to these policies it did not conflict with national park purposes as there was no overriding landscape harm and, therefore, as an overview it was acceptable as an exception to policies.

The current scheme

The current scheme has been formulated by the applicants following a thorough reappraisal of the functional and financial viability of the approved outline scheme, which was undertaken by three RICS industry professional surveyors. These further viability assessments concluded that the provision of individual letting bedrooms was entirely appropriate as the site is well positioned on a busy road with considerable amounts of passing traffic and good access and egress.

However, these appraisals also identified several shortfalls in the business model, which would need addressing for the development to achieve a sufficient level of viability. These involved the following matters:

- Maximisation of the accommodation space by omitting the tied worker units on the third floor.
- Ground floor redesigned so that the majority of the space is devoted to a larger catering facility solely for staying guests, larger activity training/community room as well as facilities for drying and storing equipment, including bicycles.
- Omission of the heritage centre from the ground floor, although it was acknowledged that this could not be lost completely from the scheme, but would need to be relocated.
- Omission of the proposed underground parking on technical and cost grounds, and further problems in its desirability. It was considered that there was a reluctance to use these types of parking facility, especially amongst more vulnerable groups such as the elderly and lone females.

In order to resolve these shortfalls and in recognition that the size of the building could not be increased, the preferred solutions involved the acquisition of the two adjacent sites to the east of the Rockmill site, namely the neighbouring haulage yard and the office site (Hargreaves offices).

Expansion into these sites would enable the heritage building facility to be separated from the main Rockmill building. This element would not provide a viable business plan on its own, however, with the inclusion of the tied worker units on the upper floors this would ensure viability. Expansion into the two adjacent sites would also provide the level of car parking required to service the Rockmill accommodation block and the heritage centre and the other proposed uses.

Following discussions with the owners of the two adjacent sites, the applicants were unable to acquire the neighbouring haulage yard site, but they have now acquired the Hargreaves office site. The financial viability appraisal acknowledges that the inability to acquire the immediately adjacent haulage site is unfortunate. However, it is still considered that an alternative interim plan is possible.

This interim plan proposes that the increased parking requirement generated by the increase in the number of accommodation units, the loss of the underground car parking and the separation of heritage building and associated café uses should be shared between the two sites. Another consequence of this increased parking requirement is that in order to provide the necessary level of parking, the revegetated bankside to the south west of the Rockmill building has to be

significantly redeveloped and re-contoured in order to provide the appropriate vehicle parking spaces.

Functional and Financial appraisal – Key Worker accommodation

In respect of the proposed two tied worker units, a Functional and Financial appraisal has been submitted. In respect of the functional appraisal, this states that the proposed development will be visited by the general public in significant numbers. These visitors will include all age groups including young and disabled people who will require special consideration. The facility will include accommodation for staying visitors who will be unfamiliar with the building and will have little or no knowledge of emergency procedures. The management of the facility will have a duty of care to these visitors.

Consequently, it will be a requirement that suitable competent persons are available on site day and night 24 hours a day, 7 days a week. The appraisal considers that this can only practically be provided by the inclusion of two accommodation units, allowing the owners or managers to reside on site. It states that alternative housing in nearby buildings would be unsuitable as it would be remote from the building. It is envisaged that this would create a number of problems, including uncertainty in awareness of an incident or alarm activation, as well as a delay in response time.

In respect of the financial appraisal, this states that the application has been thoroughly appraised. It acknowledges that in circumstances such as this where the development is not already operating, the provision of temporary accommodation (caravan or wooden structure) could be recommended. It states, however, that in this case, such provision would be impractical as the accommodation units are to be located within the Cupola building and it is hard to see how these could be made temporary.

Furthermore, the appraisal states that the applicant has provided substantial amounts of information informing the Authority of the detailed nature of the application. It considers that viability is principally supported by the provision and extent of the accommodation and activities generated on the two sites.

Your officers still consider that the functional requirement for two workers to be on site is still not proven and the functional case advanced is further diminished in this scheme as the key worker accommodation is relocated on to the Cupola site. Notwithstanding these concerns, it is acknowledged that the principle for two key worker units was established at the outline application stage.

Officers' assessment of the principle of the current scheme

This full application increases the site footprint of the previously approved outline scheme through the inclusion of the Cupola site and the expansion of the car parking on to the upper slopes of the revegetated bankside to the south west of the Rockmill building site. The Rockmill building footprint has also been repositioned a further 3m into the steeply sloping bankside. The proposed uses are largely the same as those previously approved, with the exception of the omission of the eleven craft workshop units. Whilst the number of visitor accommodation units has increased, the size, height and form of the proposed Rockmill building remains within the parameters of the outline approval, with the exception of the ridge height of the central projecting gable section, which measures 0.5m higher than the 15.3m dimension specified in the outline conditions. This increase is, however, considered to be relatively minor and acceptable, given the size of the building and its context.

The present office building on the Cupola site has an untraditional two-storey, flat-roofed form and its replacement with the Cupola building is considered to be a significant enhancement. The Authority's Core Strategy policy E1 D seeks to safeguard existing businesses and land or buildings, particularly those which are of a high quality and in a suitable locations, such as this building which is situated next to a major road. The policy does, however, permit alternative uses where the location, premises, activities or operations of an employment site are considered by the Authority to be no longer appropriate. In such cases, opportunities for enhancement will be sought, which may include redevelopment to provide affordable housing or community use

In this case, given that the redevelopment of the office building site will provide significant enhancement and, as the site is closer to the village and will provide a heritage centre use that has been supported by the village residents, this is considered to be acceptable in principle and outweighs the loss of the existing office use.

Whilst your officers are still have some concerns that the scale of the proposed development and its impact, together with the provision of two tied worker units, does not meet the Authority's policies, it is acknowledged that the proposed development has previously been accepted in principle on an exceptional basis because of the benefits in terms of provision of jobs, community facilities and tourist accommodation and the enhancement of the site.

Given that this latest scheme proposes the same type of uses (except for designated the craft workshop space) and the principle has already been accepted on an exceptional basis in outline, it is considered that this scheme is also acceptable in principle.

It is considered essential, however, that in order to ensure that the development provides the benefits to the community and the scale of tourist accommodation and employment opportunities, together with the heritage centre facility, both sites need to be developed concurrently. This could be ensured by the attaching of an appropriate condition requiring the two sites to be developed at the same time.

The main issues therefore concern the physical changes to the scheme and the impact of the expansion of the proposed development upon the established landscape character of the locality. This is assessed in the following Issue 2.

Issue 2 - The impact of the scale and character of the proposed development on the surrounding landscape.

The need for new development to be sympathetic to and enhance the special landscape character of the National Park is enshrined within all the Core Strategy and Local Plan policies relevant to this proposal. Core Strategy Policy GSP2 states that proposals intended to enhance the national park will need to demonstrate that they offer significant overall benefit to the natural beauty, wildlife and cultural heritage of the area. It further states that they should not undermine the achievement of other Core Policies.

Core strategy Policy GSP3 states that proposals must respect, conserve and enhance all valued characteristics of the site and buildings that are subject to the development proposal. Particular attention will be paid to, amongst other things, impact on the character and setting of buildings; scale of development appropriate to the character and appearance of the National Park.

Core Strategy policy DS1 C refers to other development and alternative uses needed to secure effective conservation and enhancement.

Core Strategy policy L1 states, amongst other things, that development must conserve and enhance valued landscape character, as identified in the Landscape Strategy and Action Plan, and other valued characteristics.

Core strategy policy RT1 supports recreational developments that are appropriate to the National Park's valued characteristics.

Local plan policies LC4 and LE4 reflect the objectives of the Core Strategy policies by requiring that new developments outside Local Plan settlements should not harm and where possible secure an enhancement to the amenity and valued characteristics of the area and the appearance of the site.

It is acknowledged that the existing buildings at the Rockmill Business Park and the office buildings on the Cupola site are of no architectural merit. They are adjacent to the A623 and are readily visible from the adjacent road and public footpath. The existing buildings therefore have a simple functional character and appearance related to their workshop and office uses which, together with the external yard and parking areas are, therefore, not particularly attractive in landscape terms. The existing range of buildings are, however, relatively low-key and do not impose upon the wider landscape of Stoney Middleton Dale, which due to the steep-sided wooded slopes and cliffs, dominates The Dale.

Given that the outline approval permitted a building of the substantial scale and form that is currently being proposed, it is accepted that whilst this would impact upon the established landscape character and setting of this part of Stoney Middleton Dale, the extent of its impact is the same as that envisaged when outline approval was granted. Additionally, the replacement of the office building with the Cupola building, which is a larger, more imposing building with a footprint double that of the present office building, is still considered to be of an appropriate scale and form and design that would enhance the established landscape character of the site and its setting.

However, whilst the proposed buildings are considered to be acceptable in landscape setting terms, your officers are particularly concerned about the impact of the increased parking provision on the landscape character and valued characteristics of this part of The Dale.

The previous outline approval confined the required vehicle parking areas to the mainly established parking areas to the west of the building complex. Whilst officers raised concerns about the impact of this parking area, it was acknowledged that the scheme was mainly confined to the already developed 'brownfield' site that was situated on the lower slopes adjacent to the road. The scale of the previously approved scheme required around 73 car parking spaces, 27 of which were to be located in a basement car park, leaving an above-ground requirement for 46 spaces.

The current scheme, due to its increased scale, now requires a minimum of 107 spaces, all above ground as the underground parking option previously envisaged in the outline scheme has now been ruled out on cost and technical grounds. The applicants originally submitted two parking layout options designed to achieve the Highway Authority's minimum requirements. Option A proposes 100 spaces on the Rockmill site and option B proposes 77 spaces. Both require significant excavation and re-contouring of the steeply sloping valley side in order to create suitable gradients to access and provide the parking areas. In response to officers' concerns about the impact of the car parking on the Rockmill site, the applicants have submitted a third option for a more concentrated parking area which would not stretch as far up the valley slopes as the previously submitted car parking options. This third option (Option C) would relocate the car parking further way from a cave entrance, which is used by bats and has raised ecological concerns (see Issue 4). However, it would require significant excavation works.

The Authority's Landscape Architect has assessed the three options and has concluded that they all have a landscape impact of varying degrees. All of the schemes extend the parking up onto higher levels, increasing the visual impact of parking on the wider landscape. Option B would

have the worst impact, whilst Option A has the benefit of appearing to follow the levels of the existing land form and retain some of the existing landscape features in the central area; however, it is still visually intrusive and extends the car parking further up the hillside. The recently submitted Option C would be very formal and would require extensive excavation and construction of a large new retaining wall and possible importation of fill material.

The Authority's Landscape Architect is also concerned about the stability of the car parking works, as this is an old quarry area with a mixture of existing faces and tipped material. It was not designed for extensive regrading or the regular use as a car park. It is suggested that an engineer looks at these proposed works and stability issues. It would also be necessary in places to have a barrier around the edges of the car park to prevent cars or people falling down the steep slopes. This should take the form of drystone wall or large boulders placed at the edge. The latter would be reminiscent of edge treatment that takes place in quarries to prevent people and vehicles falling over edges.

Amongst other concerns, the Authority's Landscape Architect states that the car park will need to be lit for safety reasons. Consequently, a comprehensive outdoor lighting scheme for the whole site needs to be provided to reduce the potential light pollution and minimise the impact of the development on The Dale when it is dark.

It is not anticipated that any of the trees in the central section of the proposed car park would be retained due to the nature and extent of the excavation and re-contouring works. Consequently, a comprehensive landscaping scheme would be required to take into account the impact Ash die-back will have in the area. Any such scheme would therefore need to incorporate replacement planting for retained trees as well as new planting. The Authority's Landscape Architect advises that whilst Option A is the least intrusive, it still has many issues that need to be resolved.

As stated above, the existing steeply sloping bank side to the south west of the proposed Rockmill building formed part of the previous quarry use, but this has now largely revegetated with young trees (mainly Ash) and now forms a pleasant green backdrop to the Rockmill site and contributes to the landscape character of this part of The Dale. Whilst the redevelopment of the Rockmill site was considered to be acceptable at the outline stage, this scheme was largely confined to the existing disturbed areas of the site. The scheme as now proposed requires significant excavation and expansion into the revegetated slopes of the steep bankside, fundamentally changing its character. Whilst the proposed car parking schemes propose landscaping and low level lighting schemes to minimise this impact, your officers consider that this would be insufficient. The associated hardstanding areas and car parking prominently located on the steeply rising slopes would seriously detract from the valued characteristics of The Dale in a manner which was not envisaged when the previous outline application was considered.

It is considered, therefore, that whilst the redevelopment scheme still achieves significant benefits in respect of tourism, employment and community facilities, these benefits are outweighed by the Authority's wider purposes to protect and enhance the National Park landscape. It is, therefore, considered that the increased above-ground car parking requirement is open to strong landscape objections and would be contrary to the above-stated Core Strategy policies GSP1, GSP2, GSP3, L1, RT1 And Local Plan policies LC4 and LE4.

Issue 3 – Design issues

Rockmill building site

The overall size and form of the Rockmill building largely meets what was envisaged in the outline application and its 'traditional mill style' form and appearance reflects the preferences of

the committee when they considered the outline application. A detailed specification for the building can be found in the Proposal section of this report. Generally, your officers consider that the proposed design, form and materials are acceptable, but there are two design issues that need to be given further consideration.

Firstly, the scheme proposes a series of eight thin-framed fully-glazed dormers on each roof slope, with flush-mounted solar panels fitted in between each projecting dormer. Whilst the insertion of patent-flush-mounted glazing within the roof slope of the building interspersed with solar panels would be appropriate to the mill style concept of the scheme, the introduction of domestic scale projecting dormers would not. It is therefore considered that these dormers should be omitted and replaced with flush-mounted glazing. It is considered that this design change could be achieved through an appropriately worded condition.

Secondly, the scheme proposes dummy sash window frames to the window openings, which would be top-hung. UPVC is proposed in order to achieve a high level of insulation. Your officers are concerned that top-hung opening windows would detract from the traditional mill style concept of the scheme, when the windows are in the open position. It is considered, therefore, that the all the window frames should be vertically sliding sash frame. Whilst timber would be preferable, it is considered that uPVC would be acceptable, provided that a high quality uPVC vertical sliding sash window frame was sourced. Your officers are aware of such window frames that have the appearance of a vertical sliding sash that are constructed of uPVC and have slender glazing bars that would reflect the appearance of a traditional sash that are considered to be appropriate for a new development such as this, subject to submission of details and a sample.

Cupola building site

Given the design concept for the Rockmill building site, the proposed Cupola building design for the proposed heritage building is also considered to be acceptable. Whilst the two sites are presently separated by the intervening haulage business site, officers consider that it is appropriate to reinforce the relationship between the two sites by adopting a similar traditional industrial style building approach to the Cupola site. A detailed specification for the building can be found in the Proposal section of this report. Generally, your officers consider that the proposed design, form and materials are acceptable, but there are two design issues that need to be given further consideration.

Firstly, as on the Mill development, the scheme proposes a series of six thin-framed fully-glazed dormers on each roof slope with flush-mounted glazing fitted in between each projecting dormer. Whilst the insertion of patent-flush-mounted glazing within the roof slope of the building would be appropriate to the mill style concept of the scheme, the introduction of domestic scale projecting dormers would not. It is therefore considered that these dormers should be omitted and replaced with flush-mounted glazing. It is considered that this design change could be achieved through an appropriately worded condition.

Secondly, again as on the Mill development, the scheme proposes dummy sash softwood window frames to the window openings, which would be top-hung. Your officers are concerned that top-hung opening windows would detract from the traditional Cupola building concept of the scheme, when the windows are in the open position. It is considered, therefore, that the all the window frames should be timber, vertically sliding sash frames.

Issue 4 – Ecological Issues

The accompanying Ecological report concluded that no regionally or nationally important habitats were recorded within the site boundary. Nearby SSSIs of Combs Dale and Stoney Middleton Dale would not be affected by the proposals for residential accommodation at the site. The

report, however, noted that the habitats on the site have the potential to support great crested newts, bats and breeding birds. A full inspection of the building for the potential to support roosting bats was also recommended.

The ecological reports have been updated to include the expanded Rockmill site and the additional Cupola site.

Rockmill site

As with the previous outline scheme, the submitted ecological report concluded that the existing buildings on both sites had low bat roosting potential and could be demolished with no predicted impacts on bats or their roosts.

The proposed site area has expanded, however, to incorporate the additional car parking areas and the boundary of which comes within close proximity to a cave entrance to a former mine adit. A Daubenton's bat roost has been confirmed within this former mine adit. The evidence to date indicates only a small number of bats (less than 5) are likely to be using the mine and site conditions are such that roosting bats are likely to be present all year. The site conditions mean it is unlikely to support a breeding (maternity) roost but it is considered that it could be used by males and non-breeding females as a day time roost.

The ecological report states that there are no direct impacts identified for the roost, as the mine adit will remain in situ under the proposed scheme. It acknowledges, however, that the car parking proposals are likely to confer some indirect impacts through:

- Disturbance during construction.
- Increased post-development disturbance from increased risk of casual public access to the former mine adit. This may also confer a health and safety risk to members of the public.
- Post-development interference of the roost from any outside lighting scheme.

In order to mitigate the ecological concerns in relation to bats, the report states that a specially designed bat grille and gate is installed at the mine entrance. To further minimise disturbance to bats, it also recommends that an undisturbed protection zone is created around the mine entrance so that passing vehicles are 4m away from the mine entrance. The existing habitat should also remain unaltered within this protection zone. This protection zone should apply for both construction and operational vehicle use and should be incorporated into the final parking layout. Additionally, any outside lighting proposed in vicinity of the mine entrance should be sensitively designed so as not to deter bats from continuing to use the mine for roosting.

A Natural England European Protected Species (EPS) licence in respect of bats and development is required for the proposed development as the proposed installation of the bat gate will impact upon the entrance to the roost and the proposed car park creation/use could result in disturbance to bats using the mine adit. The detailed gate design and timing of installation would need to be presented in the licence application, as would the lighting scheme and protection zone.

In respect of breeding birds, the removal of the vegetation could affect their habitats and it is therefore recommended that these are removed outside the main bird breeding season, which runs from March to September (inclusive). If this is not possible, a suitably experienced ecologist must be commissioned to check the vegetation no more than 48 hours prior to removal to ensure no active nests are present. If nesting birds are confirmed to be present then works would need to be postponed until the young have fledged and/or nesting has been completed. This approach is necessary to minimise the risk of destroying active nests and avoid any infringement of the wildlife legislation.

The submitted ecological report states that potential for great crested newts has been previously assessed in detail. It concludes that it is unlikely that this species would use the site, given the distance and intervening habitat between the known breeding ponds south of the site. As per previous recommendations, however, the report states that an ecologist, working to a prepared method statement should be present during the early stages of site clearance to check any areas presenting suitable refuge for amphibians, and if discovered, appropriate action taken. The proposed approach should form a Reasonable Avoidance Measures (RAM) Statement prepared by an appropriately qualified and experienced ecologist.

Following consultation, Natural England require further information to be submitted in respect of the previous assessment of the potential for great crested newts. This information was submitted to Natural England at the time of the previous application and satisfied their concerns in this respect at that time.

The Authority's Ecologist is concerned, however, about the impact and proximity of the proposed car parking to the mine entrance and the resultant disturbance, both during construction and when the car park becomes operational. These concerns relate to both the proximity and noise disturbance from car and people and also the requirement for external lighting to the car park. Whilst a 4m exclusion zone is recommended in the accompanying ecological report, this buffer zone is considered to be insufficient. It is considered that it may be possible to revise the preferred car parking layout (Option A) by relocating more of the car parking spaces to the Cupola site and repositioning the access steps, thus achieving a more extensive buffer zone and minimising the amount of external lighting in the vicinity of the mine entrance.

It is considered, therefore, that subject to any further comments from Natural England, that ecological issues and requirements can be accommodated by amending the car parking layout and through the attaching of appropriate ecological survey/mitigation conditions.

Issue 5 - Highway Issues.

An updated Transport Statement accompanies the application. Given that the principle of a development of this scale has already been accepted through the previous outline approval, the main consideration is the whether the physical access and parking arrangements are acceptable or can be modified to meet the Highway Authority's requirements.

In respect of site access the development proposals for the Rockmill site do not result in any changes to either vehicular or pedestrian access. Access to the Cupola site will require widening to the bridge, which is currently too narrow and will not permit two-way working. These widening works would require the submission of further plans and a planning condition would need to be attached to require the submission to the Authority of an appropriate widening scheme.

In respect of car parking, the report states that 108 parking spaces are required between the two sites to cater for the proposed uses and activities and that both parking layout options will provide sufficient parking.

Cycle storage will also be provided at the development in line with DCC standards. Secure storage for residents and staff as well as short stay 'Sheffield' stands will be provided in prominent locations to the front of both developments for visitors.

In respect of coach access, the previously proposed solution was to prohibit coach parking at or nearby the site (particularly along the A623). However, a revised solution has now been prepared. The scheme now proposes that coaches will be permitted to access the Rockmill site for drop-off and pick-up. It is still intended that coach parking will not be permitted on site, and that any coaches will continue to lay-over by prior arrangement by using the bus lay-by facilities in Calver, along the A623.

The Transport Statement states that this arrangement will prevent the need for coaches to park on site and ensure that coaches are not stopping in Stoney Middleton, where there are no currently no appropriate facilities and as such parking would impede the free-flow of traffic along the A623.

As with the previously approved application, the applicants are still willing to provide a commuted sum to the DCC (via the section 106 agreement) to implement a 'clearway' along the A623 in the vicinity of the scheme to ensure that no parking can occur along this section of the highway. The Transport Statement states that the repositioning of the Rockmill building a further 2-3m back from the road frontage allows sufficient room in front of the building for coaches to use this space as a drop-off and pick-up point.

The Transport Statement concludes, however, by stating that should the revised coach access arrangements be unacceptable to the Highway Authority, the applicants are willing to revert to the previously proposed solution where coaches use the Calver Sough lay-by for coach parking and access to the site can be obtained from this location via minibus.

The Highway Authority are satisfied with the access improvements and the car parking provision and layouts as proposed. However, they still remain concerned that even with the repositioning of the Rockmill building a further 3m back into the site, the access would still be inadequate for use by coaches and could impede the free-flow of traffic along the A623.

Your officers concur with this view and it is therefore considered that the coach parking arrangements and the other highway works secured previously through the S.106 agreement attached to the outline approval should be retained.

The Highway Authority also wish to see localised widening of the roadside public footpath between the two sites. This section of footway is relatively narrow and the Highway Authority wish to see this widened to provide a safer passage by pedestrians between the two sites, given the large numbers and type of traffic that uses the A623. This widening would only be possible by encroaching into the verge area between the footpath and the adjacent brook. As a consequence, some form of barrier would need to be erected alongside the brook for safety reasons. The applicants have submitted preliminary plans demonstrating how this could be achieved. These show a simple metal railing which is considered to be acceptable in visual design terms. The Highway Authority would require a sum of money for future maintenance of the barrier and it is considered that this requirement should be incorporated into the section 106 agreement.

Subject to the highway requirements contained in the previous S.106 and the attaching of other appropriate highway conditions (see consultation section above), the proposed scheme is considered to be acceptable in highway terms.

Issue 6 - Contaminated land Issues.

Policy LC21 of the Local Plan relates to pollution and disturbance and states that development that presents a risk of pollution or disturbance that could affect, amongst other things, the amenity, ecology, or other valued characteristics of the area; water supply, groundwater resources and the water environment or potential future uses of the land, will not be permitted unless adequate measures to control emissions within acceptable limits are put in place.

As part of the 2011 outline application submission, a Phase 1 Contamination Desk Study was submitted following initial concerns raised by the Environment Agency relating to the requirement for an assessment of the potential risk to controlled waters from the proposed development.

The Phase 1 works comprised a site walkover, interpretation of readily available environmental site information and historical mapping, development of a preliminary conceptual site model and the completion of a qualitative land contamination preliminary risk assessment.

The purpose of this report was twofold. Firstly, to determine the potential for onsite or offsite land contamination issues arising from current or historical uses of the site and the surrounding area. Secondly, to provide an initial assessment of potential risks that any such land contamination may pose to sensitive receptors on the redeveloped site, including future site users, controlled waters and infrastructure.

The application site land has been developed since at least the late 1800's, initially as a barytes and lead smelting mill prior to conversion to its current commercial usage. The wider area has a lead mining and quarrying legacy and disused and deep underground workings are present in the vicinity of the site.

The contamination desk study identified that there are some contamination issues but the identified low risks are considered acceptable for the proposed redeveloped use. Further investigation and implementation of mitigation measures would be necessary in order to make the site suitable for the intended development. These requirements were addressed by the attaching of relevant conditions to the outline consent.

An updated Environmental Site Assessment report accompanies the application. This incorporates the Cupola site and the extension of the site to the south and west of the Rockmill site.

These updated findings state that the land in the west of the extended Rockmill site has not been previously developed and potential contaminants are limited to impact to shallow soil from storage of an end-of-life vehicle and burning of materials. Given the proposed use of this area for car parking, the identified potential contaminants are unlikely to require that the risk classifications assigned to the site during the report attached to the 2011 be amended.

The Cupola site has been developed at least since the late 1800's, initially as a residential land use and more recently for commercial usage (office). The principle current source of contamination on this site relates to the presence of a 3,000 litre above ground fuel oil storage tank and associated pipework linking it to the office building. Limited evidence of hydrocarbon staining was noted during the site walkover. Given the proposed use of this area, the identified potential contaminants are unlikely to require that the risk classifications assigned to the site during the report attached to the 2011 be amended.

The 2011 report identified potential risks to the site from the adjacent haulage yard, though these risks were moderated to an extent due to the Rockmill site being up-gradient of the source. The inclusion of the Cupola site which is down-gradient of the haulage yard has resulted in the need to amend the risks to sensitive receptors from this source being added to the revised Preliminary Risk Assessment findings.

The updated supplementary report, however, concludes that the 2011 recommendations remain valid. The contamination desk study identified that there are some contamination issues but the identified moderate/low risks are considered acceptable for the proposed redeveloped use. Further investigation and implementation of mitigation measures would be necessary in order to make the site suitable for the intended development.

No response has been received from DDDC Environmental Health Officer in respect of the current scheme. It is considered, however, that given that the updated report revealed no new significant contamination issues on the additional sites, the further investigation and mitigation measures required can be addressed by the attaching of appropriate conditions.

Issue 7 - Flood risk mitigation issues.

An updated Flood Risk Assessment (FRA) accompanies the application. This states that the site is in an area broadly classified by the Environment Agency (EA) as Flood Risk Zones 1 and 3, the low and high flood risk areas with an estimated chance of flooding less than 0.1%, and greater than 1% in any one year respectively. Modelled flood levels are not currently available for Dale Brook adjacent to the site; however this information is impending as part of the EA's Dale Brook hydraulic study which is due for release. The primary risk of flooding is cited as Dale Brook.

Historical fluvial and ground water flood records were requested from the EA, who confirmed that they had no records of historical flooding on the site from any sources held in their archives. The applicant has also confirmed that to his knowledge, the site has not flooded, and remained unaffected by the Glebe Mine tailings water lagoon breach in January 2007, which produced substantial flood depths over large areas of Stoney Middleton village.

The EA flood map shows that approximately a 10m linear strip encompassing Dale Brook lies within Flood Risk Zone 3, this appears to roughly follow the northern border of the existing building on the site. Areas beyond the linear strip of Flood Zone 3 are Flood Zone 1, where the annual risk of flooding is less than 0.1%, which is considered to be a low risk by PPS25.

The main policies in respect of flood risk and surface water run-off issues are Core Strategy policy CC5 and Saved Local Plan policy LC22. Core Strategy policy CC5 states, amongst other things, that development proposals which may have a harmful impact upon the functionality of floodwater storage, or surface water conveyance corridors, or which would otherwise unacceptably increase flood risk, will not be permitted unless net benefits can be secured for increased floodwater storage and surface water management from compensatory measures. Local Plan policy LC22 states that development will be permitted provided that adequate measures are included to deal with the run-off of surface water from the site. Such measures must not increase the risk of a local watercourse flooding.

In respect of the revised scheme, the omission of the underground car parking minimises the previous concerns raised in respect of the impact of the construction of the basement parking on the adjacent existing groundwater conditions.

In respect of flood risk issues, the Environment Agency have recommended that full planning permission should only be granted subject to conditions requiring a finished site threshold being no lower than 163.66m AOD and the preparation of a flood evacuation plan in accordance with the requirements of the DCC Emergency Planner. This plan should incorporate the installation of a flood alarm system positioned at an appropriate location and set at a threshold of 161.44m AOD, the alarm system being maintained by the site owner.

The Environment Agency further states that the proposed development will only be acceptable if a planning condition is attached requiring that development should not commence until a surface water drainage scheme for the site based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context has been submitted to and approved in writing by the Authority. The scheme shall also include details of how the scheme shall be maintained and managed after completion.

Although the Environment Agency are satisfied at this stage that the proposed development could be allowed in principle, the applicant will need to provide further information relating the proposals to an acceptable standard to ensure that the proposed development can go ahead without posing an unacceptable risk.

It is considered therefore, that the flood risk and surface water drainage issues can be mitigated for by the attaching of appropriate conditions, which must be satisfactorily discharged prior to the commencement of the development.

Conclusion

It is acknowledged that the proposed redevelopment scheme still achieves significant benefits in respect of tourism, employment and community facilities. However, the increased above-ground car parking requirement is open to strong landscape objections and would be contrary to the above-stated Core Strategy policies GSP1, GSP2, GSP3, L1, RT1 and Local Plan policies LC4 and LE4. It is considered that the benefits generated by the scheme are outweighed by the Authority's wider purposes to protect and enhance the National Park landscape. It is therefore considered that the scheme should be refused on the above-stated landscape grounds.

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

Minutes from Planning Committee – 13 December 2013

187/13 7. FULL APPLICATION – RE-DEVELOPMENT OF BUSINESS PARK TO CREATE HERITAGE CENTRE WITH CRAFT SHOP/CAFÉ WITH ASSOCIATED RETAILING, TWO TIED WORKER ACCOMMODATION UNITS, TOURIST ACCOMMODATION SPACE, TRAINING ROOM/ COMMUNITY FACILITY, CAFÉ AND OFFICE SPACE AT, ROCKMILL BUSINESS PARK, THE DALE, STONEY MIDDLETON (NP/DDD/0713/0582, P.3289, 16.08.2013, 422427 375647/KW)

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

The Planning officer reported that just before the start of the meeting the applicant had approached him with concerns regarding the parking arrangements. Members were concerned that they were unsure which version of the proposed parking they were considering, so they agreed to a short adjournment to allow officers to liaise with the applicant.

The meeting adjourned for a short break at 10.48am and reconvened at 10.53am.

The Planning officer reported that the car parking proposals remained as 100 spaces on the Rock Mill site and 30 spaces on the lower site and confirmed that there was no change to the recommendation.

Clr Mrs H M Gaddum and Miss P Beswick declared personal interests as they both knew one of the speakers, Clr C Hunt, as a former Member of the Authority.

The following spoke under the public participation at meetings scheme:

- Clr C Hunt, District Councillor and supporter
- Mr C Tsielepi, on behalf of SMILE (Stoney Middleton Interest & Leisure Enterprise), supporter
- Clr M Longden, Derbyshire County Council Ward member, supporter
- Mrs B Ely, former head teacher of Stoney Middleton primary school, supporter

- Ms J Mason, Village member and well dressing designer, supporter
- Clr Mrs J Bettney, Chair of Stoney Middleton Parish Council, supporter
- Mr R Silson, Planning consultant and supporter
- Mr C Hall, applicant

A motion for approval was moved and seconded. However there were still some concerns regarding the dormer windows, traffic access during construction and some Members felt that more information was needed before making a decision. A motion for deferral was moved and seconded but lost on the vote.

Members explained that the reasons for the original motion of approval was that the benefits of the development outweighed the landscape concerns arising from the proposed car parking, that the development would enhance the dale and become a gateway to the village. Officers summarised a list of draft conditions and a S.106 agreement. The Chair and Vice Chair would be consulted on the S.106 agreement and detailed wording of the conditions.

Minutes from Planning Committee – 13 December 2013

The motion for approval subject to a S.106 agreement and conditions was moved, seconded, voted on and carried.

RESOLVED:

That the application be APPROVED subject to prior entry into a S106 agreement regarding Rockmill and Cupola sites to be developed concurrently and retained in the same ownership; community benefits, Highway works; control of occupancy of the managers dwellings; and subject to the following conditions, with delegated authority to the Director of Planning to finalise detailed conditions following consultation with the Chair and Vice Chair of the Planning Committee:

- 1. The premises hereby permitted in the Rockmill Accommodation Building shall be for maximum of 49 letting room units accommodating a maximum of 148 persons. The Rockmill Accommodation Building shall be used for no other purpose other than class C1 of the Use Classes order 2010.**
- 2. 28 day occupancy restriction on letting units in the Rockmill Accommodation Building.**
- 3. All the proposed uses (both buildings) shall be confined to the areas shown on the approved floor plans.**
- 4. Cafe opening hours to be 8.00am to 10.00pm**
- 5. Use of ground floor of Cupola Building to be restricted to a Heritage Centre with ancillary café and craft/gift shop uses and for no other purposes. The Heritage Centre use shall cover a minimum of 50% of the available floorspace; the café a maximum of 30% and the craft/gift shop a maximum of 20%. Details of the extent of the Heritage Centre/café and craft/gift floorspace shall be submitted to and agreed in writing by the Authority. The scheme shall then be carried out in accordance with the agreed details.**
- 6. Retail sales from the Heritage Centre shall be restricted to the sale of heritage and craft goods.**
- 7. Car parking layout to be carried out in accordance with amended plan no. 4340/224.**
- 8. All walling (both buildings) to be random-coursed limestone, with natural gritstone plinths and natural gritstone quoinwork to external corners.**
- 9. All roofs on both buildings(except for single-storey flat-roofed kitchen building on Rock mill building & roof serving covered decking area on rear elevation of Cupola building) to be clad with natural blue slate.**
- 10. Omit dormer windows and replace with flush-fitting rooflights.**

Minutes from Planning Committee – 13 December 2013

11. **All window frames in Rockmill Building to be pvc vertical sliding sash – details to be submitted and agreed by the Authority.**
12. **All window frames to the Cupola Heritage building to be timber vertical sliding sash – details to be submitted to and agreed in writing by the Authority.**
13. **Minor design conditions.**
14. **Submit and agree comprehensive landscaping schemes for both sites (Rock Mill building and Cupola Heritage Building sites).**
15. **Retain trees not shown for removal on the approved plans.**
16. **Protect trees to be retained during construction works.**
17. **Submit and agree scheme for external lighting.**
18. **Environment Agency conditions**
19. **Development in accordance with flood risk assessment and mitigation**
20. **Adopt ecological survey and mitigation measures**
21. **Additional ecological conditions required by the Authority’s Ecologist.**
22. **Highways conditions**
23. **Ground contamination recommendations & conditions**
24. **Prior to the disposal of any spoil arising from the building/excavation works, precise details of the disposal shall be submitted to and approved in writing by the National Park Authority. All spoil shall then be disposed of in accordance with the approved details.**
25. **Prior to the commencement of any excavation works, a slopes stability investigation report shall be submitted to and agreed in writing by the Authority. An amended comprehensive landscaping scheme which incorporates the findings of the slopes stability investigation works and provides details of the slope retaining walls and features shall then be submitted to and agreed in writing by the Authority. The scheme shall then be carried out in accordance with the approved details prior to the development hereby approved being brought into use or the completion of the development, whichever is the sooner.**

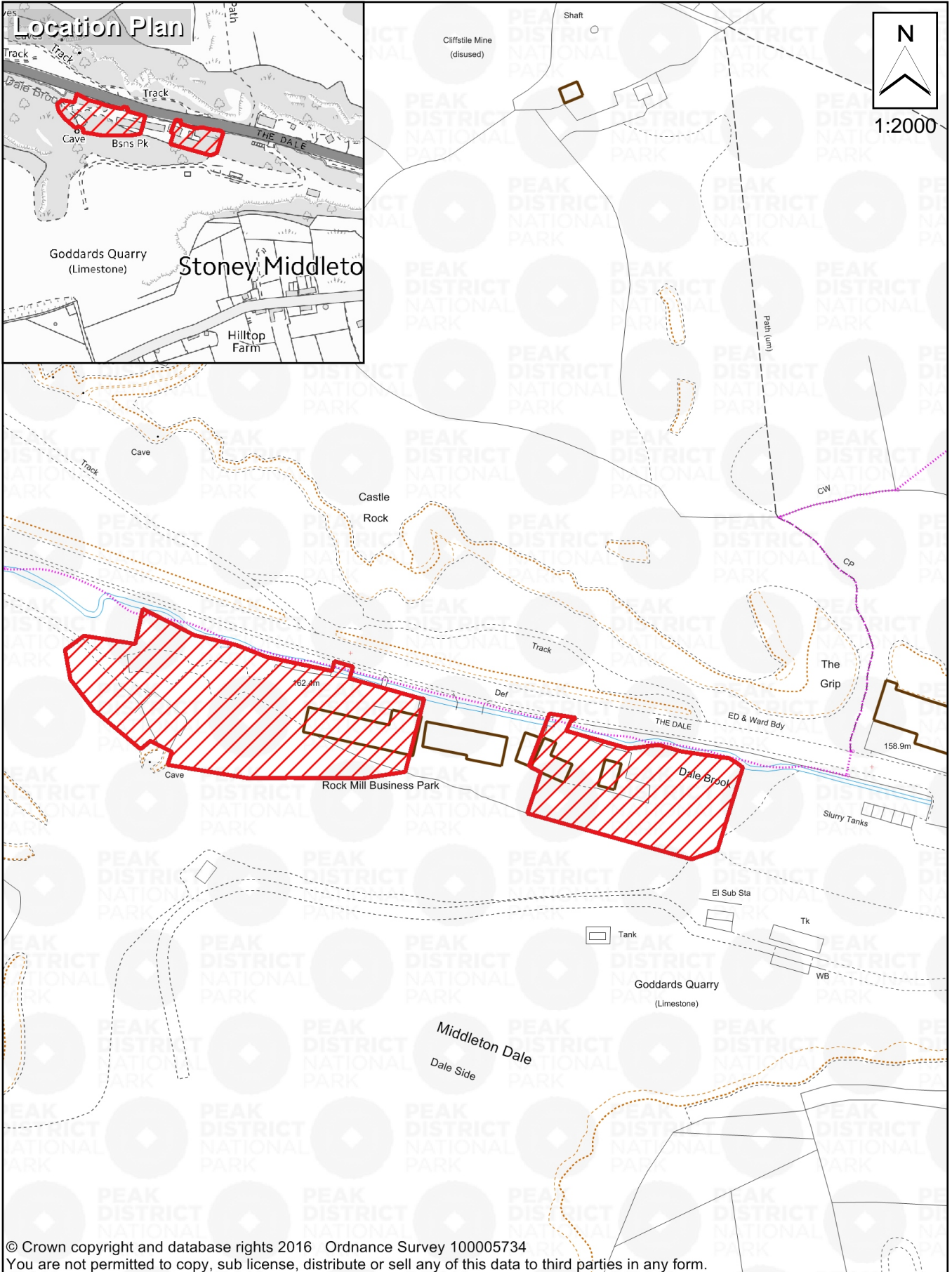
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FULL APPLICATION – RE-DEVELOPMENT OF BUSINESS PARK TO CREATE HERITAGE CENTRE WITH CRAFT SHOP/CAFÉ WITH ASSOCIATED RETAILING, TWO TIED WORKER ACCOMMODATION UNITS, TOURIST ACCOMMODATION SPACE, TRAINING ROOM/ COMMUNITY FACILITY, CAFÉ AND OFFICE SPACE AT, ROCKMILL BUSINESS PARK, THE DALE, STONEY MIDDLETON (NP/DDD/0713/0582, P.3289, 16.08.2013, 422427 375647/JK/AM)


DRAFT CONDITIONS

1. Commence development within 5 years.
2. Define approved plans
3. The premises hereby permitted in the Rockmill Accommodation Building shall be for maximum of 71 letting room units. The Rockmill Accommodation Building shall be used for no other purpose other than class C1 and D1- Community Use of the Use Classes order 2010.
4. All the proposed uses (both buildings) shall be confined to the area shown on the approved floor plans.
5. Cafe opening hours to be 7.00am to 10.00pm
6. Use of ground floor of Cupola Building to be restricted to a Heritage Centre with ancillary café and craft/gift shop uses and for no other purposes. The Heritage Centre use shall cover a minimum of 50% of the available floorspace; the café a maximum of 30% and the craft/gift shop a maximum of 20%. Details of the extent of the Heritage Centre/café and craft/gift floorspace shall be submitted to and agreed in writing by the Authority. The scheme shall then be carried out in accordance with the agreed details.
7. Retail sales from the Heritage Centre shall be restricted to the sale of heritage and craft goods.
8. Car parking layout to be carried out in accordance with amended plan no. 4340/224.
9. Despite what is shown on the approved plans, the walling of the rear elevation of the accommodation building either side of the central projecting gable feature shall be either wet dash render or natural limestone, all other walling (both buildings) to be random-coursed limestone, with natural gritstone plinths, and natural gritstone quoinwork to external corners. Sample panels to be agreed.
10. Parapet copings and string courses to be natural gritstone on the Cupola Building - samples to be agreed.
11. All roofs on both buildings (except for single-storey flat-roofed kitchen building on Rock mill building & roof serving covered decking area on rear elevation of Cupola building) to be clad with natural blue slate.
12. Agree details of flat roof and cupola far canopy roofs

13. **Omit dormer windows from both buildings and replace with flush-fitting rooflights in accordance with details to be agreed.**
14. **All window frames to be pvc vertical sliding sash with a white or cream finish – details and recess from the wall to be submitted to and agreed in writing by the Authority.**
15. **All windows and doors to have natural limestone arched soldier course lintels. All window frames to have gritstone sills**
16. **Minor design conditions including glazing bars to windows not to exceed 18mm, agree finish of accommodation and cupola building doors, doors in the Cupola building to be timber and glazed in accordance with approved plan, agree finish of timber panelling, black rainwater goods, cement pointed verges, agree fire escape colour, agree precise details of roof lights and solar panels - both to be flush fitting, pipework other than rainwater goods to be wholly internal, agree meter boxes.**
17. **Submit and agree comprehensive landscaping schemes for both sites (Rock Mill building and Cupola Heritage Building sites) taking account and incorporating the recommendations of the slopes stability investigation report.**
18. **Retain trees not shown for removal on the approved plans.**
19. **Protect trees to be retained during construction works.**
20. **Submit and agree scheme for external lighting.**
21. **Environment Agency conditions - agree and adopt flood evacuation plan, floor levels for both buildings, surface water drainage scheme.**
22. **Development in accordance with flood risk assessment and mitigation**
23. **Adopt ecological survey and mitigation measures**
24. **Additional ecological conditions required by the Authority's Ecologist.**
25. **Highways conditions including; agree details of access layouts, agree construction compounds, provide parking and turning areas, pedestrian link between sites, gates, access gradients, submission and agreement over a travel plan.**
26. **Ground contamination recommendations & conditions**
27. **Prior to the disposal of any spoil arising from the building/excavation works, precise details of the disposal shall be submitted to and approved in writing by the National Park Authority. All spoil shall then be disposed of in accordance with the approved details.**



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Committee Date:	13/05/2016	Title: Rock Mill Business Park The Dale Stoney Middleton	 PEAK DISTRICT NATIONAL PARK
Item Number:	6		
Application No:	NP/DDD/0713/0582		
Grid Reference:	422427, 375647		

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7. 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

NOTE: This application was deferred at the April Planning Committee to allow Members to visit the site

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 bedroomed 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 bedroomed 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. In this case, it is reasonable and necessary to remove permitted development rights for householder developments 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.

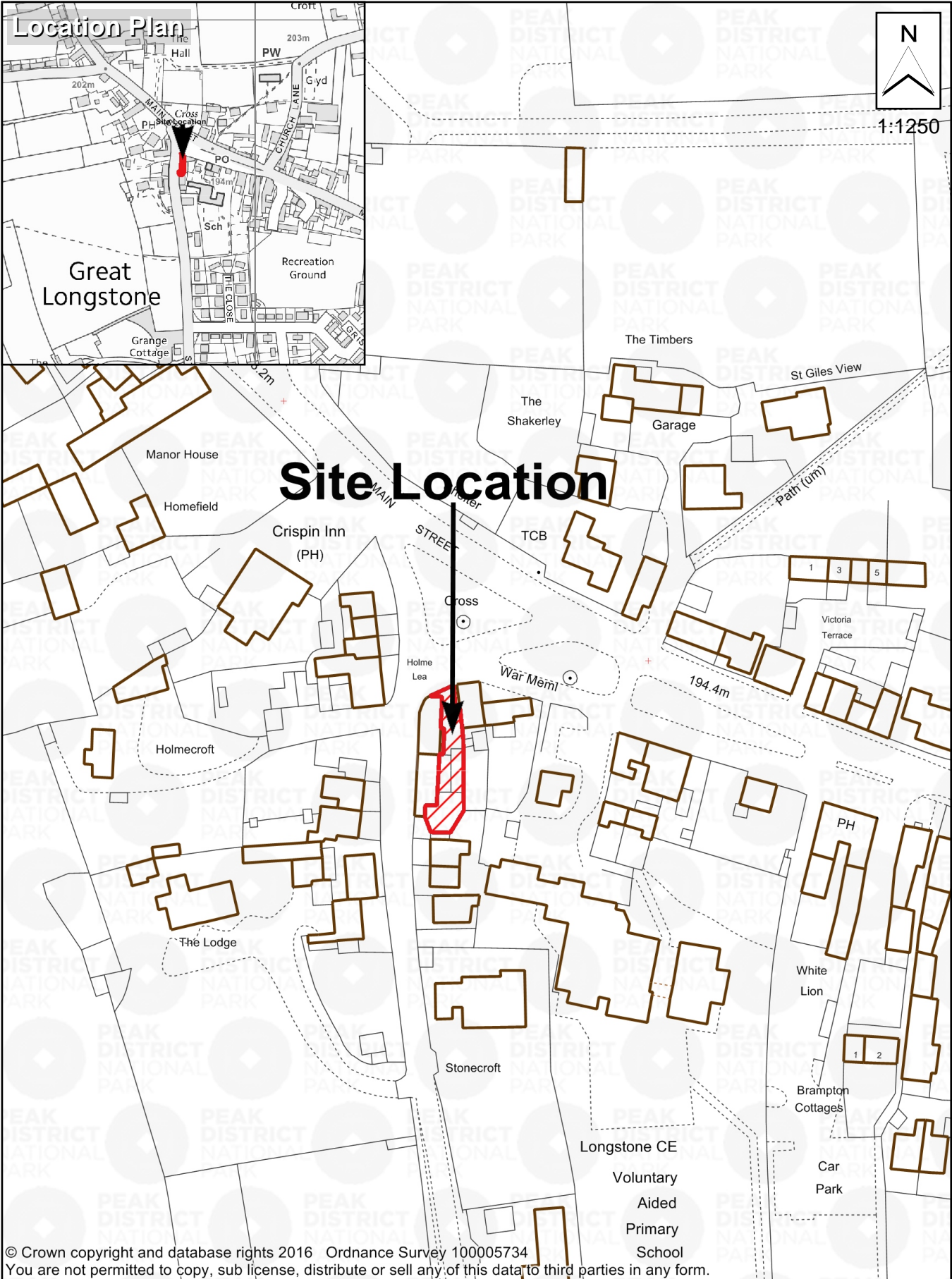
Human Rights

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:	13/05/2016
Item Number:	7
Application No:	NP/DDD/0116/0033
Grid Reference:	419922, 371844

Title: 1 The Cross
 Great Longstone



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8. CONSULTATION RESPONSE – PROPOSED DEVELOPMENT OF AN ALTERNATIVE SCHEME OF 3 WIND TURBINES WITH HEIGHT TO BLADE TIP OF UP 100M AND ASSOCIATED SUBSTATION BUILDING, NEW AND UPGRADED ACCESS TRACK FROM MANYSTONES LANE AND B5056, HARDSTANDING, TEMPORARY COMPOUNDS AND ASSOCIATED WORKS AT GRIFFE GRANGE, MANYSTONES LANE, BRASSINGTON (14/00224/FUL, APPEAL REF: APP/P1045/W15/3130874 02/05/2016/CF)

APPLICANT: Griffie Grange Wind Farm Limited

Introduction

In February 2015, Derbyshire Dales District Council refused planning permission for the erection of five wind turbines with height to blade tip of up to 100m (hub height 59m) and associated substation building, new and upgraded access track from Manystones Lane and B5056, hard standings, temporary compounds and associated works on a site that is often referred to as 'Griffe Grange'. The applicant subsequently lodged an appeal against the District Council's decision, which was supported by this Authority, but rather than seek a determination on the original application; the appeal proposals now comprise a revised scheme of three turbines.

Site and Surroundings

In its wider sense, Griffie Grange is part of a broad limestone dale which includes the historic 'Portway' route between Bakewell and Wirksworth located between high ground at Harboro Rocks to the south and Griffie Grange Valley to the north along which the Via Gellia road runs (A5012). The boundary of the Peak District National Park follows the valley bottom of Griffie Grange Valley and at its closest point is approximately 350m from what would have been the northernmost turbine at Griffie Grange. The land to the north of Griffie Grange Valley rises steeply and the settlement of Ible lies above the wooded valley on the lower slopes of Bonsall Moor within the National Park with open views to the south.

The plans submitted to the District Council with the original application showed 5 wind turbines would be erected in a line running south south east to north north west at high level along the eastern flank of Griffie Grange. Notably, these turbines would have been sited close to the existing cluster of turbines near to Griffie Grange including the four operational turbines at Carsington Pastures, the operational turbine adjacent to the Sibelco Works (formerly Viaton) and two operational turbines on land to the west of Ryder Point Quarry.

These operational turbines already have a significant visual impact on their landscape setting because they are visible from a wide range of public vantage points over a large area of the limestone plateau of the White Peak within the National Park boundary. The existing turbines can also be seen from long sections of various public footpaths and bridleways in the local area including from the Tissington Trail and the Limestone Way, and affect the setting of a range of designated and non-designated heritage assets including Minning Low, which is a Scheduled Monument that is an iconic and highly visible feature within the surrounding landscape.

Planning Merits of Original Submission

One of the key concerns arising from the original Griffie Grange proposals was that a further five large turbines close to a cluster of seven large turbines would mean that the surrounding landscape would become even more heavily influenced by these turbines, which cumulatively would have an increasingly harmful impact on the scenic beauty of the National Park increasingly detract from the significance of its cultural heritage, and detract from the quiet enjoyment of the special qualities of the National Park.

Furthermore, the Griffie Grange proposals would have exacerbated the visual impacts of the existing turbines because they would have been sited closer to the National Park with the northernmost turbine of the five being sited within 400m of the National Park boundary. The Griffie Grange turbines would have also been sited on the northern side of a 'ridge line' that runs broadly east to west from Ryder Point to Harboro Rocks. This is significant because the existing turbines are all sited on the southern side of this ridge, which means that the full height of the existing turbines is not always appreciated from vantage points within the National Park because of the intervening topographical feature in the landscape.

In contrast, the Griffie Grange turbines would be seen 'closer to the National Park from various vantage points over a wide area of the White Peak. Moreover, the turbines at Griffie Grange would extend the visual impact of the existing turbines especially when seen from vantage points to the east or the west of the site because they would have been sited in a line at broadly 90° to the existing turbines that are sited in a much tighter cluster running east to west further away from the National Park.

By virtue of the siting of five large turbines within the sensitive landscape of Griffie Grange, their scale, and the intervisibility between the site and a range of vantage points within the National Park, it was also considered that in isolation, the five turbines would damage and dominate the setting of the National Park and its landscape character thereby undermining its special qualities. Consequently, it was considered the harm caused by these five turbines in isolation would be exacerbated by their cumulative effects with the already consented turbines as the spread and number of turbines significantly increase their influence and result in increased harm to the character and appearance of the landscape and the setting of the National Park, as set out above.

Therefore, it was considered by this Authority that the original Griffie Grange proposals would have had a significant adverse visual impact on the landscape character of the National Park and would harm the significance of a range of designated and non-designated heritage assets within the National Park that would also have been affected by the original proposals. Moreover, it was considered that the proposed turbines would detract from the quiet enjoyment of the special qualities of the National Park as well as have an unacceptable adverse impact on living conditions of local residents living in and around Ible, which is the local community that would have been most directly affected by the Griffie Grange proposals.

Consequently, this Authority strongly objected to the original proposals for five turbines at Griffie Grange, which were refused planning permission by the District Council for a number of reasons including the adverse impact of the proposals on the National Park landscape, its cultural heritage and local residents. However, when the applicants lodged an appeal against this refusal they submitted a revised scheme of three turbines to the Planning Inspectorate. The revised scheme omits the two northern most turbines but seeks permission for the other three in their original locations running in a line running south south east to north north west along the eastern flank of Griffie Grange from a point close to the former Viaton site and the site of one of the existing operational turbines within the local area.

Next Steps

The Planning Inspectorate has subsequently confirmed that the appeal will be determined on the basis of this revised scheme and the District Council is currently carrying out a consultation exercise before determining whether the revised scheme is now acceptable or whether to continue to defend the current appeal because the revised scheme is still not considered to be acceptable despite the omission of two turbines. The purpose of this report is to consider the Authority's own response to the revised proposals and whether the Authority should maintain its commitment to supporting the District Council at the upcoming Public Inquiry.

However, it should be noted that the Authority has not sought Rule 6 status in this case, which means that the Authority's commitment to the District Council extends to providing the necessary officer time to present evidence to the Inspector dealing with the Inquiry on the potential impacts of the revised scheme on the National Park through written submissions and appearing at the Inquiry to give expert evidence.

Recommendation

The National Park Authority OBJECTS to the revised proposals for three wind turbines (100m to blade tip, 59m hub height) at Griffie Grange for the following reasons:

- **By virtue of their design and siting, and size and scale, the three turbines at Griffie Grange would have a significant adverse visual impact on the landscape character of the National Park, substantially detract from the enjoyment of its special qualities, and result in harm to its cultural heritage.**
- **The harm caused by these three turbines in isolation would be further exacerbated by their cumulative effects combined with the presence of seven other operational turbines within the local area as the increasing spread and number of turbines would significantly increase their influence and result in increased harm to the character and appearance of the landscape and the setting of the National Park.**
- **The revised proposals would therefore conflict with the statutory purposes of the National Park's designation and conflict with national planning policies in the Framework.**

Accordingly, it is also recommended that this Authority should continue to support any subsequent defence of the current appeal by the District Council.

Discussion

Policy Context

In this case, the revised proposals for Griffie Grange would affect the National Park because of the proximity of the site to the boundary and the size and scale of the turbines. Nonetheless, it would not be appropriate to assess the turbines against policies in the Authority's Development Plan because the site is actually outside of the National Park. Therefore, it is more appropriate to consider the revised proposals in the context of national planning policies in the National Planning Policy Framework and in the context of other relevant considerations including Planning Practice Guidance and the Written Ministerial Statement made on 18 June 2015 giving local people the final say on wind farm applications.

The most relevant paragraphs in the Framework in respect of the Griffie Grange proposals include paragraph 98, which says when determining planning applications, local planning authorities should not require applicants for energy development to demonstrate the overall need for renewable or low carbon energy and also recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions; and approve the application if its impacts are (or can be made) acceptable unless material considerations indicate otherwise.

As these proposals affect the National Park, Paragraph 115 of the Framework is also a highly relevant and material consideration. This paragraph says that great weight should be given to conserving landscape and scenic beauty in National Parks, which have the highest status of protection in relation to landscape and scenic beauty. The conservation of wildlife and cultural

heritage are important considerations and should be given great weight in the National Parks. The provisions of this paragraph are also important insofar as they place a limitation on the presumption in favour of sustainable development set out in Paragraph 14 of the Framework.

Equally, the proposals would affect a range of designated and non-designated heritage assets within the National Park including Mining Low, a range of other scheduled monuments, various listed buildings and designated Conservation Areas in Aldwark and Bonsall. Paragraphs 132–135 of the Framework offer specific guidance on an appropriate approach to the conservation of designated and non-designated heritage assets where a development proposal would result in harm to their significance.

Paragraph 132 says when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of designated heritage assets of the highest significance, notably scheduled monuments, protected wreck sites, battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional. Paragraph 134 says where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

Notably, Planning Practice Guidance says that as the significance of a heritage asset derives not only from its physical presence, but also from its setting, careful consideration should be given to the impact of wind turbines on such assets. Depending on their scale, design and prominence a wind turbine within the setting of a heritage asset may cause substantial harm to the significance of the asset. Planning Practice Guidance also sets out further guidance on assessing proposals for wind turbines and says that whilst the National Planning Policy Framework explains that all communities have a responsibility to help increase the use and supply of green energy, this does not mean that the need for renewable energy automatically overrides environmental protections and the planning concerns of local communities.

In terms of addressing the concerns of local communities affected by wind turbine proposals, the Written Ministerial Statement made on 18 June 2015 is quite clear that when considering applications for wind energy development, local planning authorities should only grant planning permission if, following consultation, it can be demonstrated that the planning impacts identified by affected local communities have been fully addressed and therefore the proposal has their backing.

In this case, it is considered that national planning policies, planning practice guidance and the Written Ministerial Statement are wholly consistent with the statutory purposes of the National Park's designation and its statutory duty. The two statutory purposes for National Parks in England and Wales are to conserve and enhance the natural beauty, wildlife and cultural heritage; and promote opportunities for the understanding and enjoyment of the special qualities of national parks by the public. When national parks carry out these purposes they also have the duty to seek to foster the economic and social well-being of local communities within the National Parks.

It is therefore considered appropriate to consider the acceptability of the revised proposals for the wind turbines at Griffe Grange within the context of Government guidance and national policy with full regard to how the proposals would impact on the statutory purposes of the National Park's designation and the local communities within the National Park that would be affected by these proposals.

Planning Merits of the Revised Scheme

In the first instance, when comparing the original scheme to the revised scheme, it is important to recognise that the omission of the two turbines closest to the National Park is not wholly without merit. In particular, the revised scheme would help to reduce the impacts of the turbines on the living conditions of the local community living in and around Ible. Moreover, the Authority's Ecologist has indicated that it is now less likely that the reduced numbers of turbines would impact on protected species and has no overriding objects to the revised scheme on nature conservation grounds.

The additional benefits of reducing the number of turbines down to three would also include a reduction in the extent of the area that would be covered by the turbines at Griffie Grange, and a reduction in the overall increase in the cumulative area covered by turbines when taking into account the presence of the existing operational turbines at Carsington Pastures, the former Viaton site and Ryder Point.

However, this is not to say that the impacts of the revised scheme would now be acceptable because it is clear that the remaining three turbines would continue to have a significant visual impact on the National Park landscape. This is because of the size and scale of the turbines (100m to blade tip, 59m hub height) and because of their siting on higher land in close proximity to the National with the nearest turbine sited within 1km of the boundary of the National Park.

Landscape and Visual Impact

The Landscape and Visual Impact Assessment submitted with the revised proposals also confirms that the three turbines would be seen from a range of vantage points across the White Peak area of the National Park. However, one argument that has been consistently used to support the Griffie Grange proposals is that the wind turbines would not have a significant visual impact on the surrounding landscape because of the presence of the existing wind turbines within the local area. In summary, this argument suggests that the setting of Griffie Grange has become a 'landscape with wind farms' and therefore, three additional turbines would be in keeping with the character of the surrounding landscape. However, this approach does not properly take into account the individual or cumulative impacts of the Griffie Grange proposals.

At present, as noted earlier in this report, the existing turbines close to Griffie Grange often appear to be on the other side of a ridge line from many vantage points within the National Park, which means the full height of these turbines is often not always obvious from many viewpoints within the National Park. This is also significant because this ridge line forms an important visual and physical break between the more industrialised land to the south of the ridge line where the existing turbines have been sited and the pastoral landscape associated with Griffie Grange, which is primarily influenced by its underlying geology and therefore links more seamlessly with the landscapes of the National Park especially those around Ible and Bonsall.

This means that the turbines at Griffie Grange (and often their full height) would be much more readily seen in an area that has been largely unspoilt and industrialised compared to the land beyond the ridgeline to the south and within an area that is much more closely related to the National Park by virtue of its landscape character and the extent to which it forms part of the setting of the National Park in panoramic views across the limestone plateau of the White Peak. In these respects, it is not immediately evident that Griffie Grange lies outside of the National Park when seen from a range of public vantage points.

Therefore, the turbines at Griffie Grange would not simply 'blend in' with the existing turbines, they would increase the visual impact of the existing turbines in a way that would be harmful to

their landscape setting and detract from the scenic beauty of the National Park. Firstly, they would increase the area covered by wind turbines and increase the visual envelope of the existing turbines especially when seen from vantage points broadly to the east and west of Griffe Grange. From vantage points to the north of the site, the turbines at Griffe Grange would also increase the visual density of the existing wind turbines and increase the visual impact of the existing turbines.

By increasing the visual density of the existing turbines and the area covered by these turbines, the Griffe Grange proposals will undoubtedly increase the cumulative visual impact of the existing operational turbines but this impact will be especially harmful because all three turbines are much closer to the Peak District National Park than any of the existing turbines and the turbines are located in Griffe Grange which is a topographically distinct area that flows much more directly into the National Park than the sites of the existing turbines.

At present, the physical distance between the existing turbines does help to reducing their visual impact. However, it can be seen that as the turbines at Ryder Point and the former Viaton site were erected, these turbines increased the influence of wind turbines on the character of the surrounding landscape rather than harmonise with the turbines already in place at Carsington Pastures. The additional three turbines had the affect of drawing more attention to the four turbines at Carsington Pastures and as they are seen together in the same panoramic views from within the National Park, the seven turbines have a significant cumulative visual impact.

The additional three turbines would draw even more attention to the existing turbines, which means that cumulatively, the ten wind turbines would have a much stronger influence on the setting of the National Park and more dominant impact on the character of the landscape within the National Park. Taken together, the ten turbines would be much more visually intrusive in views across the White Peak from a wide range of public viewpoints within the National Park and the three turbines at Griffe Grange would alter the current impacts of the presence of individual turbines beyond the National Park boundary by creating the presence of a wind farm in the landscape that would appear to extend in to, and possibly appear to be sited within, the National Park.

Therefore, the cumulative impact of granting planning permission for the turbines at Griffe Grange would be substantial and this impact would be harmful not least because the proposed turbines would have an adverse impact in their own right. Primarily, this is because the three turbines at Griffe Grange would be located in a landscape setting that flows into the White Peak and because the turbines will be sited close to and be visible from a range of vantage points in the National Park, these turbines would appear to be a dominant feature in their own right within panoramic views across the White Peak limestone plateau and from viewpoints closer to Griffe Grange.

In these respects, the turbines would not reflect or respect the recurrent visual themes of the White Peak and the landscape character types within, which amongst other things, can often be characterised by the openness of the sparsely populated higher land, pastoral farmland enclosed by drystone walls, prehistoric monuments, often on hilltops, the relics of former lead mines, and wide open views to the skyline.

Moreover, whilst there is clearly evidence of human intervention in the landscape, to a large extent the remains of historic activities within the landscape and the isolated field barns and dry stone walls associated with farming and other man-made features form part of the historic and valued landscape character of this area and contribute to its scenic and timeless quality in a landscape largely devoid of obvious modern structures. In contrast, the proposed wind turbines, with their strident architectural form and movement, would appear modern and visually disruptive.

Consequently, the omission of two turbines from the original application does not address the Authority's original concerns because the siting of three large turbines within the sensitive landscape of Griffie Grange would still damage and dominate the setting of the National Park and its landscape character thereby undermining its special qualities. The harm caused by these three turbines in isolation would be exacerbated by their cumulative effects with the already consented turbines as the spread and number of turbines significantly increase their influence and result in increased harm to the character and appearance of the landscape and the setting of the National Park, as set out above.

It is therefore concluded that the revised scheme would have a significant adverse visual impact that would harm the scenic beauty of the National Park and would detract from its landscape character contrary to the statutory purposes of its designation and contrary to national planning policies in the Framework. Consequently, it is recommended that the Authority should maintain its objection to the revised proposals and continue to support any subsequent defence of the current appeal by the District Council.

Impact on Cultural Heritage

As noted above, the many historic features within the White Peak contribute positively to its special qualities and its scenic beauty. Of particular note are the Scheduled Monuments at Minning Low and Bonsall Leys lead mines, which the Environmental Impact Assessment submitted to support the revised proposals acknowledges would be affected by the three turbines proposed at Griffie Grange. However, in common with criticisms that could be made of the Landscape and Visual Impact submitted to support the revised proposals, the submitted information does not supply a convincing assessment of the impacts of the proposals on these two nationally important heritage assets.

In the case of Minning Low, this site lies within the south-eastern uplands of the Derbyshire limestone plateau. The monument comprises a well preserved Neolithic chambered tomb and two adjacent well preserved Bronze Age bowl barrows. The chambered tomb is of a circular form that is common to the Peak District but unusual nationally, and is the largest of its kind in Derbyshire. All surviving chambered tombs are considered to be of national importance, as few Neolithic structures survive as upstanding monuments and are rare survivals. The monument as a whole is illustrative of the continued use of Neolithic sites as the focus for Bronze Age burial and ritual activity, and the changing burial custom across these periods.

It has been acknowledged in the Environmental Impact Assessment (submitted with the revised proposals) that its setting makes a considerable contribution to its significance, as prehistoric ritual and burial monuments of the Neolithic and Bronze Age were placed in visually dominant locations in the landscape (hill tops, ridge lines, false summits etc.) in order to give large viewfields both to and from the monument and sightlines to the surrounding landscape and to other related prehistoric ritual and burial monuments. This is the historic landscape context in which these monuments are understood and experienced, and the features themselves are relatively subtle additions to the natural topography and landforms.

However, what is underplayed is the extent of the harm that might arise from any element that alters these views, and in particular, it is not recognised in the Environmental Impact Assessment that the proposed turbines, would be large, modern structures, in a vertical axis, bringing movement, which would add a dominant and competitive element into the views that would harm the setting of Minning Low. The addition of the three proposed turbines at Griffie Grange would also result in an intensification of the cumulative impact of existing wind turbines over a wider area of the setting of Minning Low, and in turbines encroaching further into its setting, dominating

the landscape views to the south east, resulting in harm to how this nationally designated heritage asset is experienced and understood, and eroding its landscape setting.

Similarly, the lead mines at Bonsall Leys form one of a number of lead mining sites within the locality and whilst these are relatively low relief and subtle landscape features, they are a key part of the historic landscape of the White Peak. Within this context, the proposed turbines encroaching on the higher land at Griffie Grange and towards the Scheduled Monument at Bonsall Leys will harm the setting of this heritage asset because of the introduction of large, modern structures, out of character to the surrounding landscape, in a vertical axis, bringing movement and dominating and competing with the historic character of the area.

In the case of Bonsall Leys lead mines, it should also be noted that the Scheduled Monument comprises two areas of protection for the remains of lead mining that took place between the 16th and 19th centuries (including ruined buildings, earthworks and buried remains) of the Bonsall Leys leading mining area. The monument includes a range of surviving archaeological remains that illustrate the history and development of lead mining as it was practiced in Derbyshire, from early small holder miners, the impact of technological development and change in lead exploitation over the centuries. The site is thought to be a unique surviving representation small scale, intensive lead working in post-medieval Derbyshire and the site's complexity is unparalleled nationally. However, the Environmental Impact Assessment submitted with the revised proposals does not adequately address the impacts of the Griffie Grange proposals on this site.

Equally, the impact of the proposed development on Scheduled Monuments within the Peak District National Park has only been assessed for half of the nationally important heritage assets that would be potentially affected by the Griffie Grange proposals in the submitted Environmental Impact Assessment. Of the Scheduled Monuments that have had an assessment, only Minning Low has been given more than minimal consideration. The assessment of the Scheduled Monuments within the National Park likely to be affected by the Griffie Grange proposals is therefore not in proportion to their significance and importance as nationally important and designated heritage assets, and in itself, this can be seen as a failure to meet the requirements of Paragraph 128 and 129 of the National Planning Policy Framework.

However, this issue is compounded by the failure to consider the cumulative impact of the proposed development when taking into account the effect it would have over numerous heritage sites as well as considering the cumulative impact of wind turbines within the local area on individual sites. In summary, the significance of the impact of the proposed development would be increased when the impacts arising from the turbines at Griffie Grange would be experienced across a number of different nationally important sites. In this respect, less than substantial harm taken over a number of different designated heritage assets can amount to substantial harm cumulatively. In this case, the degree of harm when taken over the number of designated heritage assets over a wide area likely to be affected by the proposed development, including sites outside of the National Park, the substantial harm threshold may have been reached.

The finding that the substantial harm threshold may have been reached is supported by concerns that the proposed turbines would harm the significance of other designated heritage assets including two Grade II listed buildings and the setting of both the Aldwark and Bonsall Conservation Areas. In terms of both Aldwark and Bonsall, the relationship between these settlements and their rural setting positively contributes to their setting and the views out of these settlements across the surrounding landscape has been identified as one of the special qualities of their respective Conservation Areas. However, in both settlements, the views out of both Conservation Areas can be limited by other features in the landscape or the surrounding built development and this means that some of the most important views out of the settlement are already influenced by the presence of turbines in the landscape. The special qualities of these

views out of the settlement would be further eroded, if not dominated by the three turbines proposed at Griffie Grange, and therefore the Griffie Grange proposals would detract from the significance of both the Aldwark and Bonsall Conservation Areas.

The Grade II listed Whitelow Farm is located high up on the side of the valley facing the proposed turbine site. The farm house and associated outbuildings have a predominantly pastoral setting that has very little tree coverage. Therefore, there is intervisibility between the farmstead and the location of the proposed turbines, which would be highly visible within the setting of the designated heritage asset. Similarly, the Grade II listed Primitive Methodist Chapel at Ible is perched on an elevated position at the eastern end of the settlement. The Chapel is south facing and looks directly to the site of the proposed wind turbines. As with Whitelow Farm, the proposed turbines would detract from the appreciation of this listed building in its setting.

In these respects, the harm to the setting of the these listed buildings and the Conservation Areas affected by the Griffie Grange proposals is primarily with regard to the strident architectural form and movement of the turbines, which means the turbines would appear to be visually disruptive modern interventions within the tranquil and pastoral landscape settings of these heritage assets. This harm would be exacerbated by increasing the cumulative visual impact of the other individual turbines within the local area. Whereas this may be considered to be less than substantial harm when assessing the impacts of the proposals on each asset individually, as above, the cumulative impact of these successive impacts on a wide range of designated heritage assets within the National Park may constitute substantial harm but the submitted Environmental Impact Assessment does not properly assess this issue.

When taking into account a fuller assessment of the impacts of the proposed development on other non-designated heritage assets within the National Park has not been undertaken, and when taking into account the Griffie Grange proposals would also affect a range of designated and non-designated heritage assets outside of the National Park, it therefore appears that it is open to the District Council to consider whether (i) the proposals would result in less than substantial harm within the scope of Paragraph 134 of the Framework or substantial harm within the scope of paragraph 132 of the Framework (with regard to designated heritage assets affected by the revised scheme) and conflict with paragraph 135 of the Framework (with regard to non-designated heritage assets affected by the revised scheme) and/or (ii) that there is conflict with paragraphs 128 and 129 of the Framework (with regard to the adequacy of the assessment of the impacts of the proposed development).

However, it is clear from the analysis in this report that the proposed turbines would not conserve or enhance the National Park's cultural heritage which gives rise to further conflict with the 'conservation purpose' of the National Park's statutory designation and further conflict with national planning policies in the Framework. Moreover, the revised proposals do not provide an adequate assessment of the impact of the proposals on designated and non-designated heritage assets that is proportionate to the importance placed on cultural heritage within National Parks in Paragraph 115 of the Framework and the great weight that national planning policy says should be given to conserving cultural heritage in National Parks.

These issues exacerbate the adverse landscape impact identified in the above sections of this report. It is therefore concluded that there are strong grounds on which to recommend that the Authority should maintain its objection to the revised proposals and continue to support any subsequent defence of the current appeal by the District Council.

Other Relevant Considerations

As noted above, national planning policies do allow for public benefits to be balanced against less than substantial harm to designated heritage assets. Equally, the District Council (and ultimately the Inspector dealing with current appeal) will need to balance the public benefits

arising from granting planning permission for the proposed turbines against the harm to the National Park that would result as consequence of doing so. However, there is nothing in the information submitted with the revised proposals that explains how the turbines at Griffie Grange would contribute to the conservation or enhancement of the National Park, promote opportunities for its quiet enjoyment, or foster the social and economic welfare of its local communities.

It is therefore considered that the public benefits of granting planning permission for the proposed turbines at Griffie Grange, from this Authority's perspective, would be limited to their potential contribution to increasing the provision of renewable energy. Although this consideration should carry weight in any planning balance, it is clear from recent case law that the benefits of renewable energy should not in itself offset or outweigh harmful impacts on nationally important heritage assets or offset or outweigh the highest level of protection afforded to the conservation and enhancement of the National Park's scenic beauty and cultural heritage.

In short, the desirability of renewable energy cannot easily override these planning considerations when also taking into account the nation has chosen to protect the landscape of the National Park for its scenic beauty and similarly, chosen to protect designated heritage assets, which are simply irreplaceable. This view is also consistent with Planning Practice Guidance and national planning policies but it still remains open to the developer to seek to demonstrate that any harmful impacts associated with the proposals can be addressed.

In these respects, no specific mitigation has been proposed to offset the impacts of the turbines on the National Park but mitigation, such as landscaping, would not be effective in any event because of the size and scale of the proposals and their siting. Notably, the scheme would be reversible and would be temporary for a period of some 20-30 years. Whilst that would be a negligible time in terms of the time Minning Low has been part of the local landscape, for example, this would amount to a generation in human lifespan. As such, it seems difficult to give this particular matter significant weight in the planning balance especially when taking into account the impacts of the proposals on the quiet enjoyment of the special qualities of the National Park.

The landscape and visual impact assessment submitted with the revised proposals confirms that the turbines would be seen from a wide range of public vantage points within the National Park, from long lengths of various public rights of way and several National Trails, and would have a significant impact on the appreciation of a range of designated heritage assets including nationally important sites such as Minning Low. As set out above, the turbines would have a substantially adverse impact on the character of the National Park's landscape and cultural heritage. Therefore, the proposed turbines would seriously detract from the enjoyment of the special qualities of a whole generation of visitors to the National Park and would outlive an unquantifiable number of the visitors who already visit the Park.

It is therefore concluded safeguarding the special qualities of the National Park in the face of clearly identifiable and demonstrably harmful impacts weighs more heavily in the planning balance and is more clearly in the wider public interest compared to the less specific and more generalised benefits arising from the renewable energy that might be produced from the proposed turbines especially when taking into account the absence of any meaningful mitigation for the impacts of the three turbines.

Finally, public consultation by the District Council on the revised proposals ends on 12 May 2016. So, at the time this report was written, it was not clear whether the planning impacts identified by affected local communities in response to the original application have been fully addressed by omitting two of the five turbines originally proposed. In this respect, there were 87 individual objections to the original application for five turbines alongside objections from several Parish Councils and a number of objections from conservation specialists and interested third parties.

There was also support for the proposals but turbine proposals are not determined by a referendum.

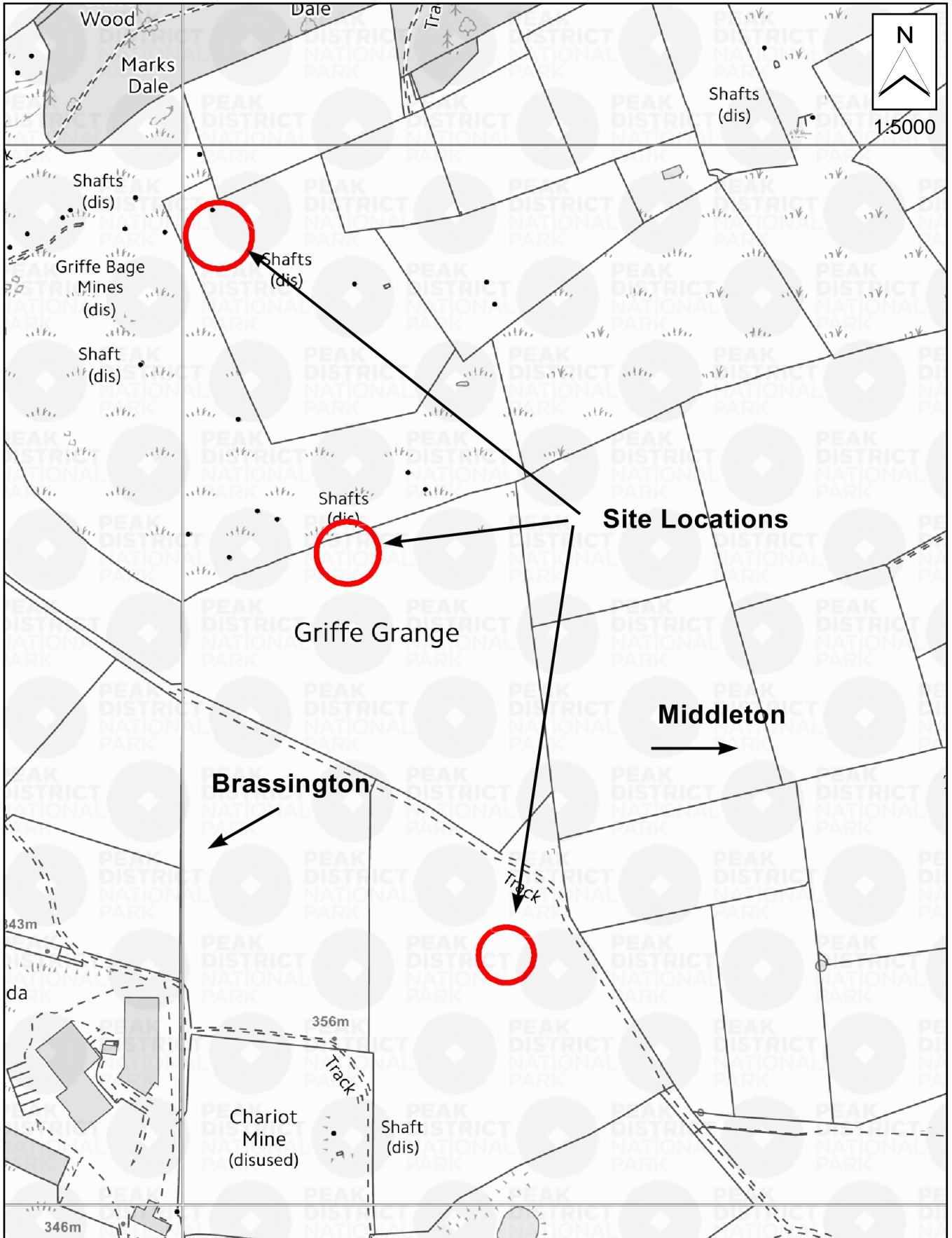
The Written Ministerial Statement made on 18 June 2015 is quite clear that when considering applications for wind energy development, local planning authorities should only grant planning permission if following consultation, it can be demonstrated that the planning impacts identified by affected local communities have been fully addressed and therefore the proposal has their backing. If the revised proposals do generate further objections from local communities affected by the proposals on valid planning grounds then it self-evidently cannot be demonstrated the omission of two turbines has fully addressed their concerns.

However, whilst it would be down to the District Council to make their own determination on this issue, it seems unlikely from the analysis of the revised proposals in this report that it will be demonstrated that the omission of two turbines has fully addressed the concerns of local communities affected by the proposals.


Conclusions

It is therefore concluded that there are no other material considerations that offset or outweigh the conclusions reached in this report that the revised proposals would conflict with the statutory purposes of the National Park's designation and conflict with national planning policies in the Framework. In this case, it is considered the three turbines would have a significant adverse visual impact on the landscape character of the National Park, substantially detract from the quiet enjoyment of its special qualities, and result in harm to its cultural heritage. Accordingly, it is recommended that this Authority should object to the revised proposals and continue to support any subsequent defence of the current appeal by the District Council.

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Committee Date:	13/05/2016	Title: Griffe Grange Manystones Lane Brassington	 PEAK DISTRICT NATIONAL PARK
Item Number:	8		
Application No:			
Grid Reference:	425146, 355618		

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9. FULL APPLICATION – RETROSPECTIVE APPLICATION FOR RETENTION OF FACILITIES BLOCK – LOSEHILL HALL, HOW LANE, CASTLETON (NP/HPK/0216/0102, P.6412, 15/02/2016, 415332 / 383831, MN)

APPLICANT: Mrs Hayley Stevens on behalf of the Youth Hostel Association (YHA)

Site and Surroundings

Losehill Hall is a Grade II listed former residence dating from 1882 with mid-20th century extensions dating from the early 1970's. The Hall is located in the open countryside and is set within extensive grounds to the front, with a long driveway leading up from Castleton Road outside of Castleton. The site is currently run as a youth hostel by the Youth Hostel Association (YHA).

To the north-east of the Hall is a field on which the YHA currently operate a campsite. The field slopes downhill from north to south, and is bounded by trees and hedgerows to all sides, with gated access off Squires Lane to the north. The site can also be accessed on foot from Losehill Hall by a path through the trees to the western boundary of the field. To the eastern side of the field is an old field barn that now has a lawful use as a camping barn. To the south of this lie a range of three individual toilet blocks sited adjacent to each other. These are currently unauthorised and are the subject of this application.

A Countryside Stewardship agreement was previously in place on the field, which sought to retain its ecological interest, but this expired in 2013.

Around 200m north of the field are the buildings of Fields Farm, which is the nearest neighbour to the development site. A number of other dwellings and farms are also located in the vicinity. The Hall and campsite lie outside of any Conservation Area.

Proposal

The application seeks retrospective permission for the construction of a facilities block comprising three individual prefabricated units which have been sited adjacent to each other on the field.

The units are constructed of green metal sheeting and have flat roofs. Each has a single door to the front and a small opaque glazed window to the rear. Each unit includes one each of toilet, sink, shower, boiler and heater. The units drain to an existing septic tank that serves the adjacent camping barn.

RECOMMENDATION:

That the application be APPROVED subject to the following conditions:

- 1. Within one month all three units shall be painted dark green (Juniper Green – 12B29).**
- 2. Within one month a landscaping scheme to include planting to the north and south sides of the buildings shall be submitted to and agreed in writing by the Authority. It shall then be implemented as approved within the first planting season and permanently so maintained for the lifetime of the development.**

3. **The development shall be restricted to use by a “recreational organisation” as defined under Part 5 Class C of the General Permitted Development Order 2015 that is providing camping on the site under a Camping Exemption Certificate issued under the provisions of section 269 of the Public Health Act 1936.**
4. **At the time at which camping on the site under a Camping Exemption Certificate ceases, the building shall be demolished or otherwise removed from the site.**
5. **Details of drainage to be submitted and agreed within one month of permission being granted, and implemented within a further two months.**

Key Issues

1. Whether the development conserves or enhances the character and appearance of the landscape of the area.
2. Whether the development has any adverse environmental impacts.

Consultations

Derbyshire County Council – Highways – No objections

High Peak Borough Council – No response at time of writing

Castleton Parish Council – The Parish Council raise the following concerns over the development of camping facilities at Losehill Hall:

- Intensification of use of an access track and footpath serving the field and a number of neighbouring properties.
- The parking provision in the application refers to the existing facilities at the Hall. These do not provide vehicular access to the site and no reference to parking provision within the field is made by the applicant.
- There is no indication of the number of campers to be allowed or whether camper vans and caravans will be excluded.
- There is no assessment of the environmental impact of the proposal which the Parish consider converts a meadow into a camping ground.

The Parish Council also make reference to the construction of a hardstanding within the field that has commenced. The Authority’s Monitoring and Enforcement team are currently investigating this matter, which is separate from the current application.

Representations

3 letters of representation have been received, all objecting to the proposal. The grounds for objection are:

- Access along Squires Lane is unsuitable as it is single track with limited passing places, and is also a well-used footpath
- The provision of toilet facilities encourages further camping in an area that cannot sustain further visitor pressure
- Noise from the use of the site for camping is having an adverse impact on nearby neighbours
- No restriction on the numbers camping and an increase in the facilities will lead to an increase in the usage of the field destroying the wild flower meadow.

- The applicant's current camping exemption certificate expires on the 20 May 2017. It is contested that the Authority is not able to issue planning permission for a facility that will require removal beyond May 2017.
- No assessment has been made of the impact of the development on the ecological interests of the field.
- A toilet and shower block, tents and cars in the field detract from the landscape
- Increased walkers from the site further erode local footpaths and increase littering
- The requirement for a permanent installation to support the restricted camping use is unfounded and represents overdevelopment.
- Approval would set a precedent for any future retrospective planning
- The location of the amenity units is within circa 5 metres of a field where livestock is routinely placed and the subsequent increase in noise will further disturb livestock

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.

RT3: Policy RT3 states that provision of improved facilities on existing camping sites must be of a scale appropriate to the site itself.

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

Local Plan

LC4: 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.

LC21: Policy LC21 states that development that prevents a risk of pollution, including to groundwater resources amongst other things, will not be permitted unless adequate measures to control emissions within acceptable limits are put in place.

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

Relevant Local Plan (LP) policies: LC18

National Planning Policy Framework

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

Assessment

Use of the site for camping

Whilst this application is not seeking planning permission for the use of the field for camping, the impacts of this have been raised by the Parish Council and by members of the public in their representations. It is therefore appropriate to explain the current use of the site.

The Youth Hostel Association currently use the field for camping under a Camping Exemption Certificate issued by Natural England, under a provision of section 269 of the Public Health Act 1936. This permits the field to be used for camping by the YHA and its Members, subject to a number of restrictions. The most notable of these (in relation to the use of the land) is that the use should be restricted to no more than 60 days a year, of which no more than 42 should be consecutive. This arrangement, and compliance with it, does not form part of the planning system.

Planning permission for use of the land for camping by exempted organisations is granted by the Town and Country Planning (General Permitted Development) Order 2015. Part 5 Class C of the Order states that "The use of land by members of a recreational organisation for the purposes of recreation or instruction, and the erection or placing of tents on the land for the purpose of the use" constitutes permitted development. It goes on to clarify that a "recreational organisation" is one holding an exemption certificate under section 269 of the Public Health Act 1936.

Therefore the current use of the field for camping by the YHA is permitted development and any further restrictions of use, such as the number of days for which it can be used or the operating practices of the YHA whilst providing the camping, are controlled under a different consent regime.

Principle of facilities block

In planning terms, the site could be used all year round. However, the restrictions of the Camping Exemption Certificate restricts camping on the site to a maximum of 60 days per year, as currently drafted. This still represents a significant proportion of the camping season – especially if broken up throughout the summer months – and it is considered that some form of facility provision is therefore reasonable.

The proposed block would include three individual cubicles, each with a shower, sink, and toilet. The number of campers on the site at any one time is unrestricted, and so this appears to represent a modest provision that would be proportionate to the use of the site as required by policy RT3.

Landscape impact of the facilities block

The buildings have been sited along the eastern boundary of the field, which does help to reduce their prominence as they are partially screened and broken up by existing planting along this boundary, and do not appear isolated within the field.

Their colour – a vivid mid-green – does serve to increase their intrusion, as does their functional and modern design. This is most apparent when looking back across the site from the public rights of way to the north, although the existing field barn does obscure them in some views. Nevertheless, where visible they appear incongruous and detract from the otherwise traditional and largely undeveloped appearance of the field and wider landscape in this location.

It is considered that the landscape impact of the buildings could be mitigated by reducing their prominence and visibility through a combination of painting the units a darker colour and providing screening to the northern and southern sides of them. If permission is granted, it is therefore considered that these measures should be required by planning condition in order that the development will comply with policy L1 and LC4.

Environmental management

The drains from the facilities block flow to the existing septic tank serving the adjacent camping barn. In order to comply with national planning guidance and local planning policy – which requires pollution to be reduced to acceptable levels – it would usually be necessary for foul water to be disposed of to a package treatment plant where no access to the main sewer is available.

Due to the fact that they result in higher levels of ground water pollution than package treatment plants, national guidance stipulates that septic tanks should only be supported where connection to a mains sewer or a package treatment tank is not feasible. Whilst the septic tank is an existing facility, the additional 3 showers, sinks, and toilets, will increase the throughput of the tank considerably, contributing to further ground water pollution.

No evidence has been put forward as to why a package treatment plant could not be used instead, and as an electrical supply has already been made to the site (which is generally required by package treatment plants) it seems likely that such provision would be feasible.

If permission is granted it is therefore considered necessary for details of drainage to be reserved for agreement by condition in order to ensure that the least polluting option available is implemented.

Highways

The facilities block would not have any highway implications; it would be used by campers already using the site and would not generate any further traffic.

Objections have been received relating to an intensification of use of the access road to the site, but this is related to the use of the field for camping, rather than the provision of the facilities block. As a result such considerations are outside the scope of this application.

Amenity

It is not considered that the introduction of basic facilities on the site, particularly on such a modest scale, would increase usage of the site to such a degree that amenity impacts would be significantly different to if the field did not offer such facilities, or if it relied upon those at the Hall itself – which would seem to be a reasonable alternative given its proximity. The facilities block is considered to be sufficiently far from neighbouring properties that its use would not affect their amenity through noise, odour or visual intrusion.

Other matters

If permission for the facilities block was to be granted, it would be necessary to make clear by condition that it was restricted to use by a “recreational organisation” as defined above, which would include the YHA. Were any person or body other than an exempted organisation to seek to camp on the field in the future then this would make it clear that the Authority had not made any assessment of the merits of the use of the site for camping when approving the facilities block, and the Authority would therefore be unencumbered in making an assessment of the acceptability or otherwise of continued camping on the site.

Once the use of the site for camping by an exempted organisation ceases the building would no longer serve a purpose, and it is therefore considered that it should be demolished or removed from the site at that point in order that the landscape can be restored to its natural state.

The facilities block would occupy a small area of the field that is already in use for camping under a Camping Exemption Certificate. It is not considered that in this context the development would have a significant impact on the nature conservation interests of the site.

Conclusion

The principle of providing appropriate facilities in the field for use by those camping in it is acceptable in planning policy terms, and the landscape impacts of the development are considered capable of being mitigated by the imposition of planning conditions as detailed above.

The current drainage arrangements are not considered to be acceptable, but an acceptable alternative could be required to be provided if permission was granted.

The Authority does not have control over the current use of the site for camping by the YHA, as this is being carried out as permitted development by the YHA as an ‘Exempted Organisation’ as defined above. Officers consider that any permission, if granted, should make clear that the development is approved for use only in accordance with this permitted development provision and that permanent use of the land for camping is not granted or should not be inferred from the decision. A condition requiring the removal of the building when use of the site for camping by an ‘Exempted Organisation’ ceases would ensure this.

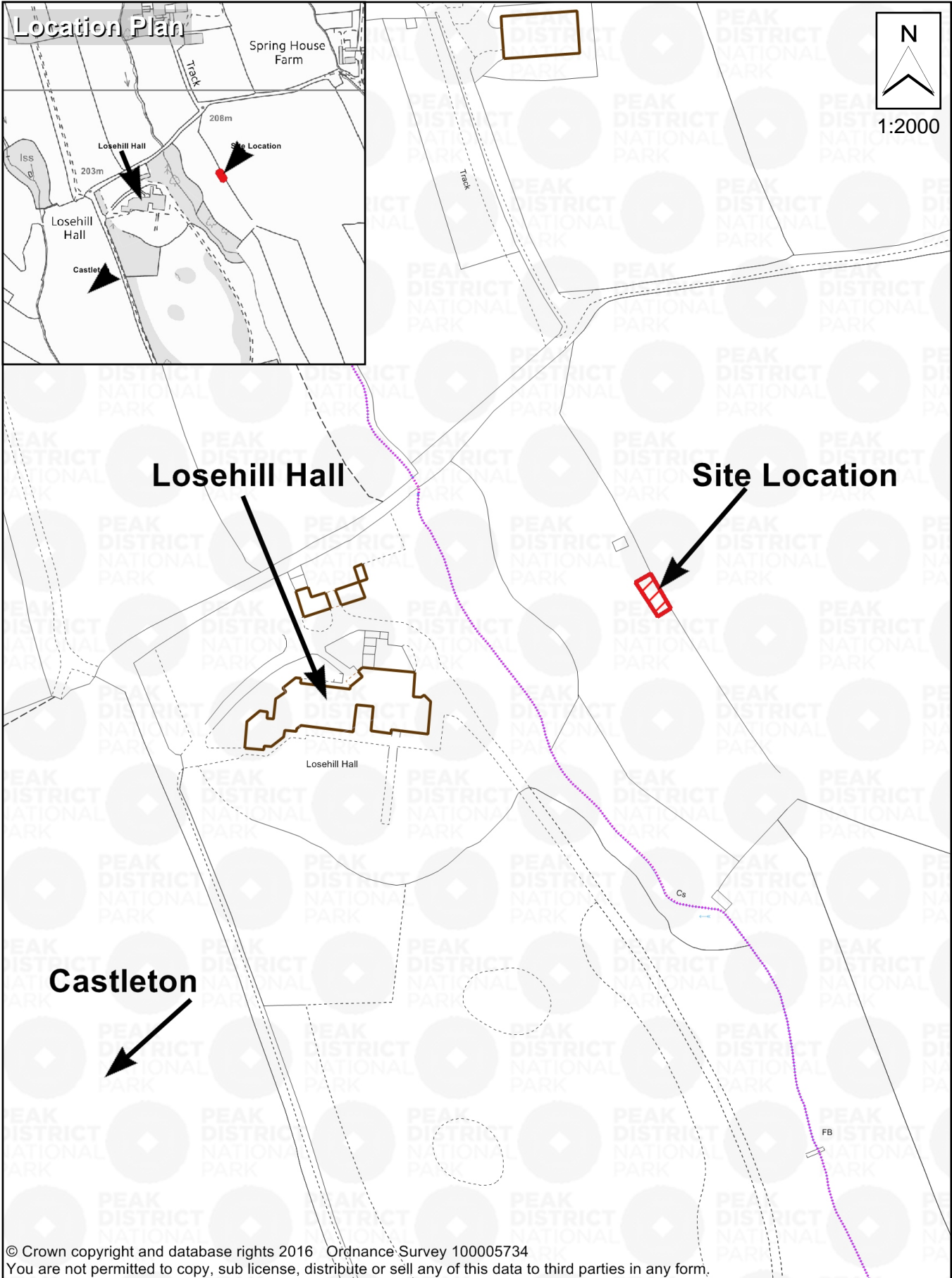
Given these considerations, and having taken account of all other material matters, the application is recommended for approval subject to conditions.

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:	13/05/2016	Title: Losehill Hall How Lane Castleton	 PEAK DISTRICT NATIONAL PARK
Item Number:	9		
Application No:	NP/HPK/0216/0102		
Grid Reference:	415332, 383831		

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10. FULL APPLICATION – ALTERATIONS AND EXTENSION TO REAR OF PUB PLUS ALTERATIONS AND EXTENSION TO EXISTING OUTBUILDING, THE MOON INN, STONEY MIDDLETON (NP/DDD/0216/0109, P.7729, 423076/375401, 26/04/2016)

APPLICANT: MR DAVE DUNROE

Site and Surroundings

The Moon Inn is located within the centre of Stoney Middleton and within the Stoney Middleton Conservation Area. The public house is an important gateway building into the village when entering from the east located on the junction of High Street and the A623.

The pub is a prominent two storey vernacular building with white painted rendered walls and blue slate pitched roofs. Windows and doors are timber and of traditional design with sash window frames and solid doors. The pub car park is located to the east of the building, set above the road behind a high stone retaining wall. To the west of the pub is a walled garden set behind a two storey high stone wall which attaches to the main building and is itself a dominant feature at the foot of High Street.

Access to the pub car park is from the junction of High Street and the A623. The nearest neighbouring properties are the residential properties on the far side of High Street and the domestic properties along Denman Crescent to the rear.

Proposal

The application seeks planning permission for an extension to the rear of the pub to provide additional space for covers and re-located toilets on the ground floor and two additional letting rooms at first floor. The application also proposes to extend and convert the existing outbuilding within the car park to provide staff accommodation.

The amended plans show that the pub extension would be two storey and to the rear of the existing rear wing of the building. The extension would be 8m deep, 6m wide, 4m to eaves and 5.6m to ridge (above adjacent ground level). The extension would be set back from the east facing side wall of the existing pub. The east and south facing walls of the extension would be clad with natural limestone and the west facing wall would be clad with render to match the existing pub.

A single storey 'lean-to' extension is proposed to the east side of the outbuilding to facilitate its conversion and use as staff accommodation consisting of a bedroom and living room. The garage door would be glazed and external timber boarded doors retained on the outside of the building.

RECOMMENDATION:

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

- 1. Statutory time limit for implementation.**
- 2. In accordance with specified amended plans.**
- 3. Conditions seeking prior approval of and specification of architectural and design details including stone sample panel, roof slates, windows and doors, rainwater goods and roof verges.**

4. The accommodation hereby approved to be occupied as staff accommodation and short stay letting units ancillary to the Moon Inn only and to be retained within a single planning unit.

Key Issues

1. Whether the proposed development would conserve or enhance the character and appearance of the existing building and the designated Stoney Middleton Conservation Area.
2. Whether the proposed development would have a harmful impact upon highway safety or the amenity of road users.
3. Whether the development would be acceptable in all other respects.

History

None relevant.

Consultations

Highway Authority – No objection to the application provided that the uses are required to remain ancillary to the established operations of the Moon Inn.

District Council – No response to date.

Parish Council – State that although the Parish Council is in support of this application, and appreciates that the applicants are doing all they can to mitigate any parking issues, it does have concerns over the limited parking.

PDNPA Conservation Officer – Makes the following comment.

The position of the extension to the main building as now proposed accords with our suggestion to extend the pub backwards, and in principle the scheme is acceptable. The proposed addition is very plain and the roofline is not materially different from the adjacent part of the building, but bearing in mind its discreet location burrowed into rising ground, and backing onto modern development there is no objection to the overall form.

It is unclear for how long the building has been rendered, or what sort of render it originally was. It seems unlikely that the whole building was originally rendered; the outbuildings (now demolished) were not rendered if the surviving one is anything to go by. The excessive use of render gives a stark appearance, especially when combined with the rather bleak car park. To preserve or enhance the conservation area, I suggest that the east elevation at least of the new building (including the return onto the south gable end) should be of rubblestone to suit the conservation area. This would relieve the bland and blank appearance of the elevation and would also preserve and complement the more natural appearance of the retaining walls that are on the site now.

On the west elevation, the two dormered doors are an awkward feature. I suggest that they be paired and placed under a single gablet which, although larger, would have a more traditional appearance. Maybe stone lintels with simple bracketed stone canopies could be added to make them look more inviting.

In regard to the detached carriage house, it is not suitable, in this particular context, to fully glaze the doorway at the front. Given the small scale of the building and its exposed setting, it would appear very incongruous. Moreover, as the accommodation proposed is small and of private character there would be a strong and understandable desire to gain privacy by either obscuring the glass or using blinds or curtains. In this setting, the effect would be very strange indeed. I suggest that the doors remain as solid, painted timber doors, perhaps with a wicket door in one of them that would give access. The semi-circular space above the transom could be glazed as currently proposed. I accept that other, modest windows would have to be provided, perhaps one square window on each side elevation, each under a stone lintel.

Regarding the extension, the side lean-to creates an undesirable dead space next to the adjacent footpath. I suggest that it would be better to extend the building directly backwards; given the small scale and location, it would not be necessary in this instance to reduce the gable width or roof height. A catslide lean-to filling the space between the added part and the boundary wall to the east might work at this point, even though it would be tapered in plan and have a sloping gutter. For this to work, the boundary wall would be replaced with the wall of the new build, to avoid awkward detailing between wall and extension.

Representations

- Five letters have been received to date. All the letters make general comments about the application. The points raised in the letters are summarised below. The letters are available to read in full on the website.
- The proposed increase in covers and reduction of parking placed in the car park will cause visitors to park on the surrounding streets which will harm highway safety and the amenity of the area.
- It is understood that the pub operates a bus (which will need a large space in the car park or on the road) which will bring in some customers. But even if it does one complete lift, parking will be required for 60 covers, B & B guests and staff. If the bus is to drop customers home then there is the issue of cars being left in the village which will take parking spaces for customers of the two butchers and the hairdressers.
- The hairdressers has allegedly lost some customer appointments recently as they couldn't park with all the current workmen's vehicles parked in the village working on the pub.
- Spaces on The High Street and Denman Crescent are usually taken up by residents from the High Street, and those who live in flats and other homes on the A623. These places are also taken by the early evening drinkers returning from work.
- Visitors and staff unfortunate enough not to get a space in the pub car park or on the High Street will therefore be forced to park on the A623 or else they will attempt to park on The Nook, The Bank, or by the Roman Baths where residents park.
- Before Christmas a villager was knocked over, and this danger will only exacerbated if additional cars park on the A623 near the junction with the High Street and The Nook.
- The application shows completely new toilet facilities for the public but there is no detail given as to the numbers of toilets and washbasins etc. However the Moon currently has no facilities for people with disabilities and there is an opportunity to incorporate facilities in the current proposals for people with disabilities.

Main Policies

Relevant Core Strategy policies: GSP3, DS1, L3 and HC4

Relevant Local Plan policies: LC4, LC5, LT10 and LT18

National Planning Policy Framework

The National Planning Policy Framework (the Framework) was published on 27 March 2012 and replaced a significant proportion of central government planning policy with immediate effect. The Government's intention is that the document should be considered to be a material consideration and carry particular weight where a development plan is absent, silent or relevant policies are out of date. 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 Framework and within the Development Plan both seek to promote extensions and improvements to existing community facilities which conserve and enhance the valued characteristics of the National Park. Therefore it is considered that there is no conflict between the Framework and Development Plan policies.

Development Plan

DS1 and HC4 A together say that the provision or improvement of community facilities and services will be encouraged within settlements listed in core policy DS1.

L3 and LC5 seek to ensure that all development conserves and wherever possible enhances the significance of the National Park's heritage assets including Conservation Areas. Together with GSP3 and LC4 these policies seek a high standard of design which reflects and respects the local distinctiveness within the Conservation Area and in accordance with the adopted Design Guide.

GSP3 and LC4 also require all development to conserve the amenity of neighbouring properties, paying particular attention to impact on living conditions and impact upon access and traffic levels.

LT10 says that where planning permission is required for an expansion of a business, parking must be of a very limited nature especially in areas served by good public transport. The supporting text to LT10 says that parking standards will be regarded as the maximum permissible and that the Authority would generally expect there to be less provision than implied by the parking standards. LT18 says that safe access is a pre-requisite of any development within the National Park.

Assessment

This application proposes extensions to the existing pub to provide space for an additional 36 covers, two additional guest letting rooms and to convert an existing outbuilding to provide staff accommodation. The proposal is therefore considered to be acceptable in principle as an extension to an existing community facility within a settlement in accordance with DS1 and HC4.

The applicant has sought pre-application advice from Officers in regard to the potential for extensions to the pub. This application has followed the advice given by proposing an extension to the rear of the pub following the form and massing of the rear wing which projects from the original pub building.

Officers were concerned in regard to whether the two storey height of the extension would appear as a subordinate addition to the main building and therefore have sought amendments to the scheme including setting back the extension further from the side wall of the existing building and changing the proposed render to natural gritstone to ensure that the extension is visually different to the existing building and contributes to the established character and appearance of the main building.

Officers have also sought amendments to the fenestration of the extension proposed converted outbuilding to better reflect local distinctiveness and the character of the building in accordance with advice from the Authority's Conservation Officer. Therefore subject to the imposition of planning conditions to secure the amended plans it is considered that the proposed extensions would conserve the character and appearance of the pub and its setting within the Conservation Area in accordance with GSP3, L3, LC4 and LC5.

Concern has been raised in representations in regard to the potential impact of the development upon highway safety and the amenity of the local area, particularly in regard to the potential for the development to result in an increase in visitors and staff parking on nearby highways due to a lack of parking available on the site.

The pub is served by a small off-street car park to the east of the main building which is accessed off the junction of Main Street and the A623. Parking space is limited within the car park by layout and turning space with a maximum of 12 spaces available to staff and visiting members of the public. The available number of spaces at the Moon therefore falls well short of the 106 spaces advised as the maximum allowable requirement in the Local Plan.

The supporting text to policy LT10 makes clear that parking for businesses is expected to be of a limited nature and that the Authority would expect off-street parking provision to generally be less than indicated by the maximum parking standards. However, the clear difference between the maximum space standard and the amount of off-street parking on the site does indicate that the existing use of the pub is likely to result in visitors parking on the nearby public highway.

The proposed development would result in an extension which would be built upon part of the existing car park and reduce available parking spaces to a maximum of 10. The proposal would also result in space within the pub to provide an additional 36 covers and 2 guest letting rooms.

In Officer's experience visitors to this pub often park on the nearby public highway due to the limited size of the pub car park and the awkward nature of the access. Officers also agree to some extent with the applicant that the two parking spaces to the rear of the car park are frequently underutilised due to their location.

The Highway Authority has been consulted upon the current application. The Highway Authority advises that while no additional space is being provided for the proposed extensions that it considers that any objection based upon impact upon highway safety would be unsustainable.

Officers have carefully considered the concerns raised by members of the public, however, having taken into account the views of the Highway Authority it is not considered that the proposal would result in additional parking on the nearby highway to such a degree that the proposal would result in any severe impact upon highway safety or significantly harm the amenity of the local area due to increased congestion. It is therefore considered that there is no objection to the development on highway safety or amenity grounds.

Due to the distance between the proposed development and nearby neighbouring properties there are no concerns that the development would have any harmful impact upon amenity. There is also no evidence that the proposals would harm any nature conservation interests.

Concern has been raised in representations that the proposed development should make provision for facilities for disabled people. The submitted plans show that there is adequate space within the proposed extension for facilities for disabled people and that if additional space was required that the design of the extension would not constrain this. The development would need to be carried out in accordance with the Disability Discrimination Act and the Building Regulations which require reasonable provision to be made for access to the building and use of its facilities.

It is therefore concluded that the proposed development is in accordance with relevant policies in the development plan. In the absence of any further material considerations the proposal is therefore recommended for approval.

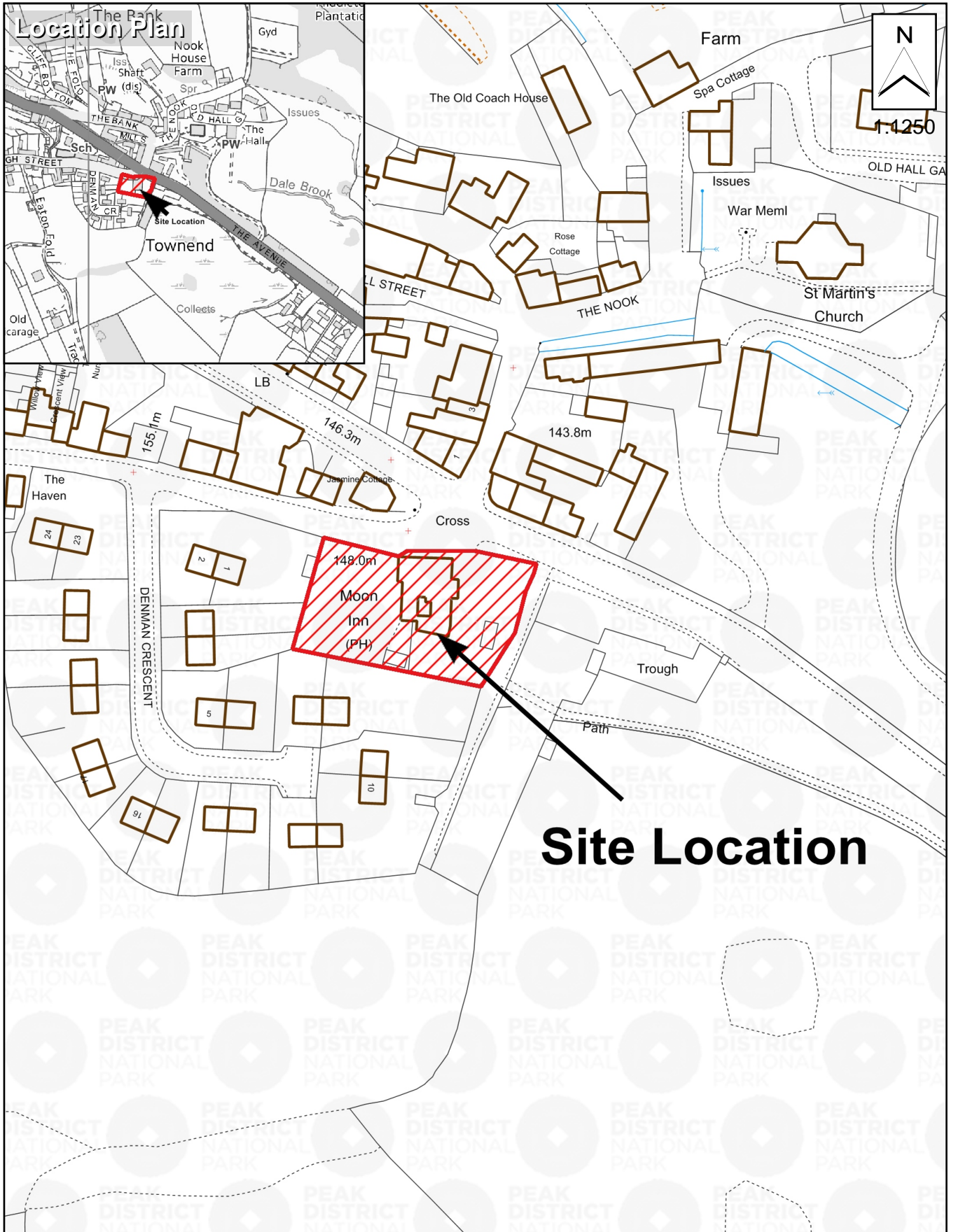
If permission is granted conditions would be recommended to require the development to be carried out in accordance with specified amended plans along with conditions to require approval of or specification of architectural and design details to ensure a high standard of design in accordance with LC4, LC5 and the design guide. A condition to restrict the use of the proposed accommodation to ancillary to the existing pub and retained within a single planning unit would also be recommended in accordance with advice from the Highway Authority.

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



Site Location

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Committee Date:	13/05/2016
Item Number:	10
Application No:	NP/DDD/0216/0109
Grid Reference:	423076, 375401

Title: The Moon Inn
 High Street
 Stoney Middleton



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11. FULL APPLICATION – ERECTION OF NEW STOCK & FODDER STORAGE BUILDINGS AT PICTOR FARM, WARDLOW (NP/DDD/1215/1212, P.2286, 418271 / 374387, 26/04/2016/AB)

APPLICANT: MR JD & LB JACKSON

Introduction

This application was deferred from the April 2016 meeting in order for Officer's to speak to the applicant to investigate an acceptable alternative location for the proposed building.

A meeting took place between the applicant and the Planning Officer and the applicant explained that the alternative location for the building (turning the building through 90-degrees) would hinder the operational requirements of the farm and make the yard area less usable. The applicant suggested an alternative location which would place the building further to the east. This was not acceptable to Officers on landscape impact grounds and would also have required the submission of a fresh application due to the building falling outside of the red edged application site on the submitted Site Location Plan.

Officers therefore request that Members determine the application as submitted. No changes have been made to the report as presented at the last committee, which is set out below.

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.

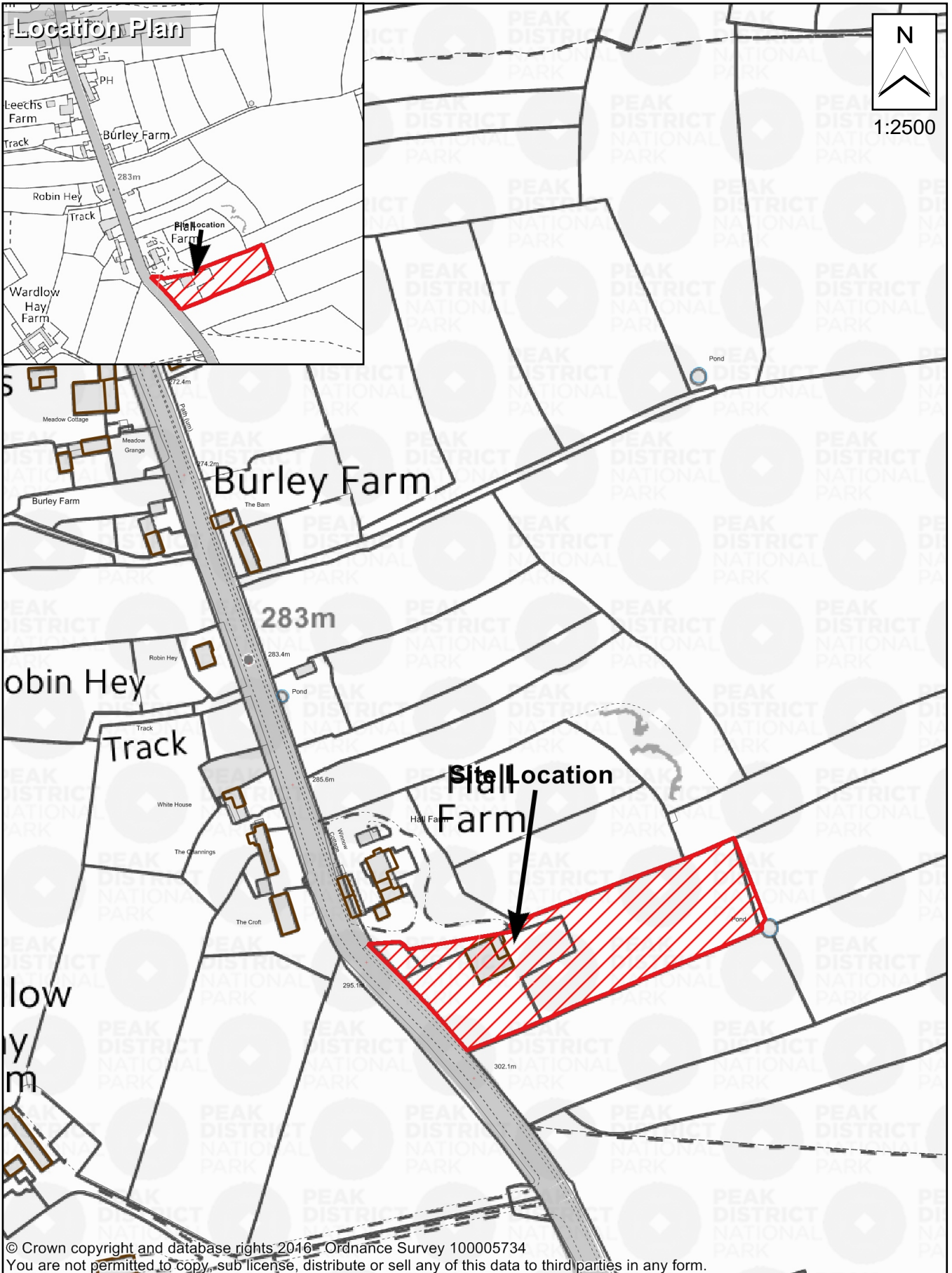
It is not considered that the proposed building would have an adverse effect on the amenity of neighbouring properties, highway safety, or the setting of the adjacent Grade II listed buildings. However, it is considered that the siting of the building, together with its orientation, would result in the 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:	13/05/2016	Title: Pictor Farm Wardlow	 PEAK DISTRICT NATIONAL PARK
Item Number:	11		
Application No:	NP/DDD/1215/1212		
Grid Reference:	418271, 374387		

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12. FULL APPLICATION – PROPOSED SINGLE STOREY CONSERVATORY/EXTENSION AT THE OLD BAKERY, THE DALE, HATHERSAGE (NP/DDD/0116/0016, P.5314, 423487 / 381747, 28/04/2016/AB)

APPLICANT: MR C WADDY

Site and Surroundings

The Old Bakery is located within Hathersage village on the south side of The Dale approximately 50m or east of the Scotsman's Pack public house. The Dale is the minor road continuing on from School Lane and leads up out of the village up to Stanage Edge.

The application site comprises part of a traditional stone built building that is subdivided into 4no. back-to-back dwellings. The application site forms the north-eastern corner of the building that fronts onto The Dale with the property's garden separate from the building, located to the south of No. 1 Brookside Cottages. A narrow footpath/access forms the boundary to the eastern side of the dwelling, whilst residential properties surround the site. The property is located within the Conservation Area.

Proposal

This application seeks full planning permission for a single storey extension and conservatory to the side of the existing dwelling.

The applicant states that the proposal is required in order to provide an alternative 'front door' to the property that stops the owners/visitors having to step immediately out onto The Dale with the associated road traffic hazard. The proposed extension would instead allow people to step out onto the quiet footpath/access to the east of the application site.

RECOMMENDATION:

That the application be APPROVED subject to the following conditions:

- 1. Statutory 3 year time limit for implementation.**
- 2. Development not to be carried out otherwise than in accordance with specified amended plans.**
- 3. Natural gritstone to match the existing walls.**
- 4. Roof to be tiled in slate.**
- 5. Rooflight to be set flush with roof slope and 'conservation' style.**
- 6. Conservatory to be constructed of timber with a glass roof.**
- 7. External doors and windows to be constructed of timber.**
- 8. The external windows and doors shall have stone cills, lintels, surrounds to match the existing building.**

Key Issues

- Whether the design of the development has an acceptable impact on the character and appearance of the dwelling, the surrounding area and the Conservation Area.
- Whether the development has an acceptable impact on the amenity of neighbouring properties.
- Whether the proposal has any issues in respect of highway safety.

Relevant Planning History

No planning history

Consultations

Derbyshire Dales District Council – No comments received.

Hathersage Parish Council – The Planning Committee would like to comment that there are no internal drawings for this application so it is unclear if walls/windows are being removed, and that without the paper plans being available they wouldn't have been able to give this application the consideration it deserves. *[Note: Floorplans were available to view on the Authority's website alongside the elevational drawings and therefore it is unknown why the Parish Council could not view these at the time of their deliberations].*

The Planning Committee object to the proposed scheme in its current form. It would have an overbearing impact and would further restrict highway vision from the footpath at the side of the property on this very busy, and at this point, extremely narrow road. The residents of 3 properties would be affected by this. There is limited parking in this vicinity, the current double yellow lines mean that traffic stops directly opposite the proposed extension to allow oncoming vehicles to pass through. If the proposed extension follows the current property line, it will abut into this narrow road, causing an even smaller pinch point. The issues using the front door of the property will have in reality moved further up the road. The level area on which the proposed extension is to be built is currently used to store refuse bins, the plans do not give any indication where this storage could be moved to.

This property has been subject to unsympathetic restoration previously, specifically the UPVC windows, inappropriate stonework, and poor pointing, which the Planning Committee hopes could be remedied as part of any work carried out on the property.

Highways – No objection subject to no loss of parking.

Representations

In total, two representations have been received that made the following comments:

- The extension will block out light from a neighbour's small kitchen window which is already dark and could feel too close and claustrophobic.
- The applicant's garden is already full with a large trampoline and the neighbours will now have to look out onto the applicant's bins.
- Building on top of the current concrete topped structure built by the previous owners will narrow the pathway and create an overbearing structure.
- The creation of the main entrance door off the narrow path is unacceptable and will impede access to residents and visitors to the property.
- The extension will impair the line of vision for people leaving the path to cross The Dale.

It will be impossible to see vehicles until they are immediately in front of the path. The proposal will merely move the current problem associated with the front door to the top of the shared path.

- The extension will destroy the heritage shop front and interrupts the rhythm and flow of the existing buildings on The Dale.
- Without detailed plans it is impossible to make any definitive comments on the design; the pitch of the roof appears to be too shallow; and it is unclear where waste rainwater would go.

Concerns are also raised in respect of a loss of a view and the future inability to move large items of furniture along the access are not material planning considerations.

One representation raised a number of concerns regarding the impact the proposed development would have on the footpath/access to the side of the property however none of these are valid issues as the drawings indicate that the proposed works would not affect the access; would not result in it narrowing; and would not require the building of a doorstep or the re-grading of the access. Comments in respect of the provision of a front door without the need for the proposed extension are not valid as that is not what is being applied for. None of these comments are therefore relevant to the consideration of this planning proposal.

The applicant chose to respond to the two representations received from neighbouring properties as well as the Parish Council in order to explain their proposal and to answer some of the questions/points raised. It is not considered necessary for this to be reiterated, however the points raised have been taken into consideration and a copy is available to view on the Authority's website.

The initial consultation period expired on 4 April 2016, however a further period of consultation has been undertaken following receipt of revised drawings. The new consultation period expires on 9 May 2016. Any further comments received will therefore be reported at the Planning Committee Meeting.

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, GSP4, DS1, CC1, L3.

Relevant Local Plan (LP) policies: LC4, LC5, LH4, LT18.

Core Strategy policy DS1 allows extensions to existing buildings in principle.

Core Strategy policy GSP3 and Local Plan policies LC4 and LH4 allow extensions and alterations to existing dwellings provided that these are of a high standard of design in accordance with adopted design guidance which conserve the character, appearance and amenity of the existing building, its setting and that of neighbouring properties.

The Authority has also published further detailed design guidance in the form of a Supplementary Planning Document – Alterations and Extensions. In addition to design guidance the document also sets out advice on neighbourliness considerations such as amenity, privacy and daylight.

Core Strategy policy L3 seeks to conserve and enhance archaeological, architectural, artistic and historic assets and their settings. Local Plan policy LC5 states that development within Conservation Areas should assess and clearly demonstrate how the existing appearance of the Conservation Area will be preserved and, where possible, enhanced.

Local Plan policy LT18 requires developments to have safe access arrangements.

Adopted design guidance within the Design Guide, the recently adopted Climate Change and Sustainable Building Supplementary Planning Document (SPD) 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.

Assessment

Design/Character

It is proposed to erect a single storey extension to the eastern side of the existing building. The proposed extension would be constructed on top of an existing level area of concrete hardstanding that was constructed under permitted development rights by the previous owner and would result in the removal of the ground floor wall/windows. The proposed extension would comprise a part stone and slate built extension located closest to The Dale and a part timber framed/conservatory extension located to the rear (closest to No. 1 Brookside Cottages). The stone built extension would comprise an alternative front door to the existing building that would be open to the room beyond, whilst the conservatory section would house a spiral staircase that would provide access to the property's lower ground floor as well as acting as a light-well.

Revised plans were received during the course of the application due to concerns raised regarding the northern wall being flush with the front elevation of the building, and due to the scale and height of the proposed extension relative to the neighbouring property's lower ground floor kitchen window. The proposed extension has now been stepped-back from the front elevation of the existing building; the height of the proposed conservatory has been reduced; the roof of the proposed extension has been altered from a lean-to to a pitched roof; and the conservatory has been stepped further away from No. 1 Brookside Cottages.

The proposed extension would be subservient to the existing building due to its scale, massing, height and its step-back from the front elevation. The front section of the extension would match the existing building in terms of materials and would have an acceptable impact on the character of the Conservation Area. The proposed timber-framed conservatory would be located to the rear of the stone built part of the extension and therefore it would not be highly visible from the street scene or the Conservation Area. It would have a contemporary design using traditional materials that would complement the design of the existing dwelling and would not adversely affect the character or appearance of the Conservation Area.

The Parish Council has commented regarding the unsympathetic changes that have previously been made to the property (namely uPVC windows, inappropriate stonework and poor pointing). The inappropriate stonework and two of the uPVC windows would be removed with the construction of the proposed extension, however the other matters cannot be remedied as part of this application. Nonetheless, the applicant has indicated his willingness to replace the remainder of the uPVC windows with timber later in the year.

Subject to conditions in respect of materials and the roof light being set flush with the roof slope and 'conservation' style, it is not considered that the revised scheme would have a detrimental effect on the character or appearance of the existing building, the surrounding area, or the Conservation Area. The proposed development would therefore comply with policies LC5 and LH4 of the Local Plan, policies GSP3 and L3 of the Core Strategy and the relevant Supplementary Guidance.

Amenity

The proposed development would be located on the eastern side of the building. No. 1 Brookside Cottages is attached to the southern side of the existing building and, due to the sloping nature of the land, has a kitchen window located adjacent to the application site but at a lower ground level. The neighbour has raised concern that the proposed extension would result in a loss of light to this window and that the proposed extension would be too close and too claustrophobic.

Revised plans have been received that have reduced the scale of the proposed extension so that the roof of the proposed conservatory is lower than originally submitted and the roof of the proposed extension has been changed from a lean-to design to a pitched roof. The overall bulk of the proposed extension relative to the neighbour's window has therefore been reduced. The proposed extension has also been stepped further away from the neighbour's kitchen window, leaving a gap of 1.9 metres. As amended it would now lie outside of a 45-degree angle taken from the window which is the 'rule' set out in the Authority's SPD on Alterations and Extensions which is used to assess amenity impact in these circumstances. The extension would be sited due north of the neighbour's kitchen window and therefore it would not result in a loss of sunlight to this window. Due to the changes that have been made to the proposed scale and design of the extension, together with the lightweight materials that will still allow light to travel through the proposed conservatory and reach the neighbour's window, it is considered that it would not have a detrimental effect on neighbouring amenity.

Due to the siting and scale of the proposed extension, it is not considered that any other neighbouring properties would be affected by the proposed development.

For the reasons outlined above, it is considered that the revised drawings have overcome the Officer's initial concerns and the proposed extension would now have an acceptable impact on neighbouring amenity. The proposed extension would therefore comply with policy LH4 of the Local Plan and policy GSP3 of the Core Strategy.

Highways

The Highway Authority has assessed the application and raised no objection subject to no loss of parking. The property has no off-street parking and therefore there would be no loss of parking arising from the proposed development. The proposed extension would be sited on a paved garden area to the side of the property and it would not affect the existing narrow footpath/access to the eastern side.

Concern has been raised by neighbours and the Parish Council that the proposed extension would result in the footpath/access to the east of the property becoming dangerous when people try to cross the road due to the extension impeding pedestrian visibility. Revised drawings have been submitted that now step the proposed extension back from the front wall of the existing property thereby improving pedestrian visibility. Notwithstanding this, it should be noted that the Highway Authority raised no objection to the proposed development when the extension was originally flush with the front elevation.

Neighbours and the Parish Council have also raised concern that the area to be built upon currently houses the property's bins and they did not know where they would be stored if the extension was built. The property has a small garden to the south of No. 1 Brookside Cottages (as shown on the Site Location Plan) and the applicant has confirmed that their bins would be stored in this area, within a small covered enclosure in order to obscure them from the neighbour's property.

For the reasons outlined above it is considered that the revised plans/additional information has overcome or addressed those issues raised by neighbours and the Parish Council. There would therefore be no highway safety issues arising from the proposed development and it would comply with Local Plan policy LT18.

Environmental Management

No environmental management measures have been proposed, although the building would be required to meet current Building Regulations. Due to the type and scale of the development proposed, it is considered that the scheme accords with policy CC1 of the Core Strategy.

Conclusion

It is therefore concluded that the proposed extension, as amended, is not considered to have a detrimental effect on the character or appearance of the existing building, the street scene or the Conservation Area. It would be subservient to the existing dwelling with a design and use of materials that would complement the existing property. It would not have an adverse impact upon neighbours.

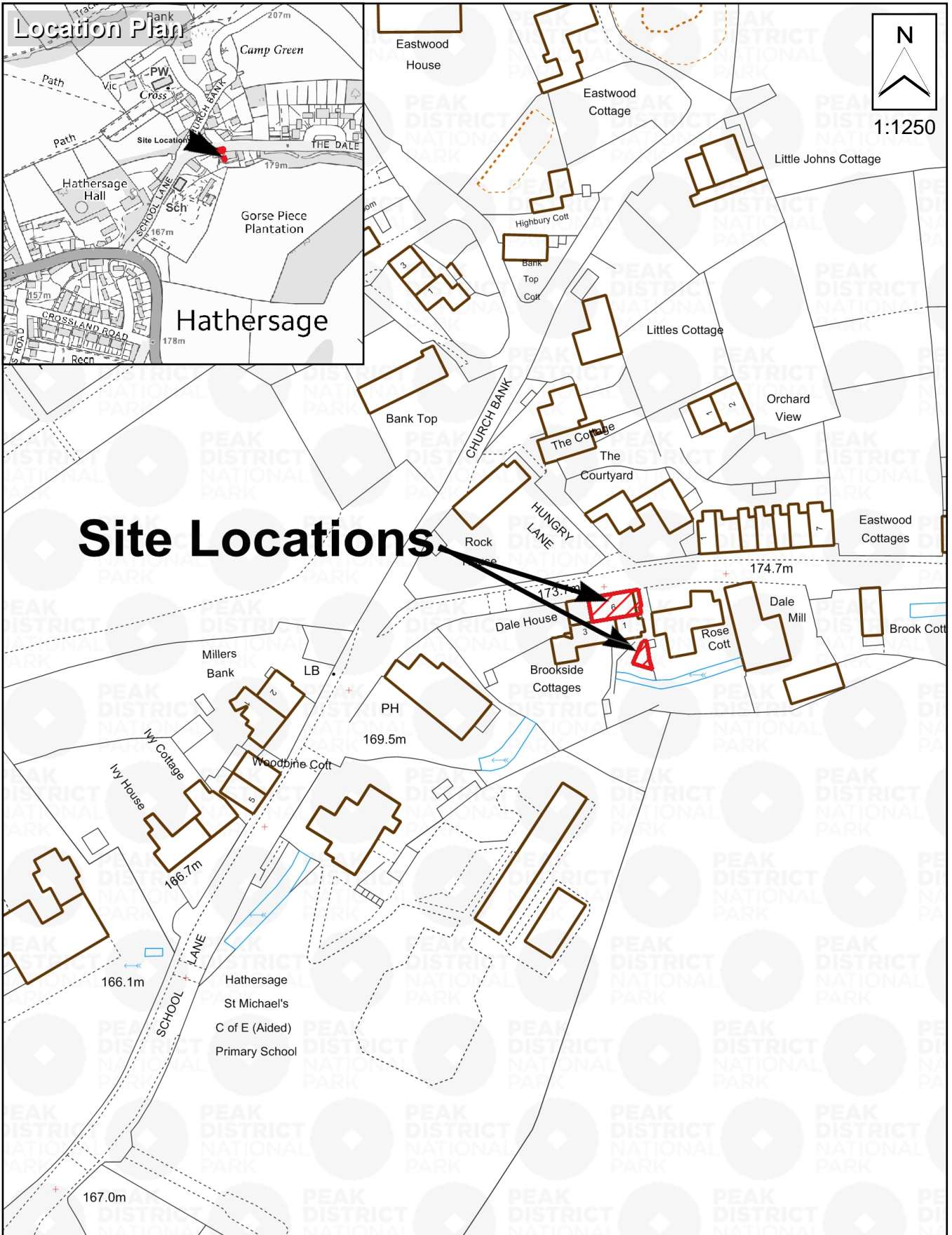
In the absence of further material considerations, the proposed development is considered to be in accordance with the development plan and accordingly is recommended for approval subject to conditions.

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:	13/05/2016	Title: The Old Bakery The Dale Hathersage	 PEAK DISTRICT NATIONAL PARK
Item Number:	12		
Application No:	NP/DDD/0116/0016		
Grid Reference:	423487, 381747		

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13. LISTED BUILDING CONSENT APPLICATION: RETROSPECTIVE CONSENT FOR UNAUTHORISED WORKS TO LISTED BUILDING AT 4 ANSON ROW, WINSTER (NP/DDD/0216/0148 P.10387 424138/360408 26/04/2016 DH/CF)

APPLICANT: Mr C Turner

Site and Surroundings

4 Anson Row is the end cottage of a row of four dwellings orientated east to west on the east side of East Bank, Winster, approximately 100m south of the main road through the village. The terrace is directly off East Bank, the gable of number 1 being directly on the roadside, 4 Anson Row is the easternmost of the row, furthest from the road, and the one which is built into the hillside to a greater degree. The cottage was listed Grade II on 23 May 1984, and lies within the designated Winster Conservation Area. In common with the other cottages along the terrace, 4 Anson Row is a two storey dwelling constructed from randomly coursed rubble limestone with gritstone quoins and window and door surrounds and has a pitched roof clad with stone slates.

Proposal

The current application seeks retrospective listed building consent for unauthorised works to the cottage. The works comprise various alterations that have been carried out at the property including: (1) new floors; (2) new ceiling and wall finishes; (3) blocking an access between the kitchen and living room; (4) partial removal of a stud wall in the kitchen area; (5) a replacement staircase; (6) new plank and batten doors; (7) removal of timber handrail at the top of the staircase; (8) removal of timber partition between the staircase and bedroom; (9) a replacement cupboard; and (10) a new extractor vent in the bathroom.

RECOMMENDATION:

That the application be APPROVED.

Key Issues

- The impact of the works on the special historic and architectural interest of the Grade II listed building and its setting.

History

21 November 1991 - Urgent Works Notice served requiring repairs to the roof, chimneys, gutters and windows.

Enforcement 07/0065 – Unauthorised works to listed building.

Consultations

County Council (Highway Authority) - No comment.

District Council – No response to date

National Park Authority (Conservation Officer) - No objections but note that if the applicant had consulted the Authority prior to the implementing the works included in this listed building consent application, advice would have been given on a more sympathetic approach. Some of the works that have been carried out have resulted in some minor harm to the historic building. However, until recently the property was at risk. It is now habitable and the works that have been implemented should secure the longevity of the designated heritage asset. The minor harm that

has occurred by the works, as proposed in this application, is outweighed by the public benefit of restoring the designated heritage asset and securing its original use.

Historic England - Do not wish to offer any comments on this occasion, and recommends that the application should be determined in accordance with national and local policy guidance, and on the basis of the Authority's expert conservation advice.

The Victorian Society, Georgian Group, Society for the protection of Ancient Buildings, Ancient Monuments Society and Royal Commission on Historical Monuments have been consulted on this application but there have been no responses from any of these amenity bodies to date.

Parish Council – Recommends that the application is refused due to modernisation that has resulted in the loss of historic fabric to a Grade II Listed Building. Concerns were expressed that the unauthorised works to the property have been completed at some time in the past unsympathetically and that many historic features have regrettably been lost.

Representations

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

Statutory Duties

The Authority has a statutory duty to have special regard to the desirability of preserving the Grade II building and its setting and any features of special architectural or historic interest which it possesses. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special regard must be had to the desirability of preserving the setting of listed buildings. Section 72 of the same Act requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of Conservation Areas.

National Policies

Paragraph 115 of the NPPF says that great weight should be given to conserving landscape, wildlife and cultural heritage in National Parks. Paragraph 129 states that local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal taking account of the available evidence and any necessary expertise. Paragraph 134 states that where a proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal. These policies are consistent with the most relevant policies in the Development Plan

Main Development Plan Policies

Policy L3 of the Core Strategy deals with cultural heritage assets of historic significance, and states that development must conserve and where appropriate enhance or reveal the significance of architectural or historic assets and their settings.

Saved Local Plan Policy LC5 deals with applications for development or works which are within designated Conservation Areas, it states that consideration should be given to (i) the form and layout of the area and views into and out of the site; (ii) the scale, height, form and massing of the proposal and existing buildings to which it relates; (iii) locally distinctive design details including traditional frontage patterns, and (iv) the nature and quality of proposed building materials.

Saved Local Plan Policy LC6 relates to listed buildings and how these will be preserved and where possible enhanced, applications should demonstrate why the proposed works are desirable or necessary. Works which adversely affect the character, scale, proportion, design, detailing of, or materials used, or which would result in loss or irreversible change to original features will not be permitted.

Wider Policy Context

The above Development Plan policies are also supported by the wider range of design and landscape conservation policies in the Development Plan including GSP1, GSP2 and GSP3 of the Core Strategy and LC4 of the Local Plan, which require a high standard of design that is sensitive to the locally distinctive character of the landscape setting, with particular attention paid to the proposals impact on the character and setting of buildings, the character and appearance of the National Park siting, landscaping and materials. LH4 relates to alterations to dwellings, it states that alterations should not detract from the character, appearance or amenity of the original building, its setting or neighbouring buildings.

Assessment

Background

Prior to 2003/4 the cottage had been empty since the 1970's (possibly the 1950's) and the roof had been leaking over a prolonged period of time, this water penetration had resulted in the staircase, first floor partitions and floor boards being rotten. The cottage has been gradually but extensively repaired and refurbished and whilst the District Council's Building Control have been involved in the reinstatement works and advised the applicant throughout, and despite contact with the National Park Authority, the required Listed Building Consents for these works were not applied for prior to works commencing, or at the time of the works being carried out.

Hence the submission of the current application, which seeks consent retrospectively for the various internal alternations that have been carried out at 4 Anson Row including: (1) new floors; (2) new ceiling and wall finishes; (3) blocking an access between the kitchen and living room; (4) partial removal of a stud wall in the kitchen area; (5) a replacement staircase; (6) new plank and batten doors; (7) removal of timber handrail at the top of the staircase; (8) removal of timber partition between the staircase and bedroom; (9) a replacement cupboard; and (10) a new extractor vent in the bathroom.

Item 1 (new floors)

A new concrete floor has been laid throughout the ground floor of the property to the same height as the original floor, as indicated by the remains of the original plaster on the walls being below soil level. These works were considered to be desirable and necessary because the original floor on the ground floor was found to be laid directly onto the earth with no damp proof membrane, leading to damp penetrating the building and putting at risk. The original stone hearth, stone cills and slab entrance hall on the ground floor have all been retained, and the living room has been finished with plain oak floorboards and the kitchen ceramic tiles. Therefore, the new flooring has enabled the dwelling to be brought back into use but has had a neutral impact on the significance of the listed building in all other respects.

Item 2 (new ceiling and wall finishes)

As noted above, the timbers throughout the property were rotten because of damp ingress but the majority of the beams and joists were salvaged, three joists have been replaced like-for-like. Plasterboard panels have since been introduced between the joists, sealed with intumescent paint as recommended by DDDC Building Control to improve fire protection. The internal faces

of the walls have been lined with insulation and plasterboard. In this case, had the Authority been consulted, an alternative ceiling and wall finish would have been recommended but the Authority's Conservation Officer accepts the new ceiling and wall finishes do not harm the character of the listed building.

Item 3 (blocking an access between the kitchen and living room)

The access between the kitchen and living room at the rear of the stairs has been blocked with timber studding and plasterboard, this opening was low and did not have a door frame or door, it is not thought to be original, no materials were removed when the access was blocked up. Therefore, the works have had a neutral impact on the significance of the listed building albeit it would have been preferable to record the access prior to blocking it up.

Item 4 (partial removal of a stud wall in the kitchen area)

The removal of the modern brick wall which formed the side wall of the former pantry has improved the circulation of the ground floor. The amended heritage statement indicates that this was originally a doorway, it is assumed that when this was blocked and the access at the rear of the stairs (Item 3, now blocked again) was created. Therefore the works which have been done have returned the layout to a more original form and have not harmed the building.

Item 5 (replacement staircase)

The replacement staircase in the property is a like-for-like replacement and insofar as these works require Listed Building Consent, replacing what was there before would not harm the significance of the listed building.

Item 6 (new plank and batten doors)

New plank and batten internal doors with black door furniture have been provided throughout the property. The new doors replicate the original doors which were beyond repair and because the new doors are replicas of the originals; they do not harm the character of the listed building.

Item 7 (removal of timber handrail at the top of the staircase)

The former handrail at the top of the staircase had been broken and poorly repaired with a strip of timber nailed together; it was badly affected by water ingress and woodworm and has now been replaced with a like-for-like moulding. These works therefore do not affect the significance of the listed building because these works replace what was there before.

Item 8 (removal of timber partition between the staircase and bedroom)

The removal of these features has resulted in some harm to the building by way of the loss of fabric such as the timber balustrade, which could have been incorporated within the new bathroom partition. However, the new first floor arrangement has enabled the introduction of a bathroom in the most suitable location and this will help secure the future of the building.

Item 9 (replacement cupboard)

The replacement cupboard on the first floor of the property is a like-for-like replacement and insofar as these works require Listed Building Consent, replacing what was there before would not harm the significance of the listed building.

Item 10 (a new extractor vent in the bathroom)

An extractor vent/flue has been introduced in the rear roof slope serving the bathroom which has been created and are the only works included in this application that have any material effect on the external appearance of the building. The introduction of the flue has resulted in some minor harm to the significance of the listed building, however, it is small and does not protrude beyond the ridge of the roof and is black so its visual impact is mitigated.

In these respects, it would have been preferable to introduce the extractor within one of the walls with a sympathetic grill to the external face. However, the angle of the roof and its relationship to the external walls would make this almost impossible. Therefore, these works can be considered to be both desirable and necessary in the context of bringing the cottage back into use as a habitable dwelling.

Conclusions

In conclusion, the works included in this application have been carried out in a manner that is generally sympathetic to the special historic and architectural interest of the Grade II listed building and would have a minimal impact on the setting of 4 Anson Row. However, some of these works have resulted in less than substantial harm to the building but it is acknowledged that this building was at risk and the best way to conserve the building was to bring it back into use for its intended purpose as a dwelling house.

Consequently, the works can be considered to be beneficial because the works that have been carried out can be seen to have secured the long term conservation of the building by allowing the cottage to be brought back in to original use as a dwelling house. In this case, it is considered the benefits of securing the long term conservation of the building outweigh the very limited harm that has been caused by these works.

It is therefore considered that the current application accords with design and conservation policies in the Development Plan and that a recommendation of approval is supported by national planning policies in the Framework. However, as the works have been carried out and have been deemed to be acceptable as completed, it is not necessary to attach any conditions to any Listed Building Consent granted for this application.

Accordingly, the current application is recommended for unconditional approval.

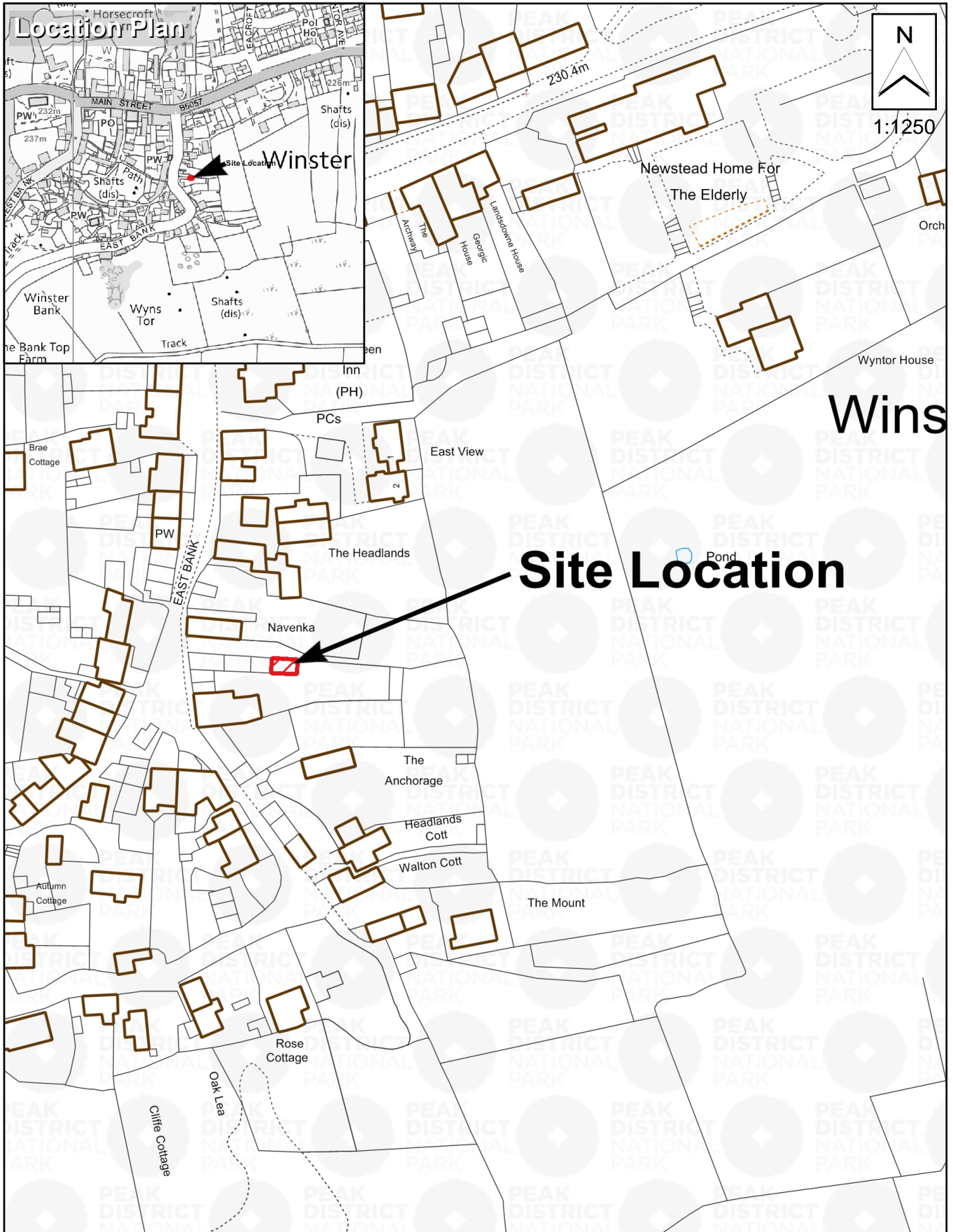
Human Rights

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:	13/05/2016	Title: 4 Anson Row East Bank Winster	 PEAK DISTRICT NATIONAL PARK
Item Number:	13		
Application No:	NP/DDD/0216/0148		
Grid Reference:	424138, 360408		

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14. MONITORING & ENFORCEMENT ANNUAL REVIEW: APRIL 2015 - MARCH 2016 (A.1533/AJC)

Introduction

The Planning Committee resolved to defer consideration of this report at its meeting on 15 April 2016.

The report provides a summary of the work carried out by the Monitoring & Enforcement Team over the last year (April 2015 – March 2016). It 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 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 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. 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).

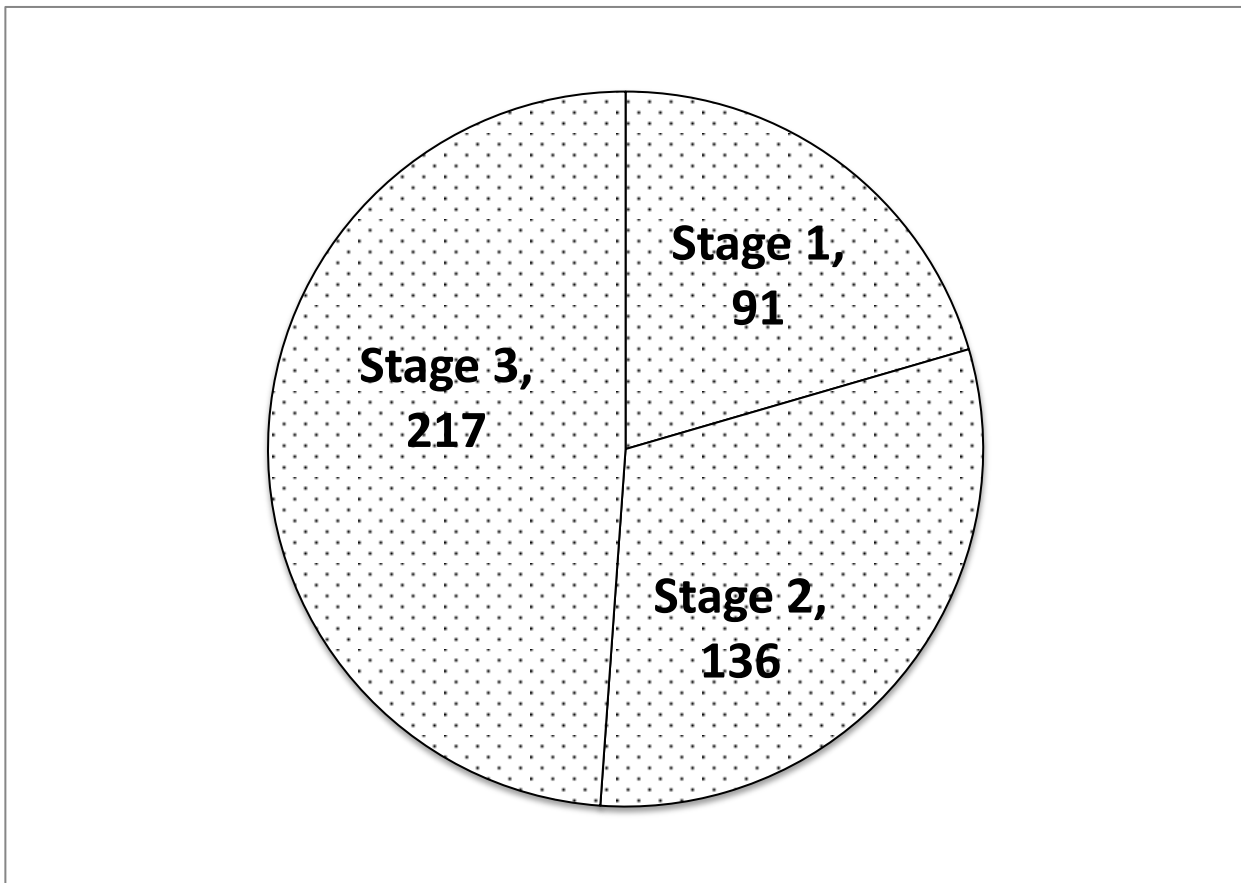
The number of enquiries outstanding has also increased – from 52 to 101 – although 76% of enquiries have been investigated/resolved within the team's target of 30 working days. A target of 80% of enquiries investigated/resolved within 30 working days is to be included in the Service Plan for 2016-17.

	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.

11/0222 Land at Stanedge Road Bakewell	Erection of building and use of land for storage purposes	Appeal dismissed 7 August 2015
12/0040 Adjacent Wigtwizzle Cottages Sheffield	Erection of building	Appeal dismissed 2 October 2015

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 1 February 2016
15/0047 Land opposite The Grouse Inn Chunal	Use of land for clay pigeon shooting	Appeal dismissed 17 February 2016
14/0177 Flash Bar Stores Quarnford Buxton	Use of building as a dwelling and building operations	Appeal allowed 17 February 2016
12/0064 Land off Cliff Lane Curbar Calver	Erection of a field shelter	Appeal dismissed 19 February 2016

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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15. ANNUAL REPORT ON PLANNING APPEALS 2015/16 (A.1536/AM/JRS/KH)

Purpose of Report

This report summarises the work carried out on planning appeals from 1 April 2015 to 31 March 2016.

Information on Appeals Process

In this period 34 new appeals were received, of which 14 were still in hand as of the 1 April. During the year 29 appeals were decided and 0 were withdrawn.

Of the total new appeals:

- 2 were to follow the informal hearing procedure
- 18 were to follow the written representation procedure
- 5 were to follow the householder appeals procedure
- 7 were to follow the enforcement appeal procedure
- 1 was to follow the LDC appeal procedure
- 1 was to follow the public inquiry procedure

Outcome of Appeals

The chart below shows the outcome of appeals over the last five years. The percentage of appeals allowed in the year 2015/16, at 24% is lower than the previous 5 years, although the context for this is analysed in more detail below.

	2105/16	2014/15	2013/14	2012/13	2011/12	2010/11
DECISIONS	29	35	33	38	38	51
Allowed	7 24%	15 43%	11 33%	10 26%	15 39%	15 29%
Dismissed	22 76%	20 57%	22 67%	28 74%	23 61%	35 69%

The national average for appeals allowed (according to the figures from the Planning Inspectorate up to the end of December) for 2015/16 was 32% for householder appeals and 33% for all other appeals excluding householder.

Of the 7 appeals allowed during this period, 5 (72%) were dealt with by written representations, 1 (14%) by the Householder procedure and 1 (14%) was dealt with by the enforcement appeal procedure

Enforcement

During the period 7 new enforcement appeals were handled, of these 3 were dismissed, 1 was allowed and 3 were awaiting determination.

Householder Appeals

In the year to 31 March 2016, 5 new householder appeals were submitted. Of these, 3 were dismissed, 1 was allowed and 1 was awaiting determination.

List of Appeals Allowed

Each appeal decision, whether allowed or dismissed, has been reported to Committee during the year. The following is a list of all the appeals which were allowed or partially allowed during 2015/2016.

Appeal Site	Development subject to appeal	Mode of appeal	Decision date	Delegated/ Committee	Main issue
Barn Farm, Birchover	Use of land to accommodate up to 25 tents during the months of June, July and August each year	Written Representations	18/06/2015	Delegated	Effect of the proposal on the living conditions of the residents with particular regard to noise and disturbance
Five Acres Farm, Wardlow	Use of yard for parking 2 lorries, in addition to retention of use of yard for agricultural purposes	Written Representations	29/07/2015	Committee	Whether the proposal would accord with both local and national planning policy on farm diversification and whether the development would conserve the landscape and scenic beauty of the National Park
Endcliffe Court, Ashford Road, Bakewell	Six number one bedroomed flats	Informal Hearing	11/08/2015	Committee	Whether the development proposed would be consistent with the principles of sustainable development, and having regard to the Development Plan and the National Planning Policy Framework

Barn adjacent to the B5056, Winster, DE4 2DR	Change of use/conversion of an agricultural barn to provide a single local need/affordable residence	Written Representations	02/09/2015	Delegated	Whether the proposed development would have an effect on highway safety
Former Goldcrest Works, Main Road, Stanton-in-the-Peak	Change of Use of “croft” to domestic curtilage, erection of gritstone clad retaining wall and association ground works	Written Representations	29/09/2015	Committee	Whether the proposal would preserve or enhance the character or appearance of the Stanton-in-the-Peak Conservation Area
Flash Bar Stores, Quarnford, Buxton	Against an Enforcement Notice – without planning permission, change of use of the Land to a mixed use comprising A1 retail and A3 café and C3 residential use and; without planning permission carrying out building operations comprising the extension and alterations to the roof, installation of solar panels and installation of a door to the building.	Written Representations	17/02/2016	Delegated	Whether the residential occupation of the outbuilding is justified by the needs of the existing business, and the effect of the development and works which have been carried out on the character and appearance of the building and its setting in the National Park
Redbourn e Cottage, White Lodge Lane, Baslow	Proposed two storey extension to detached dwelling over and to the rear of existing garage and single storey side/rear extension	Householder	29/03/2016	Delegated	Effect of the proposal on the living conditions of the occupiers at the neighbouring property in terms of outlook and light

Delegation / Planning Committee

Total number of planning applications decided between 1 April 2015 and 31 March 2016 was 1127 of which 910 (81%) were determined under delegated powers.

Of the 29 appeals decided:

- 21 (72%) related to applications determined under delegated powers. Of these 17 were dismissed and 4 were allowed
- 8 (28%) appeals were determined by Planning Committee. Of these 5 were dismissed and 3 were allowed

Comment

The percentage of appeals allowed against the Authority's decisions in 2015/16 was lower than last year, at 24% rather than 43%. The total number of appeals has dropped, particularly from the very high level of 2010/11. Those appeals which have been allowed have been cases where a site specific judgment by the Inspector has been different from that of the Authority. There have been no appeals allowed which were fundamentally contrary to policy or which raised wider policy issues. This is welcome and shows that the Authority's decisions and its policies are generally being supported by the Planning Inspectorate.

Members will be aware of any issues raised by specific appeal decisions (both allowed and dismissed) as the Director of Conservation & Planning sends all members a short analysis of each decision, together with the decision letter itself, when an appeal is determined. Three appeals were allowed this year in cases where Members had overturned the officer recommendation (Five Acres Farm, Wardlow; Endcliffe Court, Bakewell and the Former Goldcrest Works, Stanton-in-the-Peak).

One of the appeals dismissed was in respect of an objection to a Prohibition Order at Bakestonedale, near Pott Shrigley. The Appeal was against the proposed Order, with the Inspector making a recommendation to the Secretary of State, who confirmed the Order. The case was dealt with by written representations, having initially been listed as an Inquiry. In January 2016 there was also a public inquiry into a Prohibition Order relating to Longstone Edge/Backdale; the decision is awaited.

There has been an increase in the number of enforcement appeals this year: 3 are currently being handled, 1 was allowed and 3 were dismissed.

At the Authority there has been an increase in the number of appeals heard at informal hearings, and also an increase in those dealt with by written representations. Nationally the figures (up to the end of December), for public inquiries, hearings and written representations have plateaued, with public inquiries accounting for 4% of all appeals in 2015/16 whilst hearings accounted for 7% in 2015/16 and written representations accounted for 89% in 2015/16.

The householder appeal service continues to be a success, allowing a quicker and simpler process and the opportunity for officers to use the delegated report as the essential evidence to defend the appeal. To date no problems have occurred with the processing of appeals electronically.

Human Rights

The appeals procedure is consistent with human rights legislation.

RECOMMENDATION:

That the report be noted.

Background Papers (not previously published):

Appeal statistics

Appendices – None

Report Author, Job Title and Publication Date

Andrea McCaskie, Head of Law, John Scott, Director of Conservation & Planning and
Karen Harrison, Democratic & Legal Support Assistant

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16. HEAD OF LAW REPORT - 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/0415/0339 3144163	Demolition of former mill buildings, associated structures and other buildings and full planning permission for Class C1 (Hotel) development incorporating ground floor space with flexibility to be used for Class A3 and Class D2 uses, improvements to existing site access, parking, landscaping and other associated works at Riverside Business Park, Buxton Road, Bakewell, DE45 1GS	Hearing	Committee

2. APPEALS WITHDRAWN

There have been no appeals withdrawn during this month.

3. APPEALS DECIDED

The following appeals have been decided during this month.

<u>Reference</u>	<u>Details</u>	<u>Method of Appeal</u>	<u>Decision</u>	<u>Committee/ Delegated</u>
Enf 11/0200 3033500	Change of use of the land for agriculture to a use of the land for storage. Creation of a hardstanding and placing of a large steel container on site. Use of the land for the parking of vehicles at Land at Eldon Lane, Peak Forest	Public Inquiry	Notice Varied – Appeal Dismissed	Delegated

The Inspector was satisfied, following photographic evidence that the appeal could succeed insofar as the alleged parking of vehicles was concerned, and varied the Enforcement Notice accordingly to reflect this. Regarding the creation of the hardstanding and the use of the land for storage, the Enforcement Notice was upheld.

NP/SM/0415/0280 3138413	Change of use of redundant dwelling. Removal of existing 2 storey lean-to extension and replacement with 2 storey extension with pitched roof at Sycamore Farm, Fawfieldhead, Longnor	Written Representations	Dismissed	Committee
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The Inspector considered that the proposal would fail to achieve the conservation or enhancement of the building in a manner that would be consistent with the setting and character of the building or its surroundings. As a consequence the proposal would have been contrary to Core Strategy Policies GSP1, GSP2, GSP3, L1 and L3 and to the Local Plan LC4 and LC8. Together these policies seek to ensure that development proposals secure the statutory aims of the National Park, and respect, conserve and enhance all valued characteristics of the site and buildings. For these reasons the Inspector dismissed the appeal.

NP/HPK/0715/0612 3134661	Agricultural workers dwelling at Heys Farm, Highgate Road, Hayfield, SK22 2JS	Hearing	Dismissed	Delegated
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The Inspector considered that the existing farmhouse met the needs of the enterprise and that there was insufficient evidence to demonstrate a functional need of an additional dwelling to accommodate a rural worker. The proposal would have also been contrary to Core Strategy Policies HC1 and HC2 and Local Plan Policy LC12 as well as paragraph 55 of the Framework. The Inspector concluded that the proposed dwelling would have been harmful to the character and appearance of the surrounding countryside and would have failed to conserve the landscape and scenic beauty of the Peak District National Park. The appeal was therefore dismissed.

NP/CEC/0415/0310 3138559	Proposed conversion of barn to single dwelling and associated landscaping, including planting screening trees and creating car parking at Brink Farm, Pott Shrigley, Macclesfield	Written Representations	Dismissed	Delegated
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The Inspector considered that as the building has been repaired recently and is in agricultural use, and there is a planning permission for conversion to holiday accommodation, conversion was not required to achieve its conservation, so it would be contrary to Core Strategy Policies HC1 and paragraph 55 of the Framework. Although the proposed planting would partially mitigate the impact of the proposed development, it would not adequately mitigate the adverse impact of the proposed development on the character and appearance of the landscape of the National Park when viewed from the footpath. The proposed development would therefore be contrary to Policy LC4 of the Local Plan and L1 of the Core Strategy as it would adversely impact on the wider landscape setting of the National Park. The Inspector dismissed the appeal.

4. **RECOMMENDATION:**

That the report be received.